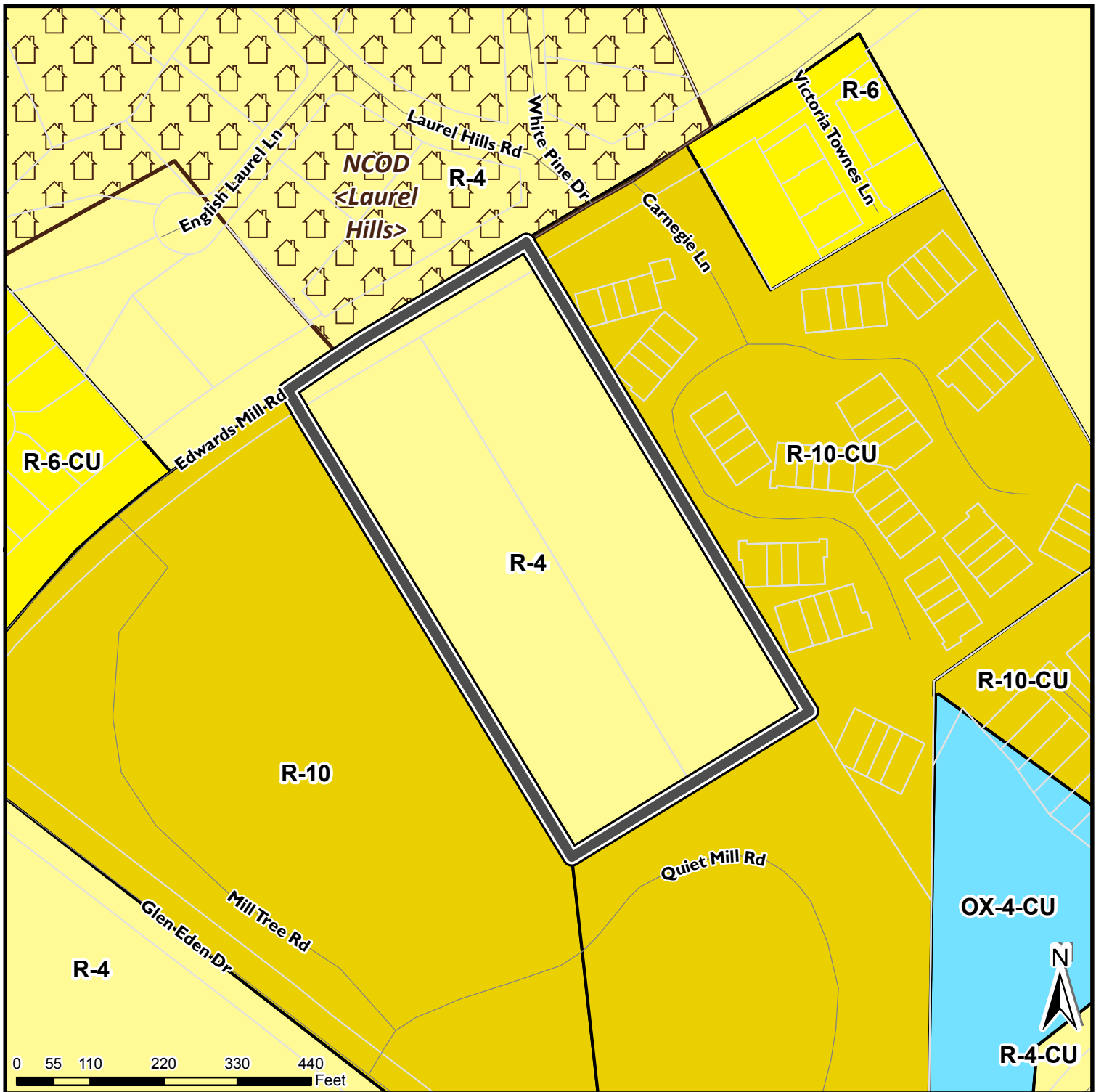


Existing Zoning Map

Z-9-2017



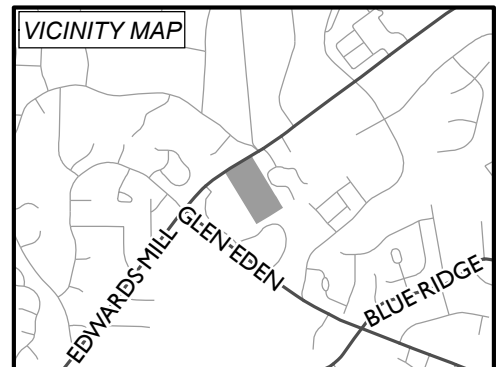
**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to R-10-CU**

VICINITY MAP



Map Date: 1/3/2018



Certified Recommendation

Raleigh Planning Commission

CR# 11825

Case Information: Z-9-17 Edwards Mill Road

<i>Location</i>	Edwards Mill Road, approximately 700' north of Glen Eden Drive Address: 4020 and 4024 Edwards Mill Road PINs: 0795-08-2452 and 0795-08-4504
<i>Request</i>	Rezone property from R-4 to R-10-CU
<i>Area of Request</i>	7.78 acres
<i>Property Owner</i>	Trust f/b/o Ashley E. Terrell-Rea, Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
<i>Applicant</i>	Phil Layton, Raleigh North West Development
<i>Citizens Advisory Council (CAC)</i>	Northwest
<i>PC Recommendation Deadline</i>	January 23, 2018

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Moderate Density Residential
<i>URBAN FORM</i>	None
<i>CONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3—Conditional Use District Consistency Policy LU 4.9—Corridor Development Policy H 1.8—Zoning for Housing
<i>INCONSISTENT Policies</i>	None

Summary of Proposed Conditions

1. Development is limited to 48 residential units.
2. Building type is limited to Townhouse.
3. The building setback will be between 54'-55' from the Edwards Mill Road right of way.
4. For the portion of that setback that is disturbed, the disturbed area, other than the power line easement, will be replanted with seven evergreen and six understory trees per 100 linear feet for each 27' in width (measured from Edwards Mill Road) of disturbance.
5. There will be a 30' setback from the east property line.
6. For that portion of the building setback area not located within the power line easement that fronts the four closest townhouse parcels to the east, each shall have a landscape screening of 100' long within the 30' principal building setback area. That will consist of eight

evergreen trees and eight evergreen understory trees per 100 linear feet. The main evergreen trees shall be 8' to 10' at the time of planting and the understory trees shall be 4' to 6' feet at planting.

7. No more than six dwelling units shall be attached within a single building.
8. Building facades will consist of one or more of the following building siding materials: brick, stone, manufactured stone, fiber cement, wood, and vinyl trim.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
12/1/16 3/20/17	4/11/17 6/13/17 (Y-28; N-11 for RX-4 version of request) 1/9/18 (Y-33; N-0)	5/25/17, 6/22/17 (Committee of the Whole), 7/11/17; 1/9/18; 1/23/18	8/15/17, 10/3/17, 11/8/17, 2/6/18

Attachments

1. Staff report
2. Certified Recommendation from previous Planning Commission review

Planning Commission Recommendation

<i>Recommendation</i>	Approve
<i>Findings & Reasons</i>	The request is consistent with the Comprehensive Plan and Future Land Use Map. The request is in the public interest as it is compatible with surrounding uses and would provide more housing options.
<i>Motion and Vote</i>	Motion: Alcine Second: Jeffreys In Favor: Alcine, Braun, Fluhrer, Hicks, Jeffreys, Lyle, Queen, Tomasulo Opposed: None

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.

		1-22-18
Planning Director	Date	Planning Commission Chairperson Date

Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov



Zoning Staff Report – Z-9-17

Conditional Use

Case Summary

Overview

The proposal seeks to rezone two parcels totaling 7.78 acres on the east side of Edwards Mill Road, approximately 700' north of its intersection with Glen Eden Drive. The parcels are currently zoned Residential-4; the request is for Residential-10-Conditional Use. A condition would limit development to 48 total units, which equates to a density of approximately 6.2 units per acre.

A different version of the rezoning request previously has been before the Planning Commission. In July 2017, the Commission recommended approval of a request to rezone the property to Residential Mixed Use-Four Stories-Conditional Use. In October 2017, City Council referred the case back to the Planning Commission for additional review. In December 2017, the case was amended to request R-10-CU, with a different set of conditions than the previous version.

One detached house currently exists on the property; the bulk of the property is undeveloped. The site is heavily wooded, with the exception of a power line easement that runs diagonally through the property in a roughly north-south direction.

All properties adjacent to the subject property are residential. Townhouses occupy property to the east, apartments to the west and south. Detached houses characterize neighborhoods to the north, across Edwards Mill Road. Stough Elementary School is roughly 600' east of the property on Edwards Mill Road, with an office park just beyond that. The site is approximately two-thirds of a mile from the commercial area anchored by Crabtree Valley Mall.

In terms of zoning, properties to the south and east are zoned R-10-CU; the property to the west is zoned R-10; and property to the north, across Edwards Mill Road, is zoned R-4. The Laurel Hills Neighborhood Conservation Overlay District, which among other provisions limits density to two units per acre, exists across Edwards Mill Road to the north.

The Future Land Use Map designates property to the north as Low Density Residential. The subject property and all other adjacent properties are designated as Moderate Density Residential.

The subject property does not have a designation on the Urban Form Map. However, it sits less than 200' from the City Growth Center around Crabtree Valley Mall; additionally, Edwards Mill Road is designated as an Urban Thoroughfare beginning at a point 600' northeast of the property.

Update as of January 16, 2018

The case was held at the January 9, 2018 meeting in order to allow for a CAC vote. The Northwest CAC voted 33-0 to support the request, contingent on the submission of revised conditions.

Revised conditions were received on January 12, 2018. They limit the building type to Townhouse (previously Apartments and Detached Houses were also allowed); limit development to 48 residential units (no conditions previously addressed the number of units; the requested R-10 zoning would have allowed 77); provide for a setback of between 54'-55' from Edwards Mill Road (the previous version required a 90' setback for Detached Houses from the existing curb, which is approximately 63' from the future right of way; it specified that the Townhouse setback would be the maximum allowed by code and that a variance would be requested for an additional setback of approximately 8'); provide for landscaping within the Edwards Mill Road and eastern setbacks; limit Townhouse units to no more than six per building; and specify building façade materials.

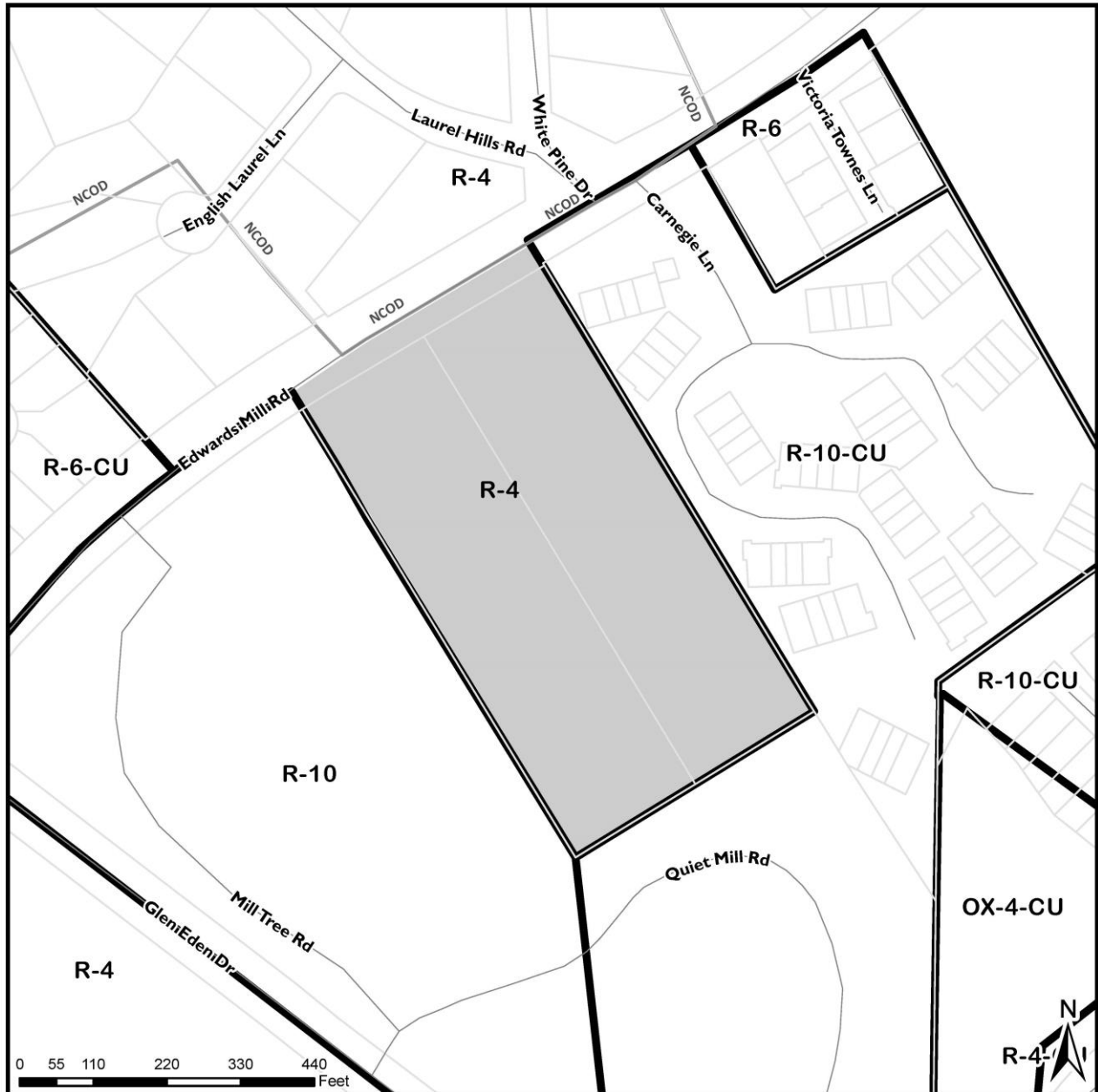
Conditions that related to the Apartment building type were removed.

Outstanding Issues

<i>Outstanding Issues</i>	1. None	<i>Suggested Mitigation</i>	1. None
---------------------------	---------	-----------------------------	---------

Existing Zoning Map

Z-9-2017



**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to R-10-CU**

VICINITY MAP



Map Date: 1/3/2018

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-4	R-4	R-10-CU	R-10-CU	R-10
<i>Additional Overlay</i>	-	Laurel Hills NCOD	-	-	-
<i>Future Land Use</i>	Moderate Density Residential	Low Density Residential	Moderate Density Residential	Moderate Density Residential	Moderate Density Residential
<i>Current Land Use</i>	Detached house/vacant	Residential	Residential	Residential	Residential
<i>Urban Form (if applicable)</i>	-	-	-	-	-

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	4 units/acre	6.2 units/acre
<i>Setback/Build-to:</i>		
<i>Front:</i>	20'	54'-55'
<i>East side:</i>	10'	30'
<i>West side:</i>	10'	0' or 6'
<i>Rear:</i>	30'	20'
<i>Retail Intensity Permitted:</i>	-	-
<i>Office Intensity Permitted:</i>	-	-

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	7.78	7.78
<i>Zoning</i>	R-4	R-10-CU
<i>Max. Gross Building SF</i>	44,000	105,600
<i>Max. # of Residential Units</i>	22	48
<i>Max. Gross Office SF</i>	-	-
<i>Max. Gross Retail SF</i>	-	-
<i>Potential F.A.R</i>	.13	.31

*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:

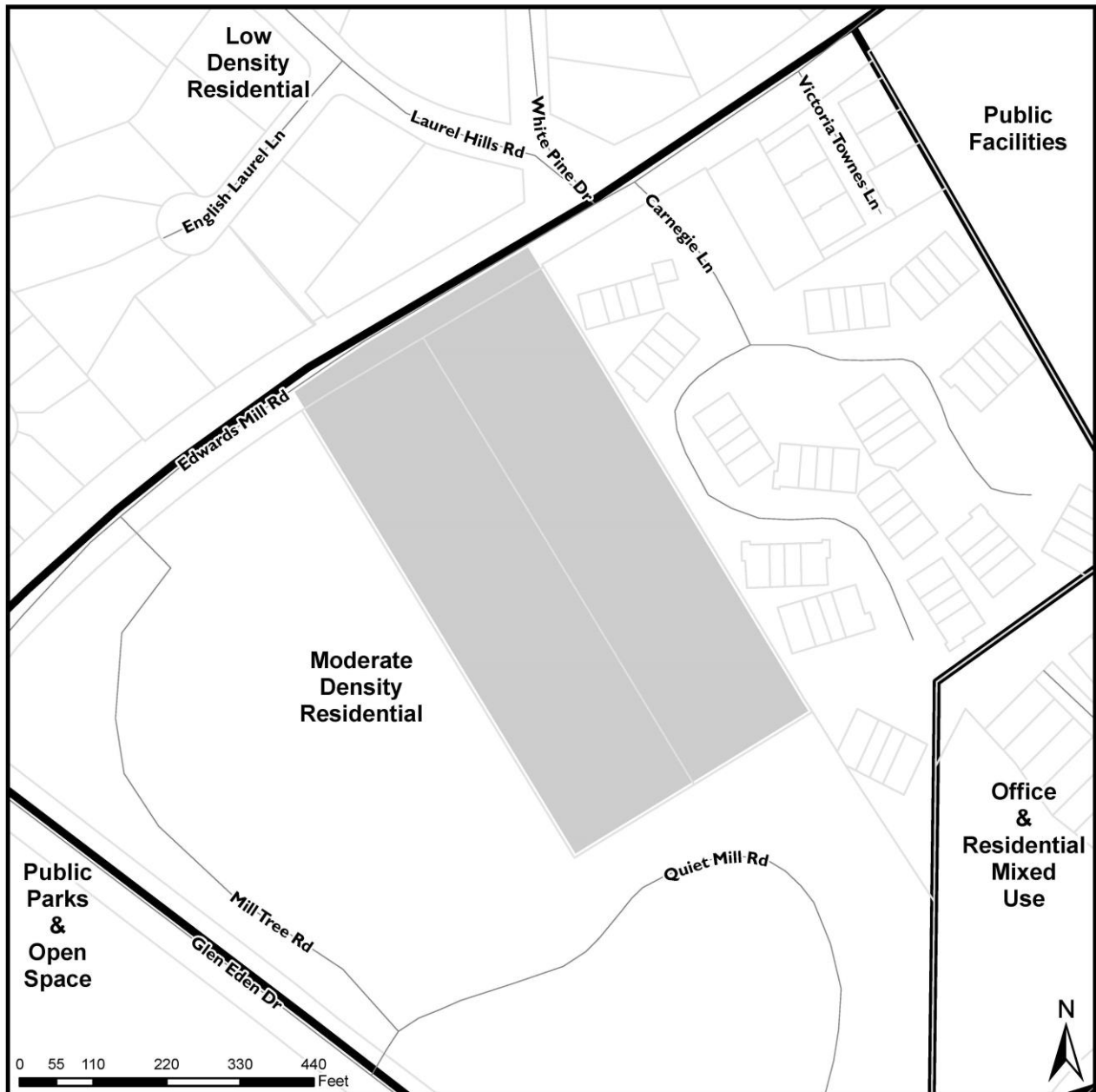
☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The requested zoning is compatible with the surrounding area, which is also zoned residential. The R-10 district would allow apartments, which are present on the property immediately to the west of the subject property; it would also allow townhouses, which are present on the property immediately to the east.

Future Land Use Map

Z-9-2017



**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to R-10-CU**

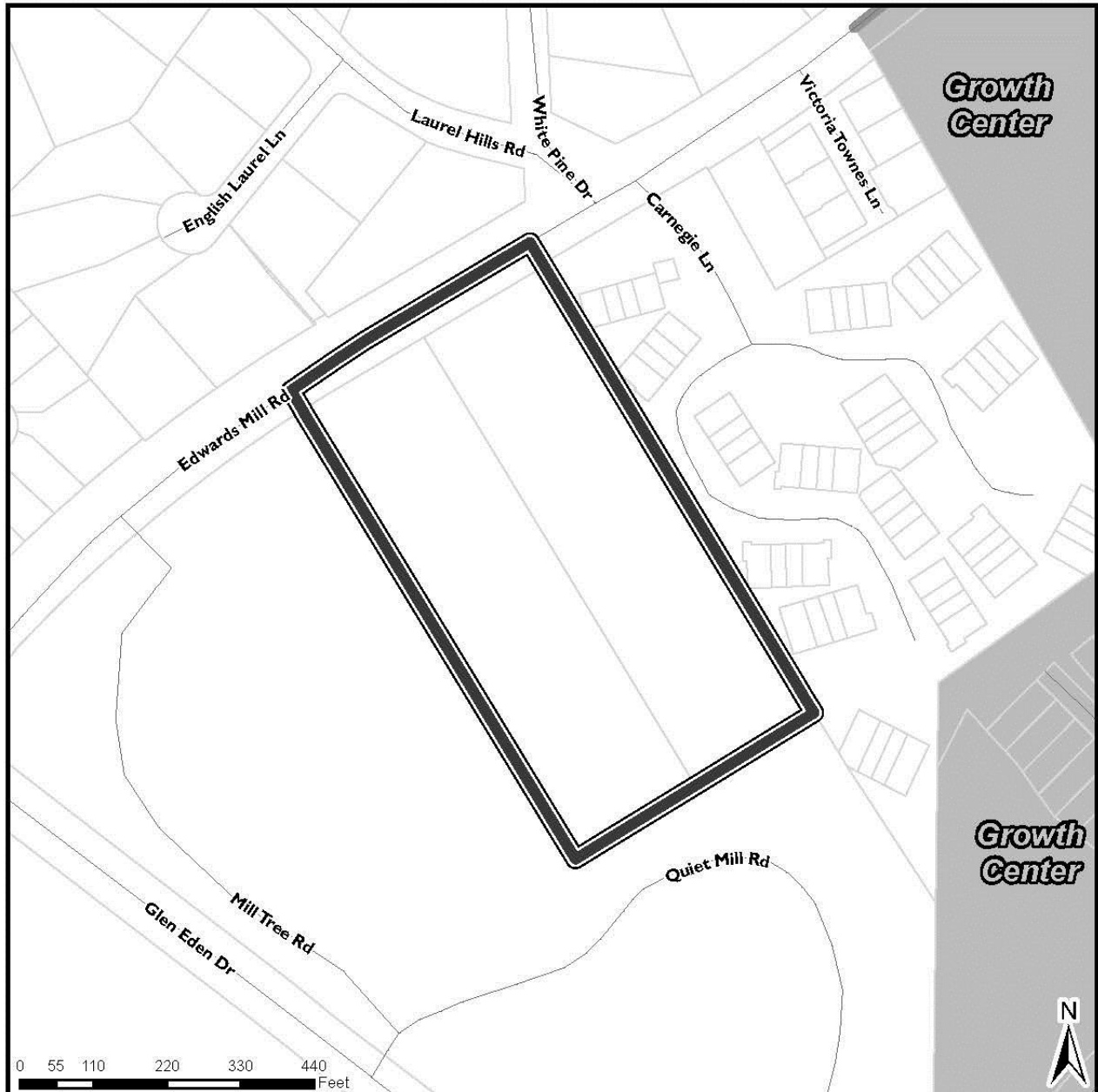
VICINITY MAP



Map Date: 1/3/2018

Urban Form Map

Z-9-2017



**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to R-10-CU**

VICINITY MAP



Map Date: 1/3/2018

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:

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

- A. The request is consistent with primary themes of the plan, including Expanding Housing Choices and Coordinating Land Use and Transportation, and with specific policies that support those themes.
- B. The requested zoning category of R-10 is consistent with the Future Land Use Map designation of Moderate Density Residential, which envisions densities of up to 14 units per acre.
- C. The use is specifically designated on the map.
- D. Existing infrastructure and services are sufficient to serve the proposed use.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

The Moderate Density Residential category on the Future Land Use Map envisions residential uses with densities of up to 14 units per acre. The requested zoning would allow residential uses at a density of 6.2 units per acre.

2.3 Urban Form

Urban Form designation:

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

2.4 Policy Guidance

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency. The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The Future Land Use Map designates the subject property as Moderate Density Residential, which envisions a residential density of up to 14 units per acre. The request, by permitting a density of approximately 6.2 units per acre, is consistent with the Map.

Policy LU 1.3—Conditional Use District Consistency. All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

The proposed conditions are consistent with the Plan.

Policy LU 4.9—Corridor Development. Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for “transit intensive” investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

The section of Edwards Mill Road on which the property is located is designated as a multi-modal corridor on the Growth Framework Map, making the policy of Corridor Development relevant to this request. The requested R-10-CU zoning would represent a somewhat more transit-supportive development pattern that is the case at present by allowing a small amount of additional residential density on this corridor.

Policy 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.

The request, by allowing some additional density, is consistent with this policy.

The rezoning request is **inconsistent** with the following policies: **None**

2.5 Area Plan Policy Guidance

N/A

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The request would facilitate more housing choice in the area.

- The request would allow more homes along a corridor served by transit.

3.2 Detriments of the Proposed Rezoning

- None

4. Impact Analysis

4.1 Transportation

This site is located on the east side of Edwards Mill Road approximately 0.20 miles north of Glen Eden Drive. Edwards Mill Road (SR 3009) is maintained by the NCDOT. This segment of Edwards Mill Road currently has a five-lane cross section with curbs and sidewalks on both sides. Edwards Mill Road is classified as a major street in the UDO Street Plan Map (Avenue, 6-Lane, Divided). Edwards Mill Road carries 22,000 vehicles per day.

There are no City of Raleigh CIP projects or state STIP projects planned for Edwards Mill Road in the vicinity of the Z-9-2017 site.

Site access will be restricted to Edwards Mill Road. There are no public street stubs abutting the boundaries of the Z-9-2017 parcels. This site is surrounded on three sides by existing residential developments that are served by private streets; there are no opportunities for cross access to adjacent parcels.

In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning is 2,500 feet. The block perimeter for Z-9-2017, as defined by public rights-of-way for Edwards Mill Road, Parklake Avenue and Glen Eden Drive is more than 8,000 feet. UDO section 8.5.4 states that no new private streets are allowed; therefore a public street will be needed to service traffic within the Z-9-2017 site. Since the maximum dead-end street length for R-10 zoning is 300 feet, a loop street with two new intersections on Edwards Mill Road may be needed to meet the City's UDO requirements.

The existing land use is a single-family dwelling which generates virtually no traffic. Approval of case Z-9-2017 would increase average trip volumes by 154 vehicles per day; peak hour trip volume will increase by 17 veh/hr. These volumes are long-term averages and will vary from day to day. A traffic study is technically required for this case because its sole means of access is via a major street (Edwards Mill Road). Given the relatively small increase in Daily and Peak Hour trips, and in the absence of other criteria, transportation staff waives the traffic study for Z-9-2017.

Z-9-2017 Existing Land Use (Residential: 1 Single Family dwelling)	Daily	AM	PM
	10	1	1
Z-9-2017 Current Zoning Entitlements (Residential: 22 Single Family dwellings)	Daily	AM	PM
	260	25	27
Z-9-2017 Proposed Zoning Maximums (Residential: 77 Multifamily dwellings)	Daily	AM	PM
	414	27	44
Z-9-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	154	2	17

**Impact Identified: Access limited to a major street.
Block perimeter exceeds UDO standard for R-10 zoning.**

4.2 Transit

1. This section of Edwards Mill Road is currently served by GoRaleigh Route 4.
2. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Investment Plan recommend increased levels of service on Edwards Mill Road.
3. A transit easement, pad, and shelter have been requested.

Impact Identified: Increased demand for transit.

4.3 Hydrology

<i>Floodplain</i>	Floodprone soils present
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	none

Impact Identified: No impacts Identified.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	5,500 gpd	12,000 gpd
<i>Wastewater</i>	0 gpd	5,500 gpd	12,000 gpd

1. The proposed rezoning would add approximately 6,500 gallons per day 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 and constructed prior to release of a Certificate of Occupancy.
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the developer.

Impact Identified: No impact beyond moderate increase in demand.

4.5 Parks and Recreation

There is a new greenway connection being planned south of this site, connecting Laurel Hills Park to the Crabtree Valley Greenway segment. While this greenway corridor is not directly adjacent to the site, the potential for bike/ped connectivity to the greenway network and Laurel Hills Park, via the property to the south (Quiet Mill Road), should be explored.

Nearest Park Access is at Laurel Hills Park, 0.6 miles away. Nearest greenway access is at 1510 Glen Eden Drive, 1.2 miles away.

Impact Identified: None

4.6 Urban Forestry

1. The subject site is larger than two acres and will be subject to UDO Article 9.1. Tree Conservation when the site is developed.
2. The proposed zoning change would be from R-4 to R-10.
3. R-10 allows building types with build-to requirements that would eliminate the required thoroughfare primary tree conservation area along most of the Edwards Mill Road frontage.

Impact Identified: A building may occupy a portion of a potential tree conservation area along the Edwards Mill Road frontage.

4.7 Designated 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 or is adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

Impact Identified: None

4.8 Community Development

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

Impact Identified: None

4.9 Impacts Summary

- Access limited to a major street.
- Block perimeter exceeds UDO standard for R-10 zoning.
- Increased demand for transit.
- A building may occupy a portion of a potential tree conservation area along the Edwards Mill Road frontage.

4.10 Mitigation of Impacts

- Address access at site plan stage.
- Possible mitigation at site plan stage.
- A transit easement and amenities may be required at site plan.
- Tree Conservation will be met elsewhere on site.

5. Conclusions

Development that would be enabled by the rezoning is compatible with surrounding properties, which are occupied by similar housing types (apartments and townhouses). The proposal would provide for additional housing supply and housing types along a corridor served by transit.

The request is consistent with the Future Land Use Map, which designates the area as Moderate Density Residential, and with the Comprehensive Plan overall.

January 23, 2018 Planning Commission Minutes

AGENDA ITEM (E) 2: Z-9-17 Edwards Mill Road

The site is located at Edwards Mill Road, approximately 700' north of Glen Eden Drive.

This request is to rezone property from R-4 to R-10-CU.

Planner Hardin gave a brief overview the case regarding existing versus proposed zoning conditions; changes to the language and removed conditions to the case.

Michael Birch representing the applicant gave a brief overview of the case regarding the Council expecting this case back at their February 6, 2017 meeting.

Steve Hauge representing the neighborhood stating that they do support this project and agree with the conditions.

Richard Hibbitts representing the Laurel Hills HOA is in favor of this request.
There was no opposition.

There discussion regarding this being a sort of step backwards for the community and wishing there could have been a better use for this area but commends the applicant for all the hard work in coming to a conclusion together with the neighborhood.

Ms. Alcine made a motion to approve this case. Ms. Jeffreys seconded the motion. The vote was unanimous 8-0.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) _____

Proposed Zoning Base District **R-10** Height Frontage Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE USE ONLY

Transaction #

Rezoning Case #

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

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

GENERAL INFORMATION

Date **1-28-18** Date Amended (1) Date Amended (2)

Property Address **4020 & 4024 Edwards Mill Road**

Property PIN **0795-08-2452 & 0795-08-4504** Deed Reference (book/page) DB 16549, PG1360; DB 12493, PG 2455

Nearest Intersection **Edwards Mill Road at Laurel Hills Road**

Property Size (acres) **7.78** (For PD Applications Only) Total Units Total Square Feet

Property Owner/Address
Trust f/b/o Ashley E. Terrell-Rea dated 12/11/2016 by
Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
3105 Carovel Ct., Raleigh, NC 27612

Phone

Fax

Email

Project Contact Person/Address

Phil Layton
Raleigh North West Development
5003 Falls of Neuse Road
PO BOX 19669
Raleigh, NC 27619

Phone **9197403324**

Fax **9198783891**

Email **phillayton123@gmail.com**

Owner/Agent Signature

Email

Owner/Agent Signature

Email

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

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) _____

Proposed Zoning Base District **R-10** Height Frontage Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE USE ONLY

Transaction #

Rezoning Case #

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

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

GENERAL INFORMATION

Date **1-28-18** Date Amended (1) Date Amended (2)

Property Address **4020 & 4024 Edwards Mill Road**

Property PIN **0795-08-2452 & 0795-08-4504** Deed Reference (book/page) DB 16549, PG1360; DB 12493, PG 2455

Nearest Intersection **Edwards Mill Road at Laurel Hills Road**

Property Size (acres) **7.78** (For PD Applications Only) Total Units Total Square Feet

Property Owner/Address

Trust f/b/o Ashley E. Terrell-Rea dated 12/11/2016 by
Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
3105 Carovel Ct., Raleigh, NC 27612

Phone

Fax

Email

Project Contact Person/Address

Phil Layton
Raleigh North West Development
5003 Falls of Neuse Road
PO BOX 19669
Raleigh, NC 27619

Phone **9197403324**

Fax **9198783891**

Email **phillayton123@gmail.com**

Owner/Agent Signature

Email

Owner/Agent Signature

Email

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

Rezoning Application



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) _____

Proposed Zoning Base District **R-10** Height Frontage Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE USE ONLY

Transaction #

Rezoning Case #

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

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

GENERAL INFORMATION

Date **1-28-2018** Date Amended (1)

Date Amended (2)

Property Address **4020 & 4024 Edwards Mill Road**

Property PIN **0795-08-2452 & 0795-08-4504** Deed Reference (book/page) DB 16549, PG1360; DB 12493, PG 2455

Nearest Intersection **Edwards Mill Road at Laurel Hills Road**

Property Size (acres) **7.78**

(For PD Applications Only) Total Units

Total Square Feet

Property Owner/Address

Trust f/b/o Ashley E. Terrell-Rea dated 12/11/2016 by
Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
3105 Carovel Ct., Raleigh, NC 27612

Phone

Fax

Email

Project Contact Person/Address

Phil Layton
Raleigh North West Development
5003 Falls of Neuse Road
PO BOX 19669
Raleigh, NC 27619

Phone **9197403324**

Fax **9198783891**

Email **phillayton123@gmail.com**

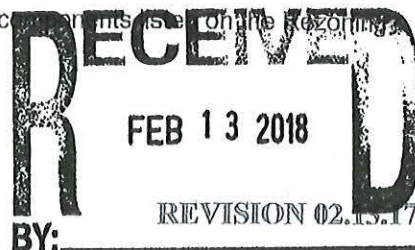
Owner/Agent Signature

Email

Owner/Agent Signature

Email

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



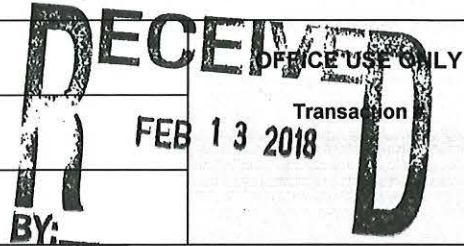
Conditional Use District Zoning Conditions

Zoning Case Number: Z-09-17

Date Submitted: January 28, 2018

Existing Zoning: R-4

Proposed Zoning: R-10-CU



NARRATIVE OF ZONING CONDITIONS OFFERED

1. The maximum number of dwelling units will be 48.

2. Dwelling units shall be located in a "Townhouse" building type.

3. There shall be a principal building setback is between 54-55 feet as measured from the Right of Way and or future dedicated right of way on Edwards Mill Road whichever is greater. For that portion of the building setback area not located within the power line easement for the CP&L Roxboro-Method East 230 KV line situated between the Edwards Mill Road right-of-way and the closest building to Edwards Mill Road the disturbed area shall be replanted at a rate of seven (7) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and six (6) evergreen understory trees per 100 lineal feet for each 27 feet in width of disturbance; however, such replanting shall not be required for disturbance related to the site access point on Edwards Mill Road.

4. There shall be an undisturbed buffer area for at least 250 feet of length along that portion of the common property line with parcel identified as Wake County PIN 0795087167 (Deed Book 4234, Page 826) situated between the southeast side of the power line easement for the CP&L Roxboro-Method East 230 KV Line and the aforementioned common property line that fronts those parcels identified with Wake County PIN 0795083885 (Deed Book 6087 Page 312; Lot 104 on plat in Book of Maps 1998, Page 141) and 0795084764 (Deed Book 8195 Page 2776; Lots 201 and 201-A on plat in Book of Maps 1988, Page 142), not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line. All or some of the undisturbed area required by this condition may be designated as tree conservation area if such areas comply with the requirements of UDO Article 9.1. The area described by this condition is in that general area identified as "Line A" on the attached Exhibit A.

5. For that portion of the setback area described in Condition 7 that is not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line, and that fronts parcels identified with Wake County PIN 0795086438 (Deed Book 10475 Page 001; Lots 1504 and 1504-A on Book of Maps 1988, Page 622) and 0795086470 (Deed Book 9217, Page 306; Lot 1401 on plat in Book of Maps 1993, Page 773), each parcel shall have a landscape screening of at least 100 feet long within the 30-foot principal building set back area consisting of eight (8) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and eight (8) evergreen understory trees per 100 lineal feet. The main evergreen trees shall be 8 to 10 feet tall at the time of planting and the evergreen understory trees shall be 4 to 6 feet tall at planting. The area described by this condition is in that general area identified as "Line C" on the attached Exhibit A.

6. The disturbed portions of the setback area described in Condition 7 that (i) are not within areas subject to Conditions 4 or Condition 5, and (ii) are not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line, shall be replanted at a rate of eight (8) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and eight (8) evergreen understory trees per 100 lineal feet. The main evergreen trees shall be 8 to 10 feet tall at the time of planting and the evergreen understory trees shall be 4 to 6 feet tall at planting. The areas subject to this condition are those general areas identified as "Line B" and "Line D" on the attached Exhibit A.

7. There shall be a principal building setback of at least 30 feet as measured from the property's common boundary line with parcel identified with Wake County PIN 0795087167 (Deed Book 4234, Page 826).

8. No more than six dwelling units shall be attached within a single Townhouse building.

9. The façade of the buildings constructed upon the Property shall consist of one or more of the following building siding materials: brick, stone, manufactured stone, simulated stone, fiber cement, wood and or wood/ vinyl trim. Vinyl siding is prohibited.

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

Ashley E. Grady

Owner/Agent Signature

Print Name

[illegible]

RECEIVED
FEB 13 2018
BY:

BY:

Quiet MARE

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) _____

Proposed Zoning Base District **R-10** Height Frontage Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE USE ONLY

Transaction #

Rezoning Case #

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

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

GENERAL INFORMATION

Date **1-28-2018** Date Amended (1) Date Amended (2)

Property Address **4020 & 4024 Edwards Mill Road**

Property PIN **0795-08-2452 & 0795-08-4504** Deed Reference (book/page) DB 16549, PG1360; DB 12493, PG 2455

Nearest Intersection **Edwards Mill Road at Laurel Hills Road**

Property Size (acres) **7.78** (For PD Applications Only) Total Units Total Square Feet

Property Owner/Address

Trust f/b/o Ashley E. Terrell-Rea dated 12/11/2016 by
Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
3105 Caravel Ct., Raleigh, NC 27612

Phone

Fax

Email

Project Contact Person/Address

Phil Layton
Raleigh North West Development
5003 Falls of Neuse Road
PO BOX 19669
Raleigh, NC 27619

Phone **9197403324**

Fax **9198783891**

Email **phillayton123@gmail.com**

Owner/Agent Signature

[Signature]

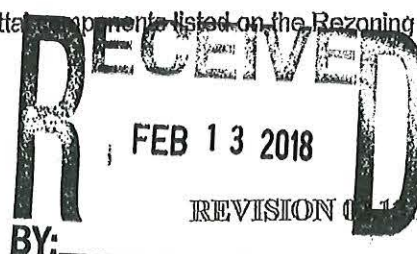
Email

lyndaltr@gmail.com

Owner/Agent Signature

Email

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



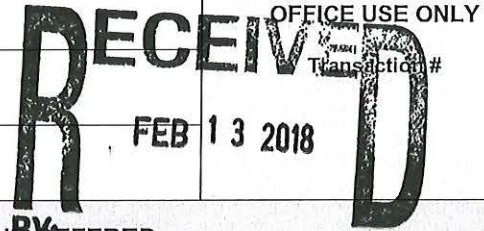
Conditional Use District Zoning Conditions

Zoning Case Number: Z-09-17

Date Submitted: January 28, 2018

Existing Zoning: R-4

Proposed Zoning: R-10-CU



NARRATIVE OF ZONING CONDITIONS REFERRED

1. The maximum number of dwelling units will be 48.

2. Dwelling units shall be located in a "Townhouse" building type.

3. There shall be a principal building setback is between 54-55 feet as measured from the Right of Way and or future dedicated right of way on Edwards Mill Road whichever is greater. For that portion of the building setback area not located within the power line easement for the CP&L Roxboro-Method East 230 KV line situated between the Edwards Mill Road right-of-way and the closest building to Edwards Mill Road the disturbed area shall be replanted at a rate of seven (7) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and six (6) evergreen understory trees per 100 lineal feet for each 27 feet in width of disturbance; however, such replanting shall not be required for disturbance related to the site access point on Edwards Mill Road.

4. There shall be an undisturbed buffer area for at least 250 feet of length along that portion of the common property line with parcel identified as Wake County PIN 0795087167 (Deed Book 4234, Page 826) situated between the southeast side of the power line easement for the CP&L Roxboro-Method East 230 KV Line and the aforementioned common property line that fronts those parcels identified with Wake County PIN 0795083885 (Deed Book 6087 Page 312; Lot 104 on plat in Book of Maps 1998, Page 141) and 0795084764 (Deed Book 8195 Page 2776; Lots 201 and 201-A on plat in Book of Maps 1988, Page 142), not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line. All or some of the undisturbed area required by this condition may be designated as tree conservation area if such areas comply with the requirements of UDO Article 9.1. The area described by this condition is in that general area identified as "Line A" on the attached Exhibit A.

5. For that portion of the setback area described in Condition 7 that is not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line, and that fronts parcels identified with Wake County PIN 0795086438 (Deed Book 10475 Page 001; Lots 1504 and 1504-A on Book of Maps 1988, Page 622) and 0795086470 (Deed Book 9217, Page 306; Lot 1401 on plat in Book of Maps 1993, Page 773), each parcel shall have a landscape screening of at least 100 feet long within the 30-foot principal building set back area consisting of eight (8) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and eight (8) evergreen understory trees per 100 lineal feet. The main evergreen trees shall be 8 to 10 feet tall at the time of planting and the evergreen understory trees shall be 4 to 6 feet tall at planting. The area described by this condition is in that general area identified as "Line C" on the attached Exhibit A.

6. The disturbed portions of the setback area described in Condition 7 that (i) are not within areas subject to Conditions 4 or Condition 5, and (ii) are not located within the power line easement for the CP&L Roxboro-Method East 230 KV Line, shall be replanted at a rate of eight (8) evergreen trees comparable in growth patterns to Green Giant Arborvitae or Cryptomeria and eight (8) evergreen understory trees per 100 lineal feet. The main evergreen trees shall be 8 to 10 feet tall at the time of planting and the evergreen understory trees shall be 4 to 6 feet tall at planting. The areas subject to this condition are those general areas identified as "Line B" and "Line D" on the attached Exhibit A.

7. There shall be a principal building setback of at least 30 feet as measured from the property's common boundary line with parcel identified with Wake County PIN 0795087167 (Deed Book 4234, Page 826).

8. No more than six dwelling units shall be attached within a single Townhouse building.

9. The façade of the buildings constructed upon the Property shall consist of one or more of the following building siding materials: brick, stone, manufactured stone, simulated stone, fiber cement, wood and or wood/ vinyl trim. Vinyl siding is prohibited.

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

Lynda L. Terrell-Ku

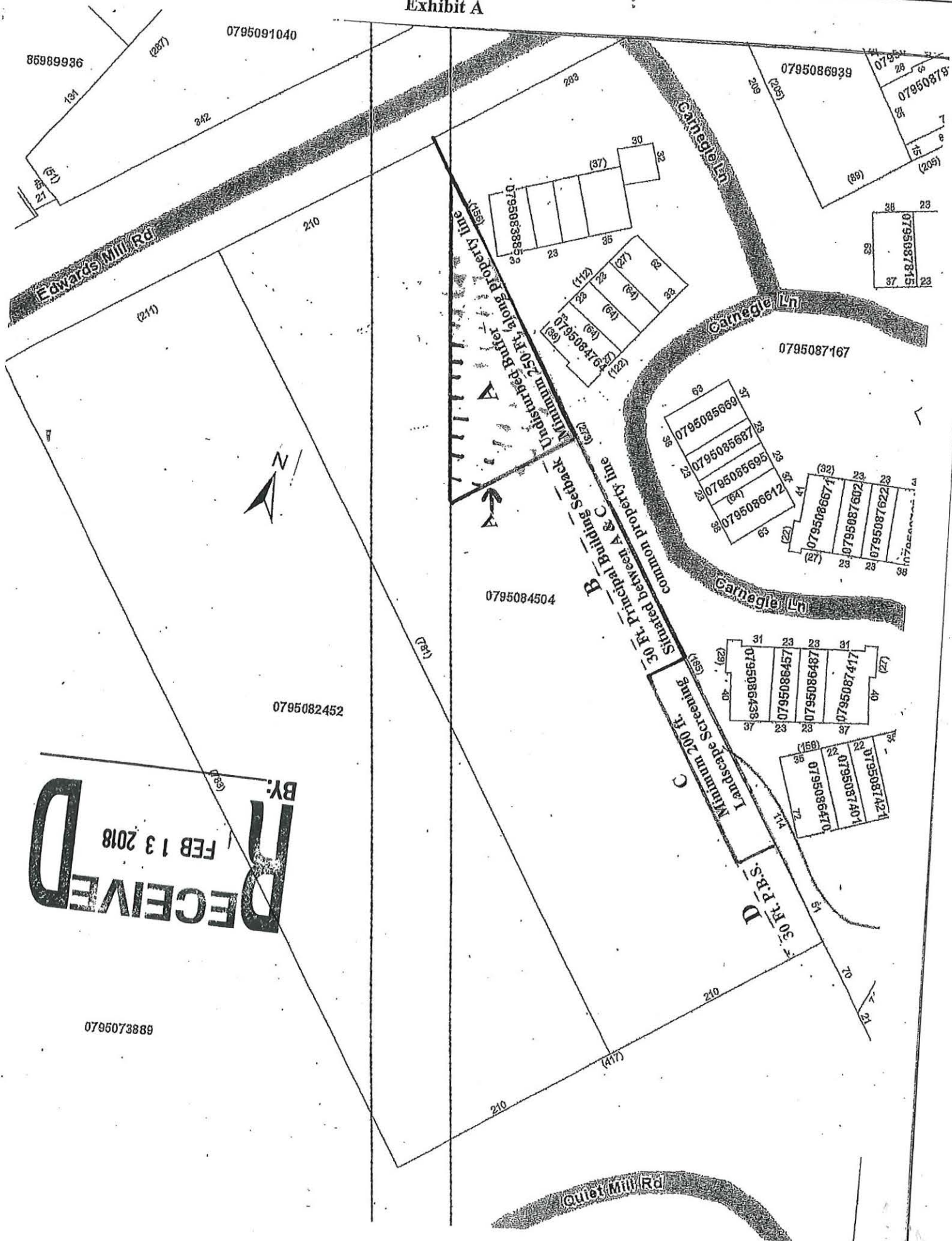
Print Name

Lynda L. Terrell-Ku

Owner/Agent Signature

Print Name

Exhibit A



REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Transaction # Rezoning Case #
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	
STATEMENT OF CONSISTENCY	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>1. The property is designated Moderate Density Residential, which recommends residential density in the range of 6-14 units per acre. This designation encourages multifamily dwelling housing type. Although the rezoning request is inconsistent with this designation because the rezoning permits residential density in excess of the recommended density range, the request is consistent with this designation because it permits the multifamily dwelling housing type. However, for the reasons stated below, this request is reasonable and in the public interest.</p>	
<p>2. The property is not within an area classified on the Urban Form Map. However, the property is located immediately west of a City Growth Center and Urban Thoroughfare (Edwards Mill Road) that includes Glen Lake and the Crabtree Valley Mall area. The density requested by this rezoning is consistent with the intensity of growth and use of underutilized properties envisioned within and around City Growth Centers. Additionally, the build-to required of development permitted by the rezoning is consistent with the Urban Thoroughfare corridor designation.</p>	
<p>3. The rezoning request is consistent with the following Comprehensive Plan policies: LU 2.2 "Compact Development", LU 3.2 "Location of Growth", LU 4.4 "Reducing VMT Through Mixed Use", LU 4.9 "Corridor Development", LU 8.1 "Housing Variety", LU 8.10 "Infill Development", and LU 8.11 "Development of Vacant Sites", by facilitating development of vacant property within the city limits for a use and density compatible with surrounding properties.</p>	
PUBLIC BENEFITS	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. The rezoning request benefits the public by providing additional housing opportunities in close proximity to office (Glen Lake), retail (Crabtree Valley Mall and Olde Raleigh), a major employer (Rex Hospital), public park amenities (Laurel Hills Park and Crabtree Greenway), and major transportation improvements (I-40/I-440).</p>	

REZONING APPLICATION SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced the 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON DECEMBER 1, 2016 AND MARCH 20, 2017

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting (the first meeting) was held with respect to a potential rezoning with adjacent property owners on Thursday, December 1, 2016 at 6:00 p.m. This meeting was held at the Laurel Hills Park Community Center located at 3808 Edwards Mill Rd, Raleigh, NC 27612.

A second meeting was held pursuant to applicable provisions of the Unified Development Ordinance, with respect to a potential rezoning with adjacent property owners on Monday, March 20, 2017 at 6:30 p.m. In addition to the required mailing list for this meeting there were 23 invitations mailed to attendees of the first meeting that were not on the required mailing list. This meeting was held at the Laurel Hills Park Community Center located at 3808 Edwards Mill Rd, Raleigh, NC 27612.

The property considered for rezoning totals approximately 7.88 acres and has the addresses of 4020 and 4024 Edwards Mill Rd and Wake County Parcel Identification numbers of 0795082452 and 0795084504. All owners of property within 100 feet of the subject property were invited to attend both meetings.

(1) Attached hereto; as **Exhibit 1** a copy of the first neighborhood meeting notice, as **Exhibit 1A** a copy of the required mailing list for the first neighborhood meeting and as **Exhibit 1 B** a list of individuals who attended the first meeting. A summary of the items discussed at the first meeting is attached hereto as **Exhibit 1 C**

(2) Attached hereto; as **Exhibit 2** a copy of the second neighborhood meeting notice, as **Exhibit 2A** a copy of the required mailing list for the second neighborhood meeting and as **Exhibit 2 B** a list of individuals who attended the second meeting. A summary of the items discussed at the second meeting is attached hereto as **Exhibit 2 C**

Exhibit 1

*Phil Layton
Raleigh North West Development, LLC
5003 Falls of Neuse Rd
PO Box 19669
Raleigh, NC 27619*

November 17, 2016

Robin Westbrook
3906 Carnegie Ln
Raleigh NC 27612-4385

RE: 4020, 4024 Edwards Mill Rd

Dear Robin,

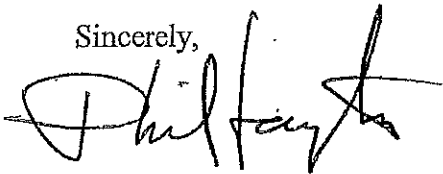
You are invited to attend a neighborhood meeting on Thursday December 1, 2016. The meeting will be held in the Community Center at the Laurel Hills Park located at 3808 Edward Mills Rd Raleigh and will begin at 6:00 PM. We will be meeting in the Art Room located on the main floor.

The purpose of this meeting is to discuss a potential rezoning of the property located at 4020 and 4024 Edwards Mill Rd, Raleigh, NC 27612. This site is comprised of 7.88 acres and is current zoned Residential (R-4) and is proposed to be rezoned RX Conditional Use with the City of Raleigh.

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

If you have any questions or would like to discuss anything about our plans I can be reached at (919) 740-3324.

Sincerely,



Phil Layton

Enclosure: See map of property for potential rezoning

Exhibit 1 B

Attendees at the First Neighborhood Community Meeting of 12/1/2016

1. Larry Benson
2. John Paar
3. Sallie and George Ellinwood
4. William Stanley
5. Mark Beason
6. Joseph Lee McCollum
7. Harrison Ellinwood
8. Lynda Lue Terrel-Rea
9. Erin Cleghorn
10. Steve Hauge
11. Marion Foran
12. Carter Smith
13. Robert Ferone
14. Maggie Kozloski
15. Sofus Simonsen
16. John and Vicki Thompsom
17. Allen Rakes
18. Barbara Ann Hughes
19. Barry Engber
20. Brenda Cleveland
21. Barbara Evins
22. Teresa Cyr
23. Dot Taylor
24. Gene Smith
25. Clara MacDonald
26. Rebecca Francis
27. Al Love
28. Stephen Woodall
29. Anna Morgan
30. John Kimber
31. Barbara and Michael Stanford
32. Martha Brown
33. Carol George
34. Lynn Ruck
35. Jocelynn Polito
36. Carolyn Felton

Exhibit 1 C

On Thursday, December 1, 2016 at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcel subject to rezoning. Below is a list of items discussed at the meeting.

1. Uses permitted by current zoning.
2. Uses permitted with an RX zoning.
3. Impact of an apartment complex.
4. Traffic.
5. Access to Edwards Mill Rd.
6. Height and location of buildings.
7. Architectural design of buildings.
8. What type of building.
9. Property Values.
10. Tree Protection.
11. Property line buffers.

Exhibit 2

*Phil Layton
Raleigh North West Development, LLC
5003 Falls of Neuse Rd
PO Box 19669
Raleigh, NC 27619*

March 07, 2017

Sharon Dinley
3824 Carnegie Ln
Raleigh NC 27612-4379

RE: 4020, 4024 Edwards Mill Rd

Dear Sharon,

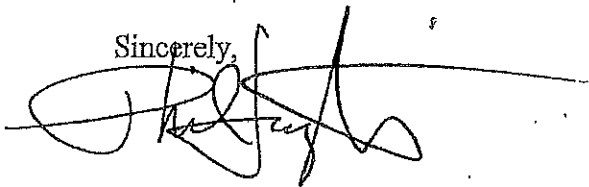
You are invited to attend our second neighborhood meeting on Monday March 20, 2017 regarding 4020 and 4024 Edwards Mill Rd. The meeting will be held in the Community Center at the Laurel Hills Park located at 3808 Edward Mills Rd Raleigh and will begin at 6:30 PM. We will be meeting in the Meeting Room located on the main floor.

The purpose of this meeting is to discuss a potential rezoning of the property located at 4020 and 4024 Edwards Mill Rd, Raleigh, NC 27612. This site is comprised of 7.88 acres and is current zoned Residential (R-4) and is proposed to be rezoned to RX Conditional Use with the City of Raleigh.

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

If you have any questions or would like to discuss anything about our plans I can be reached at (919) 740-3324.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Layton', with a long horizontal line extending to the right.

Phil Layton

Enclosure: See map of property for potential rezoning

Exhibit 2 B

Attendees at the Second Neighborhood Community Meeting of 3/20/2017

1. Sallie and George Ellinwood
2. William Stanley
3. Mark Beason
4. Lee McCollum
5. Harrison Ellinwood
6. Maggie Kozloski
7. Allen Rakes
8. Barbara Ann Hughes
9. Barry Engber
10. Teresa Cyr
11. Clara MacDonald
12. Al Love
13. Carolyn Felton
14. Jeff Cheek
15. Janet Griffin
16. Jerry Hall
17. Cameron E Shearon, Jr.
18. Jonathan McCollum

Exhibit 2 C

On Monday, March 20, 2017 at 6:30 p.m., the applicant held a second neighborhood meeting for the property owners adjacent to the parcel subject to rezoning. Below is a list of items discussed at the meeting.

1. Uses permitted by current zoning.
2. Uses permitted with an RX zoning.
3. Transition
4. Traffic.
5. Access to Edwards Mill Rd.
6. Height and location of buildings.
7. Height of Building on Edwards Mill.
7. Architectural design of buildings.
8. What type of building.
9. Ingress and egress
10. Tree Protection.
11. Property line buffers.
12. Medium barriers

Z-9-2017 Existing Land Use (Residential: 1 Single Family dwelling)	Daily	AM	PM
	10	1	1
Z-9-2017 Current Zoning Entitlements (Residential: 22 Single Family dwellings)	Daily	AM	PM
	260	25	27
Z-9-2017 Proposed Zoning Maximums (Residential: 48 Multifamily dwellings)	Daily	AM	PM
	414	27	44
Z-9-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	154	2	17
Z-9-2017 Traffic Study Worksheet			
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No, the change in average peak hour trip volume is 17 veh/hr	
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	Not Applicable	
C	More than 100 veh/hr trips in the peak direction	No	
D	Daily Trips \geq 3,000 veh/day	No, the change in average daily trip volume is 154 veh/day	
E	Enrollment increases at public or private schools	Not Applicable	
6.23.5	Site Context	Meets TIA Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No	
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No	
C	Creates a fourth leg at an existing signalized intersection	No	
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No	
E	Access is to/from a Major Street as defined by the City's Street Plan Map	Yes, Edwards Mill Road is classified as Avenue, 6-Lane, Divided. Given the relatively small increase in Daily and Peak Hour trips, staff waives the traffic study for Z-9-2017.	
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	No	
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	No	
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	None received by Transportation Planning as of January 3, 2018	



Certified Recommendation

Raleigh Planning Commission

CR# 11789

Case Information: Z-9-17 Edwards Mill Road

<i>Location</i>	Edwards Mill Road, approximately 700' north of Glen Eden Drive Address: 4020 and 4024 Edwards Mill Road PINs: 0795-08-2452 and 0795-08-4504
<i>Request</i>	Rezone property from R-4 to RX-4-CU
<i>Area of Request</i>	7.78 acres
<i>Property Owner</i>	Trust f/b/o Ashley E. Terrell-Rea, Ashley E. Grady and Lynda Lue Terrell-Rea, co-trustees
<i>Applicant</i>	Phil Layton, Raleigh North West Development
<i>Citizens Advisory Council (CAC)</i>	Northwest
<i>PC Recommendation Deadline</i>	August 23, 2017

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Moderate Density Residential
<i>URBAN FORM</i>	None
<i>CONSISTENT Policies</i>	Policy LU 4.9—Corridor Development Policy LU 7.3—Single Family Lots on Major Streets Policy H 1.8—Zoning for Housing Policy LU 5.6—Buffering Requirements Policy T 4.8—Bus Waiting Areas
<i>INCONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency.

Summary of Proposed Conditions

1. Several uses prohibited, including School, Health Club, Medical, Office, Remote Parking Lot, Personal Service, Eating Establishment, Retail Sales.
2. Residential density is limited to 20 units per acre.
3. Only one principal building will be permitted. This building will be located on the west side of the utility easement that bisects the property.
4. A transit easement, pad and shelter are offered.
5. A 20' setback will be provided along the west and south property lines.

6. The portion of the property on the east side of the utility easement will be undisturbed, with the exception of landscaping materials; utilities and stormwater devices; walking trails; and no more than 3,000 square feet of parking.
7. Residents of the property will be restricted to those aged 55 or older and their spouses and any resident staff.
8. The setback from Edwards Mill Road will be at least 45'.
9. Landscaping will be provided between the primary building and Edwards Mill Road. The landscaping will include, per 100 linear feet, eight shade trees, six understory trees, and 15 shrubs.
10. The maximum height of the building elevation fronting along Edwards Mill Road shall be 46' measured from the top of the finished floor of the first story to the bottom of the attic floor. Additionally, the building will have a pitched roof with a minimum slope of 3.5/12.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
12/1/16 3/20/17	4/11/17 6/13/17 (Y-28; N-11)	5/25/17; 6/22/17 (Committee of the Whole); 7/11/17	8/15/17

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	Approve
<i>Findings & Reasons</i>	Although the application is inconsistent with the Future Land Use Map, proposed conditions, including those relating to setbacks, landscaping, height, and architecture, mitigate impacts of the increased density, and it is generally compatible with the surrounding area. The proposal would provide needed senior housing on a multimodal corridor.
<i>Motion and Vote</i>	Motion: Terando Second: Alcine In Favor: Alcine, Braun, Fluhrer, Jeffreys, Lyle, Queen, Swink, Terando Opposed: None

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.

	7/11/17		Date
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov



Zoning Staff Report – Z-9-17

Conditional Use

Case Summary

Overview

The proposal seeks to rezone two parcels totaling 7.78 acres on the east side of Edwards Mill Road, approximately 700' north of its intersection with Glen Eden Drive. The parcels are currently zoned Residential-4; the request is for Residential Mixed Use-Four Stories-Conditional Use.

One detached house currently exists on the property; the bulk of the property is undeveloped. The site is heavily wooded, with the exception of the footprint of the house and a power line easement that runs diagonally through the property in a roughly north-south direction.

All properties adjacent to the subject property are residential. Townhouses occupy property to the east, apartments to the west and south. Detached houses characterize neighborhoods to the north, across Edwards Mill Road. Stough Elementary School is roughly 600' east of the property on Edwards Mill Road, with an office park just beyond that. The site is approximately two-thirds of a mile from the commercial area anchored by Crabtree Valley Mall.

In terms of zoning, properties to the south and east are zoned R-10-CU; the property to the west is zoned R-10; and property to the north, across Edwards Mill Road, is zoned R-4. The Laurel Hills Neighborhood Conservation Overlay District exists across Edwards Mill Road to the north.

The Future Land Use Map designates property to the north as Low Density Residential. The subject property and all other adjacent properties are designated as Moderate Density Residential.

The subject property does not have a designation on the Urban Form Map. However, it sits less than 200' from the City Growth Center around Crabtree Valley Mall; additionally, Edwards Mill Road is designated as an Urban Thoroughfare beginning at a point 600' northeast of the property.

Edwards Mill Road is designated as a Multimodal Corridor on the Comprehensive Plan's Growth Framework Map. That designation reflects corridors designated for higher levels of transit service and higher development intensities and pedestrian amenities. While that designation alone does not carry a specific policy implication, it does acquire policy force when the Growth Framework Map is mentioned in relevant policies, as it is with this case.

A condition included as part of the request would prohibit several uses, including School, Health Club; Medical, Office, Remote Parking Lot, Personal Service, Eating Establishment, and Retail Sales. Other conditions would limit residential density to 20 units per acre and would allow only one principal building, to be located on the west side of the easement mentioned above.

Update: 6/16/17

Revised conditions were provided following the May meeting of the Committee of the Whole. New conditions include the following: limiting the age of residents to those aged 55 and older; an offer of a transit easement, pad, and shelter; specifying a 20' setback along the west and south

property lines; and specifying that the area east of the utility easement would be undisturbed with the exception of landscaping, utilities and stormwater features, trails, and no more than 3,000 square feet of parking.

Update: 7/16/17

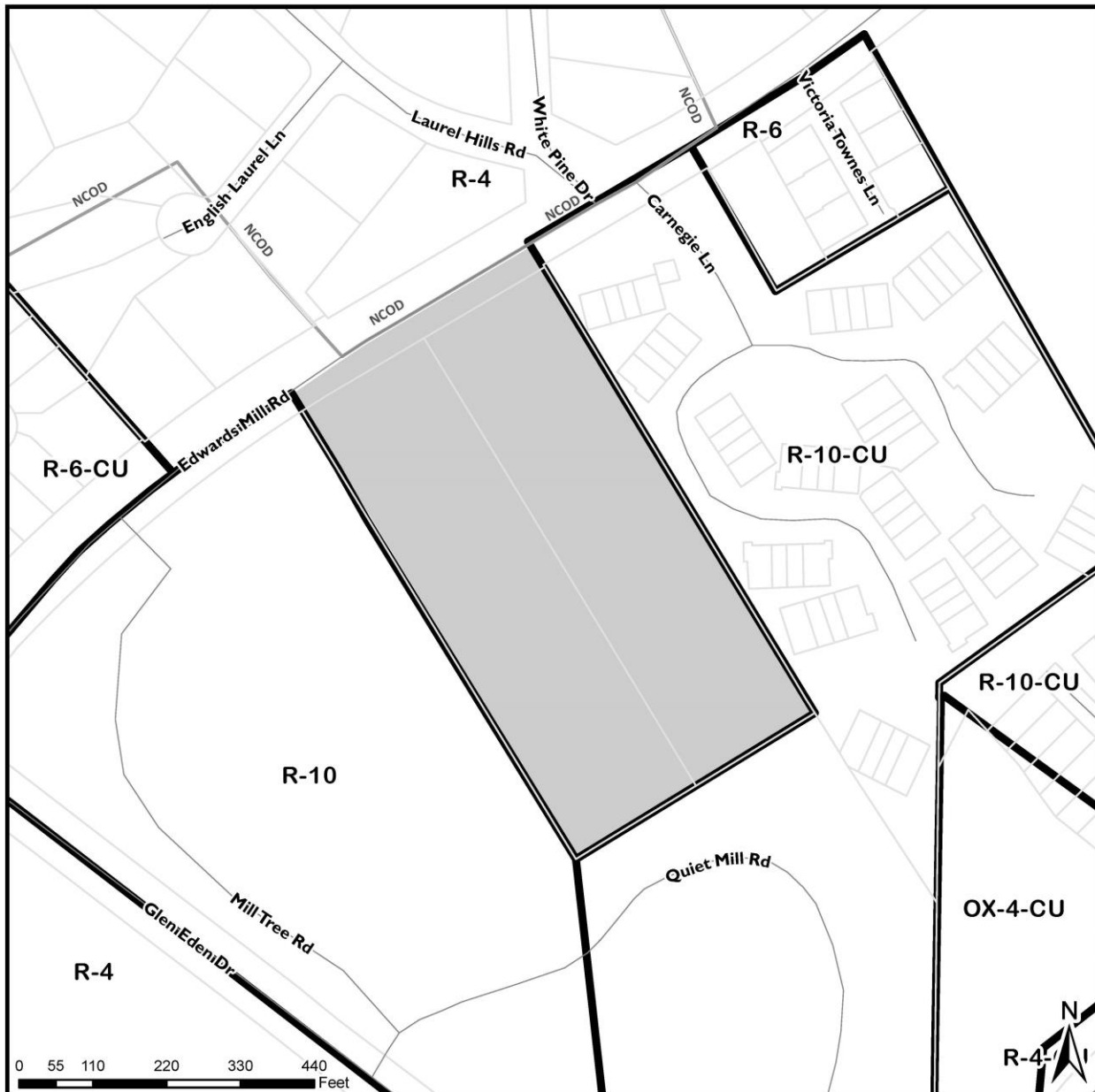
Additional revisions to the conditions were provided following the June meeting of the Committee of the Whole. Added conditions included specifying a deeper setback/narrower build-to range along Edwards Mill Road; specified landscaping along Edwards Mill Road; and a maximum building wall height and specified roof pitch.

Outstanding Issues

<i>Outstanding Issues</i>	1. None	<i>Suggested Mitigation</i>	1. N/A
-------------------------------	---------	---------------------------------	--------

Existing Zoning Map

Z-9-2017



**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to RX-4-CU**

VICINITY MAP



Map Date: 4/3/2017

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-4	R-4	R-10-CU	R-10-CU	R-10
<i>Additional Overlay</i>	-	Laurel Hills NCOD	-	-	-
<i>Future Land Use</i>	Moderate Density Residential	Low Density Residential	Moderate Density Residential	Moderate Density Residential	Moderate Density Residential
<i>Current Land Use</i>	Detached house/vacant	Residential	Residential	Residential	Residential
<i>Urban Form (if applicable)</i>	-	-	-	-	-

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	4 units/acre	20 units/acre
<i>Setbacks:</i>		
<i>Front:</i>	20'	5'
<i>Side:</i>	10'	0' or 6'
<i>Rear:</i>	30'	0' or 6'
<i>Build-to (for Apt. type):</i>	-	10'-55'
<i>Retail Intensity Permitted:</i>	-	-
<i>Office Intensity Permitted:</i>	-	-

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	7.78	7.78
<i>Zoning</i>	R-4	RX-4
<i>Max. Gross Building SF (if applicable)</i>	44,000	170,500
<i>Max. # of Residential Units</i>	22	155
<i>Max. Gross Office SF</i>	-	-
<i>Max. Gross Retail SF</i>	-	-
<i>Max. Gross Industrial SF</i>	-	-
<i>Potential F.A.R</i>	.13	.50

*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.

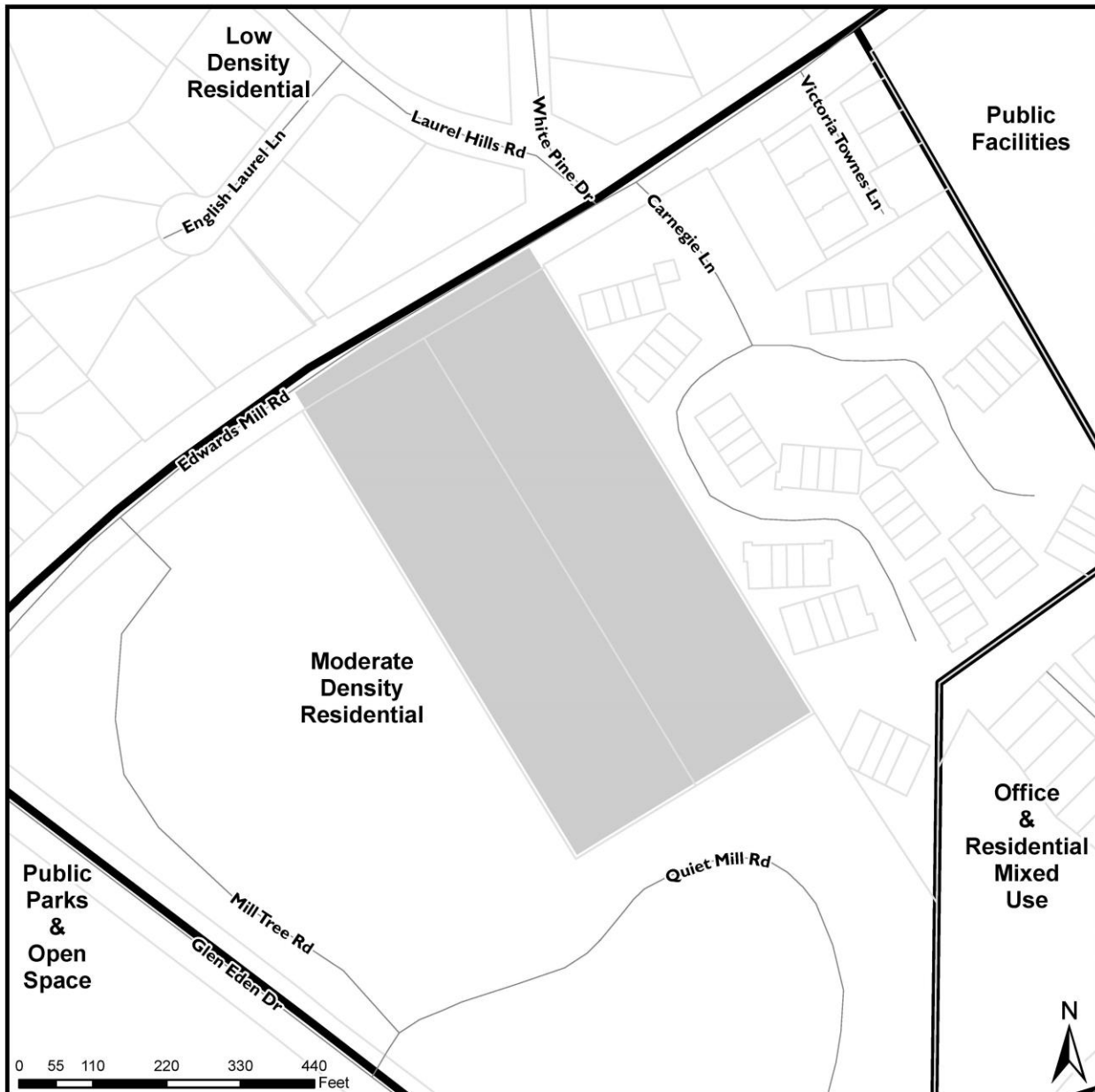
☐ **Incompatible.**

Analysis of Incompatibility:

The requested zoning is generally compatible with the surrounding area, which is also zoned residentially. The RX district would allow apartments, which are present on the property immediately to the west of the subject property. The request would allow a four-story building, which is taller than the three stories permitted on adjacent properties. However, four-story or taller zoning districts exist a quarter-mile away on Edwards Mill Road and less than 200' away along Parklake Avenue to the south.

Future Land Use Map

Z-9-2017

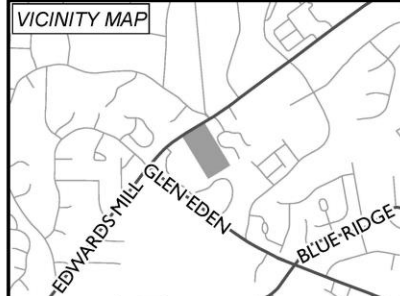


**Submittal
Date**

3/31/2017

Request:

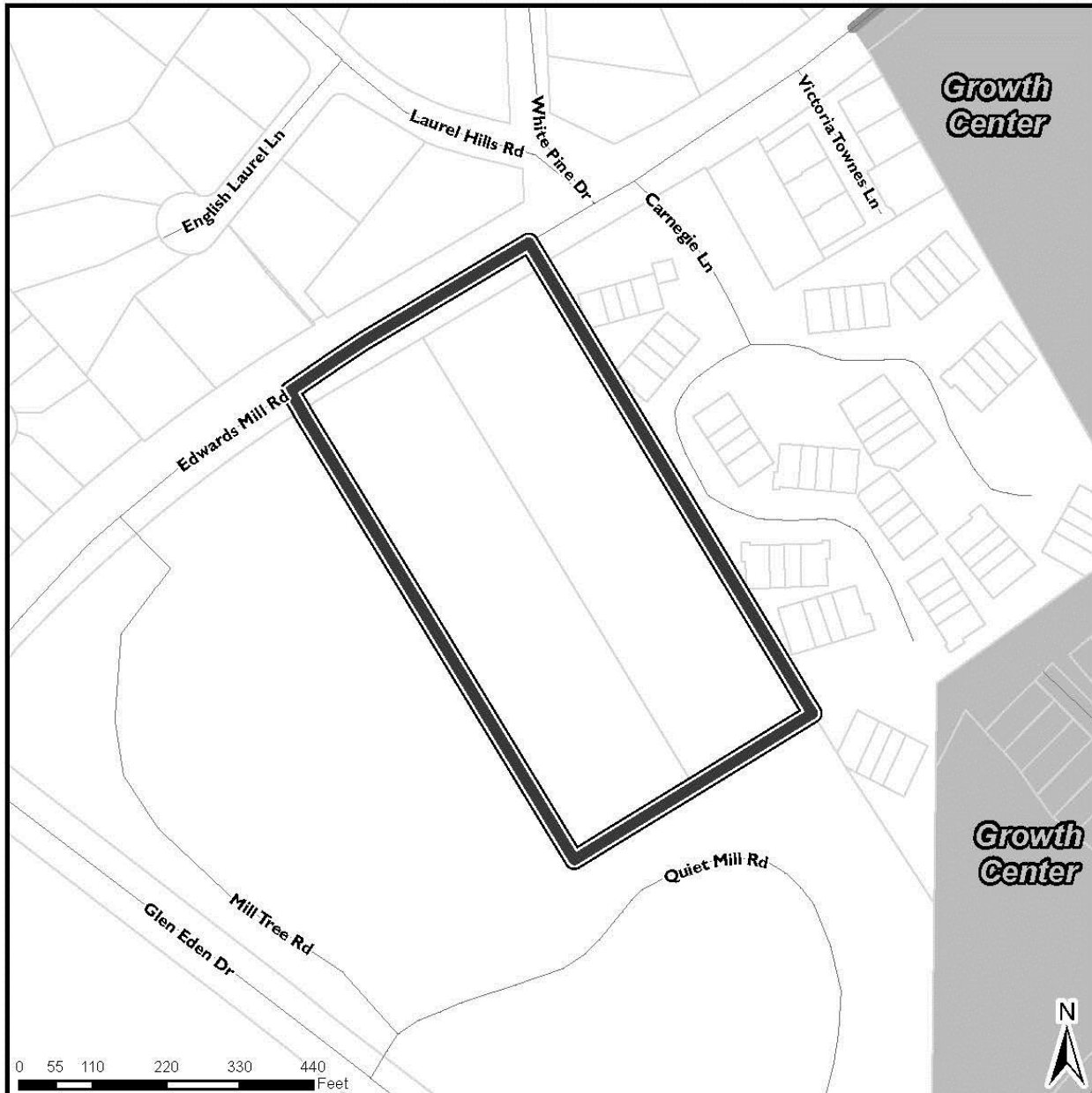
**7.78 acres from
R-4
to RX-4-CU**



Map Date: 4/3/2017

Urban Form Map

Z-9-2017

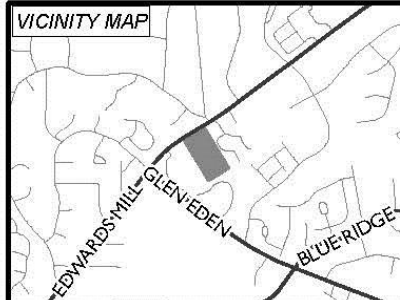


**Submittal
Date**

3/31/2017

Request:

**7.78 acres from
R-4
to RX-4-CU**



Map Date: 4/3/2017

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:

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

- A. The request is consistent with significant Plan policies, including those supporting additional density along transit-served corridors. It is generally consistent with themes of the plan, including Expanding Housing Choices and Coordinating Land Use and Transportation. However, a lack of consistency or full consistency with policies involving the provision of transit amenities and transitions to adjacent properties prevent the proposal from being fully consistent with the Plan.
- B. The use is designated by the Future Land Use Map. However, the allowed density of 20 units per acre is beyond the 14 units per acre envisioned by the FLUM category of Moderate Density Residential.
- C. The proposed use is not so different from the recommended land use as to adversely affect the character of the area. Adjacent or nearby properties include townhouses, apartments, and a school. The proposal excludes commercial uses and includes a limit on residential density.
- D. Existing infrastructure and services are sufficient to serve the proposed use.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The Moderate Density Residential category on the Future Land Use Map envisions residential uses with densities of up to 14 units per acre. The requested zoning would allow residential uses, but at a density of up to 20 units per acre, making it not fully consistent with the FLUM.

2.3 Urban Form

Urban Form designation:

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

2.4 Policy Guidance

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

Policy LU 4.9—Corridor Development. Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for “transit intensive” investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

The section of Edwards Mill Road on which the property is located is designated as a multi-modal corridor on the Growth Framework Map, making the policy of Corridor Development relevant to this request. The requested RX-4-CU zoning would represent a transit-supportive development pattern by allowing additional residential density on this corridor.

Policy LU 7.3—Single Family Lots on Major Streets. No new single-family residential lots should have direct vehicular access from major streets, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to major streets.

The current R-4 zoning only allows detached houses, which runs counter to this policy. The requested zoning would allow other housing types and result in fewer driveways connecting to Edwards Mill Road.

Policy 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

The requested zoning, by allowing housing types beyond what are currently allowed, is consistent with this policy.

The rezoning request, following the submittal of revised conditions on 6/12/17, is now **consistent** with the following policies with which it previously had been inconsistent.

Policy LU 5.6—Buffering Requirements. New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

The proposed zoning would allow greater density than exists on adjacent properties. In terms of scale, surrounding properties are generally characterized by two-story heights, while the proposal would allow four stories. A previous condition addressed this policy on the east side of the property by restricting development to a single building on the west side of the utility easement that divides the site. A new condition expanded upon that provision by specifying that the east

side of the property will remain undisturbed with the exception of landscaping, utilities, trails, and no more than 3,000 square feet of parking. A second new condition specified a minimum 20' setback from the west and south property lines, so that the proposal now provides transitions to all adjacent properties.

Policy T 4.8—Bus Waiting Areas. Developments located within existing and planned bus transit corridors should coordinate with CAT to provide a stop facility that is lit and includes a shelter, bench, and other amenities (such as a waste receptacle) as appropriate.

The request includes an offer of an easement, pad, and shelter.

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency. The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The Future Land Use Map designates the subject property as Moderate Density Residential, which envisions a residential density of up to 14 units per acre. The request, by permitting a density of 20 units per acre, is not fully consistent with the Map.

2.5 Area Plan Policy Guidance

N/A

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The request would facilitate more housing choice in the area.
- The request would facilitate transit-supportive development along a multimodal corridor.

3.2 Detriments of the Proposed Rezoning

- The rezoning would increase transit demand but would not provide transit amenities.

4. Impact Analysis

4.1 Transportation

This site is located on the south side of Edwards Mill Road, approximately 0.20 miles north of Glen Eden Drive. Edwards Mill Road (SR 3009) is maintained by NCDOT. This segment of Edwards Mill Road currently has a five-lane cross section with curbs and sidewalks on both sides. Edwards Mill Road is classified as a major street in the UDO Street Plan Map (Avenue,

6-Lane, Divided). Edwards Mill Road carries 22,000 vehicles per day. There are no City of Raleigh CIP projects or state STIP projects planned for Edwards Mill Road in the vicinity of the Z-9-2017 site.

There are no public street stubs abutting the boundaries of the Z-9-2017 parcels. This site is surrounded on three sides by existing residential developments that are served by private streets; there are no opportunities for cross access to adjacent parcels.

Site access will be restricted to Edwards Mill Road. The Raleigh Street Design Manual requires that residential developments with more than 150 dwelling units provide two access points to the public street system.

In accordance with UDO section 8.3.2, the maximum block perimeter for RX-4 zoning is 3,000 feet. The block perimeter for Z-9-2017, as defined by public rights-of-way for Edwards Mill Road, Parklake Avenue and Glen Eden Drive is more than 8,000 feet.

The existing land use is a single-family dwelling which generates virtually no traffic. Approval of case Z-9-2017 would increase average peak hour trip volumes by 55 veh/hr in the AM peak and by 76 veh/hr in the PM peak; daily trip volume will increase by 802 veh/day. These volumes are long-term averages and will vary from day to day. A traffic study is technically required for this case because its sole means of access is via a major street (Edwards Mill Road). Given the relatively small increase in Daily and Peak Hour trips, and in the absence of other criteria, transportation staff waives the traffic study for Z-9-2017.

Z-9-2017 Existing Land Use (Residential: Single Family detached)	Daily	AM	PM
	16	2	2
Z-9-2017 Current Zoning Entitlements (Residential: 22 Dwellings, Single Family detached)	Daily	AM	PM
	261	25	27
Z-9-2017 Proposed Zoning Maximums (Residential: 155 Dwellings, Multi-family)	Daily	AM	PM
	1,063	80	103
Z-9-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	802	55	76

**Impact Identified: Access limited to a major street.
Block perimeter exceeds UDO standard for RX-4 zoning.**

4.2 Transit

1. This section of Edwards Mill Road is currently served by GoRaleigh Route 4.
2. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Investment Plan recommend increased levels of service on Edwards Mill Road.
3. A transit easement, pad, and shelter have been requested.

Impact Identified: Increased demand for transit.

4.3 Hydrology

<i>Floodplain</i>	Floodprone soils present
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	none

Impact Identified: No impacts Identified.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	5,500 gpd	38,750 gpd
<i>Wastewater</i>	0 gpd	5,500 gpd	38,750 gpd

1. The proposed rezoning would add approximately 33,250 gallons per day 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 and constructed prior to release of a Certificate of Occupancy.
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the developer.

Impact Identified: No impact beyond moderate increase in demand.

4.5 Parks and Recreation

There is a new greenway connection being planned south of this site, connecting Laurel Hills Park to the Crabtree Valley Greenway segment. While this greenway corridor is not directly adjacent to the site, the potential for bike/ped connectivity to the greenway network and Laurel Hills Park, via the property to the south (Quiet Mill Road), should be explored.

Nearest Park Access is at Laurel Hills Park, 0.6 miles away. Nearest greenway access is at 1510 Glen Eden Drive, 1.2 miles away.

Impact Identified: None

4.6 Urban Forestry

1. The subject site is larger than 2 acres and will be subject to UDO Article 9.1. Tree Conservation when the site is developed.
2. The proposed zoning change would be from R-4 to RX.
3. RX allows building types with build-to requirements that would eliminate the required thoroughfare primary tree conservation area along most of the Edwards Mill Road frontage.

Impact Identified: A building may occupy a portion of a potential tree conservation area along the Edwards Mill Road frontage.

4.7 Designated 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 or is adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

Impact Identified: None

4.8 Community Development

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

Impact Identified: None

4.9 Impacts Summary

- Access limited to a major street.
- Block perimeter exceeds UDO standard for RX-4 zoning.
- Increased demand for transit.
- A building may occupy a portion of a potential tree conservation area along the Edwards Mill Road frontage.

4.10 Mitigation of Impacts

- Address access at site plan stage.
- Possible mitigation at site plan stage.
- A transit easement and amenities are offered.
- Tree Conservation will be met elsewhere on site.

5. Conclusions

The request is not fully consistent with the Future Land Use Map, which designates the area as Moderate Density Residential. While the request is for RX and conditions prohibit Retail Sales and other commercial uses, the allowed density of 20 units per acre is greater than the FLUM designation of 14 units per acre.

However, the section of Edwards Mill Road on which the property fronts is designated as a Multimodal Corridor on the Growth Framework Map. This activates Policy LU 4.9–Corridor Development, which calls for “transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map” and which suggests increased density is encouraged.

The proposal also includes measures to address impact on adjacent properties. With a few exceptions, the eastern half of the property would remain undistributed, and a 20’ setback provided along the western and southern property lines.

While a degree of inconsistency with the Future Land Use Map exists, the Corridor Development policy has little meaning unless applied to situations where some additional density beyond that indicated by the FLUM is envisioned. In its broad outlines, then, the case is consistent with the Plan.