

CITY OF RALEIGH

Z-8-09

**R-6, R-6
w/ SHOD-1,
O&I-1, O&I-1
w/SHOD-1
and R-4**

to

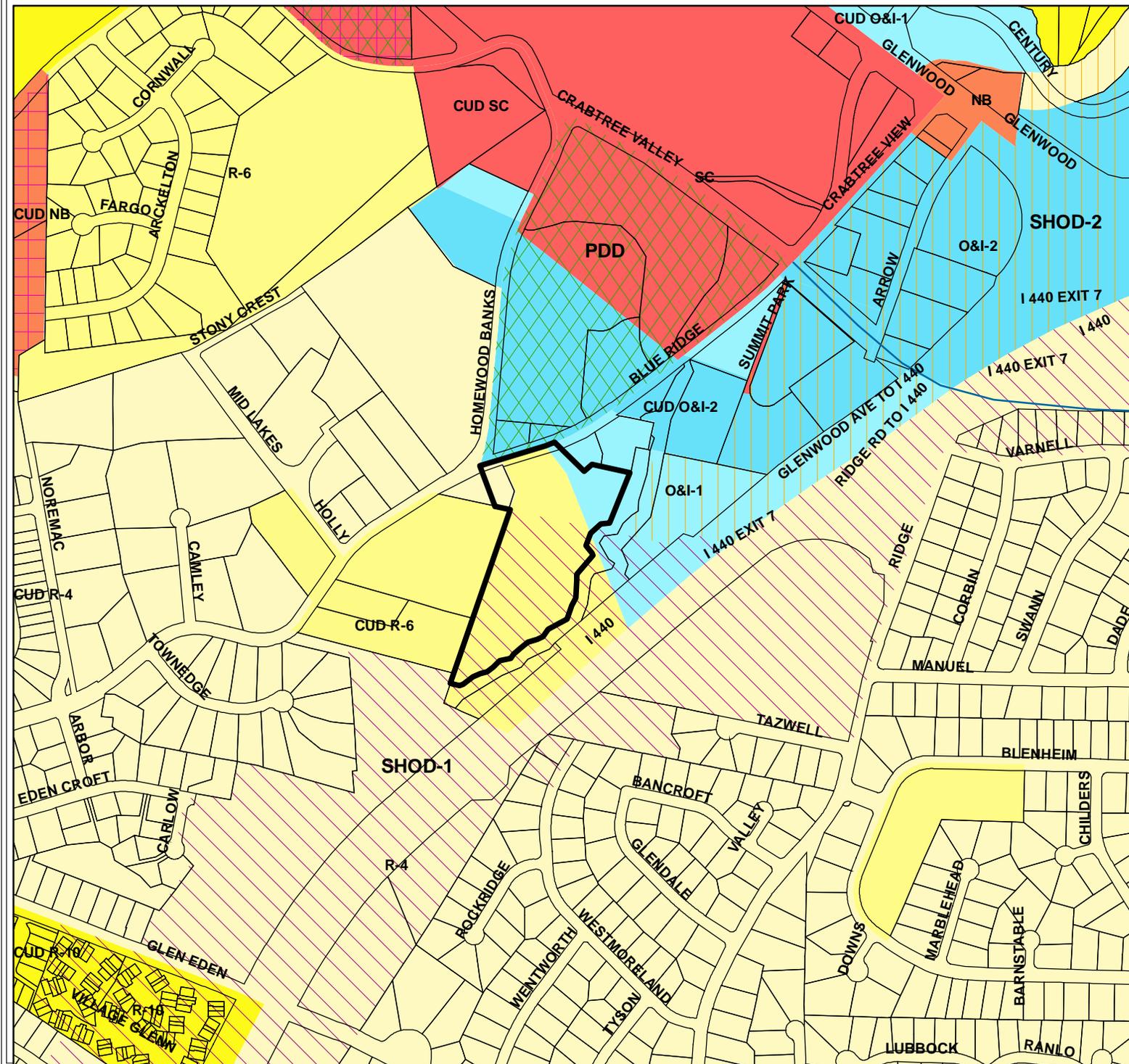
**O&I-2 CUD
w/ SHOD-1**

9.58 acres

Public Hearing
January 22, 2009
(May 22, 2009)

540

Feet





2008 SEP 19 AM 11: 04

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - 1) to lessen congestion in the streets;
 - 2) to provide adequate light and air;
 - 3) to prevent the overcrowding of land;
 - 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - 5) to regulate in accordance with a comprehensive plan;
 - 6) to avoid spot zoning; and
 - 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature(s)

[Handwritten signatures]

Date

9.19.08
9.19.08
9.18.09

Please type or print name(s) clearly:

GFM II, LLC by George F. Marshall, Manager

Englert, LLC by Jenny C. Petri, Manager

Frederick Investment Corporation by Jenny C. Petri, VP

EXHIBIT B. Request for Zoning Change

Office Use Only	
Petition No.	<u>2-8-07</u>
Date Filed:	<u>9-19-08</u>
Filing Fee:	<u>per 1028 * by CC # 14967</u>

Please use this form only – form may be photocopied. Please type or print

See instructions, page 6

	Name(s)	Address	Telephone / E-Mail
1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	<u>Rick Marshall</u>	<u>4700 Homewood Ct., Suite 220 Raleigh NC 27609-5732</u>	<u>919-787-4243 rickmarshall2@mac.com</u>

2) Property Owner(s):	<u>GFM, II LLC Englert, LLC Frederick Investment Corp</u>	<u>4700 Homewood Ct., Suite 220 Raleigh NC 27609-5732</u>	<u>919-787-4243 rickmarshall2@mac.com</u>
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	<u>Edwin G. Brandle</u>	<u>6000 Castle Brook Dr. Raleigh NC 27604</u>	<u>919-832-5557 raleighengraving@aol.com</u>
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3) Contact Person(s):	<u>Ken Thompson, RLA (JDavis Architects, LLC)</u>	<u>510 Glenwood Ave. Raleigh, NC 27603</u>	<u>919-835-1500 kent@jdavisarchitects.com</u>
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	<u>Thomas C. Worth</u>	<u>127 W. Hargett Street Suite 500 Raleigh NC 27601</u>	<u>919-831-1125 curmudgtcw@earthlink.net</u>
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4) Property Description:
Please provide surveys if proposed zoning boundary lines do not follow property lines.

Wake County Property Identification Number(s) (PIN): 0795479879 and 0795488212

General Street Location (nearest street intersections): Blue Ridge Road and Homewood Bank Drive

5) Area of Subject Property (acres):

9.16 AC + 0.42 AC = 9.58 AC

6) Current Zoning District(s)

Classification:
Include Overlay District(s), if Applicable R-6, R-6 w/ SHOD-1, O&I-1, O&I-1 w/ SHOD-1 and R-4

7) Proposed Zoning District

Classification:
Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state. O&I-2 w/ SHOD-1 CUD

Office Use Only Petition No. <u>2-8-07</u>

8) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
<u>RALEIGH CITY OF</u>	<u>PO BOX 590</u>	<u>RALEIGH, NC 27602-0590</u>	<u>0795366593</u>
<u>CBT TRUST LLC</u>	<u>1550 IREDELL DR</u>	<u>RALEIGH, NC 27608-2303</u>	<u>0795473524</u>
<u>3830 BLUE RIDGE ROAD LLC ATTN MR WARREN COLE</u>	<u>411 HACKENSACK AVE FL 7</u>	<u>HACKENSACK, NJ 07601- 6328</u>	<u>0795475963</u>
<u>SCHAUTTEET, KEVIN D</u>	<u>3916 BLUE RIDGE RD</u>	<u>RALEIGH NC 27612-4630</u>	<u>0795486280</u>
<u>CRABTREE LAND MANAGER LLC</u>	<u>ONE OVERTON PARK 3625 CUMBERLAND BLVD SE STE 400</u>	<u>ATLANTA GA 30339-3374</u>	<u>0795488454</u>
<u>RALEIGH CITY OF</u>	<u>PO BOX 590</u>	<u>RALEIGH NC 27602-0590</u>	<u>0795572866</u>
<u>CRABTREE LAND MANAGER LLC</u>	<u>ONE OVERTON PARK 3625 CUMBERLAND BLVD SE STE 400</u>	<u>ATLANTA GA 30339-3374</u>	<u>0795580406</u>
<u>CASTELLOE, PAUL E</u>	<u>3950 BLUE RIDGE RD</u>	<u>RALEIGH NC 27612-4630</u>	<u>0795581396</u>
<u>CASTELLOE, PAUL E</u>	<u>3950 BLUE RIDGE RD</u>	<u>RALEIGH NC 27612-4630</u>	<u>0795583471</u>
<u>KERR, BANKS DAYTON & DOROTHY</u>	<u>5510 HOMEWOOD BANKS DR</u>	<u>RALEIGH NC 27612-8073</u>	<u>0795484971</u>
<u>CRABTREE LAND MANAGER LLC</u>	<u>ONE OVERTON PARK 3625 CUMBERLAND BLVD SE STE 400</u>	<u>ATLANTA GA 30339-3374</u>	<u>0795580999</u>
<u>DOBS INC</u>	<u>3939 GLENWOOD AVE STE 166</u>	<u>RALEIGH NC 27612-4739</u>	<u>0795670585</u>
<u>DOBS INC</u>	<u>C/O FELLERS, SCHEWE, SCOT T & ROBERTS PO BOX 450233</u>	<u>ATLANTA GA 31145-0233</u>	<u>0795573175</u>
<u>MITCHELL, JAMES A & MELBA S</u>	<u>1405 WESTMORELAND DR</u>	<u>RALEIGH NC 27612-4738</u>	<u>0795570052</u>
<u>RALEIGH CITY OF</u>	<u>PO BOX 590</u>	<u>RALEIGH NC 27602-0590</u>	<u>0795465598</u>
<u>WHITE, FLEETA D HEIRS</u>	<u>C/O CYNTHIA A WHITE 3915 BLUE RIDGE RD</u>	<u>RALEIGH NC 27612-4629</u>	<u>0795483460</u>

For additional space, photocopy this page.

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

A. Please state which District Plan area the subject property is located within and the recommended land use for this property:

The site is part of the Northwest District and is designated a community focus area. The subject property is within the Crabtree Small Area Plan which designates the property use as hotels, office medium/high density residential in the adopted Land use Plan.

B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

As noted above the site is part of the Crabtree Small Area Plan and is designated for hotels, office medium/high density residential in the City's Crabtree Small Area Plan Land use Plan.

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

The proposed rezoning request is in conformance with the Crabtree Small Area Plan of the City's Comprehensive Plan; important components to achieving consistency with the City of Raleigh Comprehensive Plan is the ability to develop the property as a hotel, office or medium/high residential project which can not be accomplished with the current R-6 zoning.

II. Compatibility of the proposed map amendment with the property and the surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

The adjoining and nearby land uses consist of hotels, retail, office, and a continuing care facility (medium density residential) have been developed in accordance with the Crabtree Small Area Plan and support the rezoning request of the subject tract. In addition, the immediate adjacent single family parcels are within Area 6 of the Crabtree Small Area Plan and are not consistent with the approved plan.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

The subject property is a component of the Crabtree Small Area Plan, which is a comprehensive planning effort to provide a mixture of compatible uses. The parcels directly north are zoned O&I-2 and are undeveloped but has been approved for high density mixed use project known as Crabtree Village PDD (MP-04-05). The developed parcels to the northeast are zoned O&I-2 with SHOD-2 overlay and contain hotels that are +/- 50' in height. The parcels to the west are zoned R-6 and R-6 CUD. The R-6 parcel was developed as a continuing care facility with a one story building and surface parking. The tract to the east of the site is zone O&I-1 with SHOD-1 overlay and is currently vacant. The tracts to the southeast have been dedicated to the City of Raleigh for the development of the greenway system.

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area

The proposed amendment will allow for residential densities prescribed in the Crabtree Small Area Plan that exceed what is allowed under the existing zoning; the current zoning does not readily allow the high level of intensity suggested by the Crabtree Small Area Plan for this property which already exist to the north and south of the property and are proposed on the adjacent parcel to the west.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The benefit to the property owner would be ability to intensely develop the property as noted in the small area plan. The Urban Design Guidelines suggest parking be placed in structures rather than surface lots. The ability to incorporate this costly feature into a project should not be discouraged by the underlying zoning regulations. We find the existing R-6 zoning does not readily accommodate high intensity land use on this property, which has significant area devoted to protection of ecological systems (stream buffer, greenway, tree conservation).

B. For the immediate neighbors:

The benefit to the adjoining properties of the proposed rezoning would be the realization of the goals (which includes land use intensity) of the Crabtree Small Area Plan, specifically the placement of high density residential in close proximity to transit, high-volume road network, nearby residential and retail uses. For the Crabtree area to function as planned and be a successful community it requires that all components, including residential use, be incorporated; it is our opinion that the level of intensity proposed under the rezoning request is appropriate to achieve the success envisioned for this community. We see no detriment to the adjoining neighbors as they are either currently developed, planned or zoned for the same intensity of use.

C. For the surrounding community:

The benefit to the surrounding community of the proposed rezoning would be the same as for the immediate neighbors; the realization of the goals (which includes land use intensity) of the Crabtree Small Area Plan. For the Crabtree area to function as planned and be a successful community it requires that all components, including residential use, be incorporated; it is our opinion that the level of intensity proposed under the rezoning request is appropriate to achieve the success envisioned for this community.

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

No, the rezoning request does not circumvent the agreed upon goals and content of the Crabtree Small Area, of the City's Comprehensive Plan; rather, the purpose of the rezoning request is to allow for the implementation of form-based development by allowing the approved uses of the Crabtree Small Area Plan.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

- a. The existing property is well-served by a competent roadway network that was planned to carry the intensity proposed by the rezoning request.
- b. The project incorporates and perpetuates public transit and pedestrian facilities.
- c. The project provides buffering to adjacent properties by means of natural systems (stream buffer, greenway,)
- d. Allows the property to increase its potential as a designated medium/high residential use; the property has access to transit, high-volume traffic network, supporting uses (retail, office, schools, etc)

V. Recommended items of discussion (where applicable).

- a. **An error by the City Council in establishing the current zoning classification of the property.**

There is no specific error, but the land-use intensity constructed into the Crabtree Small Area Plan is not reasonably achieved with the underlying zoning.

- b. **How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.**

The adoption Crabtree Small Area Plan subsequent to the approval of the existing zoning is a significant factor behind the rezoning request.

c. The public need for additional land to be zoned to the classification requested.

The benefit to the surrounding community of the proposed rezoning would be the same as for the immediate neighbors; the realization of the goals of the Crabtree Small Area Plan; specifically this site is designated as a medium/high density residential use.

d. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

The property when developed will be served by existing road and utility infrastructure. There are four fire houses and 5 EMS stations within equally spaced around the subject tract and an existing police station nearby located on Glenwood Avenue. The tract is adjacent to land that has recently been dedicated to the Raleigh Parks and Recreation Department for the construction of the greenway system. The greenway will have immediate access to the Crabtree Valley Trail and eventually will be extended to Glen Eden Pilot Park. There will be no extraordinary impact on topography, or access light and air.

VI. Other arguments on behalf of the map amendment requested.



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-8-09 Conditional Use; Blue Ridge Road

General Location: Blue Ridge Road, south side, opposite its intersection with Homewood Banks Drive

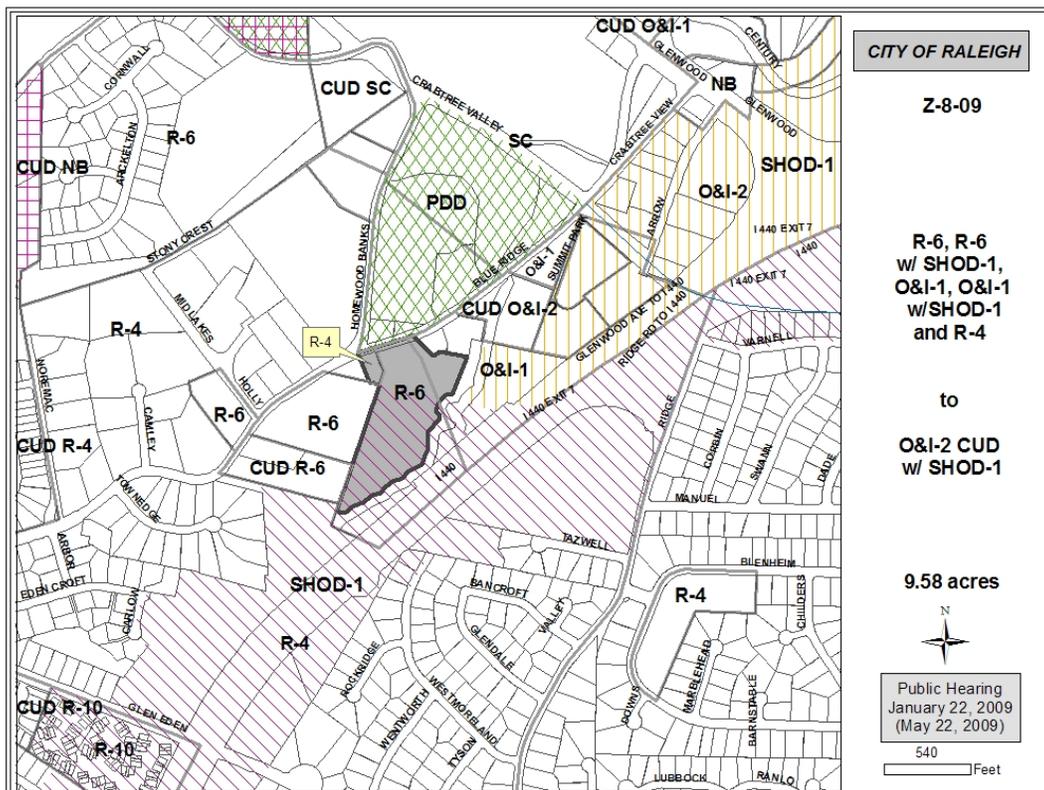
Planning District / CAC: Northwest / Northwest

Request: Petition for Rezoning from Residential-6, Residential-6 with Special Highway Overlay District-1, Office & Institution-1, Office & Institution-1 with Special Highway Overlay District-1, and Residential-4, to Office & Institution-2 with Special Highway Overlay District-1.

Comprehensive Plan Consistency: This proposal is consistent with the Comprehensive Plan.

Valid Protest Petition (VSPP): None.

Recommendation: The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated March 24, 2009.



CASE FILE: Z-8-09 Conditional Use

LOCATION: This site is located on the south side of Blue Ridge Road, opposite its intersection with Homewood Banks Drive.

REQUEST: This request is to rezone approximately 9.58 acres, currently zoned Residential-6, Residential-6 with Special Highway Overlay District-1, Office & Institution-1, Office & Institution-1 with Special Highway Overlay District-1, and Residential-4. The proposal is to rezone the property to Office & Institution-2 with Special Highway Overlay District-1.

COMPREHENSIVE PLAN CONSISTENCY: This proposal is consistent with the Comprehensive Plan.

RECOMMENDATION: The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated March 24, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is designated for "high intensity use," including hotels, offices, or medium- to high-density residential.
- (2) The request is compatible with existing and pending land uses and development patterns in the adjacent area.
- (3) The applicant has provided zoning conditions which limit uses, prohibit certain uses, limit vehicular ingress/egress, offer cross-access, provide greenway access and a transit easement & shelter, require structured parking at set density/ intensity thresholds, limit building height, provide a transitional protective yard and minimum setbacks to the west, restrict development south of the sewer easement, and limit office square footage and number of hotel rooms and provide for covenants establishing both such limitations.
- (4) Being consistent and compatible, and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.

To PC: 2/24/09 (deferred); 3/10/09 (deferred)

Case History: 4/14/09 (recommended approval)

To CC: 4/21/09 **City Council Status:** _____

Staff Coordinator: Doug Hill

Motion: Smith

Second: Fleming

In Favor: Bartholomew, Butler, Fleming, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith, Vance

Opposed:

Excused: Chambliss

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 Staff Report attached.

Signatures: _____ (Planning Dir.) _____ (PC Chair)

date: _____ date: 4/15/09



Zoning Staff Report: Z-8-09 Conditional Use

LOCATION: This site is located on the south side of Blue Ridge Road, opposite its intersection with Homewood Banks Drive.

AREA OF REQUEST: 9.58 acres

PROPERTY OWNER: GFM II LLC, Englert LLC, Frederick Investment Corp; Edwin G. Brandle

CONTACT PERSON: Ken Thompson, 835-1125

PLANNING COMMISSION RECOMMENDATION DEADLINE: May 22, 2009

ZONING:	<u>Current Zoning</u> Residential-4, Residential-6, Office & Institution-1	<u>Proposed Zoning</u> Office & Institution-2 Conditional Use District
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<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
Special Highway Overlay District-1	Special Highway Overlay District-1 (remaining as is)

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u> w / Staff approval: 66 units w / PC approval: 79	<u>Proposed Zoning</u> w / Staff approval: 143 units w / PC approval: 383
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ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u> R-4 & R-6: not permitted O&I-1: 43,092 square feet (0.75 FAR)	<u>Proposed Zoning</u> 225,000 square feet (as per Conditions)
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ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u> R-4 & R-6: not permitted O&I-1: Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.	<u>Proposed Zoning</u> Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.
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ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u> R-4 and R-6: Tract ID O&I-1: Low Profile (Area = 70 sq. ft., Height = 3.5 feet)	<u>Proposed Zoning</u> Low Profile (Area = 70 sq. ft., Height = 3.5 feet)
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ZONING HISTORY: The R-4 portion of this property was zoned in 1967 (Z-5-67). The R-6 portion was zoned in 1979 (Z-14-79), and the O&I-1 portion in 1982 (Z-70-82). The SHOD-1 portion was zoned in 1987 (Z-86-87).

**SURROUNDING
ZONING:**

NORTH: Office & Institution-2 w/ PDD
SOUTH: Residential-6
EAST: Office & Institution-1
WEST: Residential-4, Residential-6, and Residential-6 CUD, rezoned as Z-90-00, under the following conditions (dated 1/16/01):

1. Maximum building height of any structures to be limited to 35 feet as measured from the right of way elevation of Blue Ridge Road.
2. Upon development, the developer will comply with C.R. 7107 regarding stormwater run-off controls.
3. Any and all lighting will be cut-off type fixtures that are designed and located in such a way that the light source will not be visible from neighboring properties.
4. The landscaping of the Blue Ridge Road street yard shall be a 25' wide street protective yard installed to the landscape standards of the SHOD II requirements and shall be measured from the future right-of-way of Blue Ridge Road.
5. All trees over 8" caliper within 25' of any future right-of-way of Blue Ridge Road shall be preserved.
6. Reimbursement for future right-of-way dedication on Blue Ridge Road shall be at R-4 values.
7. If redevelopment occurs inclusive of both lots, then a cross-access shall be required at time of redevelopment. If the lots are redeveloped separately, then an offer of cross-access shall be provided at time of redevelopment. Cross-access shall be defined as construction of a driveway to the property line.
8. An average natural protective yard of 120 feet shall be provided along the common property line of the lot to the east with PIN number 0795.07-57-1949. The minimum distance of this natural protective yard shall be 75 feet.

LAND USE: Single family residence (west parcel), vacant (east portion; former house site)

**SURROUNDING
LAND USE:**

NORTH: Vacant (with former house/ restaurant site; Crabtree Village PDD development pending)
SOUTH: Future City greenway; I-440 Beltline
EAST: Future City greenway; low density residential
WEST: Glen Eden Pilot Park, low-density residential, Glenwood Hills Nursing Home

**DESIGNATED
HISTORIC
RESOURCES:**

None on site; none within 100 feet of site.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
PLAN SUMMARY**

TABLE:

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City’s adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	Northwest
Urban Form	High Intensity Use Area: Hotels, office, medium/ high density residential
Specific Area Plan	Crabtree Small Area Plan
Guidelines	Office Use Floor Area Ratio and Building Lot Coverage Guidelines

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

The proposal is consistent with the Comprehensive Plan. The Crabtree Small Area Plan locates the site within Area 6, as a portion of the wider area specifically designated for “high intensity use,” and lists hotels, offices, or medium- to high-density residential as appropriate site uses. Within the Area, the majority of the properties to the north are already zoned O&I-2.

2. Compatibility of the proposed rezoning with the property and surrounding area.

This section of Blue Ridge Road is an area in transition. It is lined mostly by large, deep lots, historically residential in use, mostly with dense woods bordering the road. Non-residential uses increase with proximity to Crabtree Creek, culminating at Crabtree Valley Mall. Across Blue Ridge Road from the subject properties is the site of Crabtree Village, a proposed high-density/ intensity planned development. On the east side of the road, topography drops off rapidly; consequently, most existing buildings are situated relatively close to the street. The subject site is characterized by thick woods and steep slopes. Its eastern edge follows a City greenway corridor bordering House Creek, which runs from neighboring Glen Eden Park at the site’s southernmost point. At the site’s western edge is a continuing care facility, terraced into the hillside. Buildings in the site’s immediate vicinity are one or two stories in height. The closest existing buildings of taller scale are hotels, located immediately east of Crabtree Valley Mall. In the proposal, building height is conditioned to a maximum of 75 feet. As a transition to the properties to the west, a minimum setback of 40 feet is conditioned along the western boundary, 20 feet of which is conditioned to be a Type C transitional protective yard.

3. Public benefits of the proposed rezoning

Rezoning would permit redevelopment of the site consistent with the Comprehensive Plan.

4. Detriments of the proposed rezoning

The intensity of development possible under the proposed zoning could lead to increased traffic congestion, particularly at Blue Ridge Road/ Glenwood Avenue intersection. The amount of impervious surfaces could markedly increase; however, the conditioned structured parking could provide some mitigation.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Blue Ridge Road is classified as a minor thoroughfare (2007 ADT 7,900 vpd) and is constructed as a two-lane roadway with a soft shoulder cross-section within a 70-foot right-of-way. City standards call for Blue Ridge Road to be constructed as multi-lane facility with a 53-foot back-to-back curb and gutter section with sidewalks on both sides within an 80-foot right-of-way. Homewood Banks Drive is classified as a commercial street and exists as two-lane ribbon paved road within a 60-foot right-of-way. City standards call for Homewood Banks Drive to be constructed with a 41-foot back to back curb and gutter section with sidewalks on a minimum of one side within the existing right-of-way.

TRANSIT: Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

HYDROLOGY: FLOODPLAIN: Yes
 DRAINAGE BASIN: Crabtree
 STORMWATER MANAGEMENT: Pt. 10 Ch. 9 compliance, Neuse Buffer

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>32,010</u> gpd	Approx. <u>71,850</u> gpd
Waste Water	Approx. <u>32,010</u> gpd	Approx. <u>71,850</u> gpd

The proposed rezoning would add approximately 39,840 gpd to the City's wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case's boundary.

PARKS AND RECREATION:

This property is adjacent to House Creek Greenway which has previously been donated to the city. Park services are met by Glen Eden Pilot Park.

WAKE COUNTY PUBLIC SCHOOLS:

The maximum number of dwelling units permitted under the current zoning (with Planning Commission approval) is 79; the proposed rezoning could permit up to 383. This would result in an estimated net increase in school enrollment of 42. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current capacity	Future enrollment	Future capacity
Stough	565	91.0%	607	97.7%
Daniels	1,162	101.5%	1,187	103.7%
Broughton	2,174	106.3%	2,192	107.2%

IMPACTS SUMMARY:

The proposed zoning could bring an additional 42 students into the school system; the base middle school and high school are currently operating past capacity. Demand on water and wastewater infrastructure could more than double (i.e., increase by 39,840 gpd).

OPTIONAL ITEMS OF DISCUSSION

1. An error by the City Council in establishing the current zoning classification of the property.

The applicant has noted the land use intensity designated under the Crabtree Small Area Plan cannot be “reasonably achieved with the underlying zoning.” Staff concurs. Current zoning would only permit low-density residential uses across most the site; the current O&I-1 portion would permit office uses but not hotels.

2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be property applied to it now were it being zoned for the first time.

The applicant has noted the adoption of the Crabtree Small Area Plan as a “significant factor behind the rezoning request.” Staff concurs, noting that prior to the Small Area Plan’s approval, the Northwest District Plan designated the site for residential development.

APPEARANCE

COMMISSION: This request is not subject to Appearance Commission review.

CITIZENS’

ADVISORY COUNCIL: DISTRICT: Northwest
CAC CONTACT PERSON: Jay M. Gudeman, 789-9884

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

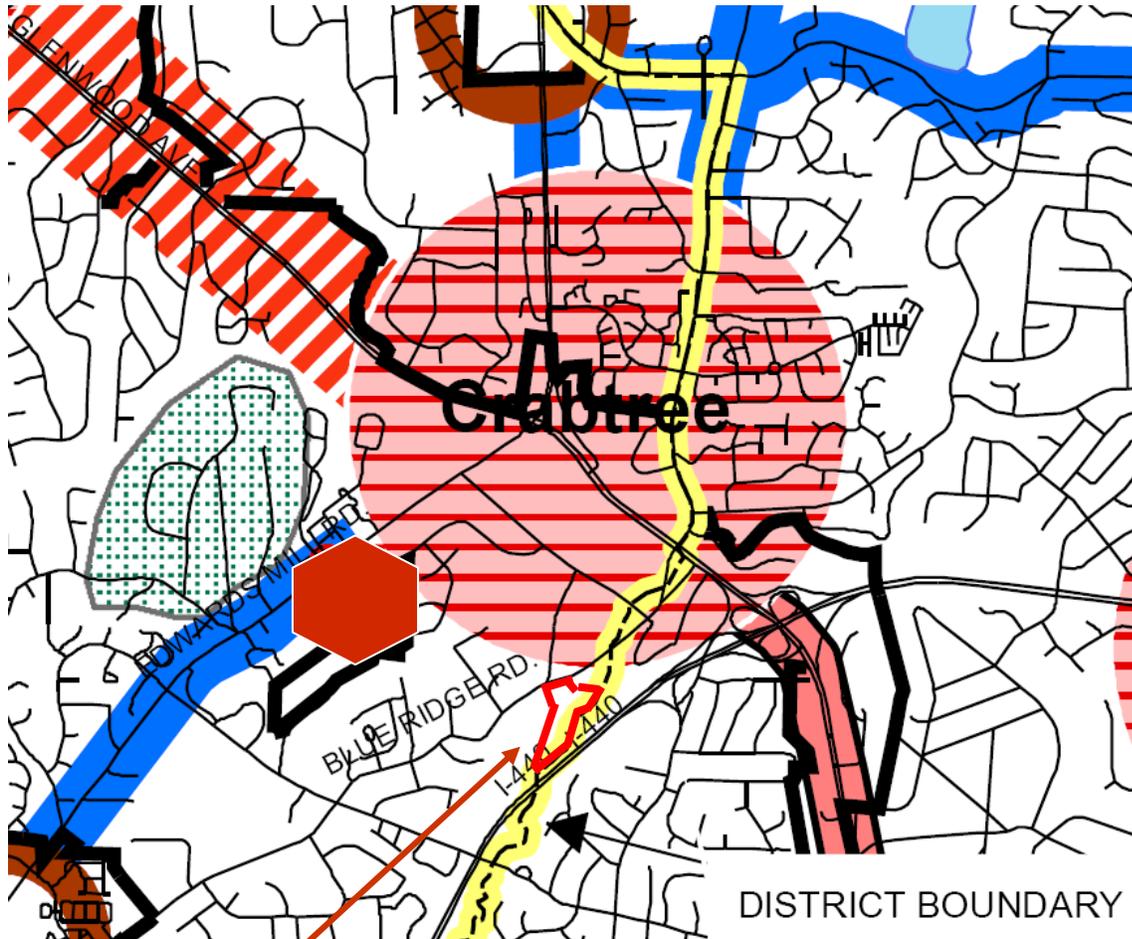
1. Outstanding issues

None.

2. Suggested conditions

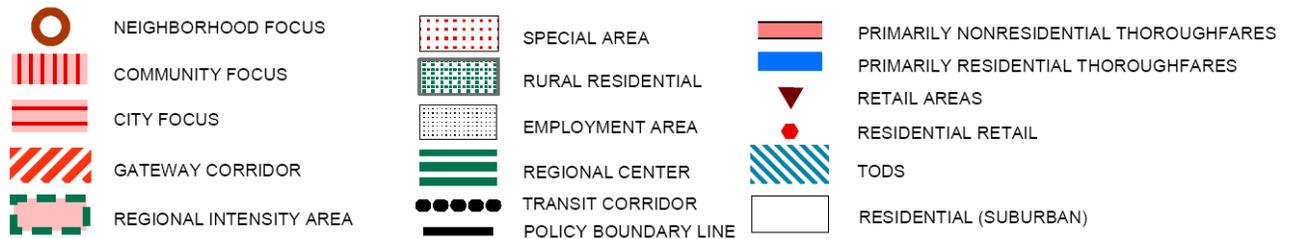
None.

Urban Form— Northwest District Plan



Site

Recommended Urban Form - Northwest District



Land Use— Crabtree Small Area Plan

