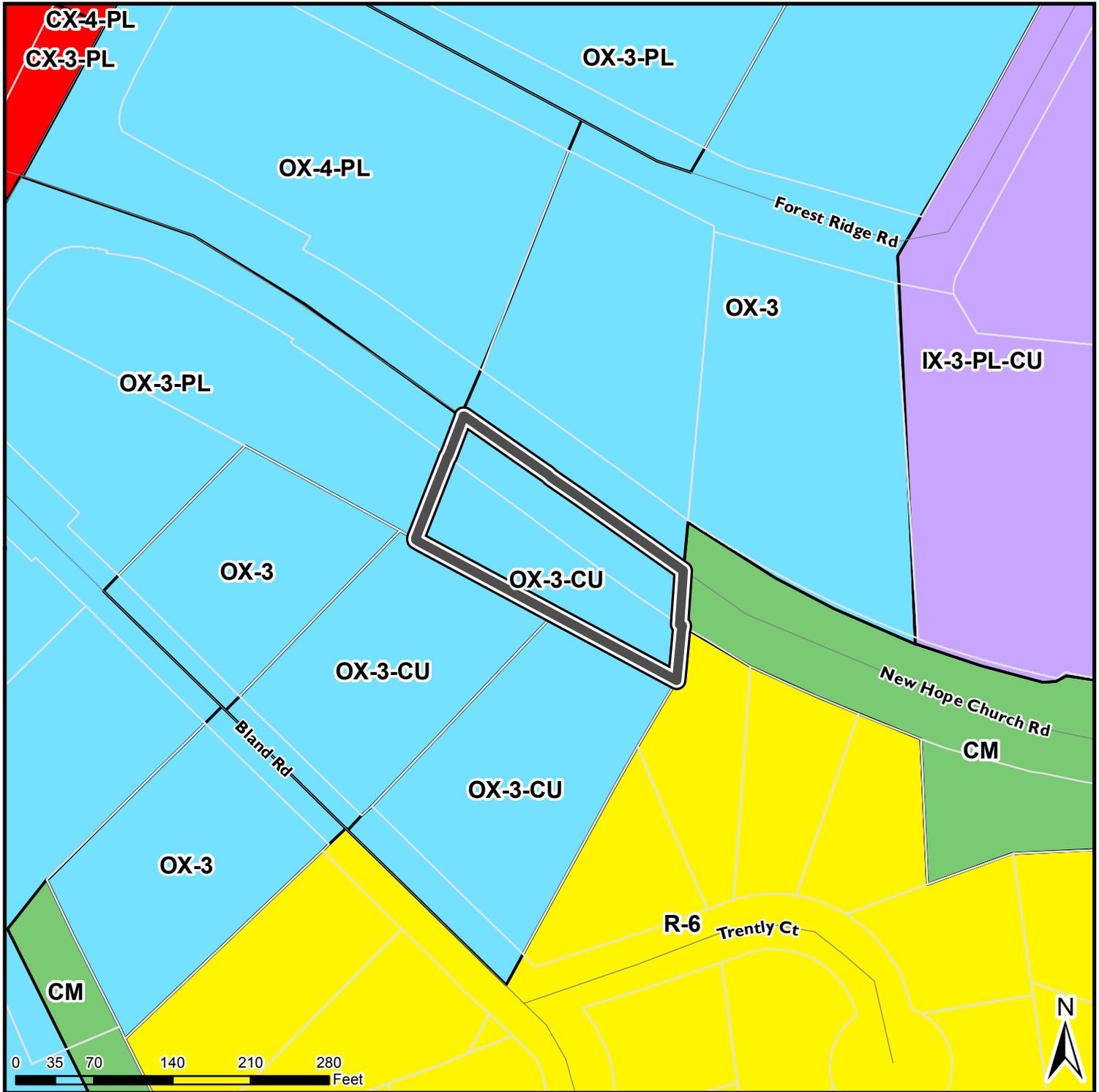


# Existing Zoning Map

# Z-8-2016

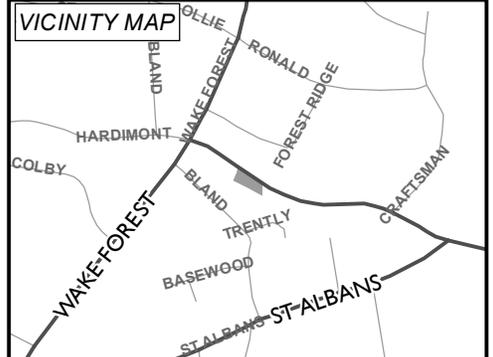


**Submittal Date**

3/23/2016

**Request:**

**0.361 acres from  
OX-3-CU  
to OX-3-CU**





# Certified Recommendation

Raleigh Planning Commission

CR#

## Case Information Z-8-16 4106 Wake Forest Rd

<i>Location</i>	East side, south side of New Hope Church Rd., SE corner of intersection of those two streets Address: 4106 Wake Forrest Road PIN: 1715498599
<i>Request</i>	Rezone property from OX-3-CU to OX-3-CU
<i>Area of Request</i>	0.36 acres
<i>Property Owner</i>	4106 Wake Forest Road LLC PO Box 2230 Angier, NC 27501
<i>Applicant</i>	Tony M. Tate Landscape Architecture 5011 Southpark Drive, STE 200 Durham, NC 27501
<i>Citizens Advisory Council (CAC)</i>	Atlantic Chairperson Charity Van Horn
<i>PC Recommendation Deadline</i>	8/8/2016

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Office and Residential Mixed Use
<b><i>URBAN FORM</i></b>	Urban Thoroughfare, ½ mile Transit Stop Buffer
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 4.5 – Connectivity
<b><i>INCONSISTENT Policies</i></b>	None

### Summary of Proposed Conditions

1. Limits parking on subject site and adjacent related site to levels not in excess of 150% of the required parking.
2. Limits uses permitted on site to parking, pedestrian access and associated landscaping, lighting, stormwater and service areas.
3. Requires all light fixtures to be full cutoff.

## Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
2/29/2016	Atlantic (Y-20, N-1)	5/10/2016	

*Valid Statutory Protest Petition (Date Filed: )*

### Attachments

1. Staff report

## Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings &amp; Reasons</i>	
<i>Motion and Vote</i>	

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

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairperson

\_\_\_\_\_  
Date

Staff Coordinator:

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

Doug Hill: (919) 996- 2622; [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)

Bynum Walter: (919) 996-2178; [Walter.Bynum@raleighnc.gov](mailto:Walter.Bynum@raleighnc.gov)



# Zoning Staff Report – Case #

## Conditional/General Use District

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### Case Summary

#### Overview

The 0.36 acre subject site is located at the southeast corner of the intersection of Wake Forest Rd. and New Hope Church Rd. The site is part of a larger parcel 1.27 acre site that is currently used as a dental office. Existing conditions attached to the site’s zoning restrict permitted uses to parking and associated pedestrian and service uses. The site is currently unimproved and is wooded. There are no significant natural resources on the site.

The site is located in an area characterized by office, commercial and residential uses. While New Hope Church Rd. is an Urban Form Map-designated Urban Thoroughfare, the site itself is not within a designated Growth Center. However, the site and its immediate vicinities are surrounded by designated City Growth Centers. Furthermore, Wake Forest Road is a Transit Emphasis Corridor. In sum, the site is part of an area that is expected to see continued private-sector growth and investment in public infrastructure.

The site and its surroundings to the north and south are zoned Office Mixed Use (OX-). The site abuts a residential district (R-6), to the east. Across Wake Forest Road from the larger parcel, of which the subject site is a part, is property zoned CX-3-PL. The Future Land Use Map generally reflects the current zoning. The site is designated Office and Residential Mixed Use. Surrounding FLUM designations are Office and Residential Mixed Use, Community Mixed Use, and Business and Commercial Services.

The rezoning is being requested to remove one existing condition, which currently prohibits curb cuts and driveway access to the site and the larger associated parcel. All other existing conditions would remain.

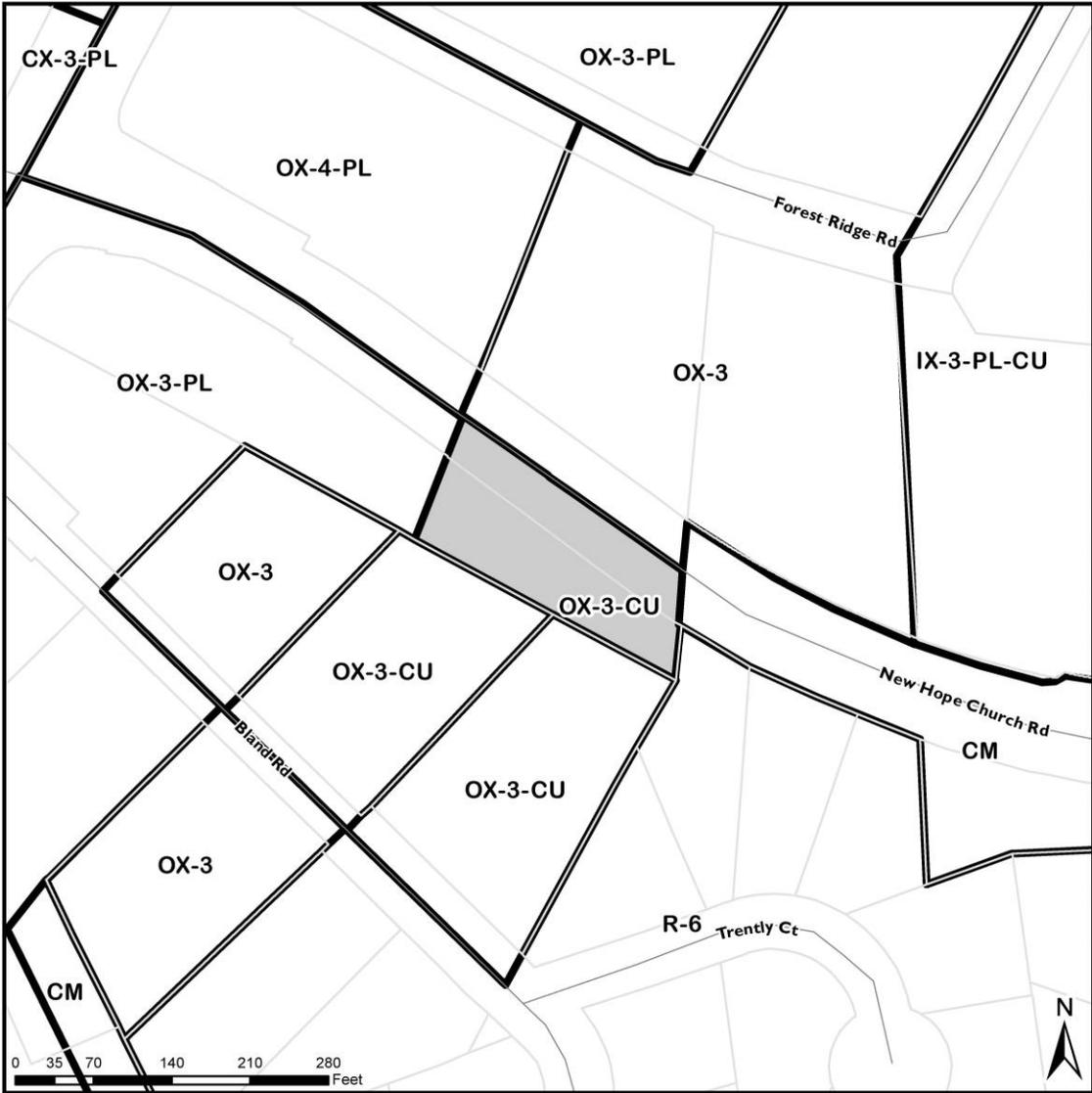
The Atlantic CAC voted in support of the proposal, 20-1.

#### Outstanding Issues

<i>Outstanding Issues</i>	None	<i>Suggested Mitigation</i>	N/A
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# ZONING REQUEST

## Existing Zoning Map Z-8-2016



**Submittal  
Date**

3/23/2016

### Request:

0.361 acres from  
**OX-3-CU**  
to **OX-3-CU**

### VICINITY MAP



Map Date: 3/24/2016

# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>					
<i>Additional Overlay</i>					
<i>Future Land Use</i>	Office and Residential Mixed Use	Business and Commercial Services	Office and Residential Mixed Use	Moderate Density Residential	Community Mixed Use
<i>Current Land Use</i>	Office (Dentist)	Office	Office (Medical)	Residential (Duplex)	Commercial
<i>Urban Form (if applicable)</i>	Urban Thoroughfare, ½ Mile Transit Buffer	Transit Oriented District, Urban Thoroughfare, Transit Emphasis Corridor, ½ Mile Transit Buffer	Transit Emphasis Corridor, ½ Mile Transit Buffer	Urban Thoroughfare	Transit Emphasis Corridor, ½ Mile Transit Buffer

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	1.27	No Change
<i>Setbacks:</i>	*General	
<i>Front:</i>	5'	
<i>Side:</i>	5'	No Change
<i>Rear:</i>	0' or 6'	
<i>Retail Intensity Permitted:</i>	6,500 sq. ft.	No Change
<i>Office Intensity Permitted:</i>	30,000 sq. ft.	No Change

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	1.27	No Change
<i>Zoning</i>	OX-3-CU	No Change
<i>Max. Gross Building SF (if applicable)</i>	49,000 sq. ft.	No Change
<i>Max. # of Residential Units</i>	38	No Change
<i>Max. Gross Office SF</i>	30,000 sq. ft.	No Change

<i>Max. Gross Retail SF</i>	6,500 sq. ft.	No Change
<i>Max. Gross Industrial SF</i>	Not Permitted	No Change
<i>Potential F.A.R</i>	0.89	No Change

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

The proposed rezoning is:

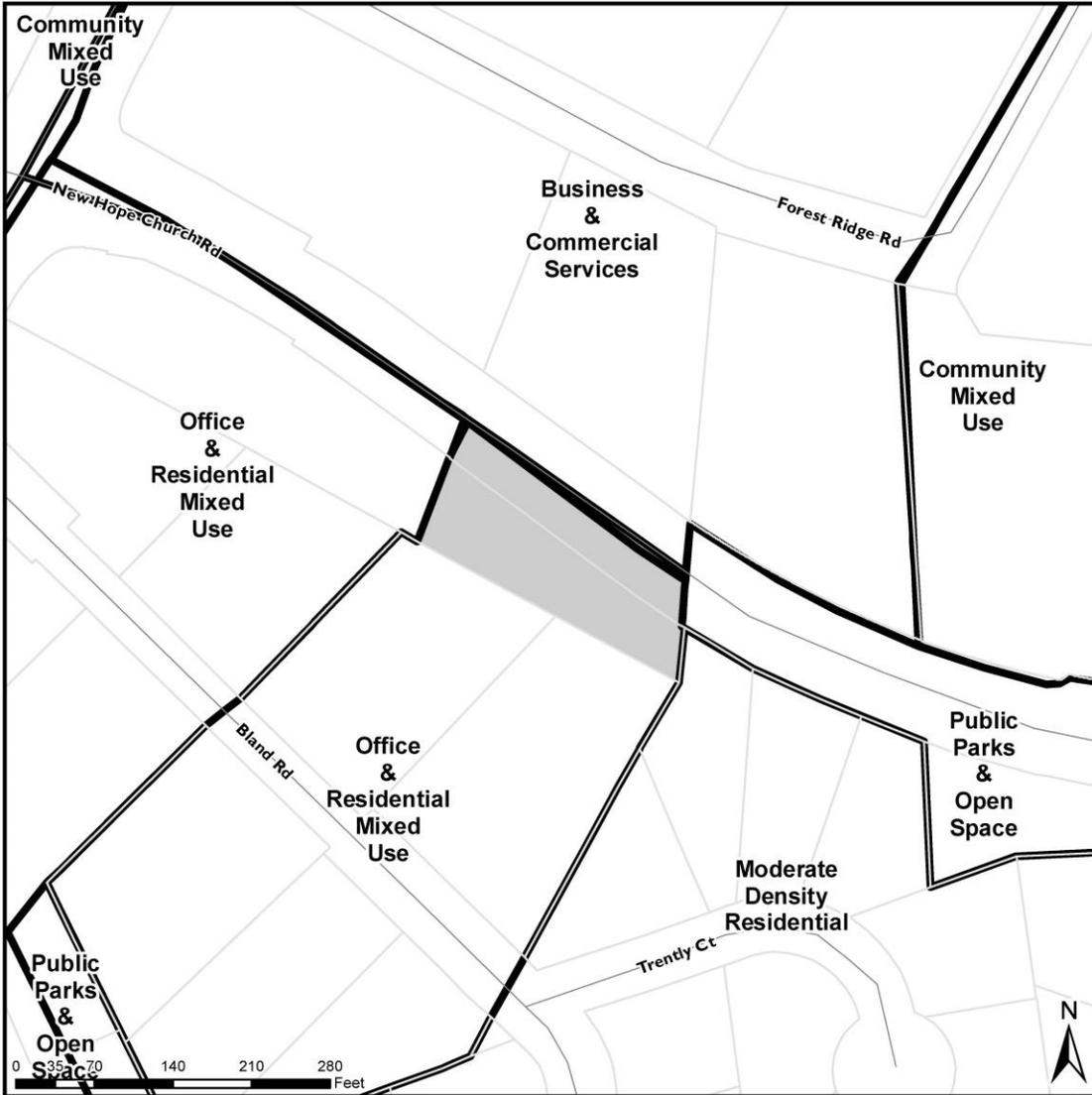
**Compatible** with the property and surrounding area.

The proposal would not affect development intensities on the site, nor those associated with the larger parcel. Permitting a curb cut and driveway, a result of the proposed rezoning, would allow for increased parking area for existing office uses, and would relocate an existing driveway further east from the intersection of Wake Forest Road and New Hope Church Rd.

**Incompatible.**  
 Analysis of Incompatibility:

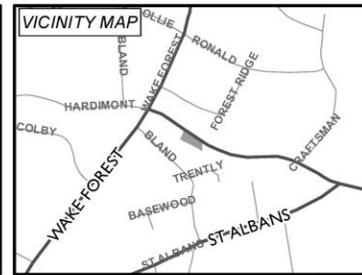
**FUTURE LAND USE MAP**

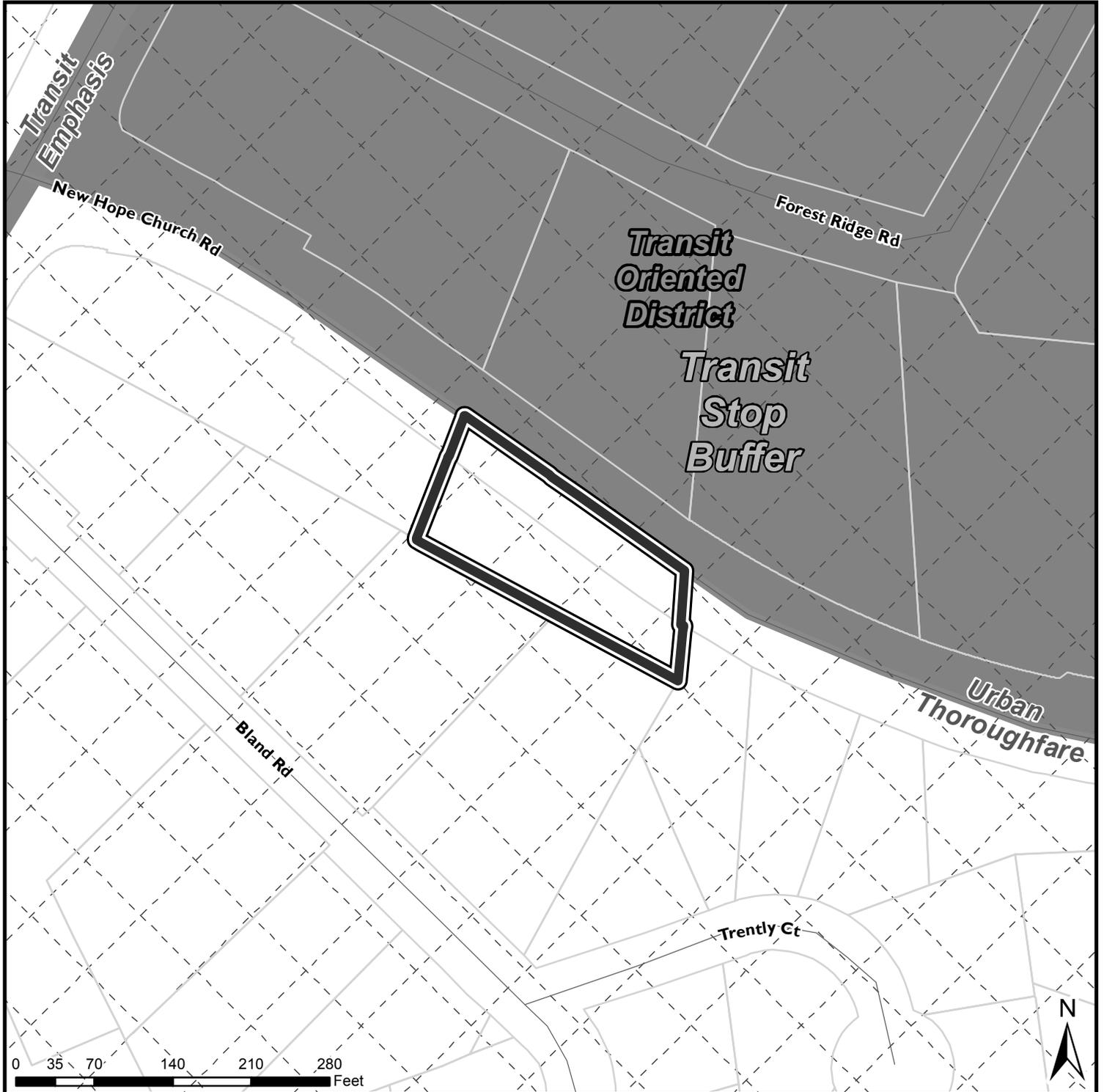
**Future Land Use Map Z-8-2016**




**Submittal Date**  
3/23/2016

**Request:**  
0.361 acres from  
**OX-3-CU**  
to **OX-3-CU**





**Submittal Date**

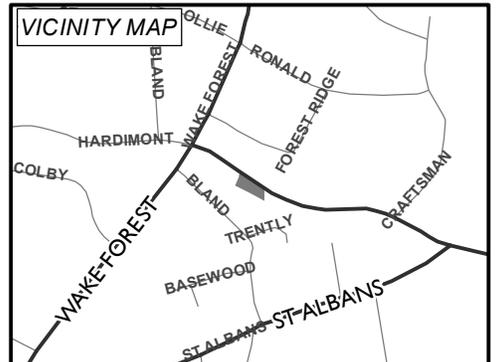
3/23/2016

**Request:**

**0.361 acres from**

**OX-3-CU**

**to OX-3-CU**



## 2. Comprehensive Plan Consistency Analysis

### 2.1 Comprehensive Plan

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

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with the vision, themes, and policies contained in the Comprehensive Plan. The rezoning would merely permit the construction of a curb cut and driveway to provide additional parking area for an existing office use. The office use on the larger associated parcel is consistent with the Future Land Use Map.

Community facilities and streets appear to be sufficient to serve the proposed use.

### 2.2 Future Land Use

**Future Land Use designation: Office and Residential Mixed Use**

**The rezoning request is:**

- Consistent** with the Future Land Use Map.
- Inconsistent**

### 2.3 Urban Form

**Urban Form designation: Urban Thoroughfare**

- Not applicable** (no Urban Form designation)

**The rezoning request is:**

- Consistent** with the Urban Form Map.
- Inconsistent**  
Analysis of Inconsistency:

The subject site is part of a larger parcel that fronts on Wake Forest Road. There are no Urban Form Map implications for this site.

## **2.4 Policy Guidance**

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

None

## **2.5 Area Plan Policy Guidance**

The subject site is not part of an area considered in an Area Plan.

# **3. Public Benefit and Reasonableness Analysis**

## **3.1 Public Benefits of the Proposed Rezoning**

- The proposed rezoning would allow for needed parking space for existing office uses.
- The proposed rezoning would permit the construction of a new driveway, and the closing of an existing driveway, which could improve traffic safety and function along New Hope Church Rd.
- The proposed rezoning would permit the creation of a pedestrian link between New Hope Church Rd. and Bland Rd.

## **3.2 Detriments of the Proposed Rezoning**

- None

## 4. Impact Analysis

### 4.1 Transportation

Rezoning does not affect uses or intensity.

**Impact Identified:** Impacts nonexistent at rezoning; transportation impacts will be reviewed upon submission of a development plan.

### 4.2 Transit

1. This area is currently served by GoRaleigh Route 24L North Crosstown Connector
2. Neither the City of Raleigh Short Range Transit Plan nor the Wake County Transit Plan call for continued service along the section of New Hope Church Rd
3. There are no transit requests

**Impact Identified: None**

### 4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present.
<i>Drainage Basin</i>	Big Branch
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None.

**Impact Identified: No major impacts identified. Development of this property will be subject to Article 9 of the UDO and all associated stormwater requirements.**

### 4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>		
<i>Waste Water</i>		

1. Rezoning does not affect uses or intensity.

**Impact Identified: None**

### 4.5 Parks and Recreation

1. No greenway easement, corridor, or trail impacts due to this rezoning. Nearest trail access is 1.7 miles, Crabtree Creek Trail.
2. Recreation services are provided by Eastgate Park, 0.8 miles.

**Impact Identified: None**

### 4.6 Urban Forestry

1. The subject parcel is smaller larger than and is therefore not subject to UDO Article 9.1 Tree Conservation.
2. Based on current submittal, the rezoning will have no impacts on tree conservation.

**Impact Identified: None**

**4.7 Designated Historic Resources**

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District nor within 1,000 feet of one.

**Impact Identified: None.**

**4.8 Community Development**

The site is not located within a designated Redevelopment Plan area.

**Impact Identified:**

**4.9 Impacts Summary**

None

**4.10 Mitigation of Impacts**

N/A

## **5. Conclusions**

The proposal is consistent with the Future Land Use Map, Urban Form Map, and pertinent policies of the Comprehensive Plan. The proposal would not affect development intensities on the property. Aside from the condition prohibiting driveway access to the site, all other existing conditions would remain.

461629



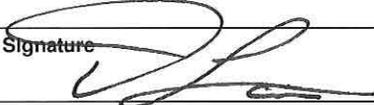
# Planning & Development

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

MAR 23 2016 PM 3:54

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan  Existing Zoning Classification OX-3-CUD Proposed Zoning Classification Base District OX-3-CUD  If the property has been previously rezoned, provide the rezoning case number. Z-11-13  Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences.	Transaction Number  Z-8-16  461629

GENERAL INFORMATION		
Property Address 4106 Wake Forest Road, Raleigh NC		Date 03-08-16
Property PIN Portion of 1715-49-8599	Deed Reference (Book/Page) 14897/00506	
Nearest Intersection New Hope Church Road and Wake Forest Road		Property size (in acres) .361
Property Owner/Address 4106 Wake Forest Road LLC PO Box 2230 Angier NC 27501	Phone 919-639-0264	Fax 919-331-2415
	Email <a href="mailto:perrytruelove@lanedds.com">perrytruelove@lanedds.com</a>	
Project Contact Person/Address Tony M. Tate Landscape Architecture 5011 Southpark Drive, STE 200 Durham NC 27713	Phone 919-484-8880	Fax 919-484-8881
	Email <a href="mailto:jen@tmtla.com">jen@tmtla.com</a> <a href="mailto:tony@tmtla.com">tony@tmtla.com</a>	
Owner/Agent Signature 	Email <a href="mailto:perrytruelove@lanedds.com">perrytruelove@lanedds.com</a>	

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



# Planning & Development

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

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number		Transaction Number
Date Submitted 05/04/2106		
Existing Zoning OX-3-CUD	Proposed Zoning OX-3-CUD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	Amount of new parking along with existing parking to be located on the rezoned property not to exceed 150% of the minimum amount of parking required by the City Code at the time of submittal for a zoning permit.
2.	Property to be used only for parking spaces, pedestrian access and associated landscaping, lighting, stormwater controls and dumpster.
3.	All new light fixtures shall be full cutoff design.
4.	
5.	
6.	
7.	
8.	
9.	
10.	

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

Owner/Agent Signature	Print Name
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# Planning & Development

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

## Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
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.	Transaction Number 461629 Zoning Case Number Z-8-16

STATEMENT OF CONSISTENCY	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.	
1.	The property is consistent with the future land use map, the future land use map designates Office & Residential Mixed use for the property.
2.	The property is not located within an Urban Growth Center.
3.	The rezoning request is consistent with the following Comprehensive Plan Policies: LU 4.5 "Connectivity"; LU 5.2 "Managing Commercial Development"
4.	

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	The ability to move the existing access drive further south along New Hope Road will enable drivers to more easily turn off of New Hope Road and turn on to New Hope Road from the site.
2.	Helps alleviate overcrowded parking of the existing office.
3.	
4.	



Tony M. Tate Landscape Architecture, P.A.

Date: February 12, 2016  
Re: 4106 Wake Forest Road, Raleigh NC

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on February 29<sup>th</sup>, 2016. The meeting will be held at Lane & Associates, 4106 Wake Forest Road, Raleigh, NC 27609 and will begin at 7pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 4106 Wake Forest Road, Raleigh. This site is current zoned CUD-0&I-1 and is proposed to be rezoned to Office Mixed Use, Conditional Use (OX-3-CU). The site is located the on the south side of New Hope Road, between intersections with Wake Forest Road and St. Albins Drive. The site is approximately 1.27 acres.

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

If you have any concerns or questions I (we) can be reached at:

919-484-8880

Thank you,

Jennifer M. Leonard

**At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning & Development prior to the aforementioned 10 day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning & Development at time of application submittal.**

## SUMMARY OF ISSUES

A neighborhood meeting was held on February 29<sup>th</sup>, 2016 to discuss a potential rezoning located at 4106 Wake Forest Road, Raleigh NC. The neighborhood meeting was held at Lane & Associates, 4106 Wake Forest Road, Raleigh, NC 27609. There were approximately 0 neighbors in attendance. The general issues discussed were:

Summary of Issues:

No issues were discussed because no one showed up for the meeting.

**Attendance Roster:**

**Name**

**Address**

**N/A – NO ONE SHOWED**

**UP** \_\_\_\_\_

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