Existing Zoning

Falstaff Rd OX-7-PL **R-10** Swindume St **R-10** OX-3-PL Carl Sandburg Ct OX-5-PL ichael-J Smith En Σ OX-3-PL-CU Kidd Rd Palmyra IX-3 **OX-3** PlenGrove Sungate Blvg Sunnybrook Rd OX-3-PL-CU OX-3-CU OX-3 Moss Dr SHOD-1 R-10-CU En-Hill-En **R-6** Un-Hollow-Lan catrolinoda D OX-3-CU RX-3-CU N OX-5-CU 760 Feet 190 380 570 Sungrove

Z-8-2021

Property	200 Michael J Smith Ln & 231 Allen Grove Ct	Location
Size	8.98 acres	540 40
Existing Zoning	OX-3-PL	40 (440) (540)
Requested Zoning	OX-5-CU w/TOD	40

Map by Raleigh Department of City Planning (mansolfj): 2/8/2021



memo

То	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Matthew Klem, Senior Planner
Department	Planning and Development
Date	May 17, 2021
Subject	City Council agenda item for June 1, 2021 – Z-8-21 Michael J Smith

On May 4, 2021, City Council authorized the public hearing for the following item:

Z-8-21 Michael J Smith and Allen Grove, northwest of the Michael J Smith Lane and Sungate Boulevard intersection. Approximately 8.98 acres are requested by CASA to be rezoned from OX-3-PL to OX-5-PL-CU-TOD.

Signed zoning conditions received on April 28, 2021 prohibit the commercial parking lot use.

Current zoning: Office Mixed Use-3 stories-Parking Limited (OX-3-PL)

Requested zoning: Office Mixed Use-5 stories-Parking Limited-Conditional Use (OX-5-PL-CU) with the Transit Overlay District.

The request is consistent with the 2030 Comprehensive Plan.

The request is inconsistent with the Future Land Use Map.

The request is consistent with the Urban Form Map.

The Planning Commission recommends approval of the request (8 - 0).

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13014

CASE INFORMATION: Z-8-21 MICHAEL J SMITH AND ALLEN GROVE

Location	Northwest of the Michael J Smith Lane and Sungate Boulevard intersection.		
	Address: 231 Allen Grove Court and 200 Michael J Smith		
	PINs: 1723482795,1723481287		
	iMaps, Google Maps, Directions from City Hall		
Current Zoning	OX-3-PL		
Requested Zoning	OX-5-PL-CU-TOD		
Area of Request	8.98 acres		
Corporate Limits	Subject site is completely within the corporate limits of the City.		
Property Owner	CASA		
Applicant	CASA		
Council District	District C		
PC Recommendation	June 28, 2021		
Deadline			

SUMMARY OF PROPOSED CONDITIONS

1. Prohibited uses: commercial parking lot.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Office/Research & Development		
Urban Form	City Growth Center and Urban Thoroughfare		
Consistent Policies	LU 1.3 Conditional Use District Consistency		
	LU 2.2 Compact Development		
	LU 4.6 Transit-oriented Development		
	LU 6.2 Complementary Land Uses and Urban Vitality		
	LU 6.3 Mixed-use and Multi-Modal Transportation		
	LU 7.6 Pedestrian-Friendly Development		
	EP 1.1 Greenhouse Gas Reduction		
	H 1.8 Zoning for Housing		
	UD 1.10 Frontage		
Inconsistent Policies	LU 1.2 Future Land Use Map and Zoning Consistency		

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

First Neighborhood Second Meeting Meeting		Planning Commission	City Council
January 15, 2021	March 17, 2021	March 30, 2021	May 4, 2021
2 attendees	6 attendees	April 27, 2021	

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request is reasonable and in the public interest because is advances policies LU 1.3 Conditional Use District Consistency, LU 2.2 Compact Development, LU 4.6 Transit Oriented Development, and 6.3 Mixed-use and Multimodal Transportation.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	Approval of the request will result in an amendment to the Future Land Use Map for the subject site from Office/Research and Development to Office and Residential Mixed Use.
Recommendation	Approve
Motion and Vote	Motion: Miller; Second: Rains; In favor: Bennett, Lampman, Mann, McIntosh, Miller, O'Haver, Rains, and Winters
Reason for Opposed Vote(s)	N/A

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.

Ken A. Bowers, AICPDate:Planning and Development Deputy Director

Staff Coordinator: Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT

Z-8-21 MICHAEL J SMITH AND ALLEN GROVE

Conditional Use District

OVERVIEW

The request is to rezone 8.98 acres from Office Mixed Use-3 stories- Parking Limited (OX-3-PL) to Office Mixed Use-5 stories- Parking Limited - Conditional Use with Transit Overlay District (OX-5-PL-CU-TOD). Proposed zoning conditions prohibit the commercial parking use. The increase in permitted building height will result in increases to office and residential entitlement. The subject site is located in the block bounded by Sunnybrook Road, Carl Sandburg Court, Michael J Smith Lane, and Sungate Boulevard. It is approximately 0.6 miles south of the intersection of New Bern Avenue and Sunnybrook Road and the site of the WakeMed Raleigh Campus. The request will result in increases to allowed residential, office, and retail uses.

This is the first request to apply the -TOD in the city. Among restrictions to auto-oriented uses, the -TOD also requires no parking for residential uses. The subject site is served by transit route 19 Appollo Heights which offers 15-minute service, the most frequent service the city currently offers. More broadly, the site is roughly 0.80 miles (a 20-minute walk) from a future BRT station at the intersection of New Bern Avenue and East Campus Drive.

The subject site is two parcels. One, a three-acre parcel, is developed with a 42-unit affordable housing development. The other, a six-acre parcel, is undeveloped, wooded, and contains a stream channel flowing west to east. North of the subject site is the Frankie Lemmon School and Development Center and a Wake County Board of Education office building. East of the subject site is Holly Hill Hospital, an in-patient psychiatric and addiction services center. South of the subject site is the Raleigh Veterans Affairs Outpatient Center, a medical office. West of the subject site is a multi-tenant medical office complex and several vacant parcels that were recently rezoned (Z-32-19). More generally, the broader context of the area includes a mix of apartments, townhomes, medical offices, and WakeMed Hospital. All adjacent zoning is Office Mixed Use – 3 stories (OX-3) mostly with Parking Limited frontage designations (-PL), and various sets of zoning conditions.

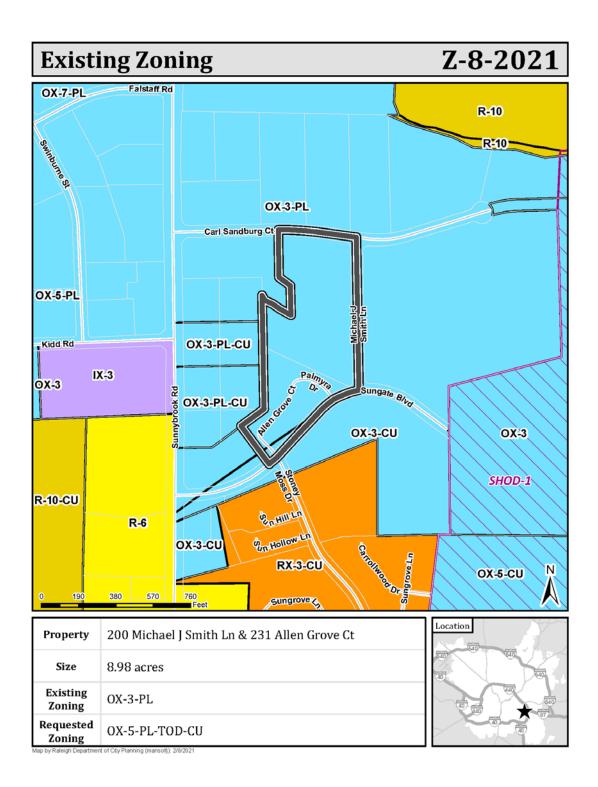
The subject site is located within a roughly 70-acre area identified as Office/Research and Development on the Future Land Use Map, which generally envisions office parks and expressly discourages housing. The rezoning request is inconsistent with this designation because housing is permitted. A 2020 approval of rezoning Z-32-19, an adjacent site, was similarly inconsistent with the Future Land Use Map. Council's action resulted in an amendment to the map for the Z-32-19 site from Office/Research and Development to Office and Residential Mixed Use, consistent with the Planning Commission recommendation.

Approving Office Mixed Use zoning (OX-) in areas designated on the Future Land Use Map as Office/Research and Development, has been a trend in legislative decisions. This trend was identified as an Emerging Issue in the FY20 Comprehensive Plan Progress Report which included a recommendation to revisit the definition of Office/Research and Development to possibly encourage residential uses or evaluate assigning another

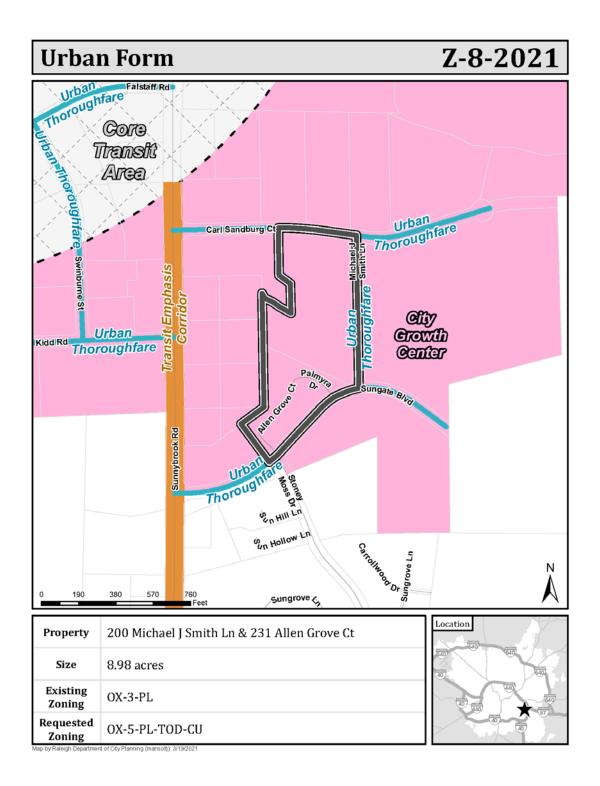
designation. During the March 23, 2021 Planning Commission meeting, the Commission recommended unanimous approval to City Council to further study this issue. The recommendation will be delivered to City Council on April 6, 2021.

OUTSTANDING ISSUES

Outstanding	1. None identified	Suggested	1. None identified
Issues		Mitigation	







COMPREHENSIVE PLAN

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

A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

Yes, the request is consistent with the vision, themes, and policies contained in the Comprehensive Plan. Specifically, the themes of Expanding Housing Choices, Coordinating Land Use and Transportation, and Greenprint Raleigh – Sustainable Development and associated policies that encourage a walkable, mixed-use, and compact housing development pattern. The policies are supported because the request will increase development intensity, including residential capacity, to a transit rich and high employment opportunity area. Development under the proposed zoning would allow for more families to live in an area with reduced automobile reliance.

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

No. The request is inconsistent with the Future Land Use Map designation of Office/Research and Development because the requested zoning district permits residential use. The Office/Research and Development designation expressly discourages residential uses.

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 requested zoning district can be established without adversely altering the character of the area which generally consists of a mix of medical office and residential uses in townhouses and apartments.

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

Yes. Community facilities are anticipated support the development under the requested zoning.

Future Land Use

Future Land Use designation: Office/Research and Development

The rezoning request is

Consistent with the Future Land Use Map.

⊠ Inconsistent

The request is inconsistent with the Future Land Use Map designation of Office/Research and Development because the requested zoning district permits residential use. The Office/Research and Development designation expressly discourages residential uses.

Urban Form

Urban Form designation: City Growth Center & Urban Thoroughfare

The rezoning request is

Consistent with the Urban Form Map.

Inconsistent

Other

Overview: The request is consistent with the Urban Form designations of City Growth Center and Urban Thoroughfare which recommend an urban or hybrid approach to development form. The requested zoning district includes the Parking Limited (-PL) frontage designation which is consistent with the guidance of the Urban Form map.

Compatibility: The requested Parking Limited (-PL) frontage is compatible with the are and surrounding zoning as most adjacent zoning includes the same -PL designation.

Compatibility

The proposed rezoning is

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

Incompatible.

The requested zoning district is generally compatible with the surrounding area which is consists of a mix of medical office and residential uses near a major employment center.

Public Benefits of the Proposed Rezoning

 Increased mixed-use development including housing capacity in a transit rich area and near a major employment center will allow for more families to live in a high opportunity area.

Detriments of the Proposed Rezoning

• None identified.

Policy Guidance

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

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.

 Proposed zoning conditions prohibit commercial parking as a permitted use which is consistent with Comprehensive Plan policies for transit and pedestrian oriented development and greenhouse gas reduction.

LU 2.2 Compact Development

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

• The requested zoning district would permit a more compact development pattern by increasing permitted building height and eliminating required parking.

LU 4.6 Transit-oriented Development

Promote transit-oriented development around planned bus rapid transit (BRT) and fixed commuter rail stations through appropriate development regulation, education, station area planning, public-private partnerships, and regional cooperation.

• The rezoning request include the Transit Overlay District (-TOD). This district prohibits auto-oriented uses and requires no parking for residential uses. Considering the subject site is currently served by a 15-minute transit route and is roughly a 20-minute walk to a planned BRT station, the request is consistent with this policy.

LU 6.2 Complementary Land Uses and Urban Vitality

A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers to maintain the city's livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistently with this policy.

• The rezoning request will permit additional housing capacity within a mixed-use center with access to 15-minute transit service.

LU 6.3 Mixed-use and Multi-Modal Transportation

Promote the development of mixed-use activity centers with multimodal transportation connections to provide convenient access by means other than car to residential and employment areas.

LU 7.6 Pedestrian-Friendly Development

New and redeveloped commercial and mixed-use developments should be pedestrian friendly.

UD 1.10 Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

 The requested -TOD removes parking minimums for residential uses and the -PL frontage requires pedestrian oriented design. Together these regulations create a higher likelihood that the property will be developed and designed with minimal to no vehicle parking and therefore encourage transit use. This type of zoning is appropriate in the area due to existing 15-minute transit service. The area is also currently constructed with well-connected sidewalk network which provides safe and convenient pedestrian access throughout the area.

EP 1.1 Greenhouse Gas Reduction

Promote best practices for reducing greenhouse gas emissions as documented through the U.S. Mayors' Climate Protection Agreement.

• The request will permit a more compact development pattern on an undeveloped piece of property. Increasing residential density in areas with access to frequent transit service and prohibiting auto oriented uses encourages transit use which will reduce per capita greenhouse gas emissions.

H 1.8 Zoning for Housing

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

• The request will permit an increase to the potential housing supply in the area. Additionally, increased housing supply in areas with access to frequent transit can improve housing affordability by reducing household transportation costs.

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

No inconsistent policies identified.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	42	A few nearby public transportation options
Walk Score	31	24	Almost all errands require a car.
Bike Score	41	23	Minimal bike infrastructure.

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

Summary: The scores above reflect existing conditions with walkability and bikability below the city average. The transit score is currently higher than the city average. The site's proximity to the planned BRT will likely improve all of these metrics as station area planning is implemented to improve pedestrian and bicycle infrastructure and the BRT service itself becomes operational.

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Carbon/Energy Footprint: Housing

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

Summary: All building types are permitted, especially those that have higher energy efficiency than detached housing.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The request would add potential housing to the area.
Does it include any subsidized units?	No	The subject site does not include a zoning condition that requires affordable housing, though the owner and developer of the site is CASA a local affordable housing non-profit organization.
Does it permit a variety of housing types beyond detached houses?	Yes	All building types are permitted, especially those that typically more affordable than detached housing
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	The request is for a mixed-use district.
Is it within walking distance of transit?	Yes	The site is currently served by Route 19 Apollo Heights which provides 15-minute service. The site is also a 20-minute walk from future a planned BRT station at WakeMed.

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

Summary: The subject site is owned by a local non-profit affordable housing developer, though zoning conditions do not require the site to be developed with affordable housing. The requested zoning permits all building types and is within walking distance of frequent transit.

IMPACT ANALYSIS

Historic Resources

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

Impact Identified: None

Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. However, it is anticipated that a multi-use path along the south side of Sungate Blvd., parallel to the designated greenway corridor, would be developed in the future facilitate access to the nearby undeveloped park property. Nearest existing park access is provided by Worthdale Park (1.0 mile) and Walnut Creek Athletic Park (1.2 miles). Nearest existing greenway trail access is provided by Walnut Creek Greenway Trail (1.0 mile). Current park access level of service in this area is graded a C letter grade. However, there is an undeveloped park property at 141 Sunnybrook Rd., within 0.1 mile of the rezoning site. Park access level of service in this area would improve significantly with future development of this site.

Impact Identified: When the city owned property at 141 Sunnybrook road is developed, parks access level of service will improve significantly.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	4,113	80,750	97,250
Waste Water	4,113	80,750	97,250

Impact Identified:

- 1. The proposed rezoning would add 93,137 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

 Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developed

Stormwater

Floodplain	Yes
Drainage Basin	Crabtree
Stormwater Management	The subject site is required to adhere to the stormwater regulations of the Unified Development Ordinance.
Overlay District	N/A

Impact Identified: Approximately 3,000 square feet the subject site is encumbered by floodplain. At the time of site development, any restrictions in the UDO for development in the floodplain will apply to that portion of the site.

<u>Transit</u>

This site is served by GoRaleigh Route 19 Apollo Heights, which has frequent service and operates on Sunnybrook Road, with a loop on Sungate Boulevard, Michael J Smith Lane, and Carl Sandburg Road. The nearest stop is opposite the northeast corner of the site. Additionally, bus rapid transit is planned to operate on New Bern Avenue, a 20-minute walk from the subject site.

Impact Identified: None

Transportation

Location

The Z-8-21 site is in east Raleigh on the west side of Michael J Smith Lane between Sungate Boulevard and Carl Sandburg Court.

Area Plans

The Z-8-21 site is located south of, but outside of the New Bern Corridor Study, which is focused on the design of New Bern Avenue and its frontage.

Other Projects in the Area

North of the site, the City of Raleigh has programmed transportation projects to install bus rapid transit service on New Bern Avenue and construct bicycle and pedestrian facilities on New Bern Ave.

Existing and Planned Infrastructure

Streets

The site occupies an entire block on the west side of Michael J Smith Lane between Sungate Boulevard and Carl Sandburg Court. In addition, it has frontage along the northern side of Sungate Boulevard. Both streets are designated as 2-lane, undivided avenues in map T-1 of the comprehensive plan. All three streets are maintained by the City of Raleigh.

In accordance with UDO section 8.3.2, the maximum block perimeter for an OX-5 zoning district is 2,500 feet. The existing block perimeter is approximately 3,900 feet.

Pedestrian Facilities

Sidewalks are complete on both sides of Michael J Smith Lane and the northern side of Sungate Boulevard. Sidewalks are also complete on Carl Sandburg Court, with the exception of 400 feet of sidewalk on the northern side approaching Sunnybrook Road. Sidewalks are complete along the entire frontage of the Z-5-20 site.

Bicycle Facilities

There are no existing bikeways in proximity to the Z-8-21 site. Carl Sandburg Court, Michael J Smith Lane, and Sungate Boulevard are all designated for bicycle lanes in Map T-3 of the Comprehensive Plan. West of the site, Sunnybrook Road is designated for a separated bikeway. Approximately 0.6 miles north of the site, New Bern Ave. will have a multi-use path as part of the construction of bus rapid transit. Both Carl Sandburg Court and Sungate Boulevard stub into park and greenway property. The Crabtree Creek Greenway Trail is approximately 0.33 mile from the site, there is not currently a way to cross Crabtree Creek in order to make this connection.

Access

Vehicle access to the subject property will be via any of the adjacent public streets.

TIA Determination

Based on the Envision results, approval of case Z-8-21 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from OX-3-PL to OX-5-PL-TOD-CU is projected to generate 67 new trips in the AM peak hour and 97 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual. A TIA may be required during site permit review.

7.0.04 Evicting Land Llas	Daily	АМ	РМ
Z-8-21 Existing Land Use	0	0	0
Z-8-21 Current Zoning Entitlements	Daily	AM	РМ
2-6-21 Current Zoning Entitlements	2,400	218	259
Z-8-21 Proposed Zoning Maximums	Daily	AM	РМ
2-6-21 FTOPOSeu Zohing Maximums	3,316	285	356
Z-8-20 Trip Volume Change	Daily	AM	РМ
(Proposed Maximums minus Current Entitlements)	915	67	97

Impact Identified: Sunnybrook Road experiences roughly 15,000 vehicle trips daily according to NCDOT's 2019 Average Annualized Daily Trip (AADT) estimate. If built to the fullest entitlement permitted under the requested zoning, up to 915 additional trips may enter Sunnybrook Road from the subject site. This represents a 6.1% increase to the broader transportation network and would not create a negative impact to the system.

Urban Forestry

The requested zoning does not change the UDO applicability to development.

Impact Identified: None

Impacts Summary

There are no significant impacts of the requested zoning.

Mitigation of Impacts

None identified.

CONCLUSION

The rezoning request, while inconsistent with the Future Land Use Map, is consistent with the 2030 Comprehensive Plan overall. This consistency is achieved by allowing for an increase of entitlement near a major employment center and in an urbanized area with access to frequent transit service. The request is consistent with the Urban Form Map and supports the vision themes of the 2030 Comprehensive Plan, specifically Expanding Housing Choice and Coordinating Land Use and Transportation. Consistency with these vision themes is achieved through the proposed land use intensity in an area with frequent bus service.

Date	Action	Notes
January 15, 2021		First neighborhood meeting (2 attendees)
March 17, 2021		Second neighborhood meeting (6 attendees)
March 30, 2021		Planning Commission Consent Agenda
April 27, 2021	Recommend Approval	Planning Commission New Business Agenda
May 4, 2021		City Council Agenda, Report of Planning Commission

CASE TIMELINE

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

	SUBJECT PROPERTY	NORTH	SOUTH	EAST	WEST
Existing Zoning	OX-3-PL	OX-3-PL	OX-3-CU	OX-3-PL	OX-3-PL
Additional Overlay	-	-	-	-	-
Future Land Use	Office Research and Development	Office Research and Development	Public Parks and Open Space	Office Research and Development	Office Research and Development & Office and Residential Mixed Use
Current Land Use	Residential and vacant	Office and Institutional	Residential	Institutional	Office
Urban Form	City Growth Center	City Growth Center	City Growth Center	City Growth Center	City Growth Center

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	OX-3-PL	OX-5-PL-CU
Total Acreage	9.89	9.89
Setbacks:		
Front	5'	5'
Side Street	5'	5'
Side Lot	0' to 6'	0' to 6'
Rear	0' or 6'	0' or 6'
Residential Density:	35 units/acre	47 units/acre
Max. # of Residential Units	323	429
Max. Gross Building SF	379k	504k
Max. Gross Office SF	244k	328k
Max. Gross Retail SF	50k	70k
Max. Gross Industrial SF	-	-
Potential F.A.R	0.97	1.29

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



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – Z-8-21

OVERVIEW

Approval of the request would amend the Future Land Use Map from Office/Research and Development to Office and Residential Mixed Use for the subject site.

IMPACT ANALYSIS

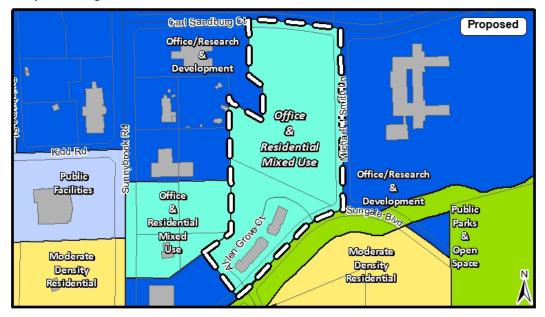
When analyzing the subject site for future rezoning requests, the Office and Residential Mixed Use designation would be used.

AMENDED MAPS

Z-8-2021: Required Amendment to the Future Land Use Map

Existing Designation: Office/Research and Development Carl Sandburg Ot Existing Office/Research & Development S Office/Research Sunnybrook Rd & Development Kidd Rd Office/Research Public & Facilities Office Development Publio 8 gale B/ Residential Parks Mixed & Usa Moderate Open Moderate Density Space Density Ň Residential Residential

Proposed Designation: Office & Residential Mixed Use



Rezoning Application and Checklist

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



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

Rezoning Request					
Rezoning	General u	se 🖌 Conditional us	e Master plan	OFFICE USE ONLY Rezoning case #	
Туре	Text cha	ange to zoning condition	าร		
Existing zoning base of	district: OX	Height: 3	Frontage: PL	Overlay(s):	
Proposed zoning base district: OX		Height: 5	Frontage: PL-CU	Overlay(s): TOD	
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.					
If the property has bee	en previously rez	oned, provide the rezor	ning case number: Z-27	B-2014	

	General In	formation	
Date: 01/08/2021	Date amended (1)	:03/18/2021	Date amended (2):
Property address: 200 Michael J. Smith Lane, Raleigh, and 231 Allen Grove Ct, Raleigh			Raleigh
Property PIN: 1723482795/ 172348128	7		
Deed reference (book/page): 017543 /	01337 and 016194	/ 00517	
Nearest intersection: Carl Sandburg Court and Michae	ael J. Smith Lane and Sungate Blvd	Property size (acre	es): 5.99 and 2.99
For planned development	Total units:		Total square footage:
applications only:	Total parcels:		Total buildings:
Property owner name and address: CASA PO Box 12545 Raleigh, NC 27605			
Property owner email:jbrandes@casanc.org			
Property owner phone: 919-307-3429			
Applicant name and address: Jess Br	andes, CASA PO Bo	ox 12545 Raleigh, NC	27605
Applicant email: jbrandes@casanc.org			
Applicant phone: 919-307-3429	<		
Applicant signature(s):	Jess Brandes 📃		
Additional email(s): nritter@casanc.org			

Co	nditional Use District Zoning Conditio	ns
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #
Existing zoning: OX-3-PL	Proposed zoning: OX-5-PL-CU + TOD	
	Arrative of Zoning Conditions Offered	
The following conditions are put	forward by the owner:	
1. The following use is not permit	tted: Commercial Parking Facility	
RECEIN		
	<i>LD</i> hew at 9:07 am, Apr 28, 2021	
By Matt	iew at 3.07 am, Apr 20, 2021)

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature:	Mary Jean Seyda
Printed Name: Mary Jean Seyc	da, CEO

Rezoning Application Addendum #1	
Comprehensive Plan Analysis	
The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	OFFICE USE ONLY Rezoning case #
Statement of Consistency	
Provide brief statements regarding whether the rezoning request is consiste designation, the urban form map, and any applicable policies contained with	
The Future Land Use designation is Office/Research and Development. Although this is not consistent with including directly south and west of this project. Affordable housing apartments are also consistent with provproviding a walkable area to transit, healthcare, childcare facilities, and other services.	
The maximum height allowed for general buildings in this category is seven stories.	
The Urban Form Map designates this area as a City Growth Center. Providing infill development on a vacar keeping with the designation.	t lot, with a TOD overlay encourages walkability, in
The site is within 533 feet of a "Transit Emphasis Corridor" along Sunnybrook Road and approximately 2,40 Area" around New Bern Avenue. The streets that surround the site - Carl Sandburg Court and Michael J. Sr streets. Providing affordable residential units and increasing residential density is consistent with encouragin areas.	nith Lane - are designated as "Urban Thoroughfare"
This request supports Raleigh Comprehensive Plan Policy H2.5 Removing Housing Barriers, Policy H2.13 T Accessibility, and Policy H4.3 Housing For Persons With Disabilities	ransit
 This project also supports the following elements of the Raleigh Comprehensive Plan: 1. LU 1.2 Future Land Use Map and Zoning Consistency 2. LU 1.3 Conditional Use District Consistency 3. LU 2.2 Compact Development 4. LU 6.3 Mixed-use and Multi-Modal Transportation 5. H 1.8 Zoning for Housing 6. UD 1.10 Frontage 	
Public Benefits	
Provide brief statements explaining how the rezoning request is reasonable	and in the public interest.

This rezoning will provide affordable housing apartments in a walkable district near a transit corridor. The rezoning is requesting an increase in height from 3-stories to 5-stories and the addition of a TOD overlay to minimize required parking.

These requests will not cause a burden upon the adjacent properties, which are currently healthcare buildings, a childcare center, and other office buildings. Holly Hill Adult Hospital is across Michael J. Smith lane and is several stories high. The Wake County Board of Education building directly across Carl Sandburg Court has a large parking field and is several stories.

Rezoning Application Addendum #2	
Impact on Historic Resources	
The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	OFFICE USE ONLY Rezoning case #
Inventory of Historic Resources	
List in the space below all historic resources located on the property to be re how the proposed zoning would impact the resource.	zoned. For each resource, indicate
the parcel.	
Proposed Mitigation	
Provide brief statements describing actions that will be taken to mitigate all n	egative impacts listed above.
N/A	

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	Urban Design Guidelines
a) b)	applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if: The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", OR; 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.
	an form designation: Click here to view the Urban Form Map.
1	All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form. Response:
	The applicant is seeking a rezoning from OX-3 to OX-5 and does not plan a mixed-use building at this time. However, the inclusion of residential use (permitted in the zoning) enhances the mix of uses in the nearby area which include office, childcare, medical and services.
2	Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing. Response:
	The site is not adjacent to a lower density neighborhood.
3	A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial. Response: The site will front the existing roads that connect to the neighborhood road network.
4	Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead- end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan. Response: An existing cross access agreement exists with the MOB to the west.
5	New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets. Response: We are seeking a waiver of the block perimeter due to a riparian constraint on this site that prohibits the construction of new public or private streets to create blocks. If commercial driveways are used to create block structure, they will include the same pedestrian amenities as private streets. We commit to building frontages of less than 660'.
6	A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property. Response: The building will be pulled up to the property line, with no parking located between the building and Michael J.
	Smith Lane and Carl Sandburg Court. Sidewalk connections will be made from the building to the public sidewalk and street trees provided along the public street to create a pleasant experience and visual interest.

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7	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. Response: The building will be pulled up to the property line as close as possible, with no parking located between the building and Michael J. Smith Lane and Carl Sandburg Court. Sidewalk connections will be made from the building to the public sidewalk and street trees provided to create a pleasant experience and visual interest.
8	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. Response: The building is proposed to front the intersection of Michael J. Smith lane and Carl Sandburg Court, with parking located behind.
9	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. Response: Applicant is not proposing public open space or public amenities. Open space and amenities available to residents of the apartment building will be included in our site plan submittal.
10	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. Response: Applicant is not proposing public open space or public amenities. Open space and amenities available to residents of the apartment building will be included in our site plan submittal.
11	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. Response: Applicant is not proposing public open space or public amenities. Open space and amenities available to residents of the apartment building will be included in our site plan submittal.
12	A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users. Response: Applicant is not proposing public open space or public amenities. Open space and amenities available to residents of the apartment building will be included in our site plan submittal.
13	New public spaces should provide seating opportunities. Response: Applicant is not proposing public open space or public amenities. Open space and amenities available to residents of the apartment building will be included in our site plan submittal.

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14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments. Response: The parking will be tucked behind the building and pedestrian routes will safely and pleasantly circumnavigate the parking lot. A cut-through trail may be provided through the parking lot for ease of access and to create a natural experience when walking to the entry plaza.
15	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. Response: The parking lot will be located behind or next to the building whenever possible.
16	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 cane make a significant improvement. Response: No parking structures are proposed.
17	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. Response: This higher density apartment building will be located across from a bus stop and within easy walking distance of a "Transit Emphasis Corridor".
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network. Response: An entry to the public sidewalk from the building is proposed at Michael J. Smith Lane. An easy walk to the corner and crossing at the intersection provides access to the existing transit stop.
19	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. Response: Sensitive landscape areas, including steep slopes, watercourses and floodplain, will be conserved as open space and will not be developed.
20	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. Response: The project will utilize the existing public street and sidewalk network, connecting the parking drives and internal sidewalks to the public realm. Building entrances will connect to the public sidewalks.

	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.
21	Response:
	The project connects to existing public sidewalks but internal sidewalks will be 6' wide average.
22	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. Response: Street trees will be planted per Raleigh standards, providing a pleasant walking experience and visual buffer from
	the street for pedestrians. Because the street and sidewalk are existing, the owner will work within the existing constraints to provide appropriate plantings.
	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. Response:
23	The building will be pulled up close to Michael J. Smith Lane and Carl Sandburg Court and complement the existing buildings in the area.
	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. Response:
24	At least one primary entrance will be provided on the front facade facing Michael J. Smith Lane and Carl Sandburg Court. This will provide a welcoming appearance from the street, as well as a close and safe walk to the nearby bus stop.
	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. Response:
25	Architectural details will provide interest along the primary front facade, including windows, signage and ornamentation.
	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function. Response:
26	The proposed sidewalks will create a circulation pattern that allows for easy pedestrian movement between the building, public sidewalk, amenities and parking.

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

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

SUMMARY OF ISSUES

A neighborhood meeting was held on	(date) to discuss a potential rezoning
located at	(property address). The
neighborhood meeting was held at	(location).
There were approximately	(number) neighbors in attendance. The general issues discussed
were:	
	Summary of Issues:

ATTENDANCE ROSTER					
NAME	ADDRESS				

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