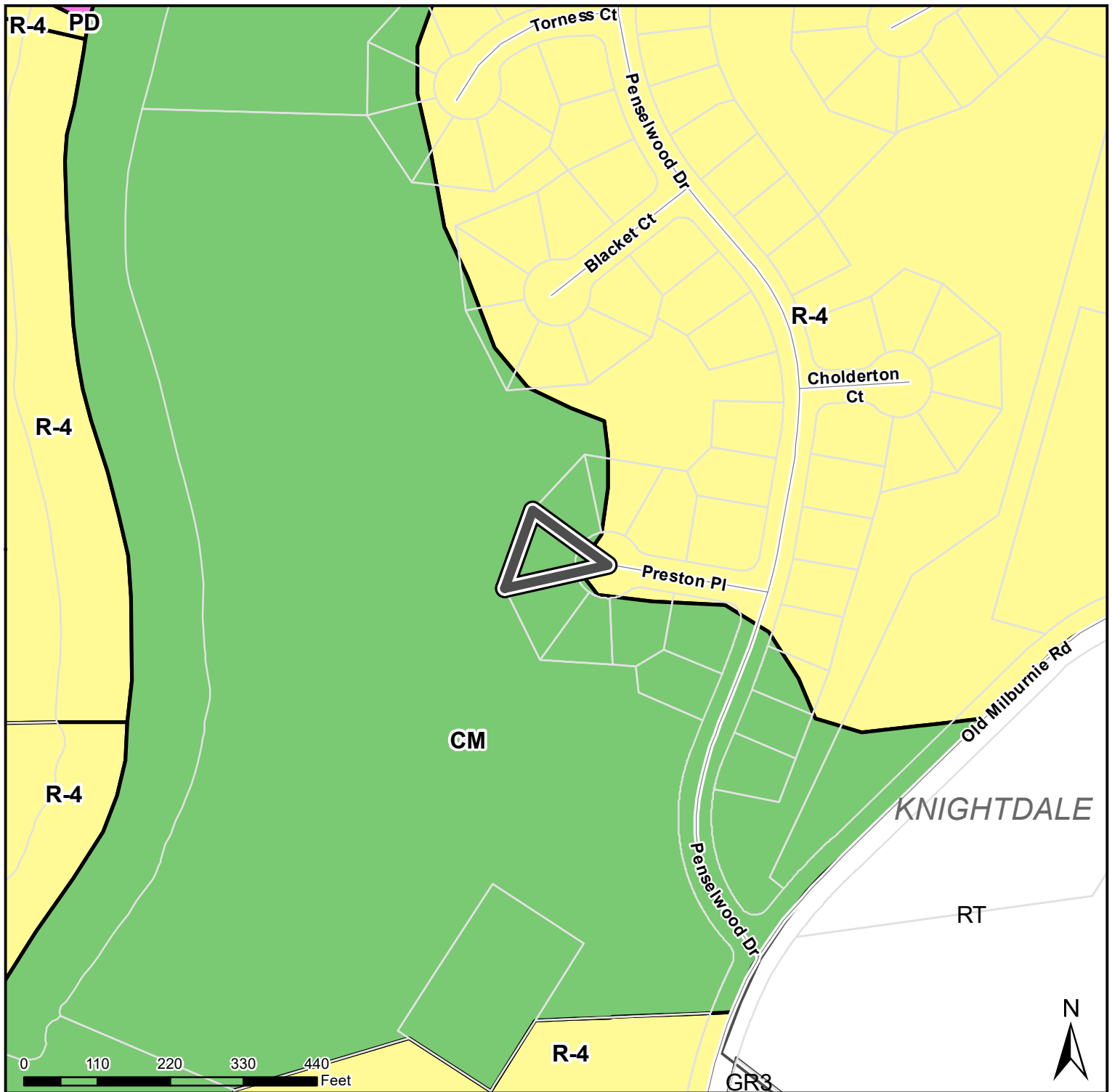
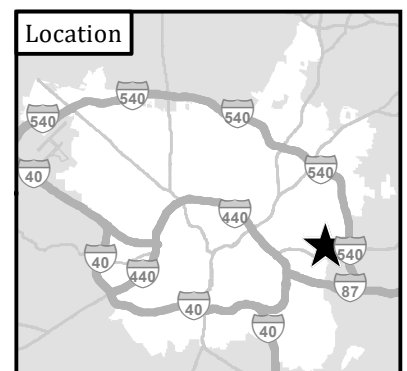


# Existing Zoning

# Z-3-2021



Property	5601 Preston Pl
Size	0.18 acres
Existing Zoning	CM
Requested Zoning	R-6



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Sara Ellis, Senior Planner
Department	Planning and Development
Date	July 06, 2021
Subject	City Council agenda item for July 06, 2021 – Z-3-21

---

On June 15, 2021 City Council authorized the public hearing for the following item:

**Z-3-21 5601 Preston Place**, approximately 0.18 acres located at [5601 Preston Place](#).

This is a general use rezoning case, and as such has no associated zoning conditions.

**Current zoning:** Conversation Management (CM)

**Requested zoning:** Residential-6 (R-6)

The request is **consistent** with the 2030 Comprehensive Plan.

The request is **inconsistent** with the Future Land Use Map.

The Planning Commission recommends approval of the request (7 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Petition for Rezoning, and the Neighborhood Meeting Report.



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13026

## CASE INFORMATION: Z-3-21; 5601 PRESTON PLACE

Location	Preston Place on its north side, approximately half a mile north of the intersection of New Bern Avenue and Old Milburnie Road. Address: 5601 Preston Place PINs: 1734775214 <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
Current Zoning	Conservation Management (CM)
Requested Zoning	Residential-6 (R-6)
Area of Request	0.18 acres
Corporate Limits	The site is located outside of Corporate City Limits but within the ETJ, and annexation will be required to connect to City services.
Property Owner	Larry Watkins
Applicant	Larry Watkins
Council District	C
PC Recommendation Deadline	July 26, 2021

## SUMMARY OF PROPOSED CONDITIONS

None, this is a general use rezoning case.

## COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Public Parks & Open Space
Urban Form	None
Consistent Policies	Policy LU 8.5 Conservation of Single-family Neighborhoods Policy LU 8.12 Infill Compatibility Policy H 1.8 Zoning for Housing
Inconsistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 3.1 Zoning of Annexed Lands Policy LU 3.2 Location of Growth

## FUTURE LAND USE MAP CONSISTENCY

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

## COMPREHENSIVE PLAN CONSISTENCY

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

## PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
November 12, 2020 7 Attendees	Not required	April 27, 2021 (Consent), May 27, 2021, (COW) June 08, 2021	June 15, 2021, July 06, 2021

## PLANNING COMMISSION RECOMMENDATION

The rezoning case is **Inconsistent** with the Future Land Use Map and **Consistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

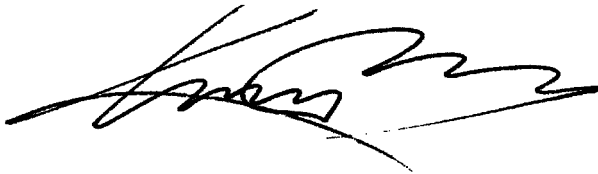
Reasonableness and Public Interest	The request is consistent with the 2030 Comprehensive Plan Overall, and consistent with existing surrounding residential development.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel only from Public Parks & Open Space to Low Density Residential.  If approved, the Comprehensive Plan policies will be amended as to the subject parcel only and, in addition, only if the property is developed in accordance with the approved ordinance.
Recommendation	Approval, and a recommendation that the City Council explore changing the surrounding Conservation Management (CM) zoning to residential on the lots that are legal existing nonconformities.
Motion and Vote	Motion: Rains Second: O'Haver

	In Favor: Bennett, Elder, Fox, Lampman, Mann, O'Haver and Rains
Reason for Opposed Vote(s)	N/A

## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. 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.




---

Ken A. Bowers, AICP  
Planning and Development Deputy Director

Date: 6/8/2021

Staff Coordinator: Sara Ellis: (919) 996-2234; [Sara.Ellis@raleighnc.gov](mailto:Sara.Ellis@raleighnc.gov)



# ZONING STAFF REPORT – CASE Z-3-21

## General Use District

### OVERVIEW

The proposal seeks to rezone an 0.18-acre parcel on Preston Place from Conservation Management (CM) to Residential-6 (R-6). The request is for a general use district and no conditions are offered.

The rezoning site is a single parcel - 5601 Preston Place - located approximately a half mile north of the intersection of New Bern Avenue and Old Milburnie Road at the end of a shallow cul-de-sac. The site is located outside of Corporate City limits, but within the extraterritorial jurisdiction, in a larger area of unannexed land located in between the Neuse River and the Town of Knightdale. An annexation will be required should the petitioner seek to connect to City services at inside rates.

The rezoning site is part of the Beachwood residential subdivision which is predominately zoned R-4 with some CM zoning along the eastern parcels following the Neuse River floodplain. The rear 30' of the rezoning site is located within the 500-year floodplain. The site's topography is generally flat, with a higher elevation in the rear that gradually slopes forward towards the front. Although this site is located inside the 500-year floodplain, Raleigh's Unified Development Ordinance does not regulate development within the 500-year floodplain, that regulation covers the 100-year floodplain which outside of the boundary of the site.

The parcels on the north and south of the subject site share the CM zoning, however they contain residential dwellings that are existing nonconforming uses. The CM zoning was applied to this area in 2001 through a request to extend the Extraterritorial Jurisdiction (ETJ), the zoning was retained and the CM was mapped to follow the 100-year floodplain and residential was mapped at R-4 densities.

To the west, behind the site, is deeded open space for the Beachwood Homeowner's Association that shares the CM zoning and is located in the floodway bordering the Neuse River. The site fronts along Preston Place on its eastern border, a shallow cul-de-sac with a mix of CM and R-4 zoning.

The requested district would allow the property owner the ability to construct a single, detached dwelling. The R-6 zoning district would retain some of the permitted uses in CM including parks, open space and greenways and minor utilities, and the largest change is that it would allow the detached house building type. Additionally, the request would reduce the 50' protective yard setbacks in CM to 10' on the front and side and 20' in the area and increase the 5% maximum building coverage to a maximum of 51% coverage in R-6 zoning districts.

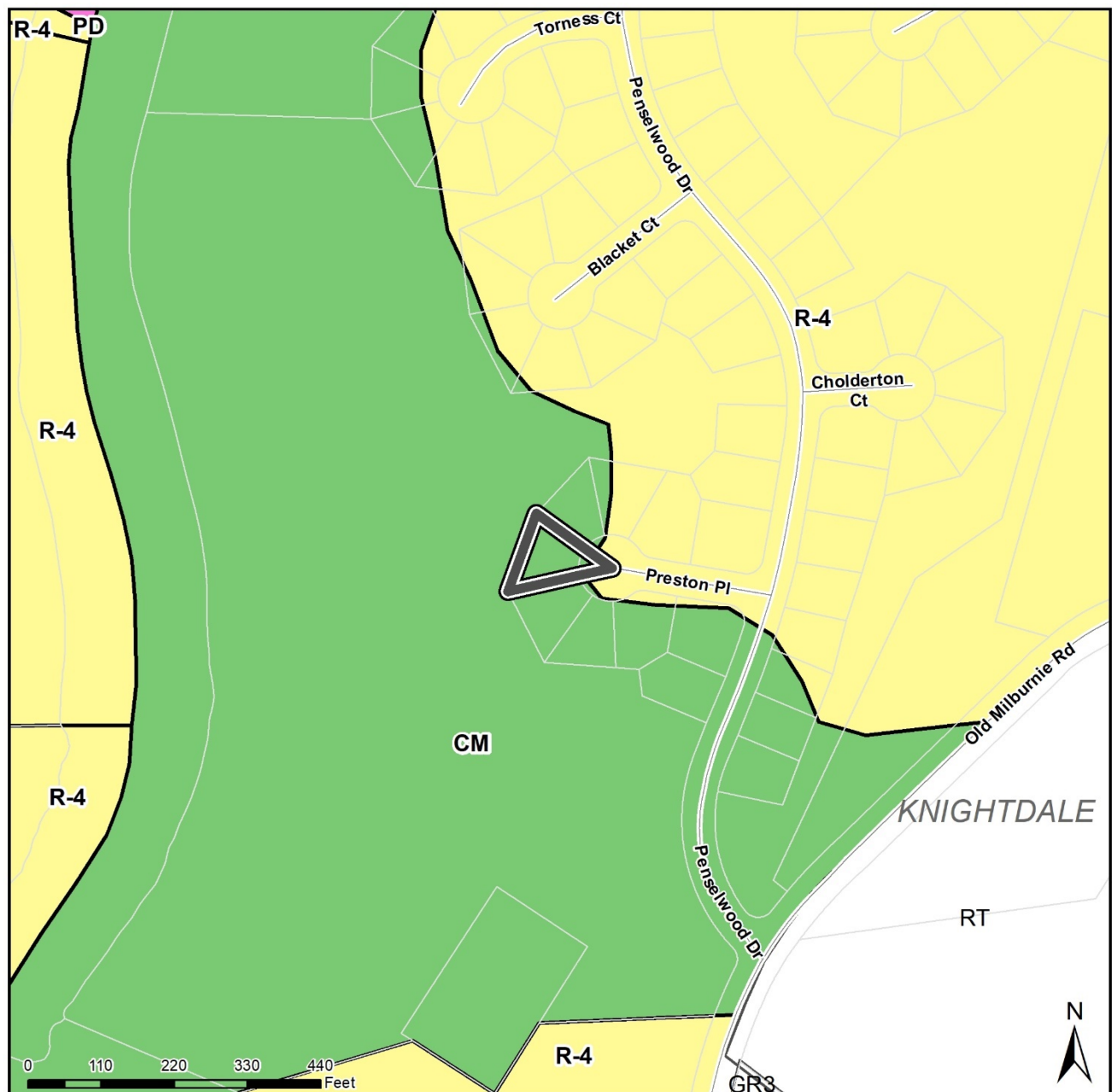
The rezoning site is designated as Public Parks & Open Space on the Future Land Use Map, which is a designation that envisions permanent open space intended for recreation or resource conservation uses which could include greenways, parks or resource conservation. The requested R-6 district is inconsistent with this designation, as it would allow a private development by permitting the detached house building type. However, the site is located in a built-out residential subdivision with detached homes on either side and is the last undeveloped parcel in the neighborhood.

### **OUTSTANDING ISSUES**

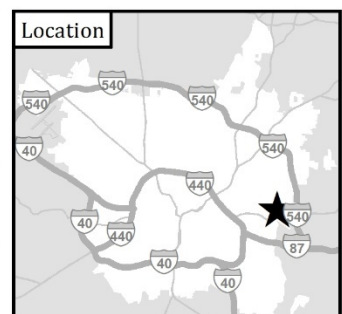
<b>Outstanding Issues</b>	<b>1. None</b>	<b>Suggested Mitigation</b>	<b>1. N/A</b>
---------------------------	----------------	-----------------------------	---------------

# Existing Zoning

**Z-3-2021**



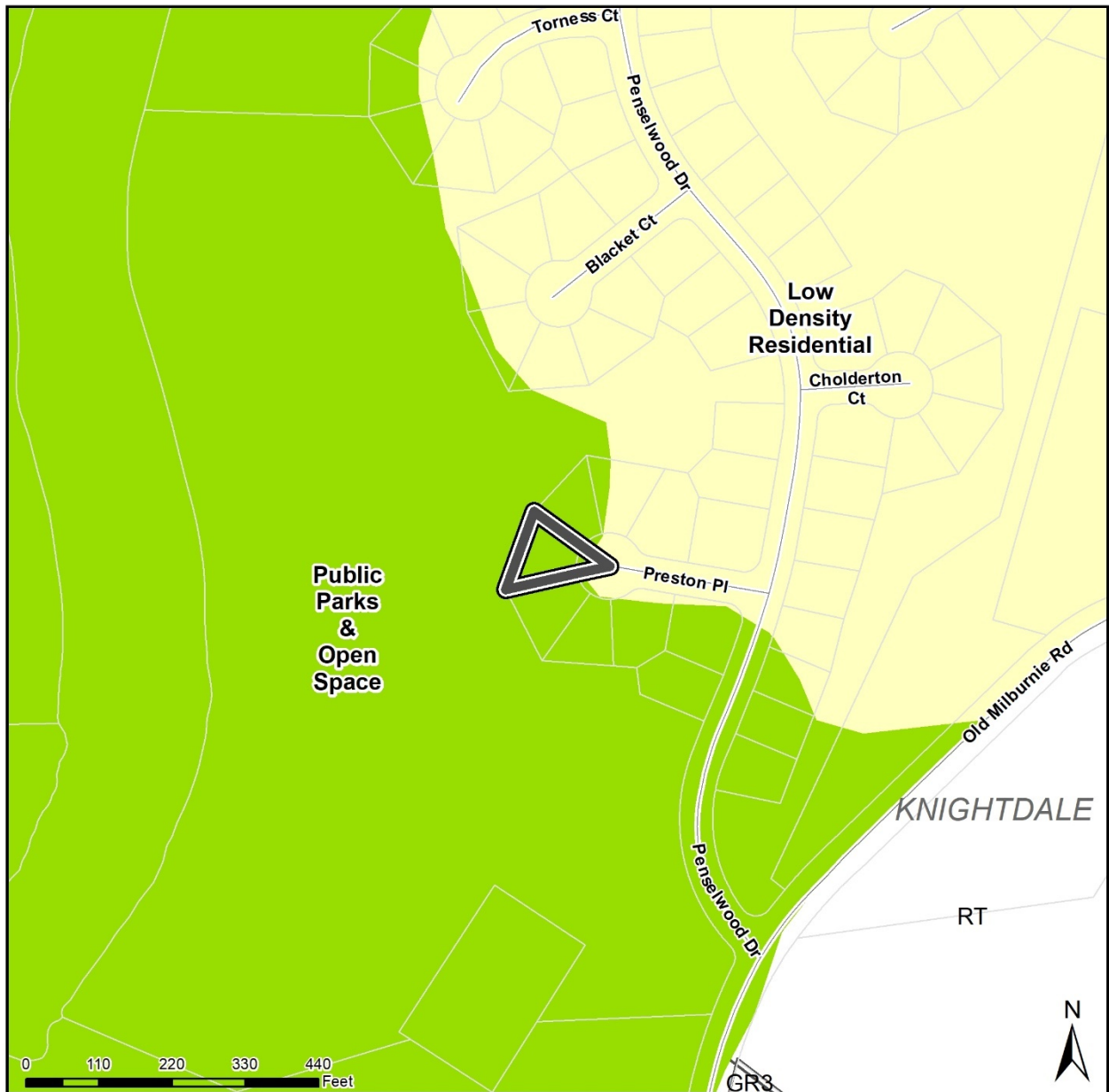
<b>Property</b>	5601 Preston Pl
<b>Size</b>	0.18 acres
<b>Existing Zoning</b>	CM
<b>Requested Zoning</b>	R-4





# Future Land Use

**Z-3-2021**



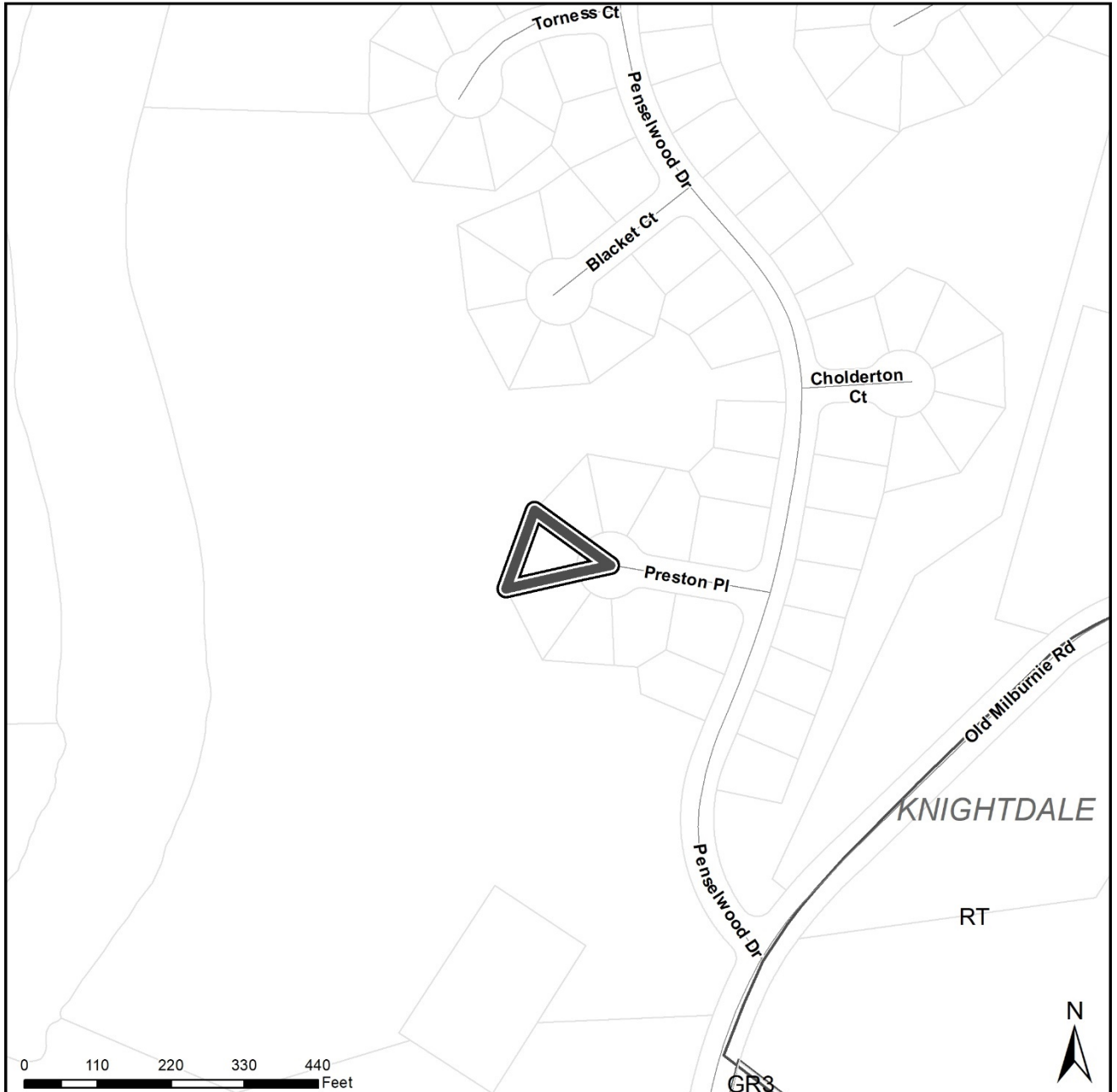
<b>Property</b>	5601 Preston Pl
<b>Size</b>	0.18 acres
<b>Existing Zoning</b>	CM
<b>Requested Zoning</b>	R-4



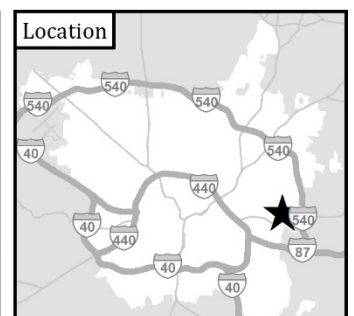
Map by Raleigh Department of City Planning (kuanc): 1/27/2021

# Urban Form

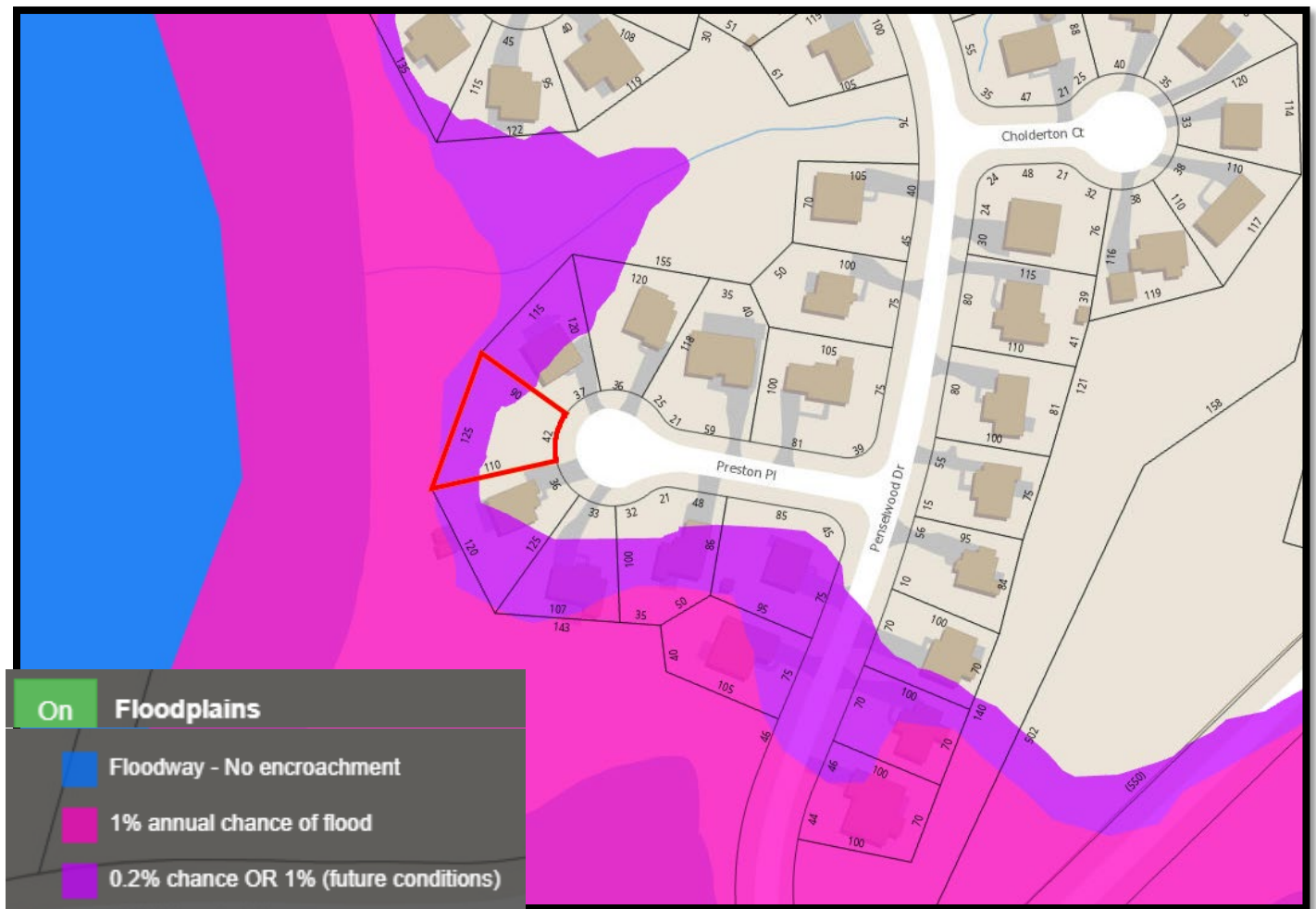
## Z-3-2021



Property	5601 Preston Pl
Size	0.18 acres
Existing Zoning	CM
Requested Zoning	R-4



# Floodplain



# 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?

Yes, the request is consistent overall with the 2030 Comprehensive Plan vision themes and policies, though it is inconsistent with the Future Land Use Map and policies related to location of growth.

The request is consistent with the vision theme of *Expanding Housing Choices* as it would allow a detached dwelling in a location with sufficient road, sewer and water infrastructure to serve the site. The request is also consistent with *Growing Success Neighborhoods and Communities* and *Managing Our Growth* as it will facilitate the development of a vacant lot with the same use as the surrounding properties in an established neighborhood.

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

No, the Future Land Use Map envisions Public Parks & Open Space which is generally applied to permanent open space intended for recreational or resource conservation uses. The request to rezone to R-6 is inconsistent with this designation as it would permit a single family detached dwelling.

- 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?

Yes, the use could be established without adversely altering the recommended character of the area but would alter the recommended land use. The site is located inside the Beachwood Subdivision, an 84-acre community that is almost completely built out with the exception of this parcel. The request to rezone to build a single family detached dwelling would be in keeping with the existing development pattern.

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

Yes, community facilities and streets appear to be able to serve the proposed use.

## Future Land Use

**Future Land Use designation:** Public Parks & Open Space

**The rezoning request is**

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

☒ **Inconsistent**

Public Parks & Open Space envisions permanent open space intended for recreational or resource conservation uses such as greenways and parks. While this site is not mapped as a greenway corridor, it is located within the floodplain on the rear portion of the parcel. The request to rezone to R-6 would permit a single detached home, which is an existing use on both sides of the property.

### Urban Form

**Urban Form designation:** None

**The rezoning request is**

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

☐ **Inconsistent**

☒ **Other** (No Urban Form Designation)

### Compatibility

**The proposed rezoning is**

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

☐ **Incompatible.**

The request is generally compatible with the surrounding area as it is located within a developed subdivision. It would permit the same building type and use that is located on the parcels bordering the site to the north and south.

### Public Benefits of the Proposed Rezoning

- The request would permit an additional home in a location with sufficient street, sewer and water infrastructure to serve the proposed density increase.

### Detriments of the Proposed Rezoning

- The request, if approved, would permit development on a parcel envisioned for open space uses and may result in a loss of open space within the 500-year floodplain.

## Policy Guidance

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

---

### **Policy LU 8.5 Conservation of Single-family Neighborhoods**

*Protect and conserve the city's single-family neighborhoods and ensure that their zoning reflects their established low-density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low-density character, preserve open space, and maintain neighborhood scale.*

- The request would permit the development of a single family detached residential dwelling that is in keeping with the current built character of the neighborhood, and would place housing where there is current a vacant lot.

### **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 site is a single, vacant parcel located inside a fully developed residential subdivision. The request to rezone to R-6 would permit a detached dwelling that is consistent with the existing development pattern.

### **Policy H 1.8 Zoning for Housing**

*Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.*

- The requested district would permit a single family detached dwelling on a parcel where residential development is not currently allowed. This would modestly increase the housing supply in the area.

*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 request is inconsistent with the Future Land Use Map designation of Public Parks & Open Space, which envisions permanent open space intended for

recreational or resource conservation uses such as greenways and parks. The request is to rezone to R-6, which would permit a detached dwelling.

#### **Policy LU 3.1 Zoning of Annexed Lands**

*The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.*

- The request is located outside of the City of Raleigh's Corporate Limits, but inside the extraterritorial jurisdiction. The request is inconsistent with the Future Land Use Map designation of Public Parks & Open Space for this parcel.

#### Area Plan Policy Guidance

There is no area specific guidance for this site.

## **HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS**

### Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	0	This site is not served by public transit.
Walk Score	31	5	Most errands require a car.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

**Summary:** The site is not served by transit, nor is it located in an area with walkable amenities and will require a car to accomplish most, if not all errands.

### Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	No
Small Apartment (2-4 units)	42.1	No
Larger Apartment	34.0	No

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

**Summary:** The rezoning request would not permit the more energy efficient housing types, such as townhouse and apartments.

### Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The request will allow housing where it is not currently permitted and will increase the supply by one unit.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	No	The only permitted housing type is detached.
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	The site is 0.18 acres, which is smaller than the City's average.
Is it within walking distance of transit?	No	The site is not served by transit.

\*The average lot size for detached residential homes in Raleigh is 0.28 acres.

**Summary:** The request would add one additional unit to the entitlement, and by virtue of the lot size and R-6 requested entitlement would allow smaller lots than the City's average.



# IMPACT ANALYSIS

## Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

**Impact Identified:** None.

## Parks and Recreation

1. This site is adjacent to the Neuse River Greenway Corridor.
2. Nearest existing park access is provided by Milburnie Park (0.4 mile) and Anderson Point Park (3.0 miles).
3. Nearest existing greenway trail access is provided by Neuse River Greenway Trail (1.9 mile).
4. Current park access level of service in this area is graded a D letter grade.

**Impact Identified:** None.

## Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	0	250
Waste Water	N/A	N/A	N/A

**Impact Identified:**

1. The proposed rezoning would add 250 gpd to the water distribution systems of the City. There are water mains and an existing private sewer treatment system adjacent to the proposed rezoning area. Property does not have access to public sewer
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 Developed

## Stormwater

Floodplain	FEMA
------------	------

<b>Drainage Basin</b>	Neuse
<b>Stormwater Management</b>	Subject to stormwater regulations under Article 9 of UDO.
<b>Overlay District</b>	None

**Impact Identified:** None.

## Transportation & Transit

### **Site Location and Context**

#### *Location*

The Z-3-21 site is located in east Raleigh at the end of Preston Place, north of New Bern Avenue and Old Milburnie Road and on the east bank of the Neuse River.

#### *Area Plans*

The Z-3-21 site not located within or adjacent to an area plan.

### **Other Projects in the Area**

There are no City of Raleigh street improvement projects programmed nearby. The North Carolina Department of Transportation (NCDOT) is in early stages of development of the Eastern Wake Expressway to connect I-540 to I-40 and US-70 near the Wake/Johnston County Line.

### **Existing and Planned Infrastructure**

#### *Streets*

Preston Place is a local street that is not shown on Map T-1 of the Comprehensive Plan (the Street Plan). It is therefore a local street. It is maintained by NCDOT.

In accordance with UDO section 8.3.2, the maximum block perimeter for R-6 districts is set by the average lot size. Minimum lot sizes for R-6 lead to 4,500 feet maximum blocks. The current block perimeter is extremely long, being constrained by the Neuse River. The next existing river crossing to the north is at Buffalo Road. The Z-3-21 site is exempt from block perimeter requirements because of minimum lot size and the location of the Neuse River.

#### *Pedestrian Facilities*

Neither Preston Place nor Old Milburnie Road currently have sidewalks.

#### *Bicycle Facilities*

There are no existing on-street bikeways near the Z-3-21 site. None are planned in Map T-3 in the comprehensive plan. The Neuse River greenway trail is on the west bank of the river and there is a bridge across the river and a greenway trail access at the end of Loch Raven Parkway, approximately an half-mile from the site.

### *Transit*

This site is not served by existing or planned transit.

### *Access*

Access is by Preston Place.

### **Traffic Impact Analysis (TIA) Determination**

Based on the Envision results, approval of case Z-3-21 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from CM to R-6 is projected to generate 1 new trip in the AM peak hour and 1 new trip in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-3-21 Existing Land Use Vacant	Daily	AM	PM
	0	0	0
Z-3-21 Current Zoning Entitlements Conservation Management	Daily	AM	PM
	0	0	0
Z-3-21 Proposed Zoning Maximums Residential	Daily	AM	PM
	9	1	1
Z-3-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>9</b>	<b>1</b>	<b>1</b>

**Impact Identified:** Small increase in the number of trips generated.

### Urban Forestry

The lot is smaller than two acres in size, UDO Section 9.1 does not apply.

**Impact Identified:** No impact.

### Impacts Summary

The rezoning request would have minimal impacts at this stage.

### Mitigation of Impacts

No mitigation of Z-3-21 is needed at the rezoning stage.

## CONCLUSION

Rezoning request Z-3-21 is a request to rezone a single parcel from Conservation Management (CM) to Residential-6 (R-6). The request is for a general use district and does not include zoning conditions. Application of R-6 to the site would allow for a single detached dwelling, which is not currently a permitted use in CM.

This request is inconsistent with the Future Land Use Map guidance for the site, as well as policies relating to location of growth. The request is also inconsistent with the vision themes of Managing Our Growth, Growing Successful Neighborhoods and Communities and Coordinating Land Use and Transportation as it would permit residential growth outside of Corporate City Limits in a location that is not served by transit.

It is however consistent with policies related to infill development, zoning for housing and conservation of single-family neighborhoods. The request would permit a one unit increase in the residential density of the area and allow a detached dwelling to be located in an established neighborhood where properties on either side have the same use. The request is consistent with the vision theme of Expanding House Choices.

## CASE TIMELINE

Date	Action	Notes
1/15/21	First neighborhood meeting held	7 total attendees
1/27/2021	General use rezoning application submitted	Request to rezone from CM to R-4, subject lot is too small to accommodate a dwelling under R-4 zoning.
2/4/2021	General use rezoning application submitted	Change in request to rezone to R-6

# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	Conservation Management	Conservation Management	Conservation Management	Residential-4	Conservation Management
Additional Overlay	None	None	None	None	None
Future Land Use	Public Parks & Open Space	Public Parks & Open Space	Public Parks & Open Space	Low Density Residential	Public Parks & Open Space
Current Land Use	Undeveloped	Detached Residential	Detached Residential	Road	Open Space
Urban Form	None	None	None	None	None

## CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	CM	R-6
Total Acreage	0.18	0.18
Setbacks:		
Front	50'	10'
Side	50'	10'
Rear	50'	20'
Residential Density:	0	1
Max. # of Residential Units	0	1
Max. Gross Building SF	0	1,400
Max. Gross Office SF	--	--
Max. Gross Retail SF	--	--
Max. Gross Industrial SF	--	--
Potential F.A.R	0	0.18

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



# COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-3-21

## OVERVIEW

The rezoning site is currently designated for Public Parks & Open Space on the Future Land Use Map and will be re-designated as Low Density Residential.

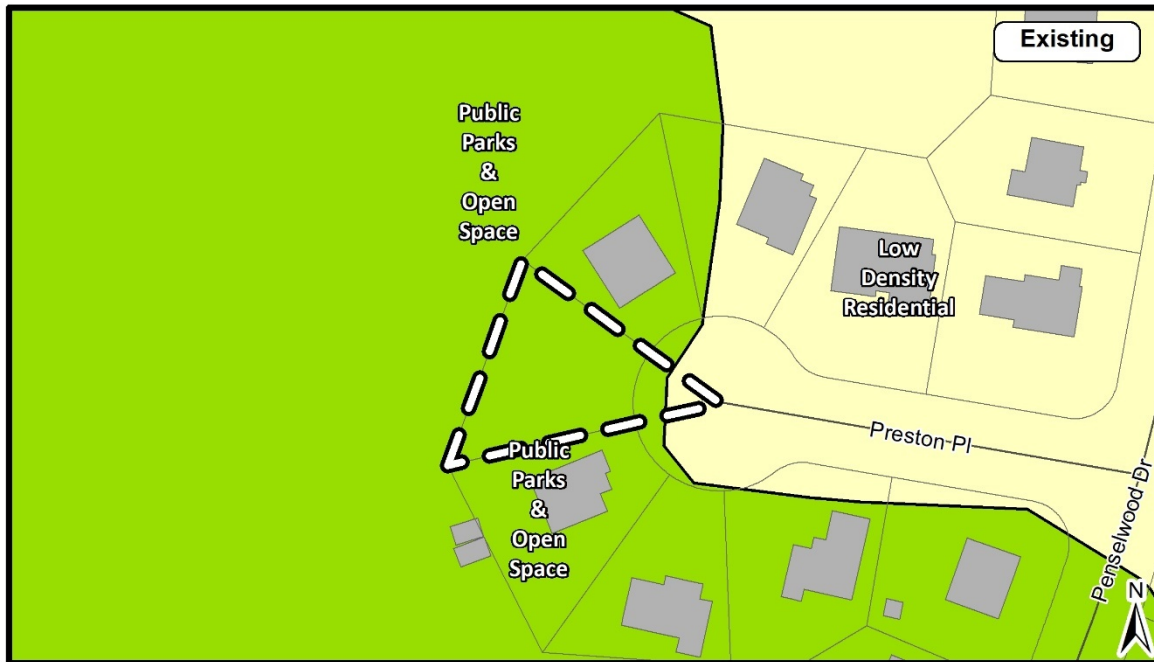
### LIST OF AMENDMENTS

- |   |
|---|
| 1. Amend the Future Land Use Map from Public Parks & Open Space to Low Density Residential. |
|---|

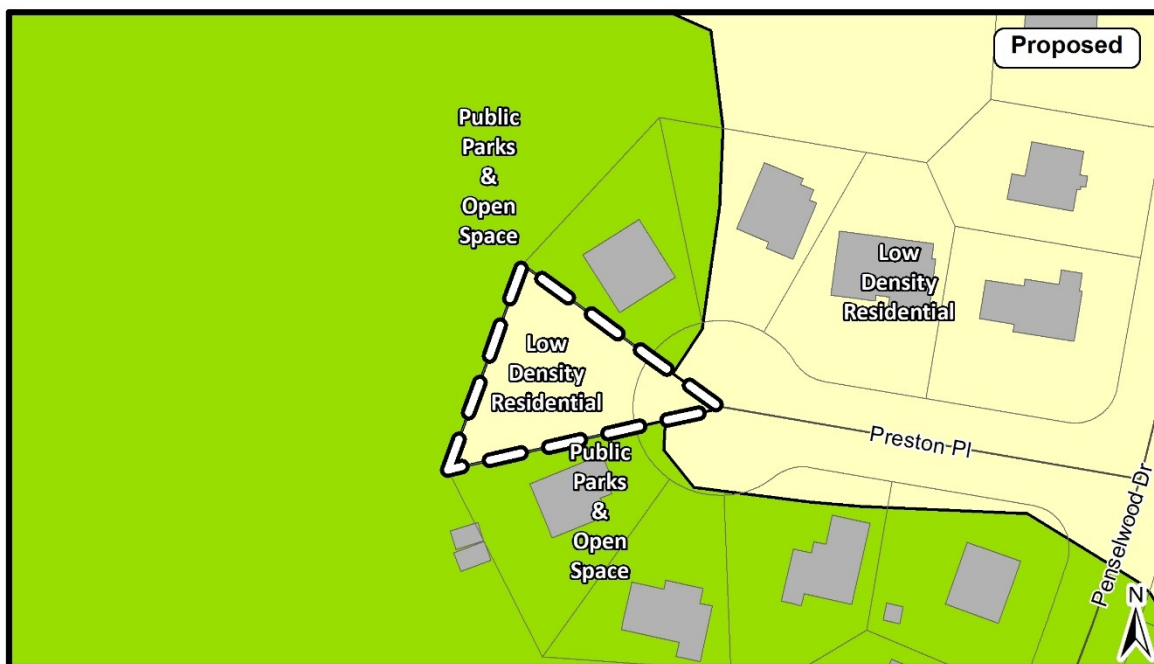
## AMENDED MAPS

### Z-3-2021: Required Amendment to the Future Land Use Map

Existing Designation: Public Parks and Open Space



Proposed Designation: Low Density Residential



## **IMPACT ANALYSIS**

The Future Land Use Map amendment caused by approval of this request would decrease the amount of land planned for public open space in this area.



REZN-0003-2021

# Rezoning Application and Checklist

Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Rezoning Request				
Rezoning Type	<input checked="" type="checkbox"/> General use	<input type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district:	CM	Height:	Frontage:	Overlay(s):
Proposed zoning base district:	R6	Height:	Frontage:	Overlay(s):
<b>Helpful Tip:</b> View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number: Z-35-2001				

General Information		
Date: 1/27/2021	Date amended (1): 3/4/2021	Date amended (2):
Property address: 5601 Preston Place Raleigh, NC 27604		
Property PIN: 1734775214		
Deed reference (book/page): 16773/1881		
Nearest intersection: Pensel Wood Dr & Preston Pl		Property size (acres): .18
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Larry Watkins		
Property owner email: <a href="mailto:larry@dolandesignhvac.com">larry@dolandesignhvac.com</a>		
Property owner phone: 919-710-4133		
Applicant name and address: Larry Watkins		
Applicant email: same		
Applicant phone: same		
Applicant signature(s):		
Additional email(s):		



Rezoning Application Addendum #1	
<p align="center"><b>Comprehensive Plan Analysis</b></p> <p>The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.</p>	<p align="center"><b>OFFICE USE ONLY</b></p> <p align="center">Rezoning case #</p> <p align="center">_____</p>
<p align="center"><b>Statement of Consistency</b></p> <p>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.</p> <p>The rezoning request is consistent to the current and future land use. It is a residential neighborhood with one vacant lot remaining which is 56010 Preston Place.</p>	
<p align="center"><b>Public Benefits</b></p> <p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p> <p>It is in the public's interest to provide affordable housing for the last remaining lot in this neighborhood.</p>	

**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**  
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.

N/A

**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:

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:**

**6**

A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.

**Response:**

7	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p><b>Response:</b></p>
8	<p>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</p> <p><b>Response:</b></p>
9	<p>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p><b>Response:</b></p>
10	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p><b>Response:</b></p>
11	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p><b>Response:</b></p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p><b>Response:</b></p>
13	<p>New public spaces should provide seating opportunities.</p> <p><b>Response:</b></p>

14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p><b>Response:</b></p>
15	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p><b>Response:</b></p>
16	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</p> <p><b>Response:</b></p>
17	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p><b>Response:</b></p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p><b>Response:</b></p>
19	<p>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</p> <p><b>Response:</b></p>
20	<p>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</p> <p><b>Response:</b></p>

21	<p>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</p> <p><b>Response:</b></p>
22	<p>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</p> <p><b>Response:</b></p>
23	<p>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</p> <p><b>Response:</b></p>
24	<p>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</p> <p><b>Response:</b></p>
25	<p>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</p> <p><b>Response:</b></p>
26	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p><b>Response:</b></p>



Rezoning Checklist (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning	Yes	N/A	Yes	No	N/A
1. I have referenced this <b>Rezoning Checklist</b> 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see <a href="#">Fee Guide</a> for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>For properties requesting a Conditional Use District:</b>					
11. Completed zoning conditions, signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If applicable, see page 11:</b>					
12. Proof of Power of Attorney or Owner Affidavit.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>For properties requesting a Planned Development or Campus District:</b>					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>For properties requesting a text change to zoning conditions:</b>					
14. Redline copy of zoning conditions with proposed changes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Master Plan (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – Master Plan	Yes	N/A	Yes	No	N/A
1. I have referenced this <b>Master Plan Checklist</b> 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Total number of units and square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 12 sets of plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Completed application; submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Vicinity Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Existing Conditions Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Street and Block Layout Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Development Plan (location of building types)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Parking Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Open Space Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Phasing Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Common Signage Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 12/7/2020

RE: Rezoning of

5601 Preston Place

Raleigh, NC 27604

Neighborhood Property Owners:

You are invited to attend a neighborhood meeting on Tuesday Jan 12, 2021 from 5:00PM –7:00PM. The meeting will be held virtually. See page two for instructions

The purpose of this meeting is to discuss a potential rezoning of the property located at 5601 Preston Place Raleigh, NC 27604. This site is currently zoned as a Conservation property and is proposed to be rezoned to the original R-4 Residential zoning district.

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online at [www.raleighnc.gov](http://www.raleighnc.gov) and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf

Raleigh Planning & Development

(919)996-2180

[jp.mansolf@raleighnc.gov](mailto:jp.mansolf@raleighnc.gov)

If you have any concerns or questions about this potential rezoning I can be reached at:

Larry Watkins

(919)710-4133

[larry@dolandesignhvac.com](mailto:larry@dolandesignhvac.com)

Sincerely,

Larry Watkins

**HOW TO ATTEND THE VIRTUAL MEETING – LOGIN OR CALL IN ANYTIME BE THE HOURS OF 5:00PM AND 7:00PM**

If attending by video:

- Go to [www.zoom.com](http://www.zoom.com)
- Click on Join Meeting (in the top right hand corner)
- Enter the Meeting ID **2349664934**
- Enter the Passcode **B65TsD**

Ensure your speaker is not on mute if you would like to ask questions and/or be heard

If attending by telephone only:

- Dial telephone number **(312)626-6799**
- Enter the meeting ID **2349664934**
- The participant ID is not required – just hit # to continue
- Enter the Passcode **216882**
- You will be joined to the meeting

## SUMMARY OF ISSUES

A neighborhood meeting was held on Tues 11/12/2020 (date) to discuss a potential rezoning located at 5601 Preston Place (property address). The neighborhood meeting was held at Virtual meeting via Zoom (location). There were approximately 6 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location
Flood Plain\Swamp Land, Setbacks & Lot Dimensions, & Public Sewer Lines Location

## ATTENDANCE ROSTER

NAME	ADDRESS
Ryan Crawley	5609 Preston Pl Raleigh, NC 27604
Robert Allison	5605 Preston Pl Raleigh, NC 27604
Mohammed Hazin	5640 Preston Pl Raleigh, NC 27604
Randall Weddle	5649 Lighthall Ln Raleigh, NC 27604
Ray Novak	5613 Preston Pl Raleigh, NC 27604
Rodney Charlton	5612 Preston Pl Raleigh, NC 27604

DATE: 1/15/21

RE: Rezoning Neighborhood Meeting Minutes\5601 Preston Place

BY: Larry Watkins\Owner of 5601 Preston Place

A virtual meeting was held on Tues Jan 12, 2021 regarding the rezoning of 5601 Preston Place. The meeting was held via zoom from 5:00PM – 7:00PM. The list of attendees were as follows:

- |                    |  |
|--------------------|--|
| 1. Ryan Crowley    | 5609 Preston Place                                     |
| 2. Robert Allison  | 5605 Preston Place                                     |
| 3. Mohammed Hazin  | 5640 Preston Place                                     |
| 4. Randall Weddle  | 5649 Lighthall Ln                                      |
| 5. Ray Novak       | 5613 Preston Place                                     |
| 6. Rodney Charlton | 5612 Preston Place                                     |
| 7. Lisa Conklin    | 5604 Blaket Ct (Called in after meeting was adjourned) |

Issues that were discussed:

Floodplain/Swamp Land

Setbacks and lot dimensions

Location of public sewer lines

Questions regarding intentions of future land use

HOA regulations

Rezoning process and steps that are required

All questions and concerns were answered to the best of my knowledge and residents were notified of upcoming notifications as the process progresses.

Larry Watkins

A handwritten signature in black ink, appearing to read 'L. Watkins', with a long horizontal flourish extending to the right.

## ATTESTATION TEMPLATE

### Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the 22, day of Dec, 2020. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

  
Signature of Applicant/Applicant Representative

12/22/2020  
Date



**AGENDA ITEM (C) 3: Z-3-21 – 5601 Preston Place**

This case is located 5601 Preston Place on its north side, approximately one-half mile north of the intersection of New Bern Avenue and Old Milburnie Road.

Approximately 0.18 acres of land are proposed to be rezoned by Larry Watkins, the property owner. This is a general use rezoning case and has no associated zoning conditions.

The request is consistent with the 2030 Comprehensive Plan.

The request is inconsistent with the Future Land Use Map.

The Committee of the Whole discussed this case at their May 27, 2021 meeting. The committee made a recommendation for approval stating the request is consistent with the 2030 Comprehensive Plan and consistent with existing surrounding development. The Commission recommends the City Council explore changing the surrounding Conservation Management (CM) zoning to residential on the lots that are legal existing nonconformities.

This item first appeared on the Planning Commission's April 27 agenda. The Planning Commission deadline for action is July 26, 2021.

**Mr. Rains made a motion to recommend approval of the case. Mr. O'Haver seconded the motion. Commissioners how do you vote?**

**Bennett (Aye), Elder (Aye) Fox (Aye), Lampman (Aye) Mann (Aye), O'Haver (Aye) and Rains (Aye). The vote was unanimous 7-0.**

