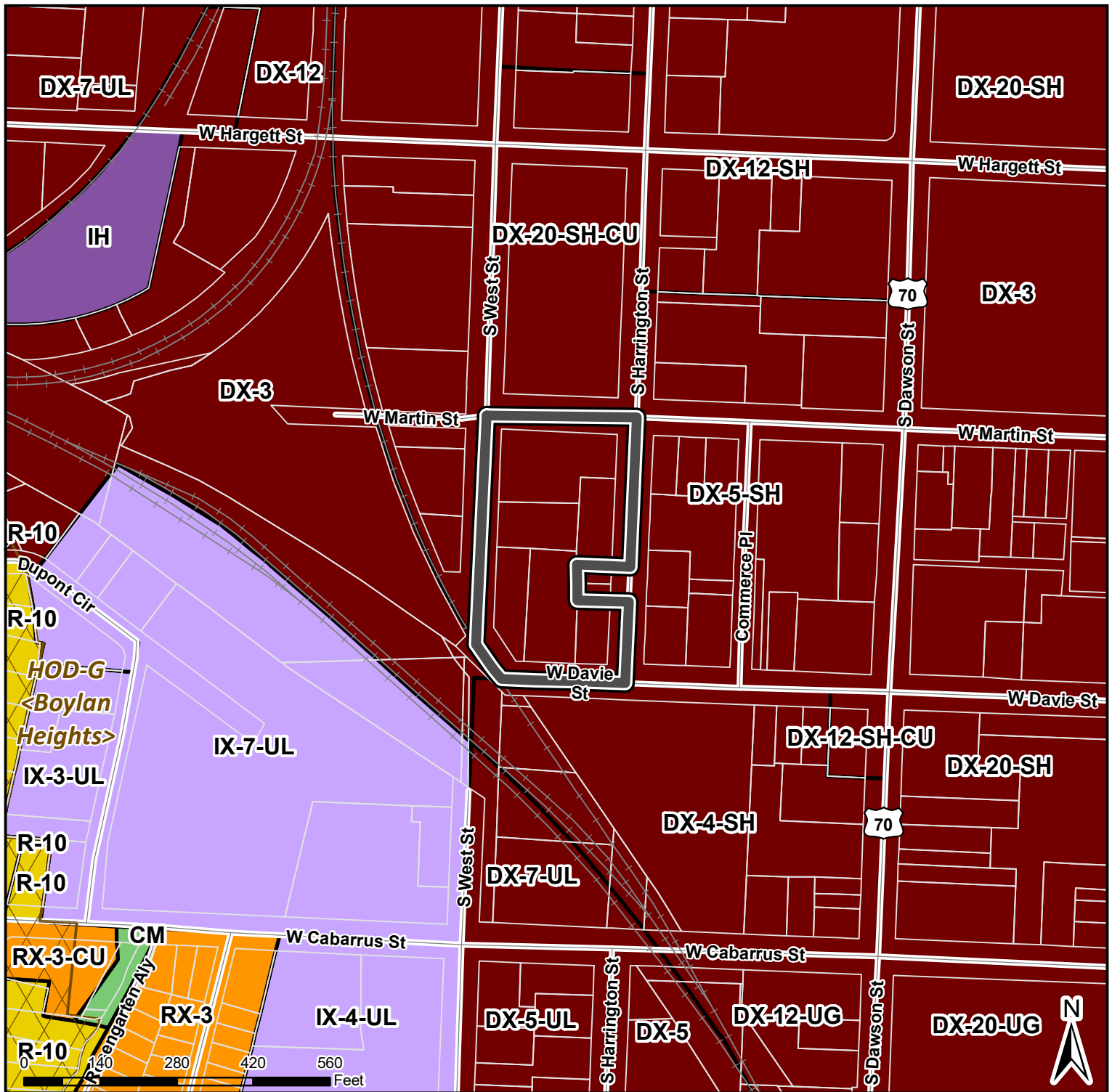
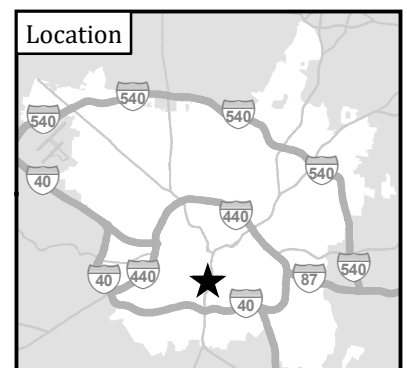


# Existing Zoning

# Z-6-2019



|                  |  |
|------------------|--|
| Property         | Block of Martin, West, Davie, & Harrington |
| Size             | 1.88 acres                                 |
| Existing Zoning  | DX-5-SH                                    |
| Requested Zoning | DX-20-SH-CU                                |





# RALEIGH PLANNING COMMISSION

## CERTIFIED RECOMMENDATION

CR#

### CASE INFORMATION: Z-7-19 – 2003 ROCK QUARRY ROAD

|                                 |   |
|---------------------------------|---|
| Location                        | Southeast Raleigh, near the southeast intersection of Proctor Road and Rock Quarry Road. Approximately 0.2 miles south of the Rock Quarry Road/I-40 intersection.<br>Address: 2003 Rock Quarry Road<br>PIN: 1712591179<br><a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a> |
| Current Zoning                  | R-4   |
| Requested Zoning                | NX-3-PL-CU  |
| Area of Request                 | 1.55 acres  |
| Corporate Limits                | Site is within the corporate limits of the City of Raleigh.   |
| Property Owner                  | Maury W. Carlton & Carlette B. Carlton<br>508 Hillwood Court<br>Greensboro, NC 27410-5614   |
| Applicant                       | Nil Ghosh, Associate<br>Morningstar Law Group<br>421 Fayetteville Street, Suite 530<br>Raleigh, NC 27601  |
| Citizens Advisory Council (CAC) | South CAC; 2 <sup>nd</sup> Monday of each month<br>Pam Adderley, Community Relations Analyst<br>(919) 996-5716/pam.adderley@raleighnc.gov   |
| PC Recommendation Deadline      | July 22, 2019   |

### SUMMARY OF PROPOSED CONDITIONS

1. Building Height shall not exceed thirty-five feet (35').
2. Townhouse and Apartment Building Types are prohibited.
3. The following uses are prohibited: school, public or private (K-12); day care, home; day care center; outdoor sports or entertainment facility (>250 seats); bed and breakfast; bar, nightclub, tavern, lounge; vehicle fuel sales (including gasoline and diesel fuel); vehicle sales/rental; detention center, jail, prison; vehicle repair (minor).
4. A Neighborhood Transition area (Zone A protective yard, Type 1 or Type 2) shall be required along the southern boundary of the site.
5. Any site plan for new development on the site shall contain no impervious area within 75 feet from the Edwin Drive right-of-way, unless required by the UDO.
6. Outdoor area lighting shall be of full cutoff design.
7. Refuse storage areas for any new development on the parcel shall be at least 50 feet from the southern property line.

## COMPREHENSIVE PLAN GUIDANCE

|                       |  |
|-----------------------|--|
| Future Land Use       | Moderate Density Residential   |
| Urban Form            | Not applicable   |
| Consistent Policies   | Policy LU 4.10 – Development at Freeway Interchanges<br>Policy LU 5.1 – Reinforcing the Urban Pattern<br>Policy LU 7.4 – Scale and Design of New Commercial Uses<br>Policy LU 8.10 – Infill Development<br>Policy LU 8.11 – Development of Vacant Sites  |
| Inconsistent Policies | Policy LU 1.2 – Future Land Use Map and Zoning Consistency<br>Policy LU 1.3 – Conditional Use District Consistency<br>Policy LU 5.4 – Density Transitions<br>Policy LU 5.5 – Transitional and Buffer Zone Districts<br>Policy LU 5.6 – Buffering Requirements<br>Policy LU 8.1 – Housing Variety |

## 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

| Neighborhood Meeting              | CAC   | Planning Commission                             | City Council |
|-----------------------------------|---|---|--------------|
| February 20, 2019;<br>2 Attendees | April 8, 2019 (South)<br>May 13, 2019 (Vote:<br>19 to 6 Against)<br>June 10, 2019 | April 23, 2019<br>May 14, 2019<br>June 11, 2019 |              |

## PLANNING COMMISSION RECOMMENDATION

☐ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan and **Consistent** with the Future Land Use Map, and **Approval** of the rezoning request is reasonable and in the public interest as described below.

☐ The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan and **Consistent** with the Future Land Use Map, but **Denial** of the rezoning request is reasonable and in the public interest as described below.

☐ The rezoning is **Consistent** with the relevant policies in the Comprehensive Plan, and **Inconsistent** with Future Land Use Map, but **Approval** of the rezoning request is reasonable and in the public interest as described below. **If approved, the Future Land Use Map will be amended as to the subject parcel only, from Moderate Density Residential to Neighborhood Mixed Use.** The change(s) in conditions taken into account in amending the zoning ordinance to meet the development needs of the community is(are) described below.

☐ The rezoning is **Consistent** with the relevant policies in the Comprehensive Plan, but is **Inconsistent** with the Future Land Use Map, and **Denial** of the rezoning request is reasonable and in the public interest as described below.

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☐ The rezoning is **Consistent** with the Future Land Use Map, and **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest as described below. 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. The change(s) in conditions taken into account in amending the zoning ordinance to meet the development needs of the community is(are) described below.

☐ The rezoning is **Consistent** with the Future Land Use Map but is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest as described below.

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☐ The rezoning is **Inconsistent** with the Future Land Use Map, and **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest as described below. If approved: 1) 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; and 2) **the Future Land Use Map will be amended as to the subject parcel only, from Moderate Density Residential to Neighborhood Mixed Use.** The change(s) in conditions taken into account in amending the zoning ordinance to meet the development needs of the community is(are) described below.

☐ The rezoning is **Inconsistent** with the Future Land Use Map and **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest as described below.

|                                    |  |
|------------------------------------|--|
| Reasonableness and Public Interest |  |
|------------------------------------|--|

|                                      |  |
|--------------------------------------|--|
| Change(s) in Circumstances           |  |
| Amendments to the Comprehensive Plan |  |
| Recommendation                       |  |
| Motion and Vote                      |  |
| Reason for Opposed Vote(s)           |  |

## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. 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                      Date

\_\_\_\_\_  
Planning Commission Chair      Date

Staff Coordinator:      Don Belk: (919) 996-4641; [Donald.Belk@raleighnc.gov](mailto:Donald.Belk@raleighnc.gov)



# ZONING STAFF REPORT – CASE Z-7-19

## Conditional Use District

### OVERVIEW

The site is located in southeast Raleigh at the intersection of Rock Quarry Road and Proctor Road. The site lies approximately 0.2 miles from the Rock Quarry Road exit with I-40 (Exit 300A). Presently, the proposed rezoning site is vacant and zoned R-4. To the west, the parcel across Rock Quarry containing the Macedonia New Life Church is zoned R-10. They are designated as Neighborhood Mixed Use on the Future Land Use Map (FLUM).

The parcel north of the site is a retail use (Family Dollar), zoned NX-3-PL-CU. East of the proposed rezoning site is a 22-acre multifamily development (duplexes) zoned R-10. The site is bordered to the south by parcels containing a mix of duplexes and single-family residences (along Rock Quarry) and duplex and apartment housing types (along Edwin Road). This area is zoned R-4, thus a Neighborhood Transition per UDO Sec. 3.5.2 will be required.

The site is located adjacent to a Mixed-Use Center as shown on the Urban Form Map. The site lies along a Transit Emphasis Corridor (Rock Quarry Road), which is designated as a future Frequent Network Corridor on the Wake Transit Plan.

The site is located within a Supportive Housing Buffer.

#### **Update for June 25, 2019**

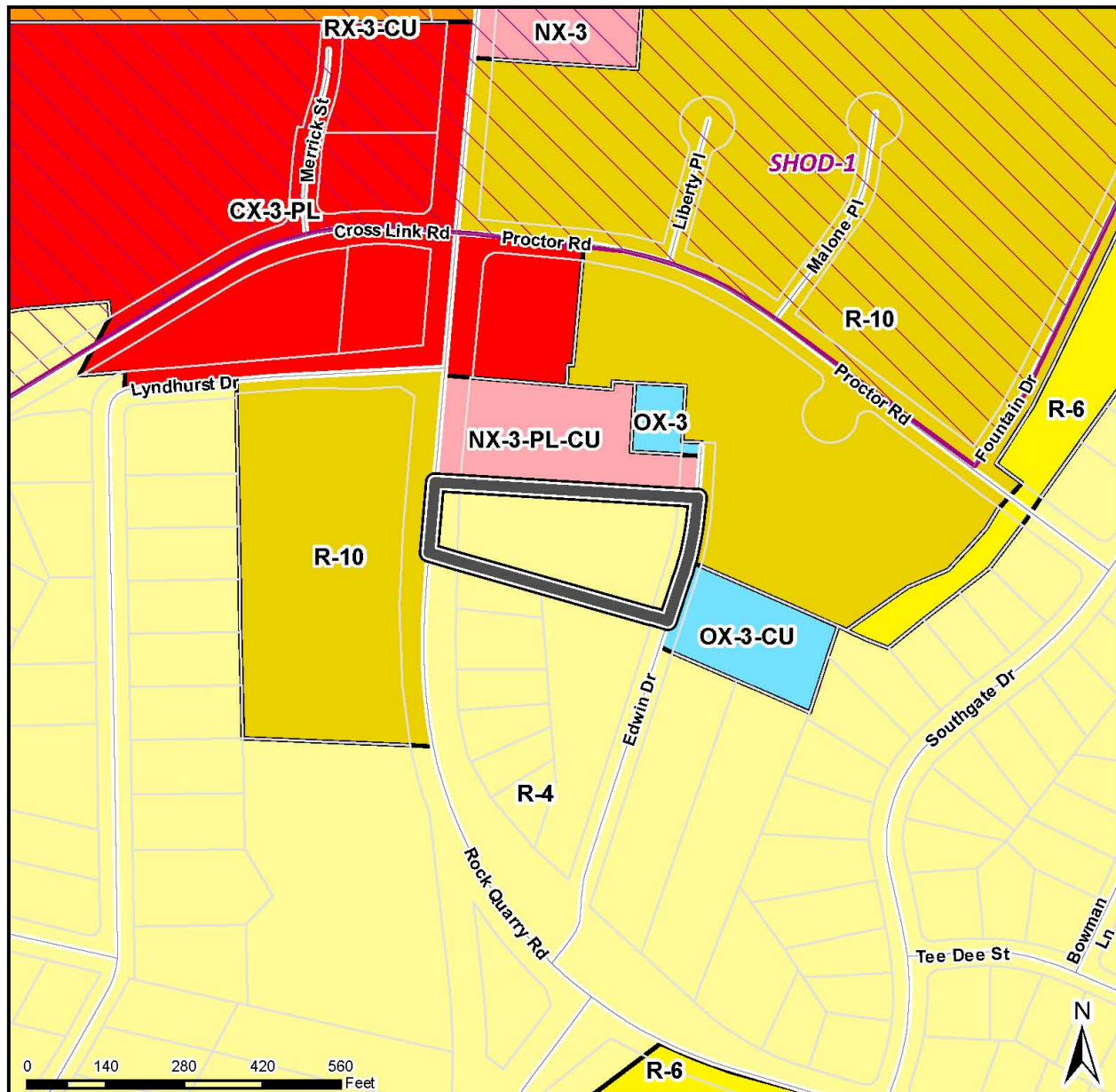
Revised conditions were presented on May 31, 2019 to address compatibility and buffering issues expressed by the staff. These conditions warranted changing Policy LU 5.6 Buffering Requirements from inconsistent to consistent. The rezoning proposal was voted on by the South CAC on June 10, 2019, with 4 votes in favor, 10 against, with 8 abstentions. The case was deferred by the Planning Commission on June 11 to enable Commissioners to review the proceedings of the CAC meeting in order to ascertain the concerns of citizens. The minutes of the June 10 CAC meeting are not yet available, but a video of the proceedings is available [here](#).

### OUTSTANDING ISSUES

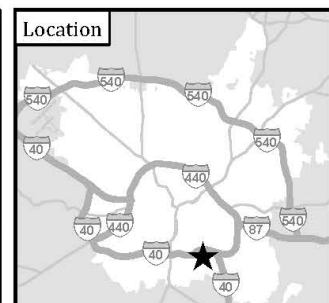
|                    |          |                      |        |
|--------------------|----------|----------------------|--------|
| Outstanding Issues | 1. None. | Suggested Mitigation | 1. N/A |
|--------------------|----------|----------------------|--------|

# Existing Zoning

Z-7-2019



|                         |                     |
|-------------------------|---------------------|
| <b>Property</b>         | 2003 Rock Quarry Rd |
| <b>Size</b>             | 1.55 acres          |
| <b>Existing Zoning</b>  | R-4                 |
| <b>Requested Zoning</b> | NX-3-PL-CU          |

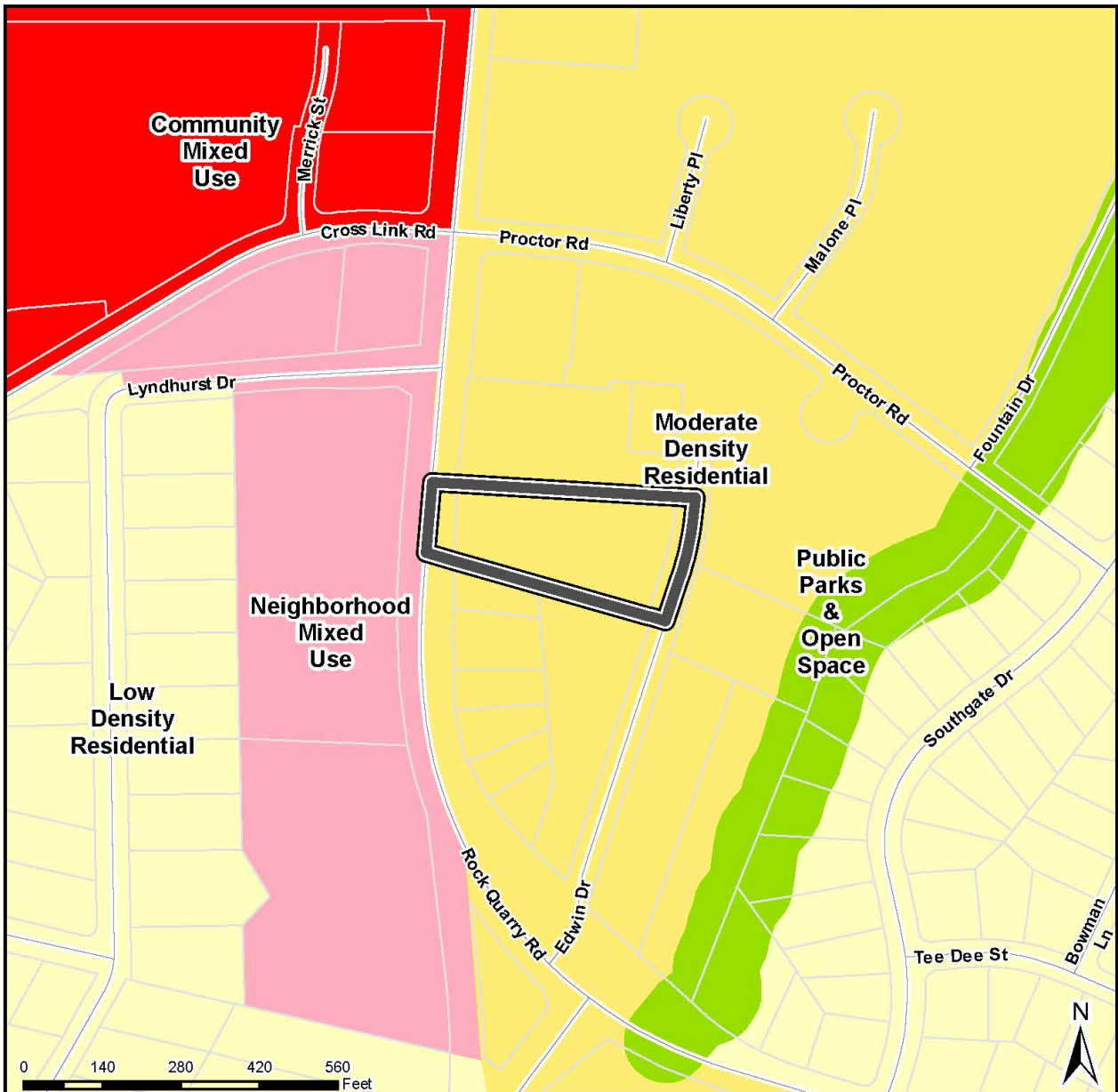


Map by Raleigh Department of City Planning (littlek): 2/25/2019

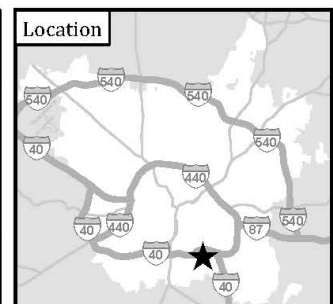


# Future Land Use

Z-7-2019

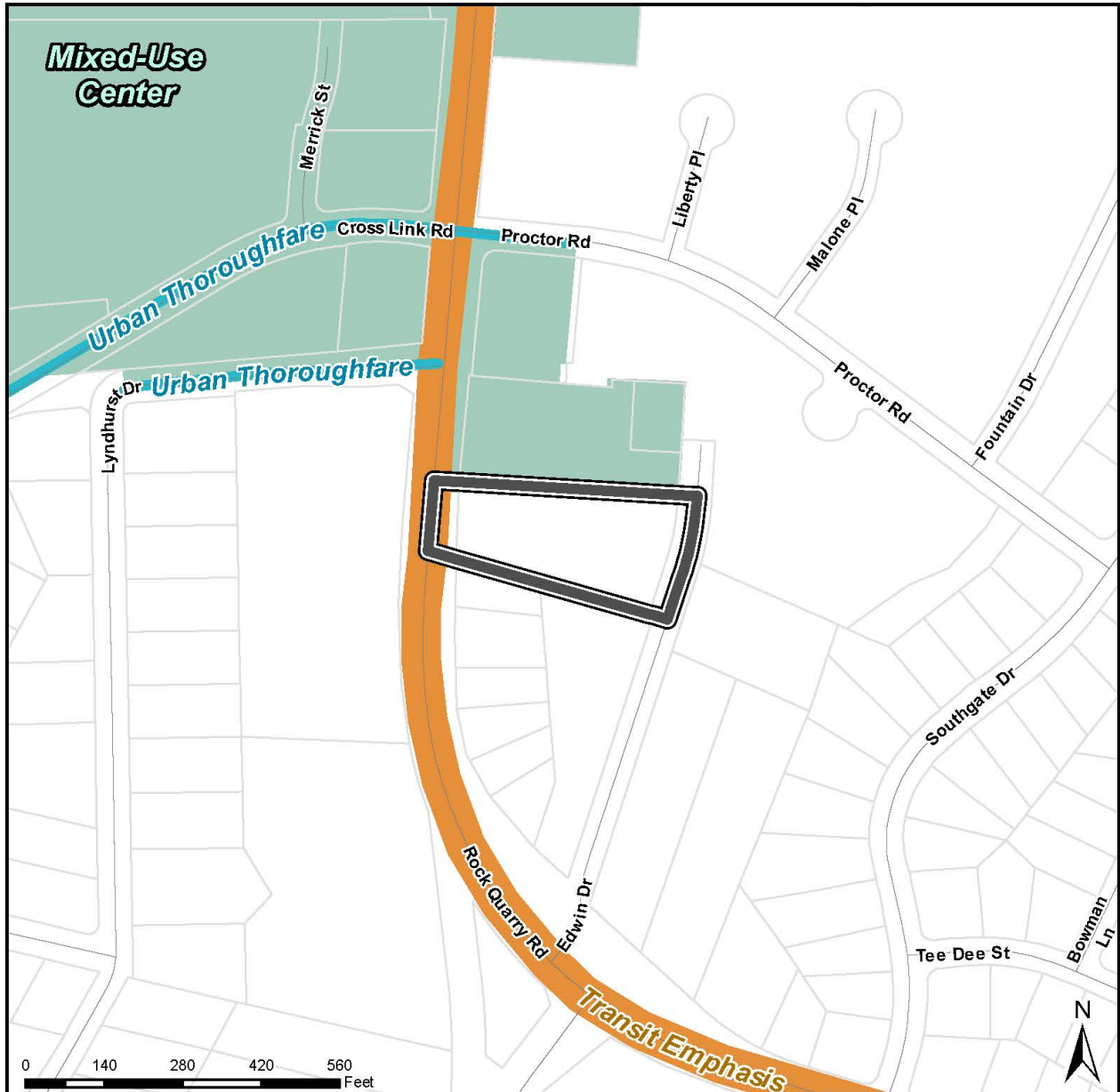


|                         |                     |
|-------------------------|---------------------|
| <b>Property</b>         | 2003 Rock Quarry Rd |
| <b>Size</b>             | 1.55 acres          |
| <b>Existing Zoning</b>  | R-4                 |
| <b>Requested Zoning</b> | NX-3-PL-CU          |

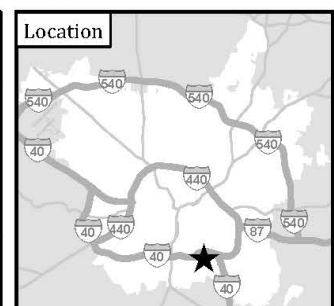


Map by Raleigh Department of City Planning (jlttek): 2/25/2019





|                         |                     |
|-------------------------|---------------------|
| <b>Property</b>         | 2003 Rock Quarry Rd |
| <b>Size</b>             | 1.55 acres          |
| <b>Existing Zoning</b>  | R-4                 |
| <b>Requested Zoning</b> | NX-3-PL-CU          |



Map by Raleigh Department of City Planning (littlek); 2/25/2019

# 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?

The request is consistent with the vision, themes, and policies in the Comprehensive Plan.

The request is inconsistent with the **Expanding Housing Choices** theme, as the proposed rezoning would prohibit townhouse and apartment building types, two prominent residential uses for Neighborhood Mixed Use.

The request is consistent with the **Economic Prosperity and Equity** vision theme, which seeks a high level of opportunity and quality of life for all residents, and for all areas of Raleigh to prosper from the City's economic expansion. The requested rezoning would permit uses which could provide new jobs for residents in the City's southeast area.

The request is consistent with the **Coordinating Land Use and Transportation** vision theme which calls for coordinating transportation investments with desired land use patterns to plan more effectively for housing, employment and retail uses, and for public services. The request for NX zoning supports this theme by providing for commercial development adjacent to a mixed-use activity center and along a high frequency transit corridor.

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

No. The site is designated in the Future Land Use Map as Moderate Density Residential, which generally applies to older single-family residential neighborhoods where overall gross densities range from 6 to 14 units per acre. The requested rezoning would prohibit building types that could provide housing density within this range. Furthermore, the commercial and office uses allowed by the requested zoning district are precluded from the Moderate Density Residential 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?

Yes. The proposed use could be suitable for this area. Neighborhood Mixed-Use and Office Mixed-Use zoning districts adjoin the site to the north and east, respectively. This use would be appropriate near the Rock Quarry Road-Proctor Road intersection, which is located along a Frequent Network Corridor as identified in the Wake Transit Plan. is specifically designated within the Neighborhood Mixed Use designation of the Future Land Use Map, and an appropriately-scaled commercial use could be established without adversely altering the character of the area.

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 sufficient to serve the proposed use.

## Future Land Use

**Future Land Use designation:** Moderate Density Residential

**The rezoning request is**

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

☒ **Inconsistent**

The Future Land Use Map designates the subject site as Moderate Density Residential. The proposed NX- zoning conditions would prohibit the building types that are common within areas of this designation. The proposal would also permit the inclusion of retail uses that would not be accommodated under the Moderate Density Residential designation.

## Urban Form

**Urban Form designation:**

**The rezoning request is**

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

☐ **Inconsistent**

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

## Compatibility

**The proposed rezoning is**

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

Presently, the area surrounding the proposed site is a mix of commercial, residential, and institutional uses, and borders a NX-zoned use that is part of a Mixed-Use Activity Center. Careful design and placement of the planned commercial use (restaurant), along with the required Neighborhood Transition, could mitigate the impact of the use on the adjoining residential properties. The applicant has proposed a Parking Limited (PL) frontage, which will provide for automobile access while maintaining walkability for access by nearby residents via a sidewalk along the frontage of the parcel. The applicant has also offered conditions to prohibit certain uses of concern to neighboring property owners.

☐ **Incompatible**

## Public Benefits of the Proposed Rezoning

- The proposal would add to the variety of retail uses in the area and could spur further investment and development in this area of the city.
- Development of tract could improve block perimeter; site fronts Edwin Drive which dead-ends approximately 100 feet northeast of the site.
- The proposed site is located along a Frequent Network Corridor as designated by the Wake Transit Plan.

## Detriments of the Proposed Rezoning

- The proposed NX-3-PL-CU would conditionally prohibit apartment and townhouse building types, which are integral to the 'mix' of the NX zoning classification.

## Policy Guidance

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 (NX-3-PL-CU) is inconsistent with the Future Land Use Map, which designates this area as Moderate Density Residential. The residential entitlement under NX would yield a higher density (22 units/acre) than recommended for this designation (6-14 units per acre).

### **Policy LU 1.3 – Conditional Use District Consistency**

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

- The conditions proposed in the request are inconsistent with the Comprehensive Plan, as they would prohibit multi-unit building types (townhomes and apartments) recommended in areas designated for Moderate Density Residential.

### **Policy LU 5.4 – Density Transitions**

Low- to medium-density residential development and/or low impact office uses should serve as transitional densities between lower density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

### **Policy LU 5.5 – Transitional and Buffer Zone Districts**

Maintain and enhance zoning districts which serve as transitional or buffer areas between residential and commercial districts and which also may contain institutional, non-profit, and office-type uses. Zoning regulations and conditions for these areas should ensure that development achieves appropriate height and density transitions and protects neighborhood character.

**Policy LU 8.1 – Housing Variety**

Accommodate growth in newly developing areas of the City through mixed-use neighborhoods with a variety of housing types.

- This proposal would prohibit apartment and townhouse building types that are typical for mixed-use neighborhoods.

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

**Policy LU 4.10 – Development at Freeway Interchanges**

Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mixture of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

- The proposed site is near I-40 Exit 300A at Rock Quarry Road. Development on the site would be accessed from both Rock Quarry Road and Edwin Drive. The proposed site is in proximity to areas zoned for intensive development (CX-3).

**Policy LU 5.1 – Reinforcing the Urban Pattern**

New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

- This proposal would provide for the redevelopment of a presently vacant tract and limit the maximum building height to 35 feet. The requested -PL frontage would blend with adjacent commercial uses along Rock Quarry Road. Careful site planning of the proposed commercial use could mitigate adverse impacts to the surrounding area.

**Policy LU 5.6 – Buffering Requirements**

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse impacts. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

- A Neighborhood Transition will be required along the southern boundary of the site, and the applicant has also limited building height to a maximum of 35'. The applicant has provided conditions to place delivery and waste disposal areas away from the residential district, require full-cutoff lighting fixtures, specify a Type 1 or Type 2 protective yard along the southern property line, and prohibit any new impervious surface within 75 feet of the Edwin Drive right of way. These measures will serve to mitigate adverse impacts with the residential properties to the south and east.

**Policy LU 7.4 – Scale and Design of New Commercial Uses**

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

- This proposal would allow for scale and design that is similar to neighboring commercial development. Building height is limited to a maximum of 35 feet.

**Policy LU 8.10 – Infill Development**

Encourage infill development on vacant land within the City, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

- The proposed development of this site would fill a gap and complement the established character of the surrounding area.

**Area Plan Policy Guidance**

- There is no area plan guidance for this site.

## **IMPACT ANALYSIS**

**Historic Resources**

1. The site is not located within or adjacent to 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 not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Southgate Park (0.6 miles) and Sanderford Road Park (0.8 miles).
3. Nearest existing greenway trail access if provided by Walnut Creek Greenway Trail (0.7 miles).
4. Park access level of service in this area is graded a B letter grade.
5. This area is considered a high priority for park land acquisition.

**Impact Identified:** None.



## Public Utilities

|             | Maximum Demand<br>(current use) | Maximum Demand<br>(current zoning) | Maximum Demand<br>(proposed zoning) |
|-------------|---------------------------------|------------------------------------|-------------------------------------|
| Water       | 0                               | 2,000 gpd                          | 11,250 gpd                          |
| Waste Water | 0                               | 2,000 gpd                          | 11,250 gpd                          |

### **Impact Identified:**

1. The proposed rezoning would add approximately 11,250 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
3. 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.

## Stormwater

|                       |           |
|-----------------------|-----------|
| Floodplain            | N/A       |
| Drainage Basin        | Southgate |
| Stormwater Management | UDO 9.2   |
| Overlay District      | N/A       |

### **Impact Identified: No downstream structural flooding impacts identified**

## Transit

1. The proposed site is subject to Article 8.11 Transit Infrastructure. The site is located along Rock Quarry Road, which is designated as a future Frequent Network Corridor on the Wake Transit Plan.

**Impact Identified:** None.

## Transportation

1. Streets: The subject site fronts Rock Quarry Road and Edwin Drive. Rock Quarry Road is NCDOT maintained and is classified as a 4-lane divided avenue in map T-1 of the 2030 Comprehensive Plan. Edwin Drive is a local COR maintained street. Rock Quarry Road is identified as a priority transit corridor in map T-2 of the 2030 Comprehensive Plan.
2. Block Perimeter: In accordance with UDO section 8.3.2, the maximum block perimeter for NX-3 zoning districts is 3,000 feet other portions of the block have R-10 zoning, which has a 2,500 feet block perimeter maximum. The applicable standard for this site is 2,500 feet. The existing block perimeter for Z-7-19 is 4,300 feet between Rock Quarry Road, Southgate Drive, and Proctor Road. Future development on the block could improve block perimeter; the site fronts Edwin Drive which dead-ends approximately 100 feet northeast of the site. The extension of Edwin Drive to Proctor Road would improve block perimeter to approximately 2,800 feet.
3. Pedestrian Facilities: There are sidewalks along the Z-7-19 parcel on Rock Quarry Road, and no sidewalks on Edwin Drive. There has been 1 non-fatal pedestrian crash near the subject site, which occurred in 2013 at the intersection of Lyndhurst Drive and Rock Quarry Road.
4. Bicycle Facilities: There are no on-street existing facilities surrounding the Z-7-19 parcel. There is an existing multi-use path on the west side of Rock Quarry Road. The Long-Term Bikeway Plan calls for separated bikeways on Rock Quarry Road. There have been 2 nonfatal bicycle crashes near the subject site in 2016 and 2018, just south of the Lyndhurst Drive and Rock Quarry Road intersection.
5. Transit: There are transit stops located less than ¼ mile from the site at the intersection of Edwin Drive, Rock Quarry Road, and Sanderford Road. GoRaleigh route 7L and route 5 provide service every half hour, and route 17 provides service every hour during weekday peak hours
6. Access: Access to the subject site may be via Rock Quarry Road or Edwin Drive.
7. Other Projects in the Area: Approximately one mile to the southeast, the City of Raleigh plans to widen Rock Quarry Road to a consistent five lanes between Olde Birch Drive and Sunnybrook Road. This project is funded and is in preliminary design.
8. TIA Determination: Approval of case Z-7-19 may increase trip generation by 43 vehicles in the AM peak hour and 53 vehicles in the PM peak hour. Trips generated may increase 467 vehicles per day. The site access via a major street triggers the requirement for a TIA, as defined by the Raleigh Street Design Manual. There no other site context triggers

for a traffic study. Given that there is a marginal increase in trip generation potential and multiple points of access, a traffic study for this site is deferred to the site plan.

|   |       |    |    |
|---|-------|----|----|
| Z-7-19 Existing Land Use<br>Vacant  | Daily | AM | PM |
|   | 0     | 0  | 0  |
| Z-7-19 Current Zoning Entitlements<br>Single Family Residential             | Daily | AM | PM |
|   | 57    | 4  | 6  |
| Z-7-19 Proposed Zoning Maximums<br>Neighborhood Mixed Use                   | Daily | AM | PM |
|   | 422   | 38 | 46 |
| Z-7-19 Trip Volume Change<br>(Proposed Maximums minus Current Entitlements) | Daily | AM | PM |
|   | 366   | 34 | 40 |

**Impact Identified:** None.

### Urban Forestry

1. This rezoning does not affect the application of UDO 9.1 (Tree Conservation). The addition of a Parking Limited (PL) frontage will eliminate the possibility of tree conservation along the roads.

**Impact Identified:** None.

### Impacts Summary

The proposed rezoning will have minimal impacts on road infrastructure. Potential impacts to sewer infrastructure will be ascertained if a downstream sewer capacity study is required upon development plan submittal.

### Mitigation of Impacts

A traffic impact analysis is not required. Any measures for mitigating the impact on water and sewer infrastructure will be identified during the analyses required prior to development.

## CONCLUSION

Z-7-19 is a request to rezone 1.55 acres near the intersection of Rock Quarry Road and Proctor Road from R-4 to NX-3-PL-CU. The request is inconsistent with the Future Land Use Map, but consistent with the Comprehensive Plan overall. Although the proposal could present a stark transition between NX and R-4-zoned districts, the required Neighborhood Transition, the proposed building height restriction, along with revised conditions offered by applicant, would satisfactorily address the potential adverse impacts. Development of the site will improve block perimeter. New commercial development could spur further investment and redevelopment in this part of the city.

## CASE TIMELINE

| Date       | Action                                 | Notes   |
|------------|--|---|
| 02/22/19   | Application submitted with conditions. |   |
| 04/23/19   | Planning Commission First Review       | Case deferred to enable a vote by the South CAC on May 13, 2019   |
| 05/14/2019 | Planning Commission Second Review      | Case deferred at applicant's request to enable revised proposal to be presented to South CAC on June 10, 2019 |
| 06/11/2019 | Planning Commission Third Review       | Case deferred to enable Planning Commissioners to view proceedings of the June 10 CAC meeting.                |
| 6/25/2019  | Planning Commission Fourth Review      |   |

# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

| SUBJECT PROPERTY   |                              | NORTH                        | SOUTH                              | EAST                               | WEST                   |
|--------------------|------------------------------|------------------------------|------------------------------------|------------------------------------|------------------------|
| Existing Zoning    | R-4                          | NX-3-PL-CU                   | R-4                                | OX-3-CU<br>R-10                    | R-10                   |
| Additional Overlay | None                         | None                         | None                               | None                               | None                   |
| Future Land Use    | Moderate Density Residential | Moderate Density Residential | Moderate Density Residential       | Moderate Density Residential       | Neighborhood Mixed Use |
| Current Land Use   | Vacant                       | Commercial                   | Residential (Single Family/Duplex) | Institutional Residential (Duplex) | Institutional          |
| Urban Form         | N/A                          | N/A                          | N/A                                | N/A                                | N/A                    |

## CURRENT VS. PROPOSED ZONING SUMMARY

|                             | EXISTING ZONING | PROPOSED ZONING |
|-----------------------------|-----------------|-----------------|
| Zoning                      | R-4             | NX-3-PL-CU      |
| Total Acreage               | 1.55            | 1.55            |
| Setbacks:                   |                 |                 |
| Front                       | 20'             | 10'             |
| Side                        | 15'             | 5'              |
| Rear                        | 30'             | 20'             |
| Residential Density:        | 3.87            | 22.58           |
| Max. # of Residential Units | 6               | 35              |
| Max. Gross Building SF      | 12,000          | 41,453          |
| Max. Gross Office SF        | -               | 32,868          |
| Max. Gross Retail SF        | -               | 18,340          |
| Max. Gross Industrial SF    | -               | -               |
| Potential F.A.R             | 0.18            | 0.61            |

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



Raleigh

## COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-7-19

### OVERVIEW

The Future Land Use Map (FLUM) requires an amendment to change the designation for 2003 Rock Quarry Road to achieve consistency between the map and the rezoning request for a Neighborhood Mixed Use (NX) base district. The map currently designates the parcel for Moderate Density Residential, which envisions predominately residential uses. The FLUM district corresponding to the NX rezoning request is Neighborhood Mixed Use, which envisions a variety of commercial uses with appropriate neighborhood transitions. The proposed rezoning would permit a variety of commercial uses that are not allowed within residential zoning districts. The proposal would be most consistent with a Future Land Use Map designation of Neighborhood Mixed Use.

### LIST OF AMENDMENTS

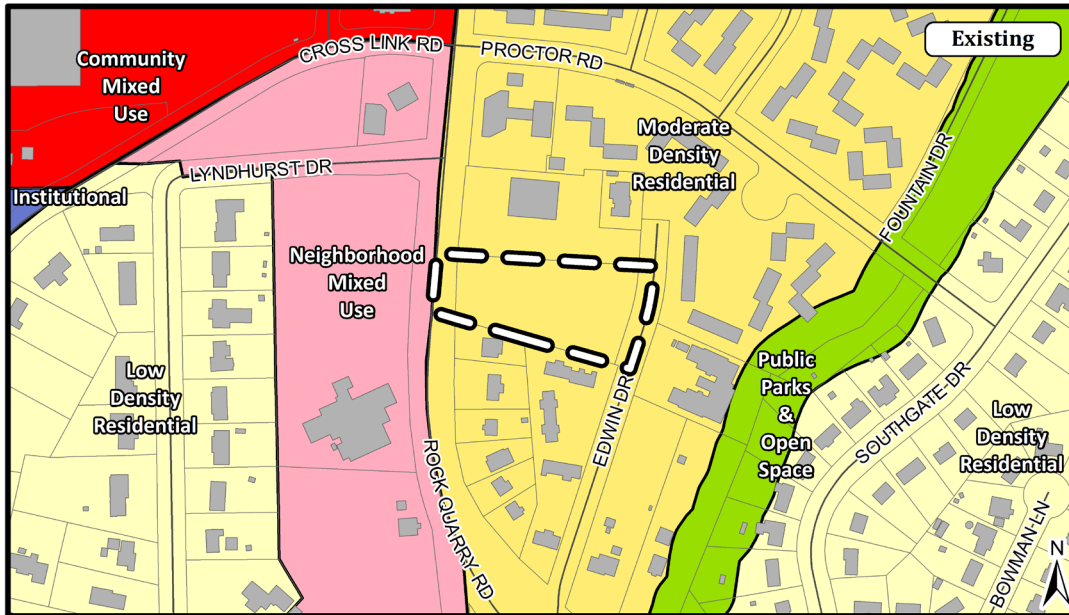
1. Amend the Future Land Use Map for 2003 Rock Quarry Road from Moderate Density Residential to Neighborhood Mixed Use.



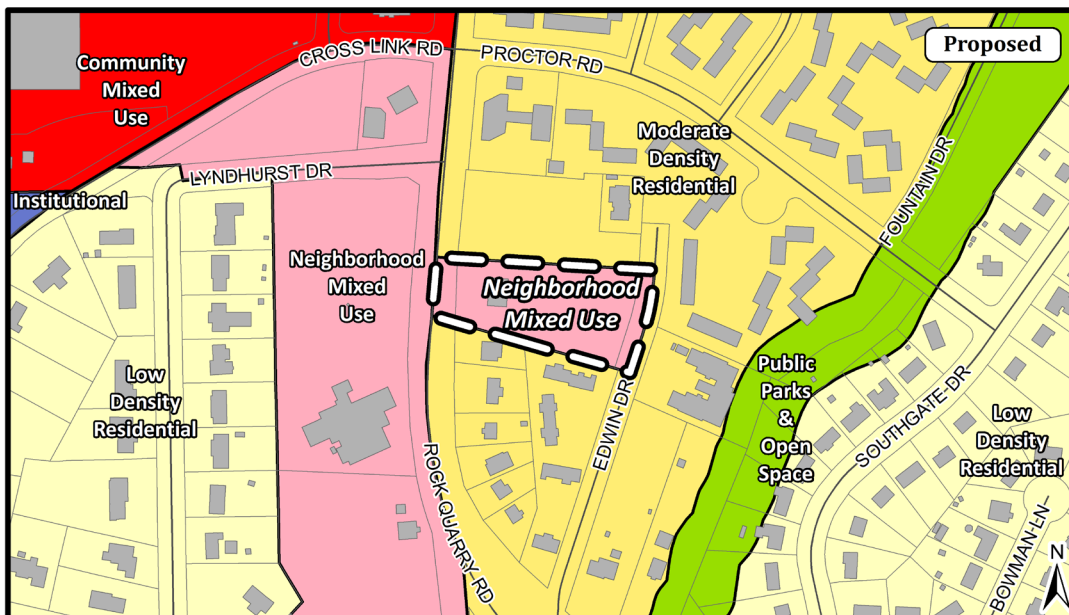
## AMENDED MAP

### Z-7-19: Required Amendment to the Future Land Use Map

Existing Designation: Moderate Density Residential



Proposed Designation: Neighborhood Mixed Use





# Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

| REZONING REQUEST   |     |            |   |                     |            |      |
|--|-----|------------|---|---------------------|------------|------|
| <input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan            |     |            | <b>OFFICE<br/>USE ONLY</b><br>Transaction #<br><b>573689</b><br>Rezoning Case # |                     |            |      |
| Existing Zoning Base District  | R-4 | Height     |   | Frontage            | Overlay(s) | None |
| Proposed Zoning Base District  | NX  | Height     |   | 3                   | Frontage   | PL   |
|  |     | Overlay(s) |   | None                |            |      |
| Click <a href="#">here</a> to view the Zoning Map. 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:   |     |            |   | FEB 22 2019 PM 2:08 |            |      |
| Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:             |     |            |   |                     |            |      |
| 573689   |     |            |   |                     |            |      |

| GENERAL INFORMATION  |   |                         |
|--|---|-------------------------|
| Date   | Date Amended (1)                            | Date Amended (2)        |
| Property Address <b>2003 Rock Quarry Road</b>  |   |                         |
| Property PIN <b>1712-59-1179</b>   | Deed Reference (book/page) <b>15374/754</b> |                         |
| Nearest Intersection <b>Lyndhurst Dr at Rock Quarry Rd</b>   |   |                         |
| Property Size (acres) <b>2.155</b>   | (For PD Applications Only) Total Units      | Total Square Feet       |
| Property Owner/Address<br><b>Maury W &amp; Carlette B Carlton<br/>508 Hillwood Ct<br/>Greensboro, NC 27410</b> | Phone                                       | Fax                     |
|  | Email                                       |                         |
| Project Contact Person/Address<br><b>Amanda Mann<br/>421 Fayetteville St   Ste 530<br/>Raleigh, NC 27601</b>   | Phone <b>919.212.7320</b>                   | Fax <b>919.882.8890</b> |
|  | Email <b>amann@morningstarlawgroup.com</b>  |                         |
| Owner/Agent Signature<br>  | 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  |  |
|---|--|
| <p align="center"><b>Comprehensive Plan Analysis</b></p>  | <p align="center"><b>OFFICE USE ONLY</b></p> <p align="center"><b>Transaction #</b></p> <p align="center"><b>Rezoning Case #</b></p> |
| <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 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><small>This rezoning is sought in conjunction with an application to amend the Future Land Use Map (FLUM) for the subject area to Neighborhood Mixed Use. Currently, this area is designated as Medium Density Residential; however, the zoning of the parcels to the north of the subject property are inconsistent with this designation. Therefore, not only would the requested FLUM change bring the subject parcel into consistency with the requested rezoning, but it also would bring the parcels to the north into greater conformance with the FLUM. Moreover, the FLUM change seeks to extend an existing commercial node in a contiguous fashion to promote the orderly provision of goods and services in this region.</small></p> |  |
| <p>Consistent with Policy LU 4.4 - Reducing VMT Through Mixed Use - the requested rezoning would facilitate</p> <p>2. the development of non-residential uses in proximity to residential areas which could help to provide a range of services within a short distance of residences as a way to reduce the growth of vehicle miles traveled.</p>  |  |
| <p>The requested rezoning, as conditioned, and in conjunction with the FLUM change, are consistent with Policy LU 7.1 - Encouraging Nodal Development - inasmuch as they ensure that the height, mass, and scale of development within this node respects the integrity and character of surrounding residential areas and does not unreasonably impact them. Moreover, it locates the potential for non-residential uses at a node of commercial development at a key location along a major corridor.</p>   |  |
| <p>Consistent with Policy UD 3.7 - Parking Lot Placement - the requested rezoning respects the subject property's</p> <p>4. frontage along a Transit Emphasis Corridor because it is conditioned so as to require the provision of on-site parking to the side or rear of the building such that surface parking will not dominate the street frontage.</p>   |  |
| <p align="center"><b>PUBLIC BENEFITS</b></p>  |  |
| <p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>  |  |
| <p>The requested rezoning will allow for the co-location of non-residential uses in proximity to</p> <p>1. residential uses for the more efficient provision of goods and services</p>  |  |
| <p>The requested rezoning will allow for the orderly expansion of an existing commercial node</p> <p>2. consistent with land use patterns at this intersection</p>  |  |
| <p>3.</p>   |  |
| <p>4.</p>   |  |

| REZONING APPLICATION ADDENDUM #2   |  |
|--|--|
| <p align="center"><b>Impact on Historic Resources</b></p> <p>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.</p> | <p align="center"><b>OFFICE USE ONLY</b></p> <p align="center"><b>Transaction #</b></p> <p align="center"><b>Rezoning Case #</b></p> |
| INVENTORY OF HISTORIC RESOURCES  |  |
| <p>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.</p>  |  |
| <p>No historic resources have been found on the subject property</p>   |  |
| PROPOSED MITIGATION  |  |
| <p>Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.</p>   |  |
| Empty space for mitigation   |  |

## 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: Transit Emphasis Corridor

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

|    |  |
|----|--|
| 1. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>The requested rezoning will allow for the co-location of non-residential uses in close proximity to existing residential uses which helps achieve the horizontal integration of a mixture of uses in this region.</p>   |
| 2. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>The rezoning, as conditioned, is consistent with residential heights in this area and will not represent a sharp increase in heights as compared to the built environment.</p>   |
| 3. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>No new roads are anticipated as part of any new development associated with the requested rezoning.</p>  |
| 4. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>No new roads are anticipated as part of any new development associated with the requested rezoning.</p> |
| 5. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>The requested PL frontage works to reserve the frontage area for pedestrian friendly design.</p>  |



|     |  |
|-----|--|
| 6.  | <p><i>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.</i></p> <p><b>Response:</b><br/>As conditioned, parking will not dominated the frontage along the Transit Emphasis Corridor.</p>   |
| 7.  | <p><i>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.</i></p> <p><b>Response:</b><br/>Rock Quarry Road is a major street, programmed for higher level bus-based service. A pedestrian sidewalk is required along the subject property's frontage, and parking is limited primarily to the side or rear of the building.</p> |
| 8.  | <p><i>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.</i></p> <p><b>Response:</b><br/>The subject property is not located at an intersection.</p>  |
| 9.  | <p><i>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.</i></p> <p><b>Response:</b><br/>Required open space will be accommodated and provided for at the site plan stage.</p>  |
| 10. | <p><i>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.</i></p> <p><b>Response:</b><br/>Pedestrian and vehicular access is contemplated from Rock Quarry Road for this site.</p>  |
| 11. | <p><i>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.</i></p> <p><b>Response:</b><br/>Required open space will be accommodated and provided for at the site plan stage.</p>  |
| 12. | <p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Response:</b><br/>Required open space will be accommodated and provided for at the site plan stage.</p>  |

|     |  |
|-----|--|
| 13. | <p><i>New public spaces should provide seating opportunities.</i></p> <p><b>Response:</b></p> <p>Required open space will be accommodated and provided for at the site plan stage.</p>   |
| 14. | <p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p><b>Response:</b></p> <p>As conditioned, parking will not dominate the frontage.</p>   |
| 15. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Parking lots will not dominate the frontage as is ensured by the Parking Limited frontage requested.</p>  |
| 16. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Structured parking is not contemplated on this site, which is only 2 acres in size.</p>  |
| 17. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>The requested rezoning would facilitate higher use intensities than currently is allowed. Moreover, this site is within walking distance to several stops located near the intersection of Rock Quarry Road and Cross Link / Proctor Roads.</p>  |
| 18. | <p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p><b>Response:</b></p> <p>This site will feature a sidewalk along Rock Quarry Road which will provide a complete pedestrian pathway from existing stops to the site.</p>  |
| 19. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Any environmentally sensitive areas will be given full consideration at time of site plan.</p> |

|     |  |
|-----|--|
| 20. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Entrances to this site will most likely be from Rock Quarry Road which will be accessible to pedestrians via a sidewalk network.</p>  |
| 21. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Sidewalks will comply with this guidance.</p>  |
| 22. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>No new streets are anticipated as part of any new development associated with the requested rezoning.</p> |
| 23. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>To facilitate proper spatial definition, the requested frontage promoted a building placement closer to the right-of-way by allowing very limited parking between the right-of-way and the building.</p>  |
| 24. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>The parcel is such that the only opportunity for a primary entrance would be along Rock Quarry Road.</p>   |
| 25. | <p><i>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.</i></p> <p><b>Response:</b></p> <p>Building elements will be determined at time of site plan.</p>   |
| 26. | <p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p><b>Response:</b></p> <p>Sidewalks will be provided both internal and external to the site and will be arranged in a manner to promote the safe movement of pedestrians.</p>  |

# **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 <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"/>            | ✓                       |    |     |
| 2. Rezoning application review fee (see <u>Fee Schedule</u> 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 500 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | ✓                       |    |     |
| 10. Completed Comprehensive Plan Consistency Analysis   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | ✓                       |    |     |
| 11. Completed Response to the Urban Design Guidelines   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | ✓                       |    |     |
| 12. For applications filed by a third party, proof of actual notice to the property owner   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | ✓                       |    |     |
| 13. Master Plan (for properties requesting Planned Development or Campus District)  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    | /   |

| CONDITIONAL USE DISTRICT ZONING CONDITIONS   |                            |   |
|--|----------------------------|---|
| Zoning Case Number   |                            | OFFICE USE ONLY<br><br>Transaction #<br><br>Rezoning Case # |
| Date Submitted   |                            |   |
| Existing Zoning R-4  | Proposed Zoning NX-3-PL-CU |   |
| Narrative of Zoning Conditions Offered   |                            |   |
| 1. Building height shall not exceed thirty five feet (35')   |                            |   |
| 2. Townhouse and Apartment Building Types are prohibited on the subject property   |                            |   |
| 3. School, public or private (K-12); Day care, home; Day care center; Outdoor sports or entertainment facility (>250 seats); Bed and breakfast; Bar, nightclub, tavern, lounge; Vehicle fuel sales (including gasoline and diesel fuel); Vehicle sales/rental; Detention center, jail, prison; and Vehicle repair (minor) are prohibited on the subject property                 |                            |   |
| 4. No site plan for new development on the subject property shall be approved without provision for either a Type 1 or a Type 2 Protective Yard along the southern property line shared with Lot 1 and Lot 7 as depicted in that certain plat recorded in Book of Maps 2013 at Page 1183 of the Wake County Register of Deeds so long as either Lot 1 or 7 is zoned residential. |                            |   |
| 5. No site plan for new development on the subject property shall be approved with new impervious area within 75-ft from the Edwin Drive right-of-way.   |                            |   |
| 6. Outdoor area lighting shall be of full cutoff design.   |                            |   |
| 7. No site plan for new development on the subject property shall be approved with refuse storage area within 50-ft of the southern property line shared with Lot 1 and Lot 7 as depicted in that certain plat recorded in Book of Maps 2013 at Page 1183 of the Wake County Register of Deeds so long as either Lot 1 or 7 is zoned residential.                                |                            |   |
| 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 \_\_\_\_\_





REZONING OF PROPERTY CONSISTING OF +/- 2 ACRES  
LOCATED ON THE EAST SIDE OF ROCK QUARRY ROAD, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS  
ON FEBRUARY 20, 2019

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, February 20, 2019, at 6:00 p.m. The property considered for this potential rezoning is made up of one (1) parcel approximately 2 acres in size, located at 2003 Rock Quarry Road, in the City of Raleigh and having Wake County Tax identification number 1712-59-1179. This meeting was held at the Biltmore Hills Community Center located at 2615 Fitzgerald Drive in Raleigh. All owners of property within the required notification area were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

## EXHIBIT A

### NEIGHBORHOOD MEETING NOTICE



Amanda Mann | Partner  
421 Fayetteville Street, Suite 530  
Raleigh, NC 27601  
919-213-7320  
amann@morningstarlawgroup.com  
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Amanda Mann

Date: February 8, 2019

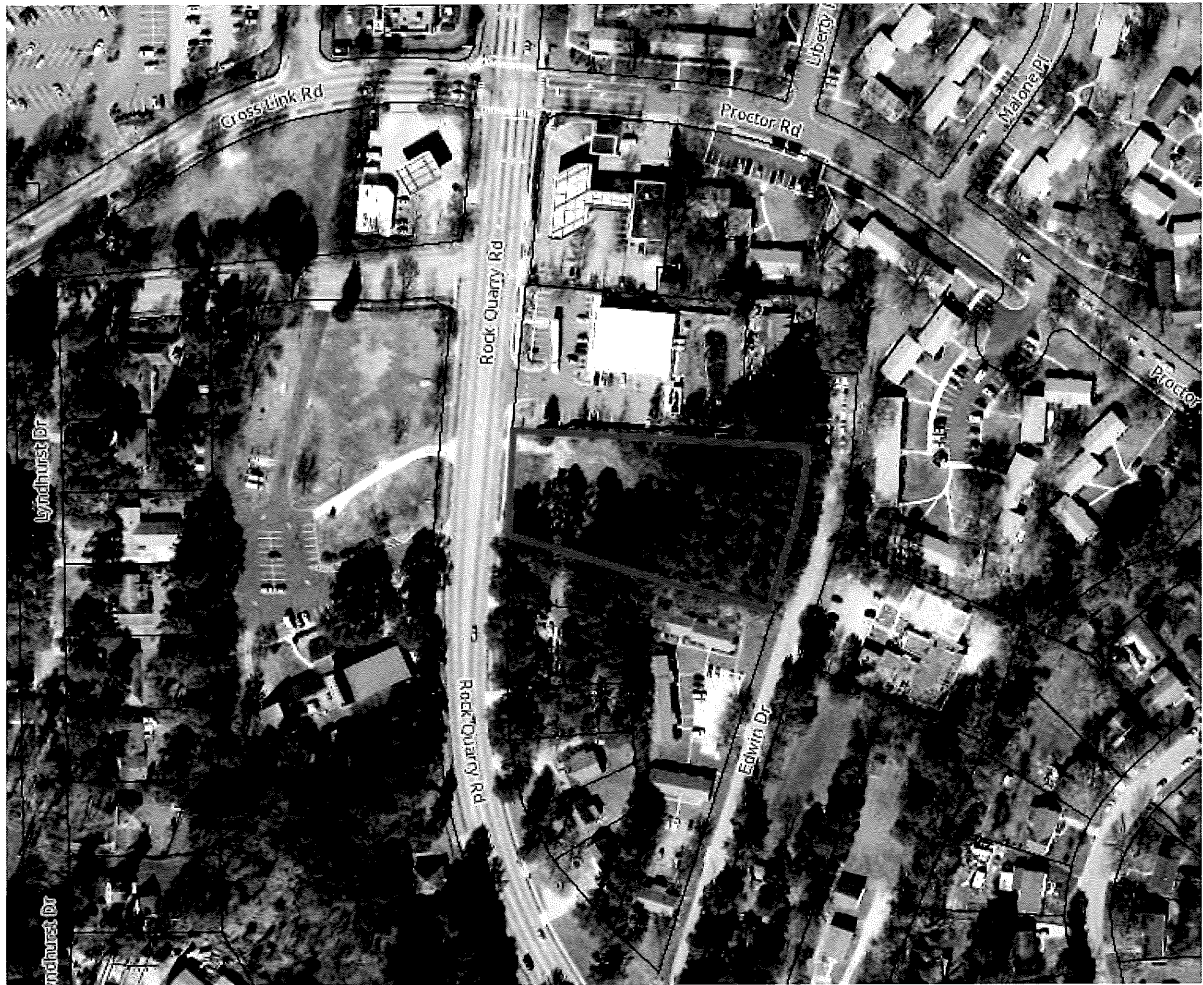
Re: Notice of meeting to discuss potential rezoning of a property located at 2003 Rock Quarry Road, containing approximately 2 acres, and having Wake County Parcel Identification Number 1712-59-1179 (the "Property").

We are counsel for Premier Stores, Inc. ("Premier"), which is considering rezoning the above-captioned Property, a context map of which appears on the back side of this notice. Currently, the Property is zoned Residential-4 (R-4). Premier is considering rezoning the Property to Neighborhood Mixed Us with a 3 story height limitation and a parking limited frontage with zoning conditions (NX-3-PL-CU). The purpose of the rezoning is to facilitate the development of a small restaurant.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, February 20, from 6:00 p.m. to 8:00 p.m. This meeting will be held at the Biltmore Hills Community Center located at 2615 Fitzgerald Drive in Raleigh.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 500 feet of the site prior to filing a rezoning application. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at 919.213.7320 or amann@morningstarlawgroup.com. Also, for more information about rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planning Department at (919) 996-2626 or rezoning@raleighnc.gov.



## EXHIBIT B

### LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

ALLEN, BOBBY ALLEN, BETTY W  
2004 SOUTHGATE DR  
RALEIGH NC 27610-5022

BELL, MARINA J TRUSTEE  
2109 LYNDHURST DR  
RALEIGH NC 27610-4949

BULLARD, CLIFFORD E SR  
14524I LEE RD  
CHANTILLY VA 20151-1640

BURGESS, JOSHUA JR BURGESS,  
LIZZIE M  
2137 ROCK QUARRY RD  
RALEIGH NC 27610-5063

BURKE, JOHNNIE E TRUSTEE  
BURKE, DORIS C TRUSTEE  
2105 LYNDHURST DR  
RALEIGH NC 27610-4949

CARLTON, MAURY W CARLTON,  
CARLETTE B  
508 HILLWOOD CT  
GREENSBORO NC 27410-5614

CLARK STORES LLC  
PO BOX 469  
CLINTON NC 28329-0469

COX, DONALD W  
2016 SOUTHGATE DR  
RALEIGH NC 27610-5022

DUNSTON, ANNIE R  
2008 SOUTHGATE DR  
RALEIGH NC 27610-5022

FAMILY DOLLAR STORES OF  
NORTH CAROLINA INC %REAL  
ESTATE LEGAL  
PO BOX 1017

FARMER, JOHNNY FARMER,  
GENEVIEVE  
2113 LYNDHURST DR  
RALEIGH NC 27610-4949

FOUNTAIN DRIVE LLC PROCTOR  
ROAD LLC  
MARVIN F POER & COMP  
3520 PIEDMONT RD NE STE 410

GRAVES, RAYMOND GRAVES,  
BARBARA JO M  
1908 SOUTHGATE DR  
RALEIGH NC 27610-4116

GREENE, RUBY P  
2101 LYNDHURST DR  
RALEIGH NC 27610-4949

HARRIS, CORNELL ARTHUR  
12350 FIRESTONE CT  
FAIRFAX VA 22033-2581

JOHNSON, JOYCE DUNNIGAN  
2125 LYNDHURST DR  
RALEIGH NC 27610-4949

L & L TREE AND TURF FARMS LLC  
5 BETHLEHEM CHURCH RD  
YOUNGSVILLE NC 27596-8175

LITTLE, KEVIN  
1912 SOUTHGATE DR  
RALEIGH NC 27610-4116

MACEDONIA NEW LIFE CHURCH  
2048 ROCK QUARRY RD  
RALEIGH NC 27610-4962

MACEDONIA NEW LIFE CHURCH  
2004 ROCK QUARRY RD  
RALEIGH NC 27610-4962

MCPHAIL, BILLY N  
1924 EDWIN DR  
RALEIGH NC 27610-5038

NOBLE HOSPITALITY INC  
PANKAJ PARMAR  
101 SWIFT WIND PL  
APEX NC 27539-5113

RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

SANSOM, JOSEPH M  
2701 LITTLE JOHN RD  
RALEIGH NC 27610-4227

SARRIA INVESTMENTS, LLC  
JACKELINE H SARRIA REG AGENT  
7326 GREAT LAUREL DR  
RALEIGH NC 27616-3320

SMITH, RONEY L  
2012 SOUTHGATE DR  
RALEIGH NC 27610-5022

SOUTHSIDE CHURCH OF CHRIST  
ATTN: OTIS GAMBRELL  
PO BOX 3821  
DURHAM NC 27702-3821

TRINITY FREE WILL BAPTIST  
CHURCH  
2141 ROCK QUARRY RD  
RALEIGH NC 27610-5063

WILLIAMS, REZELLE A  
2117 LYNDHURST DR  
RALEIGH NC 27610-4949

## **EXHIBIT C**

### **SUMMARY OF DISCUSSION ITEMS**

On Wednesday, February 20, 2019, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. After a presentation by the applicant, the following items were mentioned:

1. Will this project relocate the existing Little Caesar's in the shopping center across the street?
  - a. That is the intent. The lease for the existing store will be coming up soon. Rather than renewing the lease, the owner would like to make a more permanent investment in this area because of the patronage. The idea is that this would be a standalone store which should be able to turn orders out quicker.
2. Will there be more employment opportunities?
  - a. We suspect so, but it would be hard to quantify. We expect that there will be more sales at this location, so we will need additional staff to fill that demand.
3. Will there be cross access to the adjacent dollar store?
  - a. That remains to be seen with engineering, but there is a stub out from that property to this one. Unfortunately, our property does not meet that stub out at grade, so it might not be possible to complete the connection, but we will if we can.
4. How many points of access will there be?
  - a. There are two existing curb cuts on the property, so we are hoping to make use of both. Ultimately, it will be NCDOT's call. They may relegate the site to only one point of access, and we are prepared for that as well.
5. How long will this take to be built?
  - a. From today, at least a year.

## EXHIBIT D

### NEIGHBORHOOD MEETING ATTENDEES

| Name          | Address             | Email                        |
|---------------|---------------------|------------------------------|
| Mary A Rogers | 2004 Rock Quarry Rd | mrogers@macedonianewlife.org |
| Chris Oliver  | 108 Hacksbill Pl    | nataliechris@bellsouth.net   |

|                   |         |                |                    |
|-------------------|---------|----------------|--------------------|
| February 20, 2019 | 6:00 PM | Biltmore Hills | 2615 Fitzgerald Dr |
|-------------------|---------|----------------|--------------------|

[illegible]

# 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 10/17/18

Applicant(s) Name Amanda Mann - Attorney for applicant

Applicant's Mailing Address 421 Fayetteville Street | Suite 530 | Raleigh, NC 27601

Phone 919-213-7320

Email amann@morningstarlawgroup.com

Property PIN # 1712-59-1179

Site Address / Location 2003 Rock Quarry Rd

Current Zoning R-4

Additional Information (if needed) :

Considering rezoning to NX-3-PL-CU to accommodate an eating establishment

## OFFICE USE ONLY

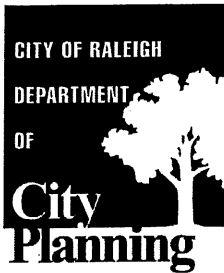
Transaction # : 573689

Date of Pre-Application Conference :

10/26/18

Staff Signature





## Pre-Application Conference

### Meeting Record

Transaction #: 574535 Meeting Date & Time: 10/26/18 11:00 AM

Location: One Exchange Plaza 3rd Floor Nash Conference

Attendees: Kyle Little Joe Faulkner, Amanda Mann, Sara Ellis,  
John Anagnost

Parcels discussed (address and/or PIN): 2003 Rock Quarry Rd

Current Zoning: R-4

Potential Re-Zoning: NX-3-PL

CAC Chair/Contact Information: South CAC Pam Adderley Pam.adderley@raleighnc.gov

General Notes: Applicant is seek to construct a restaurant  
and convenience store. The applicant is open to submitting  
a Comprehensive Plan Amendment to change the FLUM designation  
from Moderate density residential to Neighborhood Mixed Use. request  
would be inconsistent with the current FLUM designation, could  
make a case that market conditions are changing along  
this portion of Rock quarry Rd. May bring additional properties into

| Department & Staff  | Notes   |
|---|---|
| <b>Development Services</b><br>___Justin Rametta<br>Justin.Rametta@raleighnc.gov<br>919-996-2665<br>___Mike Walters<br>Michael.Walters@raleighnc.gov<br>919-996-2636<br>___Walt Fulcher<br>Walt.Fulcher@raleighnc.gov<br>919-996-3517 | plan amendment. there would be a<br>neighborhood transition required for the properties<br>to the south. there may be a build-to requirement<br>for both streets Rock quarry, and Edwin Dr.<br>could offer conditions to mimic the parking<br>UDO Sections: Limited Frontage, could fill out a form |

to find out what the primary street designation  
is. Traffic will be a concern from the community