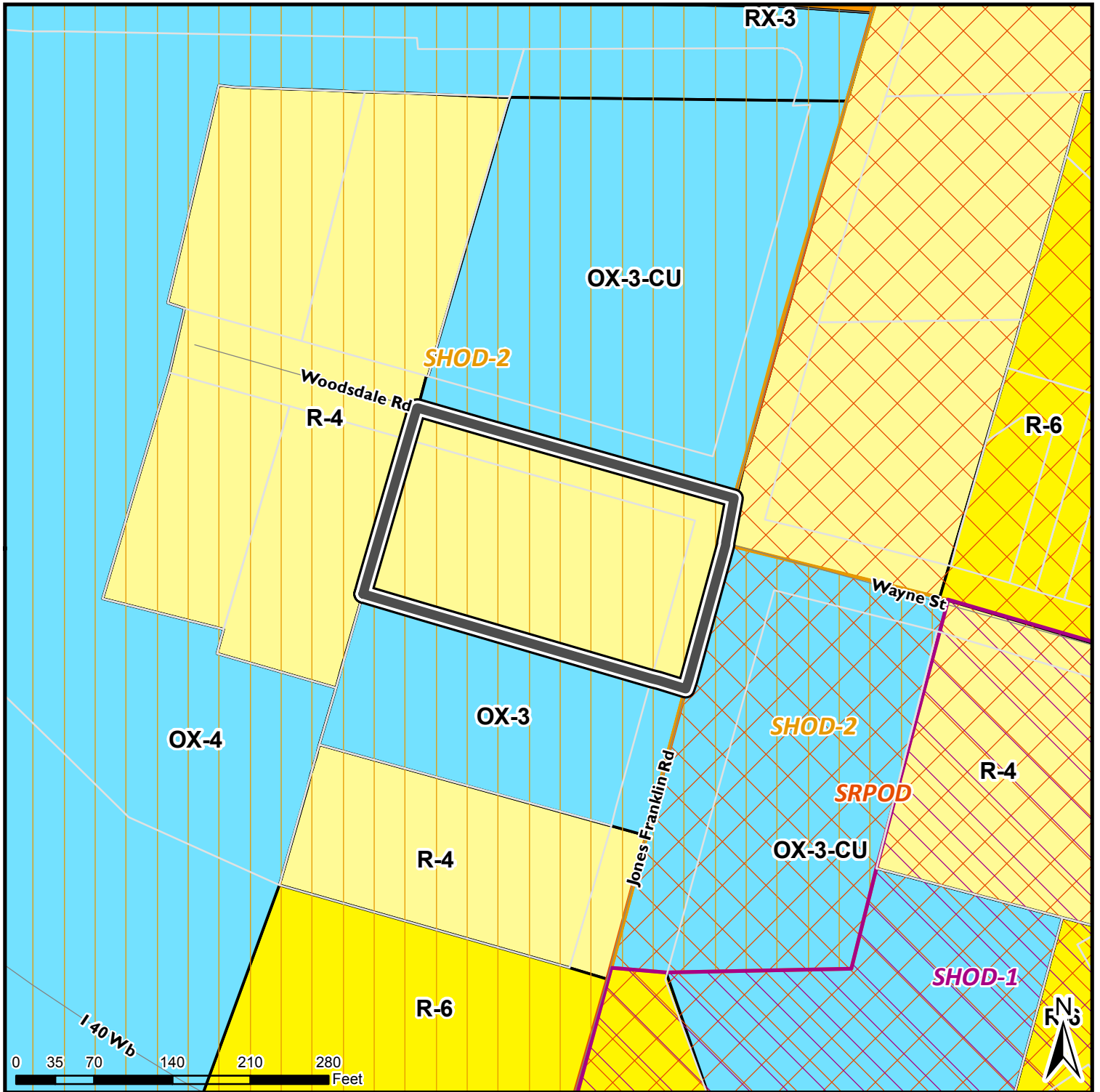


Existing Zoning Map

Z-7-2016

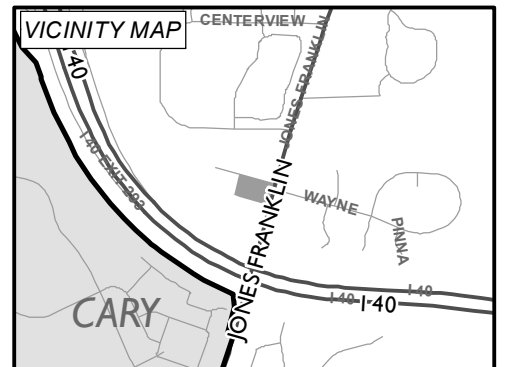


Submittal Date

3/10/2016

Request:

**0.895 acres from
R-4 w/SHOD-2
to OX-3-CU w/ SHOD-2**





Certified Recommendation

Raleigh Planning Commission

CR#

Case Information: Z-7-16 – Jones Franklin Road

<i>Location</i>	West side, at its intersection with Woodsdale Road Address: 1522 Jones Franklin Road PIN: 0783014528
<i>Request</i>	Rezone property from Residential-4 with Special Highway Overlay District-2 (R-4 w/ SHOD-2) to Office Mixed Use-3 stories-Conditional Use with Special Highway Overlay District-2 (OX-3-CU w/ SHOD-2)
<i>Area of Request</i>	0.9 acre
<i>Property Owner</i>	A Hand of Hope Pregnancy Resource Center Tonya B. Nelson 607 N. Ennis Street Fuquay Varina, NC 27526 919-577-8002; tonya@handofhope.net
<i>Applicant</i>	Timothy Cain 500 Benson Road #101 Garner, NC 27529 919-662-4956; tim@rcarolina1re.com
<i>Citizens Advisory Council (CAC)</i>	West – Benson Kirkman and Jim Paumier, Co-Chairs benson.kirkman@att.net ; jopaumier@earthlink.net
<i>PC Recommendation Deadline</i>	August 8, 2016

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>	Office/Research & Development
<i>URBAN FORM</i>	n/a
<i>CONSISTENT Policies</i>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 2.6 - Zoning and Infrastructure Impacts Policy LU 10.3 – Ancillary Retail Uses Policy T 4.8 – Bus Waiting Areas Policy T 4.15 – Enhanced Rider Amenities
<i>INCONSISTENT Policies</i>	None identified.

Summary of Proposed Conditions

- | |
|--|
| <ol style="list-style-type: none"> 1. Prohibits residential uses. 2. Offers a transit easement and shelter upon redevelopment. |
|--|

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
2/12/16	2/23/16 & 4/26/16 (Y – 30, N – 17)	5/10/16		

Attachments:

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	<p><i>The following topics should be addressed:</i></p> <ul style="list-style-type: none"> • <i>Consistency with the Comprehensive Plan, Future Land Use Map, and other policy guidance</i> • <i>Whether the proposal is reasonable and in the public interest</i> • <i>Compatibility with the surrounding area</i>
<i>Motion and Vote</i>	

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.

Planning Director

Date

Planning Commission Chairperson

Date

Staff Coordinator:

Vivian Ekstrom: (919) 996-2657; vivian.ekstrom@raleighnc.gov



Zoning Staff Report – Case Z-7-16

Conditional Use District

Case Summary

Overview

The proposal seeks to rezone a one acre property in southwest Raleigh located near the Interstate 40 and I-440 interchange. The property is currently occupied by a single family house. Surrounding uses are primarily office, low density residential, and low-scale (3 stories) multi-family residential.

The subject property is classified as Office / Research & Development on the Future Land Use Map, as are all adjacent properties. Areas to the northeast across Jones Franklin Road are designated for Moderate Density Residential uses. There is no Urban Form Map designation for the property or the immediate area.

The site is currently zoned Residential-4 with Special Highway Overlay District-2 (R-4 w/ SHOD-2), as are adjacent properties to the west. Properties to the north, south, and east are zoned Office Mixed Use-3 stories (OX-3). The property to the north has zoning conditions which limit allowed uses, limit building size, specify parking and access locations, apply additional protective yard requirements, and specify other lot layout and building design elements. Similarly, the property to the east has zoning conditions that apply additional streetyard and protective yard requirements and limit building height.

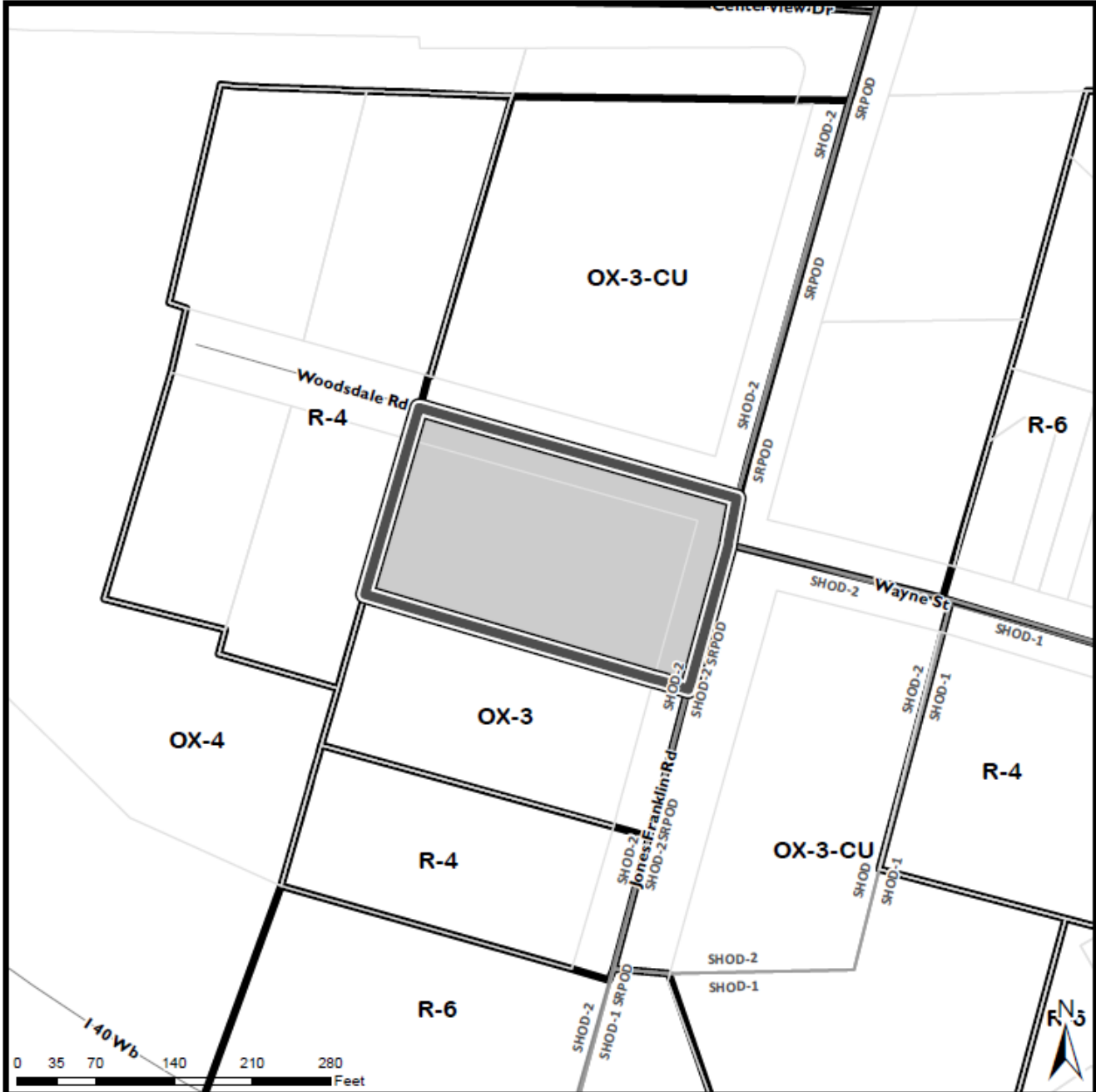
The proposed Office Mixed Use-3 stories-Conditional Use (OX-3-CU) zoning would permit a number of commercial uses including office, medical, indoor recreation, personal service, and a limited amount of ancillary retail. In addition, research & development uses would be permitted. The Special Highway Overlay District-2 (SHOD-2) is proposed to remain. The applicant has offered two conditions: 1) a prohibition of residential uses, and 2) an offer of a transit easement and shelter upon redevelopment of the property.

Outstanding Issues

<i>Outstanding Issues</i>	<i>None.</i>	<i>Suggested Mitigation</i>	<i>n/a</i>
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Existing Zoning Map

Z-7-2016

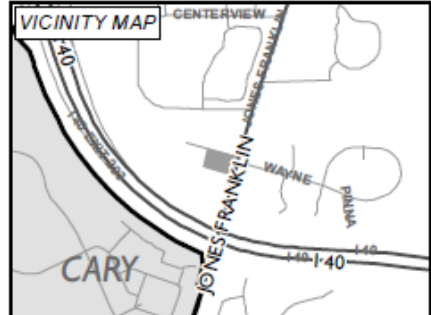


**Submittal
Date**

3/10/2016

Request:

0.895 acre from
R-4 w/ SHOD-2
to OX-3-CU w/ SHOD-2



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	Residential-4	Office Mixed Use-3 stories-Conditional Use	Office Mixed Use-3 stories	Office Mixed Use-3 stories-Conditional Use	Residential-4
<i>Additional Overlay</i>	Special Highway Overlay District-2	Special Highway Overlay District-2	Special Highway Overlay District-2	Special Highway Overlay District-2 and Special Residential Parking Overlay District	Special Highway Overlay District-2
<i>Future Land Use</i>	Office / Research & Development	Office / Research & Development	Office / Research & Development	Office / Research & Development	Office / Research & Development
<i>Current Land Use</i>	Residential (detached single family)	Vacant	Medical office	Office	Residential (detached single family)
<i>Urban Form (if applicable)</i>	n/a	n/a	n/a	n/a	n/a

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	3.4 dwelling units/acre (3 total DUs)	Not permitted*
<i>Setbacks:</i>		
<i>Front:</i>	20'	5'
<i>Side:</i>	10'	0' or 6'
<i>Rear:</i>	30'	0' or 6'
<i>Retail Intensity Permitted:</i>	Not permitted	4,000 sf**
<i>Office Intensity Permitted:</i>	Not permitted	26,600 sf

* Per conditions

**Only permitted within a multi-tenant building, not in a standalone building and limited to a maximum of 4,000 sf per UDO 6.4.11.C.

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	0.90	0.90
<i>Zoning</i>	R-4 w/ SHOD-2	OX-3-CU w/ SHOD-2
<i>Max. Gross Building SF (if applicable)</i>	n/a	26,600 sf
<i>Max. # of Residential Units</i>	3	Not permitted**
<i>Max. Gross Office SF</i>	Not permitted	26,600 sf
<i>Max. Gross Retail SF</i>	Not permitted	4,000 sf
<i>Max. Gross Industrial SF</i>	Not permitted	35,000 sf***
<i>Potential F.A.R</i>	n/a	0.90

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

** Per zoning conditions.

***Research & Development is considered an Industrial use; this is the only Industrial use permitted in the OX district.

The proposed rezoning is:

Compatible with the property and surrounding area.

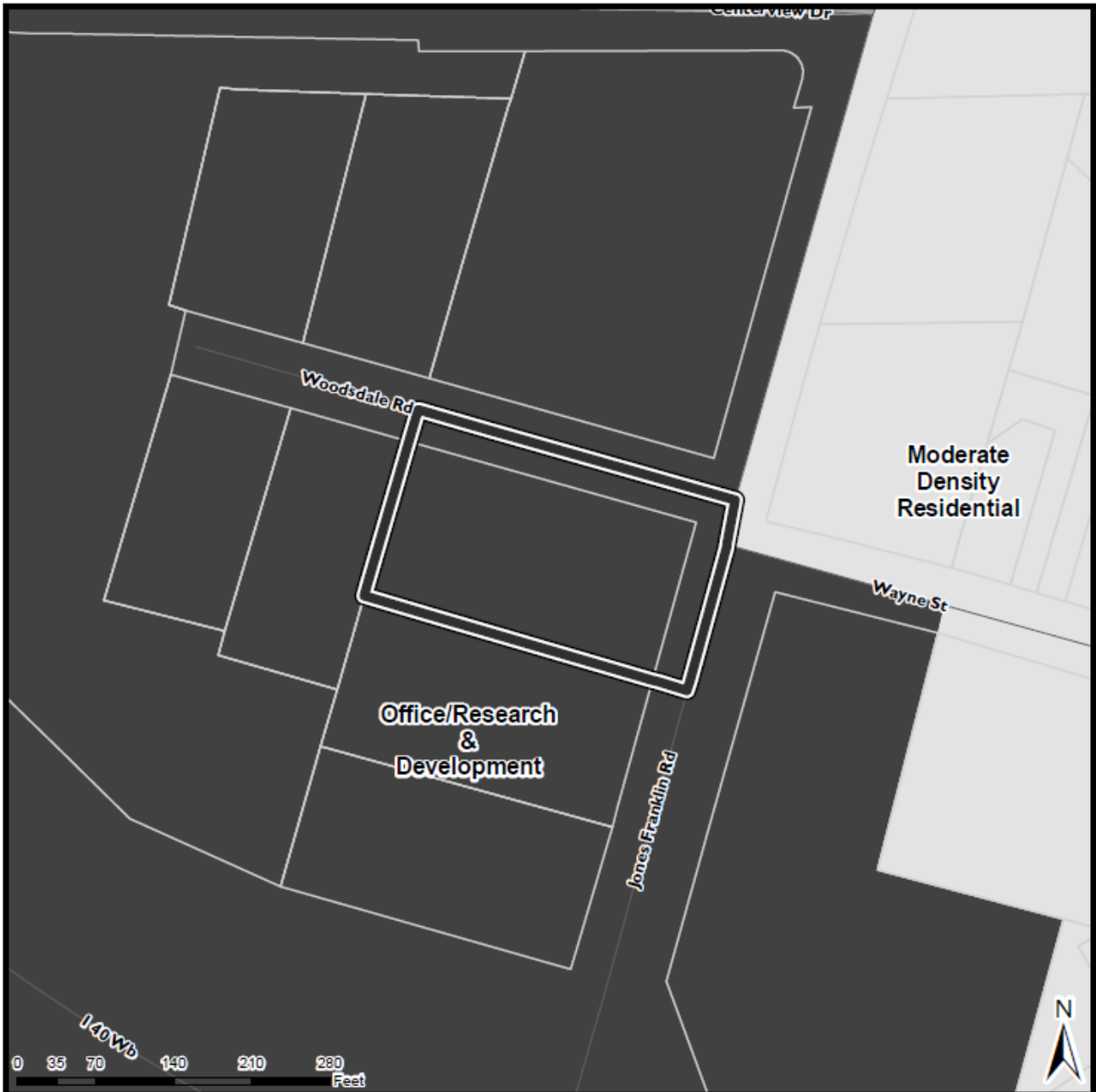
Incompatible.

Analysis of Incompatibility:

n/a

Future Land Use Map

Z-7-2016

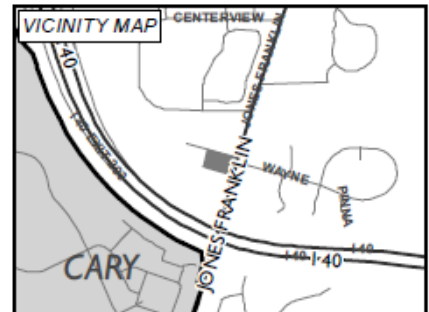


Submittal
Date

3/10/2016

Request:

0.895 acre from
R-4 w/ SHOD-2
to OX-3-CU w/ SHOD-2



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

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

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with the vision, themes, and policies of the Comprehensive Plan and the Future Land Use designation for the property. The Future Land Use Map designates the site as Office / Research & Development, which envisions offices, banks, research and development uses, and ancillary service businesses and retail uses that support the office economy. Residential uses are not considered an appropriate land use. The proposal of OX zoning with a prohibition on residential uses is consistent with this designation.

Existing community facilities and streets appear sufficient to accommodate redevelopment possible under the proposed rezoning.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

Analysis of Inconsistency:

n/a

2.3 Urban Form

Urban Form designation:

Not applicable (no Urban Form designation)

The rezoning request is:

Consistent with the Urban Form Map.

Inconsistent

Analysis of Inconsistency:

n/a

2.4 Policy Guidance

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

None identified.

2.5 Area Plan Policy Guidance

The rezoning request is not within a portion of the City subject to an Area Plan.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Increased opportunity for redevelopment of the site, through a broadening of potential uses.
- Opportunity to provide limited personal service or retail uses on the site for the benefit of employees.
- Opportunity for improved transit facilities and rider amenities through the offer of a transit easement and shelter.

3.2 Detriments of the Proposed Rezoning

- *None anticipated.*

4. Impact Analysis

4.1 Transportation

The site is located on the west side of Jones Franklin Road approximately 750 feet north of I-40. Jones Franklin Road (SR 5039) is maintained by the NCDOT. This segment of Jones Franklin Road currently has a two-lane, ribbon-paved cross section without curbs or sidewalks.

There are no City of Raleigh CIP projects planned for Jones Franklin Road. There are no state STIP projects for Jones Franklin Road in the vicinity of the Z-7-2016 site. Site access will be provided via Woodsdale Road exclusively.

In accordance with UDO section 8.3.2, the maximum block perimeter for OX-3 zoning is 3,000 feet. The block perimeter for Z-7-2016 is restricted by the I-40 and I-440 rights-of-way, which lie north and south of the subject parcel. The block perimeter formed by Jones Franklin Road, Buck Jones Road, Crossroads Boulevard, et al is greater than 27,000 feet.

Approval of case Z-7-2016 would increase average peak hour trip volume by 69 veh/hr; daily trip volume will increase by 903 veh/day. A traffic impact analysis report is not required for Z-7-2016.

Impact Identified: None.

4.2 Transit

This area is currently served by GoTriangle Route 305. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Plan call for continued service along this street segment.

Impact Identified: Using a 5% mode split a 903 vehicle/day increase in trip volume would equal an increase of 45 transit passengers per day. The offer of a transit easement and amenities will help mitigate the impact upon the transit system.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present.
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9 of the UDO
<i>Overlay District</i>	None

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	1,800 gpd	6,750 gpd
<i>Waste Water</i>	1,800 gpd	6,750 gpd

Impact Identified: The proposed rezoning would add approximately 4,950 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties. The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed. Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

No existing or proposed greenway trails, connectors or corridors exist on or adjacent to the site. Nearest trail access is 0.5 miles (Lake Johnson). Recreation services are provided by Lake Johnson Center (1.6 miles).

Impact Identified: None.

4.6 Urban Forestry

The site is less than 2 acres in size. UDO Article 9.1 (Tree Conservation) applies to sites 2 acres or more in size.

Impact Identified: None.

4.7 Designated Historic Resources

No known historic resources.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

- Potential increase in trips for existing transit service.

4.10 Mitigation of Impacts

- The offer of a transit easement and shelter upon redevelopment of the site would mitigate the potential impact to the transit system.

5. Conclusions

The proposed rezoning is consistent with the Future Land Use Map and the Comprehensive Plan. By prohibiting residential uses, the proposed Office Mixed Use district is consistent with the uses envisioned in the Office / Research & Development designation. The building height limitation of three stories is compatible with surrounding residential and office development. In addition, the offer of a transit easement and shelter will improve transit facilities and rider amenities in the area if the site is redeveloped.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

General Use Conditional Use Master Plan

Existing Zoning Classification R-4 w/ SHOD-2

Proposed Zoning Classification Base District OX Height 3 Frontage ~~445~~ 1/SHOD-2

**OFFICE
USE ONLY**

Transaction #

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

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

456963

GENERAL INFORMATION

Property Address **1522 Jones Franklin Road**

Date **April 15, 2016**

Property PIN **0783-01-4528**

Deed Reference (book/page) **16242 / 1441**

Nearest Intersection **Jones Franklin Road & Woodsdale Road**

Property Size (acres) **0.8951**

Property Owner/Address
**A Hand of Hope Pregnancy Resource Center
Tonya B. Nelson
607 N. Ennis Street
Fuquay Varina, NC 27526**

Phone **(919) 577-8002**

Fax **(919) 557-2456**

Email **Tonya@HandofHope.net**

Project Contact Person/Address
**Timothy Cain
500 Benson Road #101
Garner, NC 27529**

Phone **(919) 662-4956**

Fax **(919) 662-4956**

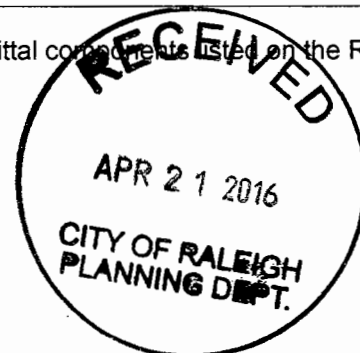
Email **Tim@Carolina1RE.com**

Owner/Agent Signature

Tonya B. Nelson

Email **Tonya@HandofHope.net**

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



Conditional Use District Zoning Conditions

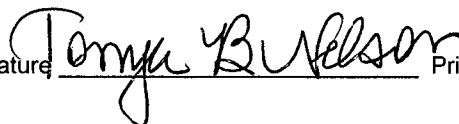
Zoning Case Number Z-7-16	OFFICE USE ONLY Transaction #
Date Submitted April 15, 2016	
Existing Zoning R-4 w/ SHOD-2 Proposed Zoning OX-3-CU w/ SHOD-2	

NARRATIVE OF ZONING CONDITIONS OFFERED

1. Residential land uses, as set forth in Section 6.1.4 "Allowed Principal Use Table," are prohibited.
2. Prior to recordation of a subdivision plat or issuance of a building permit for new development, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement along Jones Franklin Road shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office. If, prior to issuance of the first building permit for new development, the Public Works Department requests installation of a shelter within the transit easement area, an ADA-accessible shelter shall be constructed prior to the first certificate of occupancy, with construction plans approved by the Public Works Department.

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature  Print Name Tonya B. Nelson (A Hand of Hope Pregnancy Resource Center)



Planning & Development

**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
<p>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.</p> <p>Rezoning request is consistent with the 2030 Comprehensive Plan for the subject.</p>	<p>Transaction Number 450903 Zoning Case Number 2-7-10</p>

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.	Proposed rezoning matches 2030 plan for development of subject parcel.
2.	Proposed rezoning matches majority of existing parcels in close proximity of subject.
3.	Proposed zoning closely correlates with 2030 policies regarding Jones Franklin Road corridor.
4.	

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	Rezoning will allow for consolidation of multiple uses at different parcels in close proximity.
2.	Rezoning will allow for move from parcel identified as residential use by 2030.
3.	Rezoning will provide for greater stability (lease v. owner-occupied) of possessor.
4.	Rezoning will relocate office use in closer proximity to retail and other office uses.

Z-17-16
450963

A Hand of Hope Pregnancy Resource Center
1522 Jones Franklin Road
Raleigh, NC 27606

January 28, 2016

Re: Rezoning request for 1522 Jones Franklin Road

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Friday, February 12th. The meeting will be held at 1522 Jones Franklin Road, and will begin at 6:00 p.m.

The purpose of this meeting is to discuss a potential rezoning of the property located at 1522 Jones Franklin Road. This site is current zoned R-4 and is proposed to be rezoned to OX. This proposed change conforms with established uses to the north, south, and east, as well as to Raleigh's 2030 Comprehensive Plan. The rezoning would allow the owners to utilize the existing improvements (with changes to the interior, only) in a professional office and minor medical office capacity.

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning.

If you have any concerns or questions I can be reached at (919) 662-4954.

Thank you,



Timothy F. Cain

Z-17-16
456963

SUMMARY OF ISSUES (NEIGHBORHOOD MEETING)

A neighborhood meeting was held on February 12, 2016, to discuss a potential rezoning located at 1522 Jones Franklin Road. The neighborhood meeting was held at the property subject to the rezoning application. There were four neighbors – Charles and Nancy Wright of 5310 Woodsdale Road, Ed K. Bell of 5309 Woodsdale Road, and David Ferris, Jr., of 4113 Ridgebrook Bluffs Drive – in attendance. The general issues raised by the neighbors were:

- (1) The desire to see the exterior of the building painted,
- (2) That parking be relegated to the side and/or rear of the structure, and
- (3) General questions regarding landscaping improvements.

The meeting concluded with a tour of the property.

Submitted by:



Timothy F. Cain, Facilitator of meeting

Z-7-14
456903

Attendance Roster:

Name

Address

Edward K. Bell, Jr.

5309 Woodsdale Road

David J. Ferris

1504 Jones Franklin Road*

Charles L. Wright, III

5310 Woodsdale Road

Nancy R. Wright

5310 Woodsdale Road

Tonya B. Nelson

607 N. Ennis St., Fuquay

Jay Summers

1908 Eagle Creek Court

Timothy F. Cain

500 Benson Road, Garner



Z-7-10
450903

TONYA BAKER NELSON
Founder | Executive Director

607 North Ennis Street
Fuquay Varina, NC 27526

optionsofhope.com | client
handofhope.net | supporter

March 7, 2016

City of Raleigh
One Exchange Plaza, Suite 400
Raleigh, NC 27601

Re: 1522 Jones Franklin Road rezoning process

To Whom It May Concern:

Tim Cain will be handling the rezoning application and process for 1522 Jones Franklin Road in Raleigh for A Hand of Hope Pregnancy Resource Center. Please accept this letter as the formal notification of his involvement for your records.

Please do not hesitate to contact me at 919-577-8002 should you have further questions.

Regards,

Tonya Baker Nelson
Executive Director