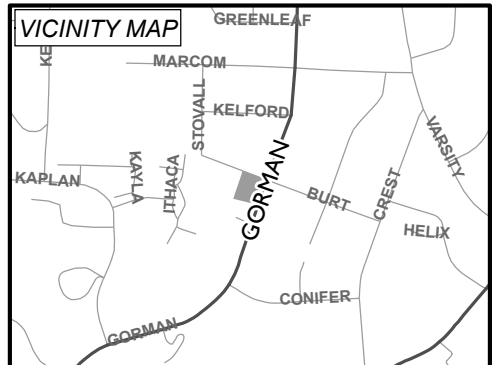


**Submittal
Date**

1/4/2018

Request:

**0.77 acres from
R-10 w/SRPOD
to RX-3
w/ SRPOD**





CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR#

CASE INFORMATION Z-1-18 3803 BURT DRIVE

| | |
|---------------------------------|---|
| Location | Burt Drive, at the southwest corner of its intersection with Gorman Street Address: 3803 Burt Drive PIN: 0793273794 |
| Request | Rezone property from R-10 to RX-3 |
| Area of Request | 0.77 acres |
| Corporate Limits | The rezoning site is within the City's corporate limits and ETJ. |
| Property Owner | NC Student Rentals 1503 Crimson Circle Drive Durham, NC 27713 |
| Applicant | NC Student Rentals 1503 Crimson Circle Drive Durham, NC 27713 |
| Citizens Advisory Council (CAC) | West CAC Benson Kirkman benenson.kirkman@att.net |
| PC Recommendation Deadline | May 28, 2018 |

COMPREHENSIVE PLAN CONSISTENCY

The rezoning case is ☐ **Consistent** ☒ **Inconsistent** with the 2030 Comprehensive Plan.

FUTURE LAND USE MAP CONSISTENCY

The rezoning case is ☐ **Consistent** ☒ **Inconsistent** with the Future Land Use Map.

COMPREHENSIVE PLAN GUIDANCE

| | |
|-------------------------------------|---|
| <i>FUTURE LAND USE</i> | Moderate Density Residential |
| <i>URBAN FORM</i> | None |
| <i>CONSISTENT Policies</i> | Policy LU 2.2—Compact Development Policy LU 2.6—Zoning and Infrastructure Impacts Policy LU 8.12—Infill Compatibility |
| <i>INCONSISTENT Policies</i> | Policy LU 1.2—Future Land Use Map and Zoning Consistency |

SUMMARY OF PROPOSED CONDITIONS

| |
|---------|
| 1. None |
|---------|

PUBLIC MEETINGS

| <i>Neighborhood Meeting</i> | <i>CAC</i> | <i>Planning Commission</i> | <i>City Council</i> |
|------------------------------------|---------------------|-----------------------------------|----------------------------|
| 1/3/18 | 2/20/18 (Y-0, N-16) | 2/27/18 | |

PLANNING COMMISSION RECOMMENDATION

[Select one of the following and fill in details specific to the case.]

- ☐ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

| | |
|--|--|
| Reasonableness and Public Interest | |
| Change(s) in Circumstances [if applicable] | |
| Amendments to the Comprehensive Plan [if applicable] | |
| <i>Recommendation</i> | |
| <i>Motion and Vote</i> | |

ATTACHMENTS

1. Staff report
2. Comprehensive Plan Amendment Analysis

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report and Comprehensive Plan Amendment Analysis.

| | |
|-------------------|---------------------------------|
| _____ | _____ |
| Planning Director | Planning Commission Chairperson |
| Date | Date |

Staff Coordinator: John Anagnost: (919) 996-2638; John.Anagnost@raleighnc.gov



ZONING STAFF REPORT – CASE Z-1-18

GENERAL USE DISTRICT

OVERVIEW

The rezoning site is located at the southwest corner of Burt Drive and Gorman Street, about one-half mile south of Western Boulevard. Avent Ferry Road is about 2,000 feet to the east. It is currently occupied by a single-story apartment building with 7 units. The site slopes downward slightly from the northwest toward the southeast. There are several mature, deciduous trees surrounding the apartment building as well as a stand of bamboo at the southeast corner forming a buffer between the site and the property to the south.

Aside from the rezoning site, Burt Drive on the west side of Gorman Street is lined with single family houses and one duplex. Home lots are irregular in shape and size, ranging from one-fifth to almost one-half of an acre. Houses here tend to be one-story and less than 1,500 square feet of heated space. The two streets to the north, Kelford and Marcom, display a similar urban form.

The larger area around the rezoning site, including the area directly across Gorman Street, is comprised of townhouses and garden-style apartments. The area is generally wooded with Gorman Street sloping downward as it runs toward the south. NC State University's McKimmon Center and Centennial Campus lie to the north and east respectively. Kentwood Park is about one-half mile to the west. Western Boulevard directly north of the site features an assortment of retail, restaurant, and personal service uses.

Zoning in the area is a mix of Residential-10 and Residential Mixed Use. Residential-4 and Residential-6 are found farther to the west and the NC State University properties are Office Mixed Use. The commercial uses fronting Western Boulevard are zoned Neighborhood Mixed Use. All of the surrounding area has the Special Residential Parking Overlay District applied.

The Future Land Use designates the site for Moderate Density Residential, which recommends density of up to 14 units per acre. Medium Density Residential and High Density Residential designations are present on the east side of Gorman Street. NC State University is shown as Institutional on the Future Land Use Map, and Western Boulevard has the Neighborhood Mixed Use designation. There is no Urban Form guidance for the rezoning site. Avent Ferry Road is a Transit Emphasis Corridor.

The current zoning on the property is Residential-10 with the Special Residential Parking Overlay District. The rezoning request is for Residential Mixed Use-3 Stories with the special Residential Parking Overlay district. The main effects of the rezoning would be to remove the numeric density limit and reduce building setbacks. Density under the proposed zoning would be limited by height. Neighborhood Transitions requirements would apply if the request is approved. However, only Zone A of the transition (the Protective Yard) would be required.

A zoning request such as this one may raise the question of whether the request is spot zoning. North Carolina law permits spot zoning if it can be established as reasonable. There are four criteria for considerations of reasonableness: 1) the size and nature of the tract, 2) compatibility with existing plans, 3) the impact of the zoning decision on the landowner, the immediate neighbors, and the surrounding community, and 4) the relationship between the newly allowed uses in a spot rezoning and the previously allowed uses. This request does not appear to meet the description of illegal spot zoning in North Carolina.

OUTSTANDING ISSUES

| | | | |
|--------------------|----------|----------------------|----------|
| Outstanding Issues | 1. None. | Suggested Mitigation | 1. None. |
|--------------------|----------|----------------------|----------|

Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

No, the request is inconsistent with the Growing Successful Neighborhoods and Communities Vision Theme because it does not provide appropriate transition in density between the multi-family neighborhoods to the east and south and the single family neighborhood on Burt Drive. The relatively high density that would be enabled by the proposal is also inconsistent with the Future Land Use Map recommendation for Moderate Density Residential.

- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

Yes, the uses allowed by the requested zoning are recommended for the Moderate Density Residential designation on the Future Land Use Map. The proposed Residential Mixed Use district is one of the recommended districts in this designation.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

Not applicable. The uses proposed to be allowed are designated on the Future Land Use Map for this area.

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Yes, the rezoning site is in an urbanized area with sufficient infrastructure to serve development allowed by the proposed zoning.

Future Land Use

Future Land Use designation: Moderate Density Residential

The rezoning request is:

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

Analysis of Inconsistency: The uses, height, and building types that would be allowed by the proposed zoning are recommended by the Future Land Use Map. However, the request would allow density roughly double what is recommended in this designation.

Urban Form

Urban Form designation: None.

The rezoning request is:

☒ **Not applicable** (no Urban Form designation)

☐ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Analysis of Inconsistency: There is no Urban Form designation for this site.

Compatibility

The proposed rezoning is:

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

Analysis of Incompatibility: The proposed height is compatible with the existing homes on Burt Drive. Neighborhood Transitions requirements enhance this compatibility by providing for horizontal separation between any development on the rezoning site and the homes behind. The larger area contains uses and building types similar to what is allowed in the requested district.

Public Benefits of the Proposed Rezoning

The request would increase the supply of housing and allow more options for shopping or personal services within walking distance of a residential area served by transit.

Detriments of the Proposed Rezoning

Non-residential uses allowed by the proposed zoning may have negative impacts on neighboring properties in terms of noise, light, and traffic.

Policy Guidance

The rezoning request is **consistent** with the following policies:

Policy LU 2.2—Compact Development

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

The request allows for greater density in an area served by transit and existing City infrastructure. The rezoning site is in an urbanized location near Raleigh's core.

Policy LU 2.6—Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

The infrastructure serving the rezoning site is sufficient for the increased density allowed by the rezoning.

Policy LU 8.12—Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

The proposed height is compatible with surrounding development. Neighborhood Transitions requirements help to mitigate the height differential between what is allowed by the proposed zoning and the homes on Burt Drive.

The rezoning request is **inconsistent** with the following policies:

Policy LU 1.2—Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The proposed zoning would allow density in excess of the 14 units per acre recommended by the Future Land Use Map. The existing zoning allows uses and building types recommended by the Future Land Use Map as well as density that would be considered appropriate. The zoning request does not enhance consistency with the Future Land Use Map, and the increase in density reduces consistency.

Area Plan Policy Guidance

The rezoning request is **inconsistent** with the following Area Plan policies:

There is no Area Plan policy guidance for the rezoning site.

Impact Analysis

Transportation

The Z-1-2018 site is located in the southwest quadrant of Gorman Street and Burt Drive. Gorman Street currently has a two-lane cross section with curbing and sidewalks on both sides. Gorman Street is classified as a mixed-use street in the Raleigh Street Plan (Avenue, 2-Lane, Divided). Burt Drive has a two-lane cross section with curbs on both side but lacks sidewalks or other pedestrian amenities; it is classified as a neighborhood street. Exclusive bike lanes are in place along both sides of Gorman Street in the vicinity of the Z-1-2018 parcel. GoRaleigh Route 12 (Method) runs northward along this segment of Gorman Street with 30 minute headways during peak travel periods. There is a designated transit stop in the northeast quadrant of Gorman/Burt, but this stop does not have a bench or shelter. Several of the NCSU Wolfline buses run along Gorman Street and Conifer Drive, but do not pass by the Z-1-2018 site. Conifer Drive lies approximately 900 feet to the south of Z-1-2018.

There are no NCDOT projects or City of Raleigh CIP projects planned for Gorman Street or Burt Drive in the vicinity of the Z-1-2018 site. Burt Drive does not appear on the City's 2015 Pedestrian Project Priority List.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. The Z-1-2018 site is surrounded by single family homes on the west and south. Site access will be provided via Gorman Street and/or Burt Drive. The site currently has access to both streets.

In accordance with UDO section 8.3.2, the maximum block perimeter for RX-3 zoning is 3,000 feet. The block perimeter for Z-1-2018, as defined by public rights-of-way for Gorman Street, Kaplan Drive, Kent Road and Greenleaf Street is 8,400 feet.

The existing parcel is occupied by a duplex and five garden apartments. Approval of case Z-1-2018 would allow for 17 apartments and 4,000 sq. ft. of retail use. Peak hour trip volumes would increase by 8 veh/hr in the AM peak and by 20 veh/hr in the PM peak; daily trip volume will increase by 220 veh/day. These volumes are long-term averages and will vary from day to day. A traffic study is not required for case Z-1-2018.

| | | | |
|--|------------|----------|-----------|
| Z-1-2018 Existing Land Use (Residential: 2 SF Duplex & 5 MF Apts) | Daily | AM | PM |
| | 55 | 4 | 5 |
| Z-1-2018 Current Zoning Entitlements (Residential: 2 SF Duplex & 5 MF Apts) | Daily | AM | PM |
| | 55 | 4 | 5 |
| Z-1-2018 Proposed Zoning Maximums (Residential & Retail: 17 MF Apts & 4,000 sq ft Retail) | Daily | AM | PM |
| | 275 | 12 | 25 |
| Z-1-2018 Trip Volume Change (Proposed Maximums minus Current Entitlements) | Daily | AM | PM |
| | 220 | 8 | 20 |

Impact Identified: None

Transit

1. Gorman St is currently served northbound by GoRaleigh Route 12 Method
2. The Wake County Transit Plan calls for service on Gorman Street to be realigned. Service would be discontinued for this segment of Gorman St. The nearest proposed transit service is at Conifer Drive and Gorman Street.
3. No transit requests

Impact Identified: None.

Hydrology

| | |
|------------------------------|---------|
| <i>Floodplain</i> | None |
| <i>Drainage Basin</i> | Bushy |
| <i>Stormwater Management</i> | UDO 9.2 |
| <i>Overlay District</i> | none |

Impact Identified: None

Public Utilities

Maximum Demand (current) Maximum Demand (proposed)

| | | |
|--------------------|----------|------------|
| <i>Water</i> | 4375 gpd | 13,750 gpd |
| <i>Waste Water</i> | 4375 gpd | 13,750 gpd |

Impact Identified:

1. The proposed rezoning would add approximately 9375 gpd to the wastewater collection and water distribution systems of the City. There are existing public water and sewer mains in Burt Drive and Gorman Street.

2. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

Parks and Recreation

1. This site is not impacted by any existing or proposed greenway trails or greenway corridors.
2. Nearest existing park access is provided by Spring Park (0.25 miles) and Kentwood Park (0.85 miles).
3. Nearest existing greenway access is provided by the Walnut Creek Trail (0.75 miles).
4. Park access level of service in this area is considered average to above average.
5. This area is not considered a high priority for park land acquisition.

Impact Identified: None.

Urban Forestry

This site is less than 2 acres in size. Tree conservation area establishment, as described in UDO section 9.1, does not apply to sites less than 2 acres in size.

Impact Identified: None.

Designated Historic Resources

No historic resources have been identified on or near the rezoning site.

Impact Identified: None.

Impacts Summary

No significant impacts are anticipated on the local infrastructure.

Mitigation of Impacts

No mitigation is recommended.

Conclusion

The rezoning request is to apply the Residential Mixed Use district with a 3-story height to a 0.77-acre parcel at the southwest corner of Burt Drive and Gorman Street. The site is currently zoned R-10 and occupied by an apartment building with seven dwelling units. The rezoning would increase the development potential from 7 dwelling units to a possible maximum of 22 dwelling units. A small amount (4,000 square feet) of retail or office space would also be allowed under the proposed zoning if it is within an apartment building.

If approved, the request is not projected to significantly impact City infrastructure. Public benefit may be gained in the form of added housing options, employment opportunities, or shopping and personal service options. Nearby homes may be negatively impacted by increased noise, light, or traffic.

The proposal is inconsistent with the Comprehensive Plan due to the maximum density it would allow, which significantly exceeds the density recommended by the Future Land Use Map. The case would be consistent with the Comprehensive Plan if a condition was offered to limit density to 14 dwelling units per acre. Because it is inconsistent with the Comprehensive Plan, approval of the case would result in a Comprehensive Plan amendment. A possible amendment to resolve the inconsistency would be to designate the site for Medium Density Residential on the Future Land Use Map.

Case Timeline

| <i>Date</i> | <i>Revision [change to requested district, revised conditions, etc.]</i> | <i>Notes</i> |
|-------------|--|--------------|
| 1/4/18 | Application submitted | |
| | | |
| | | |
| | | |

Appendix

Surrounding Area Land Use/ Zoning Summary

| | <i>SUBJECT PROPERTY</i> | <i>NORTH</i> | <i>SOUTH</i> | <i>EAST</i> | <i>WEST</i> |
|----------------------------|--|--|---|---|--|
| Existing Zoning | Residential-10 | Residential-10 | Residential-10, Residential Mixed Use | Residential-10, Residential Mixed Use | Residential-10 |
| Additional Overlay | Special Residential Parking Overlay District | Special Residential Parking Overlay District | Special Residential Parking Overlay District | Special Residential Parking Overlay District | Special Residential Parking Overlay District |
| Future Land Use | Moderate Density Residential | Moderate Density Residential | Moderate Density Residential, Medium Density Residential | Medium Density Residential, High Density Residential | Moderate Density Residential |
| Current Land Use | Multi-unit living | Single-unit living | Multi-unit living | Multi-unit living | Single-unit living |
| Urban Form (if applicable) | None | None | None | None | None |

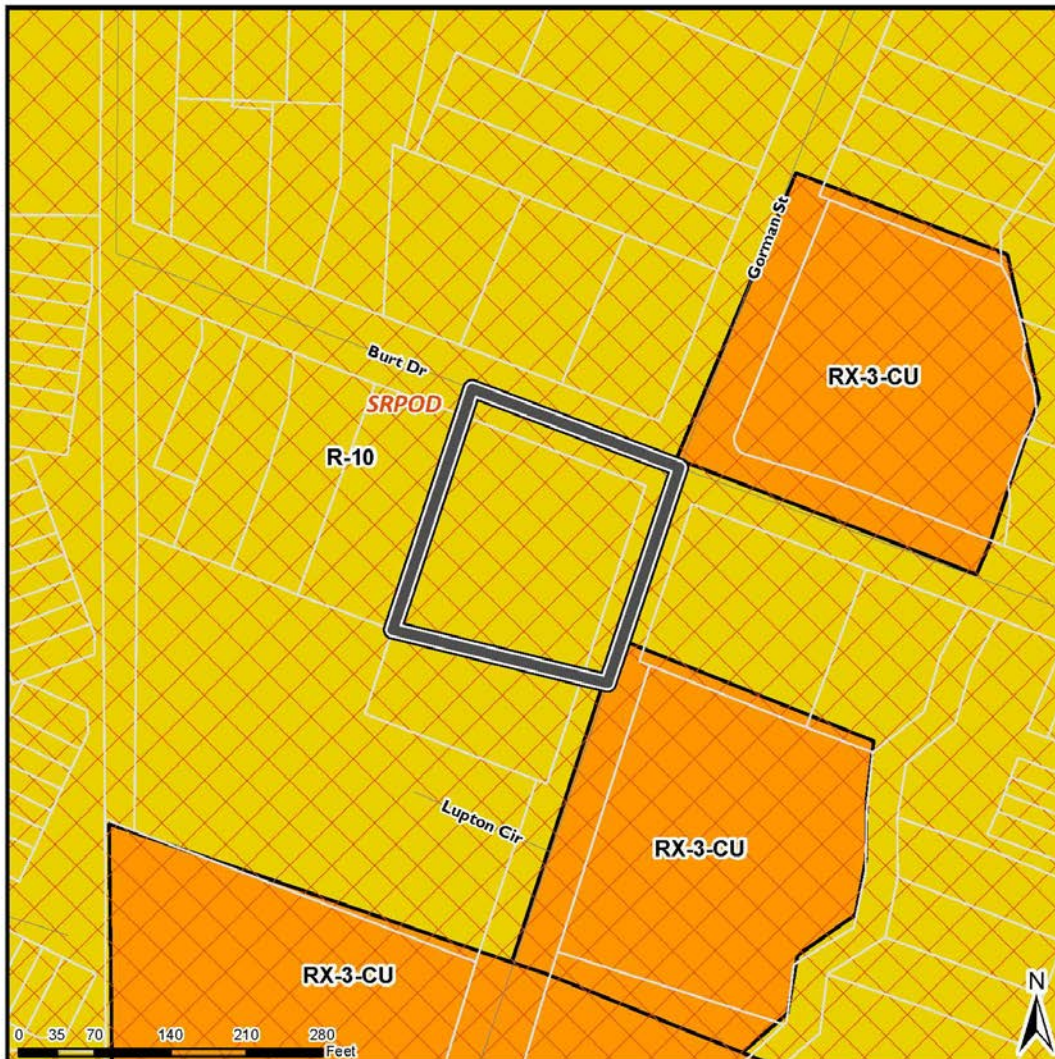
Current vs. Proposed Zoning Summary

| | Existing Zoning | Proposed Zoning |
|--|-----------------|-----------------|
| Zoning | R-10 | RX-3 |
| Total Acreage | 0.77 | 0.77 |
| Setbacks: | | |
| Front: | 10' | 10' |
| Side: | 5' | 0' or 6' |
| Rear: | 20' | 0' or 6' |
| Residential Density: | 9.1 dua. | 28.6 dua. |
| Max. # of Residential Units | 7 | 22 |
| Max. Gross Building SF (if applicable) | 7,700 | 27,900 |
| Max. Gross Office SF | Not permitted | 4,000 |
| Max. Gross Retail SF | Not permitted | 4,000 |
| Max. Gross Industrial SF | Not permitted | Not permitted |
| Potential F.A.R | 0.23 | 0.83 |

*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

Existing Zoning

Z-1-2018

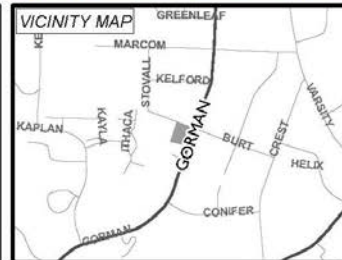


**Submittal
Date**

1/4/2018

Request:

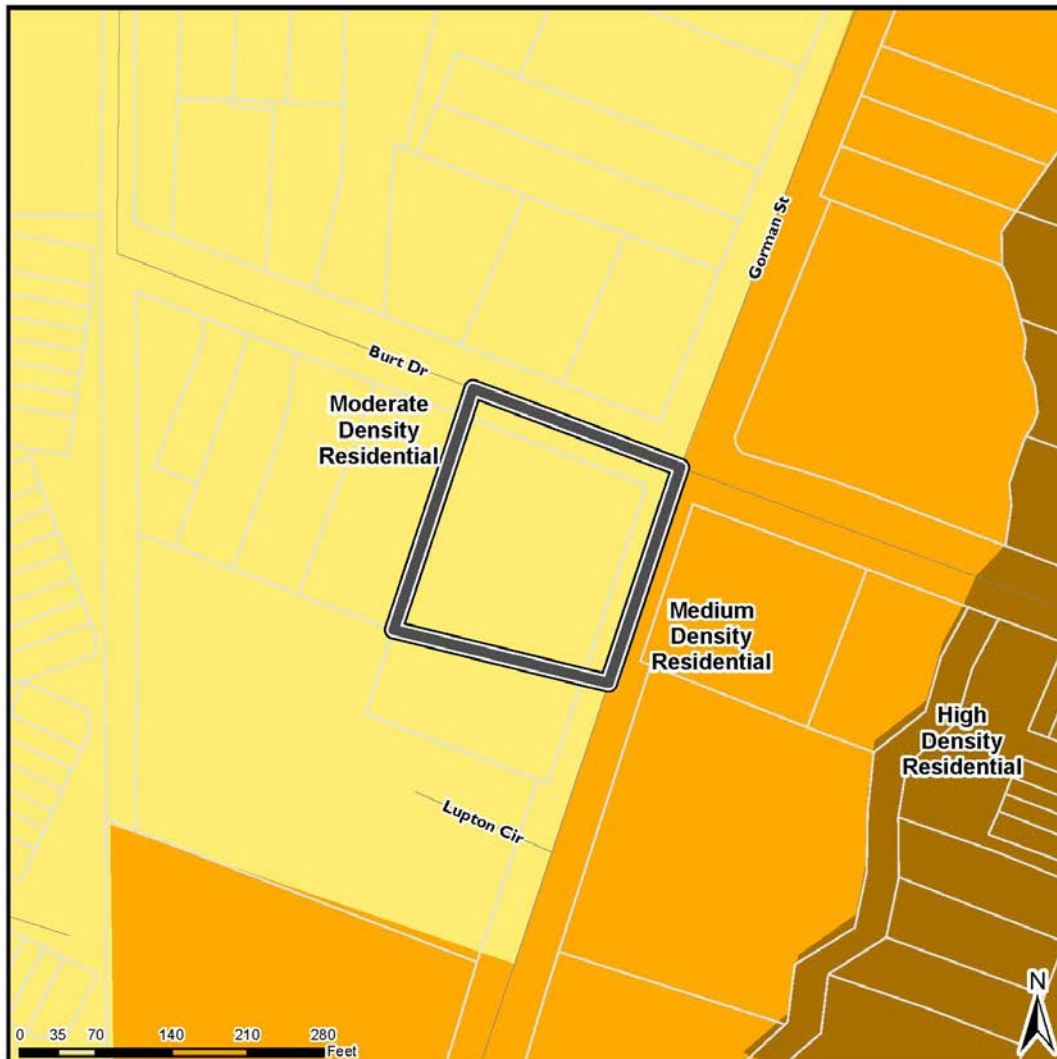
**0.77 acres from
R-10 w/SRPOD
to RX-3
w/ SRPOD**



Map Date: 1/16/2018

Future Land Use

Z-1-2018

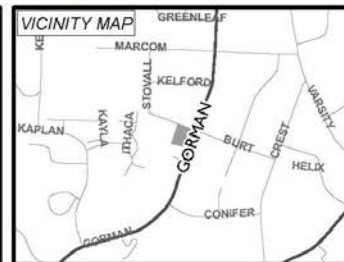


**Submittal
Date**

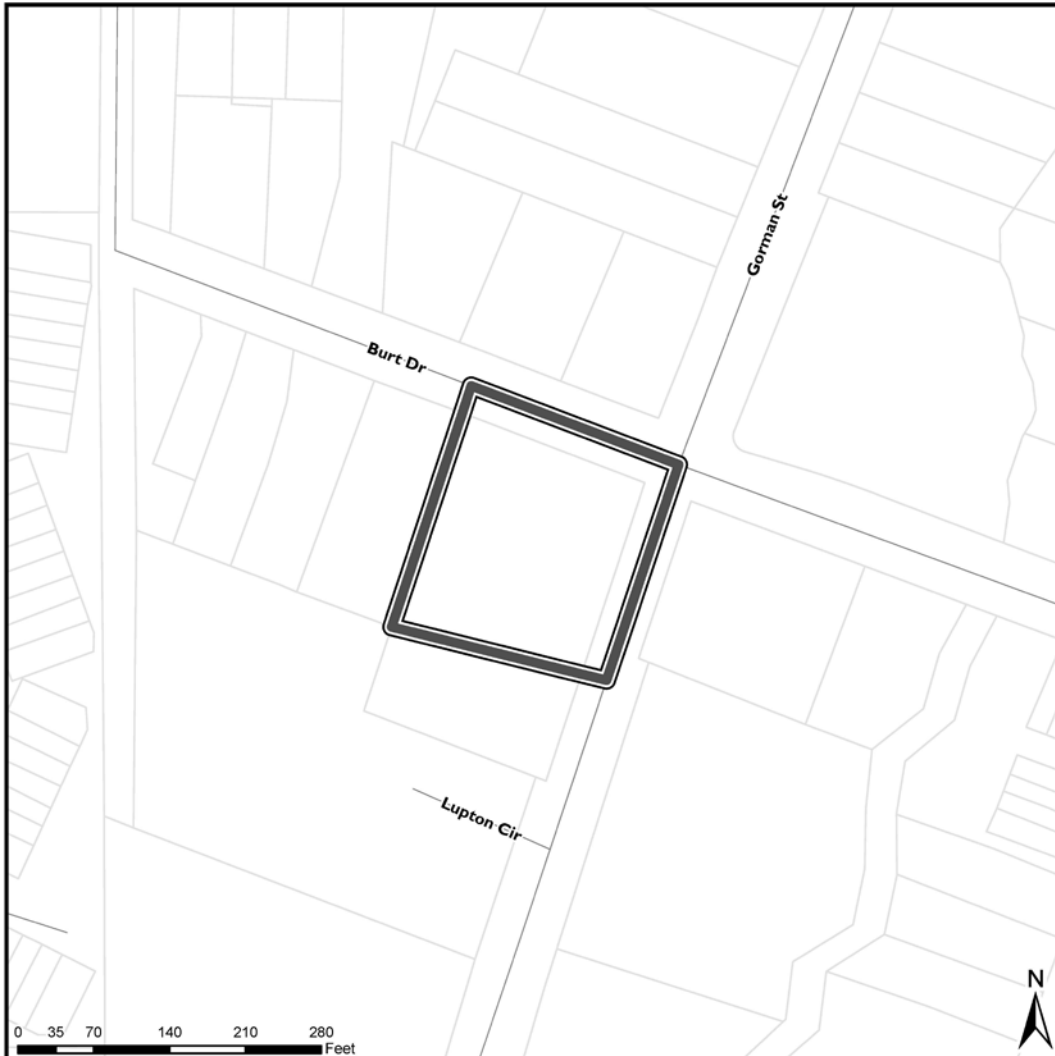
1/4/2018

Request:

**0.77 acres from
R-10 w/SRPOD
to RX-3
w/ SRPOD**



Map Date: 1/16/2018



Request:

0.77 acres from
R-10 w/SRPOD
to RX-3
w/ SRPOD





COMPREHENSIVE PLAN AMENDMENT ANALYSIS– CASE Z-1-18

OVERVIEW

The request is to rezone to Residential Mixed Use-3 Stories. Estimates produced by staff analysis indicate that density of up to 28 dwelling units per acre is possible under the requested zoning. The Future Land Use Map designation for the site is Moderate Density Residential. This designation recommends a maximum density of 14 dwelling units per acre. The potential density allowed by the zoning request is more aligned with the Medium Density Residential designation.

LIST OF AMENDMENTS

- | |
|---|
| 1. No narrative policies are inconsistent for this request. |
|---|

AMENDED MAPS

The Future Land Use Map may be amended to Medium Density Residential for the rezoning site. This change would make the request consistent with the Comprehensive Plan.

IMPACT ANALYSIS

Changing the Future Land Use Map designation to Medium Density Residential would replace the currently recommended density maximum of 14 dwelling units per acre with a height recommendation of three or four stories with no numeric density cap. If a four-story zoning was requested and approved for the site, that may have negative impacts on the adjacent neighborhood in terms of height and mass.

From: Betsy Tate
To: [Anagnost, John](mailto:Anagnost.John)
Subject: Fwd: Regarding Z-1-18 at West CAC Feb20
Date: Monday, February 19, 2018 7:56:38 AM

----- Forwarded message -----

From: **Betsy Tate** <tate.betsy@gmail.com>
Date: Mon, Feb 19, 2018 at 7:53 AM
Subject: Regarding Z-1-18 at West CAC Feb20
To: gabesheff@gamil.com, michinjeri@yahoo.com, jonathan.edwards@raleighnc.gov,
CityCouncilMembers@raleighnc.gov, kay.crowder@raleighnc.gov,
nicole.stewart@raleighnc.gov, russ.stephenson@raleighnc.gov

Please consider this email an emphatic NO to the rezoning request referred to as Z-1-2018.

The group housing vaguely mentioned in the application is in fact a real NCSU fraternity. I have spoken with Shelly Brown Dobek, Director of Fraternity and Sorority Life. She had indicated that the negotiations for the whole 0.77 acres to be leased to one fraternity are underway and that this rezoning of the property to RX-3 very important to the lease signing.

I did call the Raleigh Police Southwest Precinct Desk to ask how many noise complaints calls they get from neighbors of Fraternity and Sororities. It really was a, - You have got to be kidding me! - phone call. The answer was a lot- they are Fraternity and Sororities - They make noise, lots of noise, they just do.

Note: The current zoning, R-10, allows for other forms of group housing with management as pointed out by the development services staff.

I live two doors down from 3803 Burt Drive. In a 1955 house.

There are 10 little houses like mine on this part of Burt Drive right now. Some of the homes are owner occupied and despite the large number of apartments in the surrounding area, for all practical purposes this is a quiet residential neighborhood.

Please, do not allow the new owners of 8303 Burt Drive put a Fraternity in my backyard.

Thank you for your sincere consideration of this matter.

Mary Elizabeth Tate
3811 Burt Drive
[919-341-6475](tel:919-341-6475)

| | | | |
|---|--|--|---------------------|
| Z-1-2018 Existing Land Use (Residential: 2 SF Duplex & 5 MF Apts) | Daily Trips (vpd) | AM peak trips (vph) | PM peak trips (vph) |
| | 55 | 4 | 5 |
| Z-1-2018 Current Zoning Entitlements (Residential: 2 SF Duplex & 5 MF Apts) | Daily Trips (vpd) | AM peak trips (vph) | PM peak trips (vph) |
| | 55 | 4 | 5 |
| Z-1-2018 Proposed Zoning Maximums (Residential & Retail: 17 MF Apts & 4,000 sq ft Retail) | Daily Trips (vpd) | AM peak trips (vph) | PM peak trips (vph) |
| | 275 | 12 | 25 |
| Z-1-2018 Trip Volume Change (Proposed Maximums minus Current Entitlements) | Daily Trips (vpd) | AM peak trips (vph) | PM peak trips (vph) |
| | 220 | 8 | 20 |
| Z-1-2018 Traffic Study Worksheet | | | |
| 6.23.4 | Trip Generation | Meets TIA Conditions? (Y/N) | |
| A | Peak Hour Trips \geq 150 veh/hr | No, the change in average peak hour trip volume is 20 veh/hr | |
| B | Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street | No | |
| C | More than 100 veh/hr trips in the peak direction | No | |
| D | Daily Trips \geq 3,000 veh/day | No, the change in average daily trip volume is less than 250 veh/day | |
| E | Enrollment increases at public or private schools | Not Applicable | |
| 6.23.5 | Site Context | Meets TIA Conditions? (Y/N) | |
| A | Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years] | No | |
| B | Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches] | No | |
| C | Creates a fourth leg at an existing signalized intersection | No | |
| D | Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc. | No | |
| E | Access is to/from a Major Street as defined by the City's Street Plan Map | No | |
| F | Proposed access is within 1,000 feet of an interchange | No | |
| G | Involves an existing or proposed median crossover | No | |
| H | Involves an active roadway construction project | No | |
| I | Involves a break in controlled access along a corridor | No | |
| 6.23.6 | Miscellaneous Applications | Meets TIA Conditions? (Y/N) | |
| A | Planned Development Districts | No | |
| B | In response to Raleigh Planning Commission or Raleigh City Council resolutions | None noted as of Jan. 24, 2018 | |

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

JAN 4 2018 PM 1:52

REZONING REQUEST

☒ General Use ☐ Conditional Use ☐ Master Plan

Existing Zoning Base District R-10 Height _____ Frontage _____ Overlay(s) SRP00
Proposed Zoning Base District RX Height 3 Frontage _____ Overlay(s) SRP00
Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE
USE ONLY

Transaction #

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

529355

GENERAL INFORMATION

Date January 3 2018 Date Amended (1) January 3 2018 Date Amended (2) January 3 2018

Property Address 3803 Burt Dr

Property PIN 0793273794

Deed Reference (book/page) 016856 / 00560

Nearest Intersection Gorman / Marcom

Property Size (acres) .077

(For PD Applications Only) Total Units

Total Square Feet 6512

Property Owner/Address
NC Student Rentals
1503 Crimson Cr dr
Durham NC 27713

Phone 5102998633

Fax

Email ohad@shvueli.com

Project Contact Person/Address

Phone

Fax

Email

Owner/Agent Signature [Signature]

Email

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

REZONING APPLICATION ADDENDUM #1**Comprehensive Plan Analysis**

The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.

OFFICE USE ONLY**Transaction #****Rezoning Case #****STATEMENT OF CONSISTENCY**

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. The rezoning is not intended to materially change anything in the structure itself but rather only to enable group housing which would favor the neighborhood by improving the premises exterior. This property has been under-managed for years and the improvements planned would be a welcome refresh and not in violation of any other plans for the area.

2.

3.

4.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. improved facade would help the aesthetics of the neighborhood and curb appeal

2. group housing is supervised by a governing authority, which in turn ensures quality tenants and living environment, which means the neighborhood would benefit from this group being a well behaved, supervised group rather than many individuals living without such supervision and framework

3.

4.

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

OFFICE USE ONLY**Transaction #****Rezoning Case #****INVENTORY OF HISTORIC RESOURCES**

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

na

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: N/A

Click [here](#) to view the Urban Form Map.

1.

All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.

Response:

2.

Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.

Response:

3.

A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.

Response:

4.

Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.

Response:

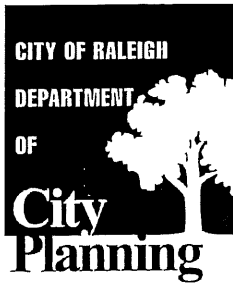
5.

New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.

Response:

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")

| TO BE COMPLETED BY APPLICANT | | | COMPLETED BY CITY STAFF | | |
|---|-------------------------------------|-------------------------------------|-------------------------|----|-----|
| General Requirements – General Use or Conditional Use Rezoning | YES | N/A | YES | NO | N/A |
| 1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 2. Rezoning application review fee (see Fee Schedule for rate) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 3. Completed application; Include electronic version via cd or flash drive | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 5. Pre-Application Conference | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 6. Neighborhood Meeting notice and report | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| 7. Trip Generation Study | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8. Traffic Impact Analysis | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 9. Completed and signed zoning conditions | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10. Completed Comprehensive Plan Consistency Analysis | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 11. Completed Response to the Urban Design Guidelines | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 12. For applications filed by a third party, proof of actual notice to the property owner | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 13. Master Plan (for properties requesting Planned Development or Campus District) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |



Pre-Application Conference Meeting Record

HANNAH. RECKHOW@
RALEIGHNC.GOV

Transaction #: 529355 Meeting Date & Time: 9/15/17 10:30 AM

Location: OEP 410

Attendees: Matl Klem, Jason Hardin, Hannah Reckhow,
Ohad Shuvli

Parcels discussed (address and/or PIN): 3808 Burt Dr

Current Zoning: R-10

Potential Re-Zoning: _____

CAC Chair/Contact Information: West CAC Jonathan Edwards 919-996-5712 jonathan.edwards@raleighnc.gov

General Notes: Applicant looking to do group housing, likely 'Dormitory,
Fraternity, Sorority', not currently permitted in R-10. Would need
to request Rx. Future Land Use map designates as Moderate
Density Residential, recommends up to 14 units/acre. Applications
are evaluated against Future Land Use map and Comprehensive Plan.

(Zoning Administration can answer questions about zoning interpretation)
A conditional case can allow applicant to limit density to 14 units.

| Department & Staff | Notes |
|--|--|
| Development Services Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517 | <u>Zoning : Greg Mitchell</u> <u>Administrator</u> <u>if non dormitory (Fraternity group living, would</u> <u>only need Special use permit in R-10</u> <u>Current zoning</u> <u>UDO Sections:</u> |

Other pre-reg: Neighborhood meeting
Planning Commission likes applicants to have vote from CAC

Pre-Application Conference

(this form must be provided at the time of formal submittal)



DEVELOPMENT SERVICES DEPARTMENT

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831
Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review*
- ☐ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

* Optional conference

GENERAL INFORMATION

Date Submitted September 6th 2017

Applicant(s) Name Ohad Shvueli c/o NCSR LLC

Applicant's Mailing Address 1503 Crimson Creek Dr Durham NC 27713

Phone 510-299-8633

Email ohad@shvueli.com

Property PIN #

Site Address / Location 3803 Burt Dr

Current Zoning R-10

Additional Information (if needed):
rezoning to enable group housing

OFFICE USE ONLY

Transaction # : 529355

Date of Pre-Application Conference : 9/15/17

Staff Signature

December 13, 2017

Re: *3803 Burt dr. / 1600 Gorman st.* Neighboring Property Owners:

You are invited to attend a neighborhood meeting on January 3rd at noon. The meeting will be held at the proposed property at 1600 Gorman st. Unit A in Raleigh where we will convene.

The purpose of this meeting is to discuss a rezoning of the property located at 3803 Burt rd. This site is currently zoned R-10 and is proposed to be rezoned to RX-3 to enable affinity groups residents to consider renting this home. There are NO plans to conduct construction on the site, and this is a change required by the city to allow for such group living. Affinity groups are supervised by a governing organization (e.g. Church or University) that should result in a more structured residency profile.

If you have any concerns or questions I can be reached at: 510-299-8633.

For more information about rezoning you may visit www.raleighnc.gov or rezoning@raleighnc.gov contact the Planning dept at 919-996-2682.

Thank you,

Ohad Shvueli

NCSR Owner / Manager

SUMMARY OF ISSUES

A neighborhood meeting was held on ^{Ign.} ~~October~~ ^{3rd} ~~5th~~ 2017 (date) to discuss a potential rezoning located at 3803 Burt Rd (property address).

The neighborhood meeting was held at 1503 Crimson Cr Dr Durham (location).

There were approximately 1 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Purpose of rezoning proposal

Group supervising authority

Parking situation

Improvement of the premises exterior

ATTENDANCE ROSTER

[illegible]