

**CITY COUNCIL AGENDA SUBMITTAL**

**DRAFT FORM**

<b>Deadline-</b>	<b>Work Session-</b>	<b>Meeting Dates</b>
9/22/09	10/08/09	10/19/09

**Agenda Item Type:**

	Consent
	Departmental Item
	Presentation
X	Public Hearing

**Title:** Initial Zoning Map Change – Beth Page II Initial (Z0900002A)

**Motion to:** Conduct a public hearing and receive public comments on the initial zoning map change for Beth Page II Initial (Z0900002A); and

To adopt an ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, to establish Planned Development Residential 4.733 (PDR 4.733), Industrial Light with a development plan (IL(D)), Commercial General with a development plan (CG(D)), Industrial Light (IL), Commercial Center (CC), and Residential Rural (RR) zoning for the property described in the attached staff report; and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the *Comprehensive Plan* and is reasonable and in the public interest given that this reflects the zoning of the property in the County and in light of information presented in the public hearing and in the accompanying agenda materials.

Staff Recommendation: Approval, based on annexation by the Council and the information contained in this report.

Planning Commission Recommendation: Approval, per the resolution adopted by the Commission on December 13, 2005 and attached to the staff report.

[The site is located on the west side of Page Road, north of Chin Page Road, PINs 0748-03-94-7129, 0758-03-12-7965, 0758-03-11-1174, 0758-01-20-0345]

**Resource Person:** Steven L. Medlin, AICP, City-County Planning Director and Amy Wolff, Planner

**Department:** City-County Planning

**Attachments:** 18 pages

**City Attorney Review:** (X) None                      Yes – Karen Sindelar

**City Manager Review:** (X) None                      Yes – Thomas Bonfield



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



**Initial Zoning Map Change Report**

**Meeting Date: October 19, 2009**

Reference Name	Beth Page Initial (Z0900002A)	Jurisdiction	City
<b>Request</b>	<b>Proposed Zoning</b>	Planned Development Residential 4.733 (PDR 4.733), Industrial Light with a development plan (IL(D)), Commercial General with a development plan (CG(D)), Industrial Light (IL), Commercial Center (CC), Residential Rural (RR) (City Jurisdiction)	
	<b>Existing Zoning</b>	Planned Development Residential 4.733 (PDR 4.733), Industrial Light with a development plan (IL(D)), Commercial General with a development plan (CG(D)), Industrial Light (IL), Commercial Center (CC), Residential Rural (RR) (County Jurisdiction)	
<b>Site Characteristics</b>	<b>Tier</b>	Suburban	
	<b>Land Use Designation</b>	Low-Medium Density Residential (4-8 DU/Ac), Commercial, Industrial, and Recreation/Open Space	
	<b>Overlays</b>	None	
	<b>Site Acreage (including right-of-way)</b>	412.88	
<b>Applicant</b>	City of Durham		
<b>Location</b>	West side of Page Road, north of Chin Page Road		
<b>PINs</b>	0748-03-94-7129, 0758-03-12-7965, 0758-03-11-1174, 0758-01-20-0345		
<b>Recommendations/Comments</b>	<b>Staff</b>	Approval	
	<b>Planning Commission</b>	Approval, per attached resolution adopted by the Commission on December 13, 2005.	

**A. Summary**

This is the initial zoning of property newly annexed into the City. A direct translation from County to City zoning districts is proposed. Council has approved the annexation, effective September 30, 2009.

## **B. Statutory Requirements**

State Statutes (General Statute 160A-360) require that a municipality annexing land place its zoning designation on the property within 60 days of the effective date of the annexation.

## **C. Staff Analysis**

The zoning involves the translation of identical zoning from the County jurisdiction to the City jurisdiction. There are no differences in uses, or in the regulations governing those uses under the Unified Development Ordinance, between the City and County jurisdictions.

In the Suburban Tier, the present zoning designations of PDR 4.733, IL(D), and CG(D) were approved by the Board of County Commissioners with Case #Z06-47 (see development plan, Attachment 3) on December 10, 2007. A site plan for a portion of the site was submitted to the Planning Department on November 17, 2008 (Case# D0800277, Bethpage – Village North) and is under review. The IL, CC and RR designations included in this request are strictly within the right-of-way.

## **D. Notification**

Staff certifies that newspaper advertisements, letters to property owners within 100 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Partners Against Crime – District 4
- Friends of Durham
- Inter-Neighborhood Council
- Center of the Region Enterprise (CORE) – Wake County
- Center of the Region Enterprise (CORE) – City of Raleigh
- Center of the Region Enterprise (CORE) – Town of Morrisville
- Center of the Region Enterprise (CORE) – Town of Cary
- City of Raleigh
- Unity in the Community for Progress
- Fayetteville Street Planning Group

## **E. Recommendations**

Staff recommends approval of this initial zoning from PDR 4.733, IL(D), and CG(D) (County jurisdiction) to PDR 4.733, IL(D), and CG(D) (City jurisdiction).

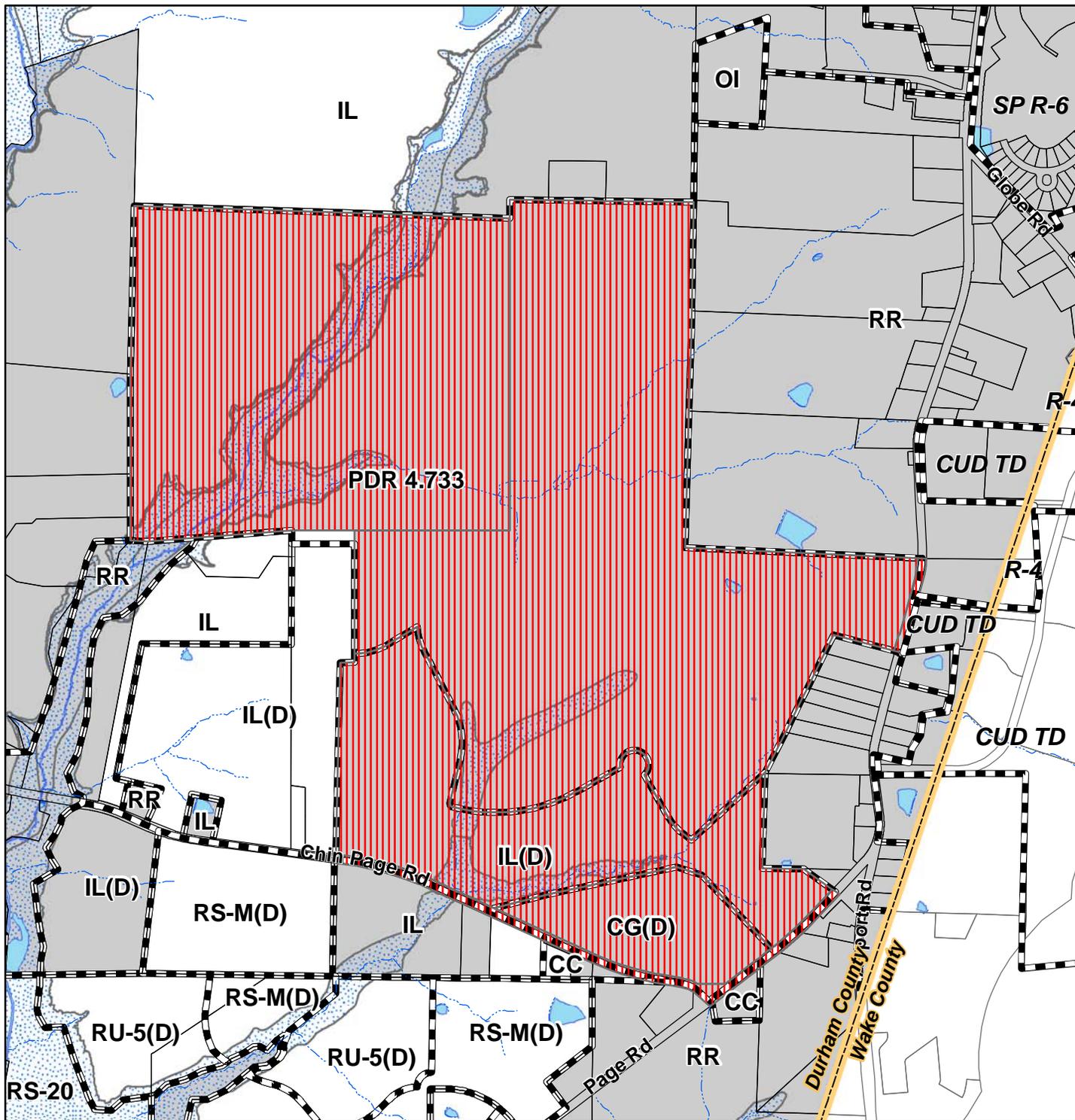
Planning Commission recommends approval, per the resolution adopted by the Commission on December 13, 2005 and attached to the staff report.

**F. Staff Contact**

Amy Wolff, Planner, 560-4137 ext 28235 [amy.wolff@durhamnc.gov](mailto:amy.wolff@durhamnc.gov)

**G. Attachments**

1. Context Map
2. Aerial Photo
3. Development Plan Reduction (Z06-47)
4. Resolution of the Durham City-County Planning Commission
5. Ordinance Form



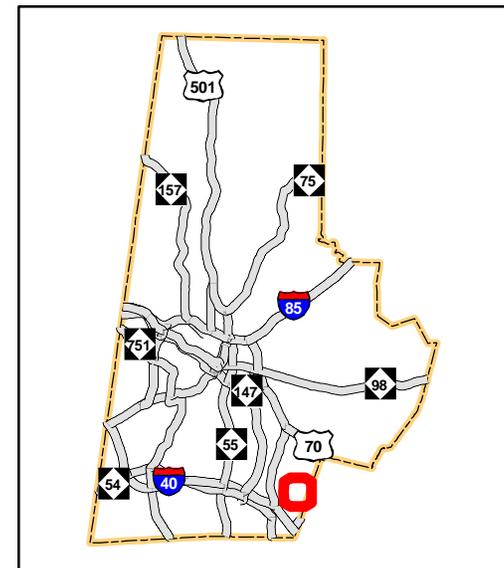
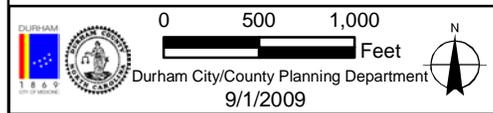
**Context Map: Z0900002A**

Initial Zoning for a Newly Annexed Property

ZONING : PDR 4.733, IL(D), CG(D), IL, CC, RR

OVERLAY(S): N/A

-  Case Area
-  Parcel Lines
-  Streams
-  Wetlands
-  Watershed Boundary
-  Water
-  Corps Land
-  Urban Growth Area
-  Floodplain
-  Zoning
-  County Line
-  County Jurisdiction

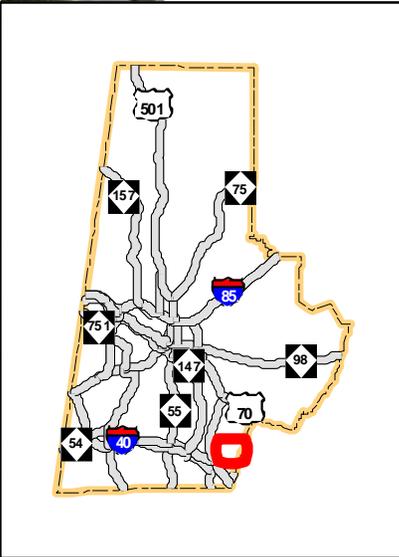
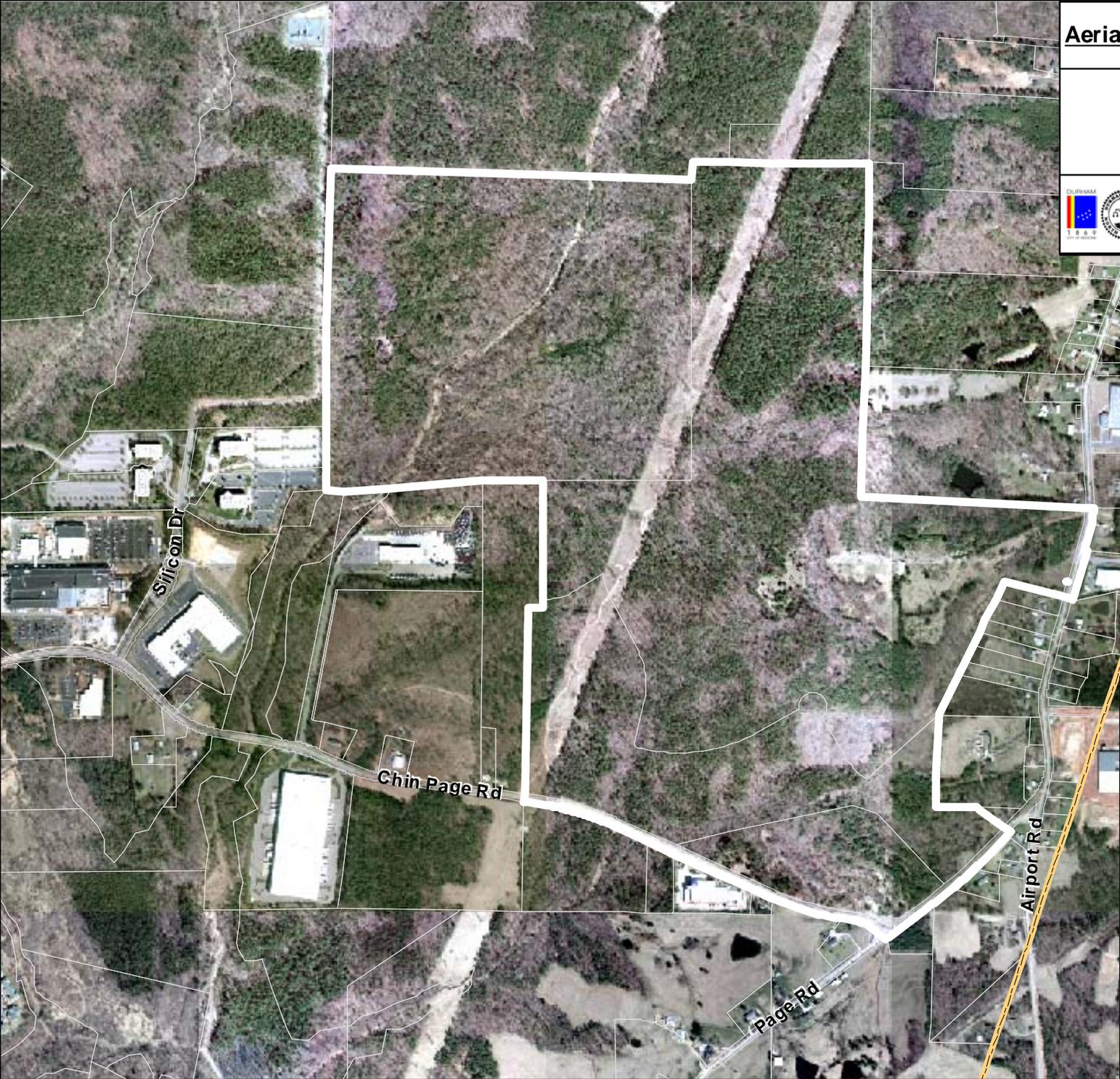


**Aerial Photography: Z0900002A**

-  Case Area
-  Parcel Lines
-  County Line

0 500 1,000 Feet

Durham City/County Planning Department  
8/31/2009



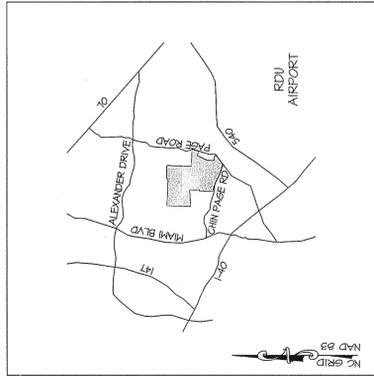
# PAGE ROAD ASSEMBLAGE

## SITE DATA

TOTAL SITE AREA:	40727 AC. (1746088 SF) (PGOR TO ANY ROW DEDICATION)
PARCEL #S:	0769-09-31-4900 TAX MAP # 59020204 PARCEL ID: 157684
	5800208
	0769-09-11-2041
	5902021
	0769-09-44-1571
	5902024
	0769-09-19-7166
	5800278
EXISTING ZONING:	0769-09-20-6985
PROPOSED ZONING:	PDR 4733, L (D), C6 (D)

## SPECIAL CONDITIONS OF APPROVAL

1. ALL SITES, MATERIALS, SLOPES, LOCATIONS, EXTENSIONS AND DEPTHS FOR ALL PROPOSED IMPROVEMENTS SHALL BE SHOWN ON THE PLAN. THE CITY OF DURHAM SHALL BE NOTIFIED IN WRITING OF ANY CHANGES TO THE PLAN. THE CITY OF DURHAM SHALL BE NOTIFIED IN WRITING OF ANY CHANGES TO THE PLAN. THE CITY OF DURHAM SHALL BE NOTIFIED IN WRITING OF ANY CHANGES TO THE PLAN.
2. ANNEALATION PETITION REQUIRED. ANNEALATION PETITION MUST BE DERIVED VALID BEFORE FINAL CONSTRUCTION. CONTACT COUNTY ENGINEERING FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
3. THE DESIGNING PROFESSIONAL (A NCE, NCELS OR NCSLA-AS REQUIRED) SHALL SUBMIT 3 SETS OF CONSTRUCTION DRAWINGS (SET, PLAN, SECTION) TO THE CITY OF DURHAM FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
4. EXTENSION AGREEMENT REQUIRED (SUBMIT AFTER SITE PLAN APPROVED, BUT BEFORE CONSTRUCTION). CONTACT COUNTY ENGINEERING FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
5. IF A HYDRANT IS PROPOSED, A FIRE FLOW ANALYSIS IS REQUIRED. MATERIALS SIZE MUST BE DETERMINED BY THE CITY ENGINEERING & PUBLIC WORKS DEPARTMENT. CONTACT COUNTY ENGINEERING FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
6. MATERIALS REQUIRED. SERIES, WEIGHT, SIZE, LOCATION, COUNTY, REQUIRED. CONTACT COUNTY ENGINEERING FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
7. SIGNMENTS SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF DURHAM UNIFIED DEVELOPMENT ORDINANCE.



VICINITY MAP  
NTS

## DEVELOPMENT PLAN 3500 PAGE ROAD, ET AL. DURHAM, NORTH CAROLINA PROJECT NUMBER: CPR-06000

DATE: JUNE 22, 2006  
REVISED: JULY 11, 2007  
REVISED: JULY 16, 2007  
REVISED: JULY 18, 2007  
REVISED: SEPTEMBER 21, 2007  
REVISED: OCTOBER 3, 2007  
REVISED: OCTOBER 15, 2007

### OWNERS:

ALFC-PAGE ROAD, LLC  
4000 WEST CHASE BLVD., SUITE 390  
RALEIGH, NC 27702  
TEL: 919-489-7197  
FAX: 919-489-7197  
FNN: 0758-03-15-7196  
FNN: 0758-03-21-9980

PAGE ROAD PERMITTED PARTNERSHIP  
303 N. HENRYVILLE AVE.  
WINTER PARK, FL 32789  
FNN: 0758-03-11-2047

BETHPAGE ACQUISITION PARTNERS, LLC  
181 PROPERTIES, INC.  
4365 EMPEROR BLVD. 110  
DURHAM, NC 27713  
PHONE: (919) 941-5745  
FAX: 0758-03-20-9985

### DEVELOPER:

CROSLAND INC.  
WESTCHASE II, SUITE 475  
4000 WESTCHASE BOULEVARD  
RALEIGH, NORTH CAROLINA 27607  
P: (919) 754-8990, F: (919) 754-8995  
CONTACT: JIM ANDERSON  
EMAIL: JANDERSON@CROSLAND.COM

CASE #: 206-47

### COMMITTED ELEMENTS

1. MAXIMUM NUMBER OF UNITS WITHIN THE PDR-4733 DISTRICT: 1300.
2. MINIMUM SINGLE-FAMILY LOT SIZE: 6500 SQUARE FEET.
3. THIS PROJECT WILL PROVIDE A MINIMUM OF 900 ACRES OF OPEN SPACE. THIS ACRES IS A COMBINATION OF 24 ACRES OF ACTIVE AND 86 ACRES OF PASSIVE OPEN SPACE.
4. THE DEVELOPER SHALL PROVIDE A MINIMUM OF 1000 PERCENT OPEN SPACE TO THE CITY OF DURHAM. THE CITY OF DURHAM SHALL PROVIDE A MINIMUM OF 1000 PERCENT OPEN SPACE TO THE CITY OF DURHAM.
5. CONSTRUCTION OF 3 MILES OF 4' INCH SOFT SURFACE & 1 MILE OF 4' INCH SOFT SURFACE SHALL BE COMPLETED PRIOR TO THE LAST C.C. IN THE ADJACENT DEVELOPMENT PDR.
6. A 100' GREENWAY DEDICATION ALONG UNNAMED TRIBUTARY OF SHIRBRIDGE CREEK PRIOR TO APPROVAL OF FINAL PLAN. TO BE SHOWN ON SHEET DV-1.
7. 10' OF ADDITIONAL RIGHT-OF-WAY TO BE DEDICATED ALONG FRONTAGE OF CHIN PAGE ROAD.
8. 10' OF ADDITIONAL RIGHT-OF-WAY TO BE DEDICATED ON THE NORTH SIDE OF THE PROPERTY FOR THE PROPOSED WALK-BIKING COLLECTOR, AS SHOWN ON SHEET DV-1.
9. A MINIMUM OF 4' OF ADDITIONAL ASPHALT IN ADDITION TO THE PROPOSED ASPHALT REQUIRED BY THE TIA WILL BE PROVIDED TO THE CITY OF DURHAM. THE CITY OF DURHAM SHALL PROVIDE A MINIMUM OF 4' OF ADDITIONAL ASPHALT TO THE CITY OF DURHAM.
10. THE DEVELOPER AGREES TO PROVIDE ONE (1) BUS SHELTER EITHER ALONG PAGE ROAD, CHIN PAGE ROAD, OR WITHIN THE TRAIL RIGHT-OF-WAY. THE CITY OF DURHAM SHALL PROVIDE A MINIMUM OF 4' OF ADDITIONAL ASPHALT TO THE CITY OF DURHAM.
11. NO LOTS WILL BE PLANTED WITHIN STEP SLOPES AS DEFINED BY THE IGO.
12. THE HISTORIC STRUCTURE AND DAMN AVAILABLE FOR SALVAGE TO PRESERVE DURHAM'S HISTORIC CHARACTER SHALL CONTAIN A CLUBHOUSE AND A JUNIOR OLYMPIC POOL. IN ADDITION, ONE (1) TOT LOT SHALL BE PROVIDED IN ONE OF THE REMAINING USABLE OPEN SPACE AREAS.
13. THE ACTIVE RECREATION AREA WILL CONTAIN AT LEAST 1000 SQUARE FEET OF IMPROVED TO ALLOW SUFFICIENT OPEN SPACE TO THE SOUTH CERTIFICATE OF OCCUPANCY.
14. PROTECT THE EXISTING GIBETERY AND PROVIDE OPEN SPACE AROUND THE GIBETERY.

### TRANSPORTATION COMMITTED ELEMENTS

- GENERAL:
1. INSTALL STEEL POLES WITH HAST ARMS OR STEEL STRAIN POLES AS REQUIRED BY THE CITY OF DURHAM AND APPROVED BY THE CITY OF DURHAM. THE CITY OF DURHAM SHALL PROVIDE A MINIMUM OF 1000 PERCENT OPEN SPACE TO THE CITY OF DURHAM.
  2. THE DEVELOPER SHALL PROVIDE A MINIMUM OF 1000 PERCENT OPEN SPACE TO THE CITY OF DURHAM. THE CITY OF DURHAM SHALL PROVIDE A MINIMUM OF 1000 PERCENT OPEN SPACE TO THE CITY OF DURHAM.
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- PAGE ROAD AND CHIN PAGE ROAD:
1. INSTALL A NEW TRAFFIC SIGNAL (SUBJECT TO MUTCD WARRANTS AND APPROVAL BY NC DOT).
  2. INSTALL A NEW TRAFFIC SIGNAL (SUBJECT TO MUTCD WARRANTS AND APPROVAL BY NC DOT).
  3. INSTALL A NEW TRAFFIC SIGNAL (SUBJECT TO MUTCD WARRANTS AND APPROVAL BY NC DOT).
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- PAGE ROAD AND CHIN PAGE ROAD:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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- CHIN PAGE ROAD AND SITE DRIVE 3, 4, 5, 6, 7, 8, 9, 10:
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- CHIN PAGE ROAD AND SITE DRIVE 11, 12, 13, 14, 15, 16, 17, 18, 19, 20:
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- CHIN PAGE ROAD AND SITE DRIVE 31, 32, 33, 34, 35, 36, 37, 38, 39, 40:
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  10. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
- CHIN PAGE ROAD AND SITE DRIVE 41, 42, 43, 44, 45, 46, 47, 48, 49, 50:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
  2. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
  3. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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  9. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
  10. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
- CHIN PAGE ROAD AND SITE DRIVE 51, 52, 53, 54, 55, 56, 57, 58, 59, 60:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
  2. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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- CHIN PAGE ROAD AND SITE DRIVE 61, 62, 63, 64, 65, 66, 67, 68, 69, 70:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
  2. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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- CHIN PAGE ROAD AND SITE DRIVE 71, 72, 73, 74, 75, 76, 77, 78, 79, 80:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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- CHIN PAGE ROAD AND SITE DRIVE 81, 82, 83, 84, 85, 86, 87, 88, 89, 90:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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- CHIN PAGE ROAD AND SITE DRIVE 91, 92, 93, 94, 95, 96, 97, 98, 99, 100:
1. CONSTRUCT AN EXCLUSIVE EASTBOUND LEFT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.
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  10. CONSTRUCT AN EXCLUSIVE WESTBOUND RIGHT-TURN LANE ON CHIN PAGE ROAD WITH ADEQUATE STORAGE AND APPROPRIATE TAPER.

### APPROVAL STAMP

CASE #206-47

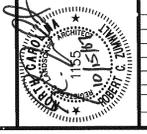


ENGINEERS/PLANNERS/SURVEYORS  
RESEARCH TRIANGLE PARK, NC  
P.O. BOX 14005 ZIP 27709-4005  
(919) 361-5000

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION







**REVISIONS:**

01.10.2024	REVISED PER CITY OF DURHAM COMMENTS
01.12.2024	REVISED PER CITY OF DURHAM COMMENTS
02.01.2024	REVISED PER CITY OF DURHAM COMMENTS
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**CROSSLAND INC.**  
 OWNER/DEVELOPER:  
 4000 WESTCHASE BOULEVARD  
 RALEIGH, NORTH CAROLINA 27607  
 P: (919) 754-8990, F: (919) 754-8995

**PDR SITE DATA**

EXISTING ZONING	RR / CG / IL
PROPOSED ZONING	PKR 4733
PROPOSED USES	ANY USES PERMITTED WITHIN THE IL DISTRICT
BUILDING FLOOR AREA	MAXIMUM 500,000 SF (50% COVERAGE)
NET DISTRICT AREA	63.37 ACRES (2,922,212 SF) - 0.68 ACRES (30,284 SF) IN ROAD DEDICATION
FLOORPLANE	RESIDENTIAL
PROPOSED NUMBER OF UNITS	1000 RESIDENTIAL UNITS
DENSITY	179 AC / 175,952.9 SF
STREET YARD SEPARATION	REQUIRED PROPOSED 10'
BUILDING SEPARATION	REQUIRED PROPOSED 10'
PROPOSED BUILDING HEIGHT	30' MAXIMUM
PARKING SPACES	607 MAXIMUM
PROPOSED INTERCONNECTED SURFACE	PROVIDED SAME AS REQUIRED
MAXIMUM 16.50 ACRES (1,092,964 SF) 30%	

**ZONING IL(D) SITE DATA**

EXISTING ZONING	RR / CG / IL
PROPOSED ZONING	IL (D)
PROPOSED USES	ANY USES PERMITTED WITHIN THE IL DISTRICT
BUILDING FLOOR AREA	MAXIMUM 500,000 SF (50% COVERAGE)
NET DISTRICT AREA	63.37 ACRES (2,922,212 SF) - 0.68 ACRES (30,284 SF) IN ROAD DEDICATION
FLOORPLANE	RESIDENTIAL
PROPOSED NUMBER OF UNITS	1000 RESIDENTIAL UNITS
DENSITY	179 AC / 175,952.9 SF
STREET YARD SEPARATION	REQUIRED PROPOSED 10'
BUILDING SEPARATION	REQUIRED PROPOSED 10'
PROPOSED BUILDING HEIGHT	30' MAXIMUM
PARKING SPACES	607 MAXIMUM
PROPOSED INTERCONNECTED SURFACE	PROVIDED SAME AS REQUIRED
MAXIMUM 16.50 ACRES (1,092,964 SF) 30%	

**ZONING C6(D) SITE DATA**

EXISTING ZONING	RR / CG / IL
PROPOSED ZONING	C6 (D)
PROPOSED USES	ANY USES PERMITTED IN THE C6 DISTRICT
BUILDING FLOOR AREA	MAXIMUM 100,000 SF (11.9% COVERAGE)
NET DISTRICT AREA	20.10 ACRES (879,569 SF) - 0.62 ACRES (27,027 SF) IN ROAD DEDICATION
FLOORPLANE	N/A
STREET YARD SEPARATION	REQUIRED PROPOSED 10'
BUILDING SEPARATION	REQUIRED PROPOSED 10'
PROPOSED BUILDING HEIGHT	30' MAXIMUM
PARKING SPACES	607 MAXIMUM
PROPOSED INTERCONNECTED SURFACE	PROVIDED SAME AS REQUIRED
MAXIMUM 16.50 ACRES (1,092,964 SF) 30%	

**TOTAL SITE DATA**

EXISTING ZONING	RR / CG / IL
PROPOSED ZONING	PKR 4733/6407/LLD
PROPOSED USES	1000 RESIDENTIAL UNITS, 500,000 SF OFFICE, 500,000 SF COMMERCIAL
NET DISTRICT AREA	407.27 AC (17,740,681 SF)
PROPOSED INTERCONNECTED SURFACE	5.12 AC (223,021.2 SF)

**PDR DENSITY CALCULATION:**

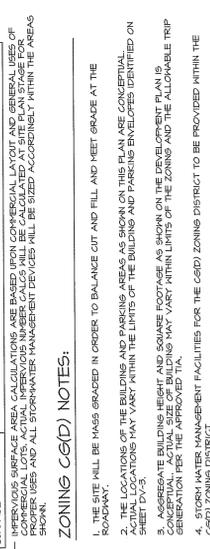
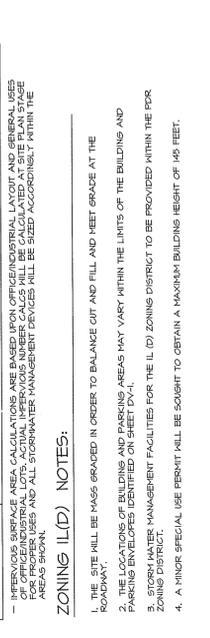
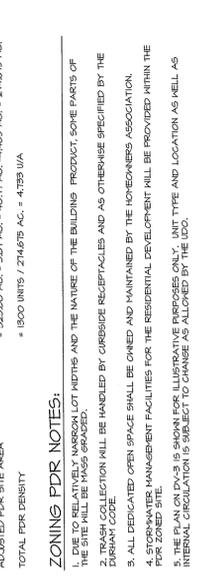
TOTAL PDR SITE AREA	= 323.80 AC.
- RIGHT-OF-WAY DEDICATION	= 3.97 AC. (0% CREDIT)
- TOTAL FLOORWAY & BUFFERS AREA	= 60.77 AC. (0% CREDIT) = 4.485 AC.
- ADJUSTED PDR SITE AREA	= 323.80 AC. - 3.97 AC. - 4.485 AC. = 215.35 AC.
TOTAL PDR DENSITY	= 1800 UNITS / 215.35 AC. = 4.178 U/A

**ZONING IL(D) NOTES:**

1. THE SITE SHALL BE MASS GRADED IN ORDER TO BALANCE CUT AND FILL AND MEET GRADE AT THE ROADWAY.
2. THE LOCATIONS OF BUILDINGS AND PARKING AREAS MAY VARY WITHIN THE LIMITS OF THE BUILDING AND ZONING DISTRICT.
3. ALL DEDICATED OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
4. STORMWATER MANAGEMENT FACILITIES FOR THE RESIDENTIAL DEVELOPMENT WILL BE PROVIDED WITHIN THE ZONING DISTRICT.
5. THE PLAN ON DW-3 IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. UNIT TYPE AND LOCATION AS WELL AS INTERNAL CIRCULATION IS SUBJECT TO CHANGE AS ALLOWED BY THE LDC.

**ZONING C6(D) NOTES:**

1. THE SITE SHALL BE MASS GRADED IN ORDER TO BALANCE CUT AND FILL AND MEET GRADE AT THE ROADWAY.
2. THE LOCATIONS OF BUILDINGS AND PARKING AREAS MAY VARY WITHIN THE LIMITS OF THE BUILDING AND ZONING DISTRICT.
3. ALL DEDICATED OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
4. STORMWATER MANAGEMENT FACILITIES FOR THE RESIDENTIAL DEVELOPMENT WILL BE PROVIDED WITHIN THE ZONING DISTRICT.
5. THE PLAN ON DW-3 IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. UNIT TYPE AND LOCATION AS WELL AS INTERNAL CIRCULATION IS SUBJECT TO CHANGE AS ALLOWED BY THE LDC.



**GENERAL NOTES:**

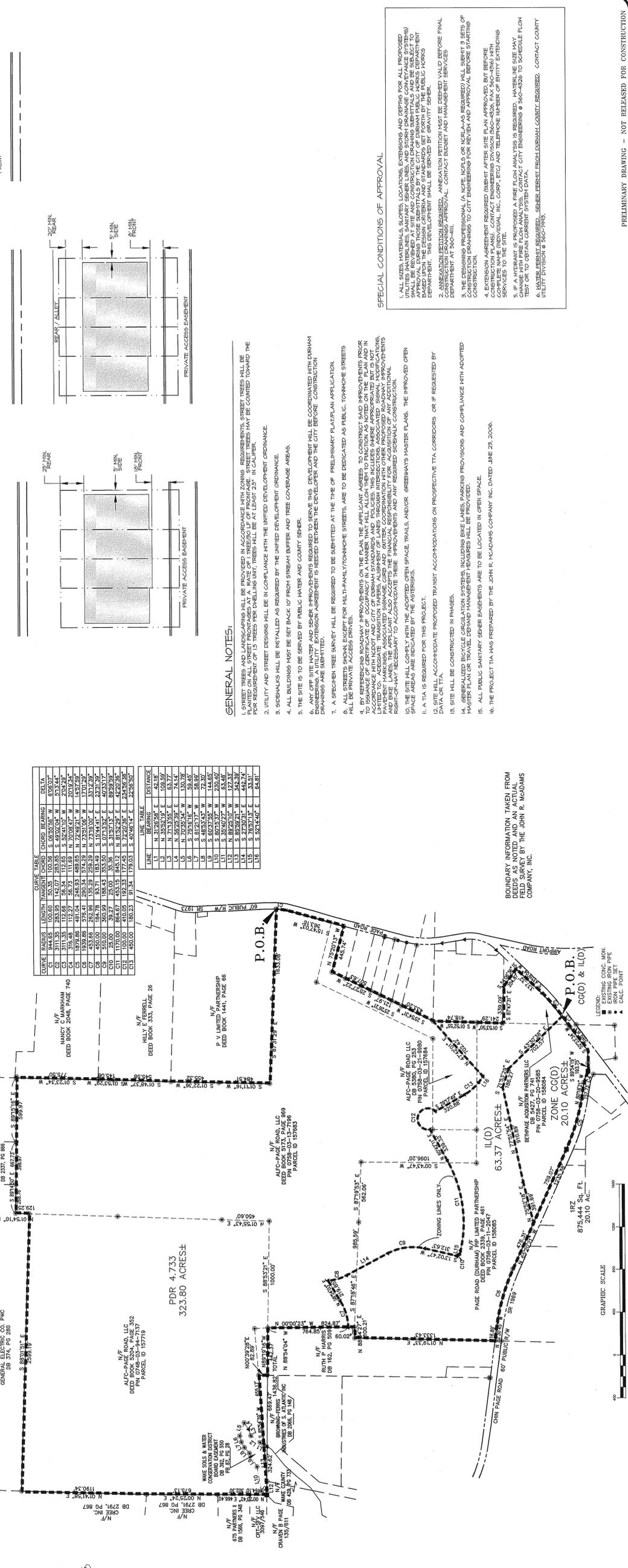
1. STREET TREES AND LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH ZONING REQUIREMENTS. STREET TREES WILL BE PLANTED ON ALL STREET FRONTAGES AT A RATE OF 1 TREE/20 LF OF FRONTAGE. STREET TREES MAY BE COUNTED TOWARD THE PER REQUIREMENT OF 15 TREES PER CHILLING UNIT. TREES WILL BE AT LEAST 25' IN CALIBER.
2. UTILITY AND STREET DESIGN SHALL BE IN COMPLIANCE WITH THE UNIFIED DEVELOPMENT ORDINANCE.
3. SIDEWALKS SHALL BE INSTALLED AS REQUIRED BY THE UNIFIED DEVELOPMENT ORDINANCE.
4. ALL BUILDINGS MUST BE SET BACK 10' FROM STREAM BUFFER AND TREE COVERAGE AREAS.
5. THE SITE IS TO BE SERVED BY PUBLIC WATER AND COUNTY SEWER.
6. ANY SITE WATER AND SEWER IMPROVEMENTS REQUIRED TO SERVE THIS DEVELOPMENT SHALL BE COORDINATED WITH DURHAM ENGINEERING, UTILITY, EXTENSION AGREEMENT IS NEEDED BETWEEN THE DEVELOPER AND THE CITY BEFORE CONSTRUCTION DRAWINGS ARE SUBMITTED.
7. A SPECIEN TREE SURVEY WILL BE REQUIRED TO BE SUBMITTED AT THE TIME OF PRELIMINARY PLAN APPLICATION.
8. ALL STREETS SHOWN EXCEPT FOR MULTI-FAMILY/TOWNHOME STREETS ARE TO BE DEDICATED AS PUBLIC. TOWNHOME STREETS WILL BE PRIVATE ACCESS DRIVES.
9. BY INTERFERING ROADWAY IMPROVEMENTS IN A MANNER THAT WILL ALLOW THEM TO FUNCTION AS NOTED ON THE PLAN AND IN ACCORDANCE WITH NC DOT AND CITY OF DURHAM STANDARDS AND POLICIES, THE APPLICANT AGREES TO PROVIDE THE NECESSARY FUNDING TO MAINTAIN AND OPERATE THE ROADWAY IMPROVEMENTS AND BUREAU LINES. THE APPLICANT WILL COORDINATE THESE IMPROVEMENTS AND ANY REQUIRED SIGNALIZATION CONSTRUCTION.
10. THE SITE WILL COMPLY WITH THE APPLICABLE OPEN SPACE TRAILS, AND/OR GREENWAYS MASTERS PLANS. THE IMPROVED OPEN SPACE AREAS ARE INDICATED BY THE ASTERISKS.
11. A SITE WILL ACCOMMODATE PROPOSED TRANSPORTATION ACCOMMODATIONS ON PROSPECTIVE ITA CORRIDORS OR IF REQUESTED BY DATA OR TTA.
12. THE SITE SHALL BE CONSTRUCTED IN PHASES.
13. GENERALIZED BICYCLE CIRCULATION SYSTEMS, INCLUDING BIKE LANES, PARKING PROVISIONS AND COMPLIANCE WITH ADOPTED MASTER PLAN OR TRAVEL DEMAND MANAGEMENT REQUIRES WILL BE PROVIDED.
14. ALL PUBLIC SANITARY SEWER FACILITIES ARE TO BE LOCATED IN OPEN SPACE.
15. THE PROJECT TIA HAS PREPARED BY THE JOHN R. McADAMS COMPANY INC. DATED JUNE 29, 2006.

**SPECIAL CONDITIONS OF APPROVAL**

1. ALL SIZES, MATERIALS, SLOPES, LOCATIONS, EXTENSIONS AND DEPTHS FOR ALL PROPOSED UTILITIES SHALL BE REVIEWED AT SITE AND CONSTRUCTION DRAWINGS SUBMITTED AND BE SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL. THIS DEVELOPMENT SHALL BE SERVED BY GRAVITY SEWER.
2. AN EXISTING UTILITIES DEPARTMENT SHALL BE CONTACTED TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES. THIS DEVELOPMENT SHALL BE SERVED BY GRAVITY SEWER.
3. THE DESIGNING PROFESSIONAL (A NOTE, SPECS OR NOLA'S REQUIRED) WILL SUBMIT 3 SETS OF CONSTRUCTION DRAWINGS TO THE CITY ENGINEERS FOR REVIEW AND APPROVAL BEFORE STARTING CONSTRUCTION.
4. EXTENSION AGREEMENT REQUIRED BETWEEN THE SITE PLAN APPLICANT AND THE CITY ENGINEERS TO COMPLETE THE NECESSARY UTILITY IMPROVEMENTS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COST OF THESE SERVICES TO THE SITE.
5. IF AN APPLICANT IS PROVIDED A FIRE FLOW ANALYSIS, IT IS REQUESTED THAT THE APPLICANT CONTACT THE CITY ENGINEERS TO OBTAIN CURRENT SYSTEM DATA.
6. WATER PERMIT REQUIRED - SEWER PERMIT REQUIRED. CONTACT COUNTY UTILITY DIVISION @ 940-7188.

**AREA OF ZONING MAP CHANGE**

PDR 4733	323.80 ACRES±
IL(D)	63.37 ACRES±
C6(D)	20.10 ACRES±
TOTAL	407.27 ACRES±





RESOLUTION OF THE DURHAM CITY-COUNTY PLANNING COMMISSION  
IN SUPPORT OF INITIAL “TRANSLATION” ZONINGS BY THE CITY COUNCIL  
OF NEWLY ANNEXED PROPERTIES AND  
IN SUPPORT OF BYPASSING RECONSIDERATION OF SUCH ZONINGS  
BY THE PLANNING COMMISSION

WHEREAS amendments have been made to Section 160A-387 of the North Carolina Statutes by the General Assembly that become effective on January 1, 2006;

WHEREAS those amendments require that all zoning ordinance and zoning map amendments be submitted to the Durham City-County Planning Commission for review and comment:

WHEREAS unique conditions apply to the City and County of Durham in that the incorporated areas of the city and the unincorporated areas of Durham County are governed by the same zoning ordinance and, through interlocal agreement, the governing bodies have created a “merged” Planning Commission to review all zoning amendments in the City and the County;

WHEREAS as a result of the consistency in both the zoning ordinance and the zoning process within the City and the unincorporated areas of the County, zoning actions that have been considered once by the Planning Commission should not have to be reconsidered by the Planning Commission at the time the property may be annexed by the City;

WHEREAS allowing for initial “translation” zonings, wherein a property’s existing zoning category in the County is kept intact by the City upon annexation, and remains until the owner requests a change in zoning, promotes many laudable public goals, including but not limited to, continuity in City and County zoning processes and the allowance of protest petitions if a request for a rezoning is made after a translation zoning has initially been given to a property by the City Council;

WHEREAS it is not reasonable to add cases to the Planning Commission’s agenda for consideration of “translation” zonings when the recommendation of the Planning Commission will routinely be to allow the current zoning to remain upon annexation by the City of Durham, because such addition: 1) delays the consideration of the translation zoning cases by the City Council; and 2) is not reasonable to burden the land owner with an unnecessary additional public hearing;

NOW, THEREFORE, THE DURHAM CITY-COUNTY PLANNING COMMISSION hereby resolves that:

1. The Commission hereby considers all initial zonings of properties newly annexed to the City to be “submitted” and “referred” to the Durham City-County Planning Commission for purposes of compliance with NCGS 160A-387 as of the date of the City

Council work session at which the annexation of the property is first considered on the printed agenda;

2. Without further action on any such individual zonings, the Commission hereby recommends to the Durham City Council that all “translation” zonings -- e.g., initial zonings by the City Council of property that has been previously zoned by the County, where the recommended action is to maintain the same zoning designation as in the County – be approved for zoning action as submitted, with the same zoning designation as such property held in the County, for the reasons stated above; and

3. The Planning Department, as part of its staff report or suggested motions on the City Council agenda, is hereby authorized to justify the Planning Commission’s recommendation regarding “translation” zonings, consistent with this Resolution.

**An Ordinance Amending the Durham Unified Development Ordinance  
By Taking Property out of PDR 4.733, IL(D), CG(D), IL, CC, RR  
(County) Zoning District and Establishing the Same as PDR 4.733,  
IL(D), CG(D), IL, CC, RR (City) District**

**Be it Ordained by the Durham City Council:**

**Section 1. That the Durham City Council held a Public Hearing on Zoning Case Z0900002A and Voted on October 19, 2009 to approve the Zoning Map Change Described herein.**

**Section 2. That the Durham Zoning Atlas and Unified Development Ordinance are hereby amended by taking the following described Property out of PDR 4.733, IL(D), CG(D), IL, CC, RR (County jurisdiction) Zoning and placing the same in and establishing the same as PDR 4.733, IL(D), CG(D), IL, CC, RR (City jurisdiction) Zoning.**

**All property as follows:**

PINs: 0748-03-94-7129, 0758-03-12-7965, 0758-03-11-1174, 0758-01-20-0345

See attached legal description.

**Section 3. This Ordinance shall be in full force and effect from and after its passage.**

**Section 4. All ordinances in conflict with this Ordinance are hereby repealed.**

ATTACHMENT A

Prepared by:  
The John R. McAdams Company, Inc.  
2905 Meridian Parkway  
Durham, NC 27713

FY 2009 – 04 BETHPAGE(AKA PAGE ROAD ASSEMBLAGE)

LEGAL DESCRIPTION OF CONTIGUOUS ANNEXATION  
PROPERTY OF AFLC-PAGE ROAD, LLC. & BETHPAGE ACQUISITIONPARTNERS,  
LLC. AND THE ADJOINING PAGE ROAD(SR 1973) & CHIN PAGE ROAD(SR 1969)  
RIGHTS-OF-WAY  
DEED BOOK 5204, PAGE 352, DEED BOOK 5173, PAGE 969, DEED BOOK 5859,  
PAGES 204 & 199  
TRIANGLE TOWNSHIP DURHAM COUNTY  
PIN 0748-03-94-7129, 0758-03-12-7965, 0758-03-11-1174, & 0758-01-20-0345

Beginning at an existing iron pipe on the western right-of-way of Page Road(SR1973), said iron pin being South 42 44' 25" West a distance of 10,186.20 feet from NC Grid Monument "Yellow", Grid Coordinates N 790,388.176, E 2,060,807.093, said iron pipe also being the southeast property corner of PV Limited Partnership(PIN 0758-03-33-0485) found in Deed Book 1440, Page 66 of the Durham County Registry; thence crossing said Page Road(SR 1973) along the New City Limit Line South 86°07'08" East a distance of 60.00 feet to a point on the eastern right-of-way of Page Road(SR1973) and the New City Limit Line, said point also being the northwest property corner of Marvin Ellis(PIN 0758-03-42-2704) found in Deed Book 1109, Page 620 of the Durham County Registry; thence with the New City Limit Line, the eastern right-of-way line of Page Road(SR1973) and the western property line of said Marvin Ellis property, along the arc of a non tangent curve to the right, which has a radius of 1,004.65 feet, an arc distance of 110.08 feet, a chord of 110.03 feet chord bearing of South 07°01'12" West to a point on Ellis' western property line; thence continuing along the New City Limit Line, the Existing Raleigh City Limit Line, Ellis' western property line, and the western property line of Terry Chronaki(PIN 0758-03-42-0453) found in Deed Book 4654, Page 352 of the Durham County Registry, South 15°47'03" West, a distance of 566.17 feet to a point on the western right-of-way of Page Road(SR 1973), said point also being the northwest property corner of Harry Gentry and wife, Becky(PIN 0758-03-32-9153) found in Deed Book 5766, Page 984 of the Durham County Registry; thence crossing Page Road(SR 1973) along the New City Limit Line North 74°12'57" West, a distance of 60.00 feet to an existing iron pipe on the western right-of-way of Page Road(SR 1973), said point being the northeast property corner of Bobby L. O'Brien and wife, Susan S.(PIN 0758-03-32-5205) found in Deed Book 1073, Page 211 of the Durham County Registry; thence continuing along the New City Limit Line and said northern property line of the O'Brien property North 75°20'13" West, a distance of 445.74 feet to an existing iron pipe on O'Brien's western property line and the New City Limit Line; thence along the New City Limit Line and the western property lines of said O'Brien property, Kimberly J. Beaver & Robert Mallett(PIN 0758-03-32-5087) found in Deed Book 6035, Page 934 of the Durham County Registry, Vernon E. King and wife, Mary Searls(PIN 0758-03-31-5946) found in Deed Book 3206, Page 875 of the Durham County Registry, and Willie C. Colclough and wife, Gloria B.(PIN 0758-03-31-5815) found in Deed Book 3206, Page 880 of the Durham County Registry, South 25°27'22" West, a distance of 507.63 feet to an existing iron pipe on the New City Limits Line, said point being the northwest property corner of AFLC-Page

OK RNJ/ENG 6/19/09

ATTACHMENT A

Road LLC(PIN 0758-03-31-5704) found in Deed Book 5214, Page 239 of the Durham County Registry; thence along the New City Limit Line and the western property line of AFLC-Page Road LLC., South 25°26'21" West, a distance of 121.97 feet to an existing iron pipe on the New City Limit Line, said point being the northwest property corner of Roy T. Searls, Jr.(PIN 0758-03-31-3658) found in Deed Book 365, Page 222 of the Durham County Registry; thence along the New City Limit Line and the western property lines of said Roy T. Searls, Jr. and Johnnie W. Evans and wife, Hazel S.(PIN 0758-03-31-2502) found in Deed Book 1191, Page 298 of the Durham County Registry, South 25°54'31" West, a distance of 433.20 feet to an existing iron pipe on the New City Limit Line said point being the northwest property corner of Michael V. Avery and wife, Elizabeth G.(PIN 0758-03-31-1140) found in Deed Book 999, Page 884 of the Durham County Registry; thence along the New City Limit Line, the western and southern property line of said Avery property the following bearings and distances: South 01°52'55" West, a distance of 418.74 feet to an existing iron pipe; thence South 01°53'50" West, a distance of 241.29 feet to an existing iron pipe; thence South 87°47'31" East, a distance of 339.09 feet to a point on the New City Limit Line, said point being the southern property line of Renuka Gudia Gupta(PIN 0758-03-30-2679) found in Deed Book 2353, Page 573 of the Durham County Registry; thence along the New City Limit Line and said southern property line of Renuka Gudia Gupta South 54°06'36" East, a distance of 204.87 feet to a point on the western right-of-way of Page Road(SR 1973); thence crossing Page Road(SR 1973) along the New City Limit Line South 46°50'56" East, a distance of 60.00 feet to a point on its eastern right-of-way, said point being on the western property line of Richard E. Green, John F. Green, and Wallace C. Green(PIN 0758-03-30-4537 & 3401) found in Deed Book 1993-E, Page 1342 of the Durham County Registry; thence along the New City Limit Line and the western property line of said Green property South 43°09'04" West, a distance of 339.03 feet to a point on the western property line of said Green property; thence along the New City Limit Line and the western property lines of said Green property and MRDT Holdings LLC(PIN 0758-03-30-1148 & 0757-01-39-0794) found in Deed Book 5487, Page 927 & 931 of the Durham County Registry, along the arc of a non tangent curve to the right, which has a radius of 3,171.35 feet, an arc distance of 405.98 feet and a chord of 405.70 feet bearing South 50°03'22" West to an existing iron pipe on the New City Limit Line and the western property line of AFLC-Page Road LLC(PIN 0757-01-29-6862) found in Deed Book 5859, Page 204 of the Durham County Registry; thence along the New City Limit Line and the western property line of said AFLC-Page Road LLC and a portion of the western property line of said MDRT Holdings LLC South 52°23'34" West, a distance of 497.61 feet to a point on the New City Limit Line and the western right-of-way of Page Road(SR1973); thence along the New City Limit Line crossing Page Road at the intersection with Chin Page Road(SR1969) North 37°36'26" West, a distance of 155.13 feet to an existing iron pipe on the southern right-of-way of Chin Page Road(SR 1969), said iron pipe also being on the northern property line of Page Road Investments LLC(PIN 0757-01-29-1758) found in Deed Book 6060, Page 14 of the Durham County Registry; thence continuing along the New City Limit Line, the southern right-of-way line of Chin Page Road(SR 1969) and said northern property line of Page Road Investments LLC the following courses and distances: along the arc of a non tangent curve to the left, which has a radius of 256.48 feet, an arc distance of 90.97 feet, and a chord of 90.50 feet bearing North 70°08'41" West to a point; thence North 80°18'21" West, a distance of 157.75 feet to a point on the New City Limit Line and the southern right-of-way of Chin Page Road(SR 1969), said point being the northeast property corner of Page Road Investments LLC(PIN 0757-01-19-8711) found in Deed Book 6053, Page 211 of the Durham

ATTACHMENT A

County Registry; thence along the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969) and the northern property line of Page Road Investments LLC along arc a curve to the right having a radius of 1,939.86 feet, an arc distance of 506.72 feet and a chord of 505.28 feet bearing North 72°49'21" West to a point on the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969) and the northern property line of General Telephone Company of the Southeast(PIN 0758-01-10-5055) found in Deed Book 1242, Page 16 of the Durham County Registry; thence along the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969) and the northern property line of said General Telephone Company of the Southeast, North 65°20'21" West, a distance of 139.29 feet to a point on the Existing City Limit Line, the southern right-of-way of Chin Page Road(SR 1969) said point also being the northeast property corner of AT&T Corp.(PIN 0758-01-10-1164) found in Deed Book 1421, Page 155 of the Durham County Registry; thence along the Existing City Limit Line, the southern right-of-way of Chin Page Road(SR 1969), and the northern property line of AT&T Corp. North 65°20'21" West, a distance of 613.61 feet to a point on the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969), said point also being the northeast property corner of AT&T Corp.(PIN 0758-01-00-8212) found in Deed Book 2703, Page 576 of the Durham County Registry; thence with the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969), and the northern property line of AT&T Corp., North 65°20'21" West, a distance of 217.51 feet to a point on the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969), said being the northeast property corner of Eunice L. Colclough(PIN 0758-01-00-2344) found in Deed Book 1753, Page 113 of the Durham County Registry; thence with the New City Limit Line, the southern right-of-way of Chin Page Road(SR 1969), and the northern property line of Eunice L. Colclough the following courses and distances: North 65°20'21" West, a distance of 264.96 feet to a point; thence along a curve to the left having a radius of 1,879.86 feet, an arc distance of 558.58 feet, a chord of 556.53 feet bearing North 73°51'06" West to a point; thence North 82°30'45" West, a distance of 111.94 feet to an existing iron pipe on the New city Limit Line and the southern right-of-way of Chin Page Road(SR 1969), said iron pipe being the northeast property corner of Old Page Road LLC(PIN 0748-04-90-1473) found in Deed Book 5622, Page 202 of the Durham County Registry; thence crossing Chin Page Road(SR 1969) along the New City Limit Line North 02°47'38" East, a distance of 60.51 feet to a point on the northern right-of-way of Chin Page Road(SR 1969) said point being the southeast property corner of Bethpage Acquisition Partners, LLC.(PIN 0748-04-92-7132) found in Deed Book 5408, Page 178 of the Durham County Registry; thence with the eastern property line of Bethpage Acquisition Partners, LLC. along the New City Limit Line the following bearings and distances: North 01°19'33" East, a distance of 1,333.43 feet to an existing iron pipe; thence North 88°34'27" East, a distance of 100.21 feet to an existing iron pipe; thence North 00°00'23" West, a distance of 824.87 feet to an existing iron pipe; thence North 02°50'16" West, a distance of 125.63 feet to an existing iron pipe on the aforementioned Bethpage Acquisition Partners, LLC northern property line and the New City Limit Line; thence with said northern property line of Bethpage Acquisition Partners, LLC along the New City Limit Line South 85°07'25" West, a distance of 436.38 feet to an existing iron pipe on the Existing City Limit Line, said iron pipe also being the northeast property corner of Browning – Ferris Industries of S. Atlantic Inc.(PIN 0748-04-92-1974) found in Deed Book 2066, Page 889 of the Durham County Registry; thence along the Existing City Limit Line and the northern property line of said Browning-Ferris Industries of S. Atlantic Inc. South 85°53'24" West, a distance of 655.56 feet to an existing iron pipe on the New City Limit Line, said point also being the

ATTACHMENT A

northeast property corner of Wake County property(PIN 0748-04-82-0160 & 6829) found in Deed Book 429, Page 733 & Deed Book 438, Page 243 of the Durham County Registry; thence with the New City Limit Line and northern property line of said Wake County property the following bearings and distances: South 85°59'21" West, a distance of 342.39 feet to an existing iron pipe; thence North 89°25'10" West, a distance of 127.33 feet to an existing concrete monument on the New City Limit Line said point being the southeast property corner of Pinnacle Park, LLC.(PIN 0748-04-72-8997) found in Deed Book 5460, Page 284 of the Durham County Registry; thence along the New City Limit Line and the eastern property line of Pinnacle Park LLC and 675 Partners II(PIN 0748-04-73-8394) found in Deed Book 1566, Page 348 of the Durham County Registry, North 00°23'42" East, a distance of 466.40 feet to an existing iron pipe on the New City Limit Line, said point also being the southeast property corner of Cree, Inc.(PIN 0748-04-73-6921 & 0748-02-75-9681) found in Deed Book 2791, Page 867 of the Durham County Registry; thence with the New City Limit Line and the eastern property line of said Cree, Inc. the following bearing and distances: North 00°25'24" East, a distance of 675.13 feet to an existing iron pipe, thence North 01°41'58" East, a distance of 1,190.34 feet to an existing iron pipe on the Existing City Limit Line, said point also being the southwest property corner of General Electric Co., PWC(PIN 0748-01-87-8665) found in Deed Book 374, Page 280 of the Durham County Registry; thence with the Existing City Limit Line and the New City Limit Line along the southern property line of said General Electric Co. PWC property the following bearings and distances: South 88°01'51" East, a distance of 1,927.25 feet to a point; thence South 88°01'51" East, a distance of 671.95 feet to an existing iron pipe; thence North 01°54'10" East, a distance of 129.25 feet to an existing iron pipe; thence South 89°14'50" East, a distance of 268.76 feet to an existing iron pipe on the New City Limit Line, said point being the southwest property corner of Duke Energy Corp.(PIN 0758-01-15-5534) found in Deed Book 2337, Page 833 of the Durham County Registry; thence with the New City Limit Line and the southern property line of said Duke Energy Corp. property South 89 14' 50" East a distance of 398.97 feet to an existing iron pipe on the New City Limit Line and the aforementioned southern property line of General Electric Co. PWC; thence with the New City Limit Line and the southern property line of said General Electric Co. PWC South 89°15'16" East, a distance of 599.97 feet to an existing iron pipe on the New City Limit Line, said point also being the northwest property corner of Nancy C. Markham(PIN 0758-01-35-2007) found in Deed Book 2048, Page 740 of the Durham County Registry; thence with the New City Limit Line and the western property line of said Nancy C. Markham South 01°23'34" West, a distance of 775.50 feet to an existing iron pipe on the New City Limit Line, said point also being the northwest property corner of James E. Ferrell and wife, Gloria F.(PIN 0758-03-34-0390) found in Deed Book 2006E, Page 83 of the Durham County Registry; thence with the New City Limit Line and western property line of said Ferrell property the following bearings and distances: South 01°53'29" West, a distance of 145.08 feet to an existing iron pipe; thence South 01°48'37" West, a distance of 545.58 feet to an existing iron pipe on the New City Limit Line, said point also being the northwest property corner of the aforementioned PV Limited Partnership; thence with the New City Limit Line and the western and southern property lines of said PV Limited Partnership the following bearings and distances: South 01°22'36" West, a distance of 455.32 feet to an existing iron pipe; thence South 01°11'16" West, a distance of 484.51 feet to an existing iron pipe; thence South 87°31'29" East, a distance of 1,633.08 feet to an existing iron pipe, the POINT OF BEGINNING, the above described parcels being the properties of AFLC-Page Road, LLC(PIN 0748-03-94-7129, 0758-03-12-7965 & 758-01-20-0345) as recorded in Deed Book 5204, Page 352, Deed Book 5173,

ATTACHMENT A

Page 969, & Deed Book 5859, Page 204 of the Durham County Registry and Bethpage Acquisition Partners, LLC(PIN 0758-03-11-1174) found in Deed Book 5859, Page 199 of the Durham County Registry and containing 406.22 Acres and the adjoining Chin Page Road(SR 1969) and Page Road(SR 1973) Public Rights-of-way containing 6.66 Acres for a total of 412.88 Acres.

For further description, see map entitled FY 2009-04, Bethpage, Contiguous Annexation for AFLC-Page Road, LLC and Bethpage Acquisition Partners, LLC, prepared by The John R. McAdams Company, Inc., Joseph N. Grady, N. C. PLS L-4163, said map dated 29 October 2008, revised February 23, 2009 & May 11, 2009 and recorded in the Office of the Register of Deeds of Durham County in Plat\_\_\_\_\_, Page\_\_\_\_\_.