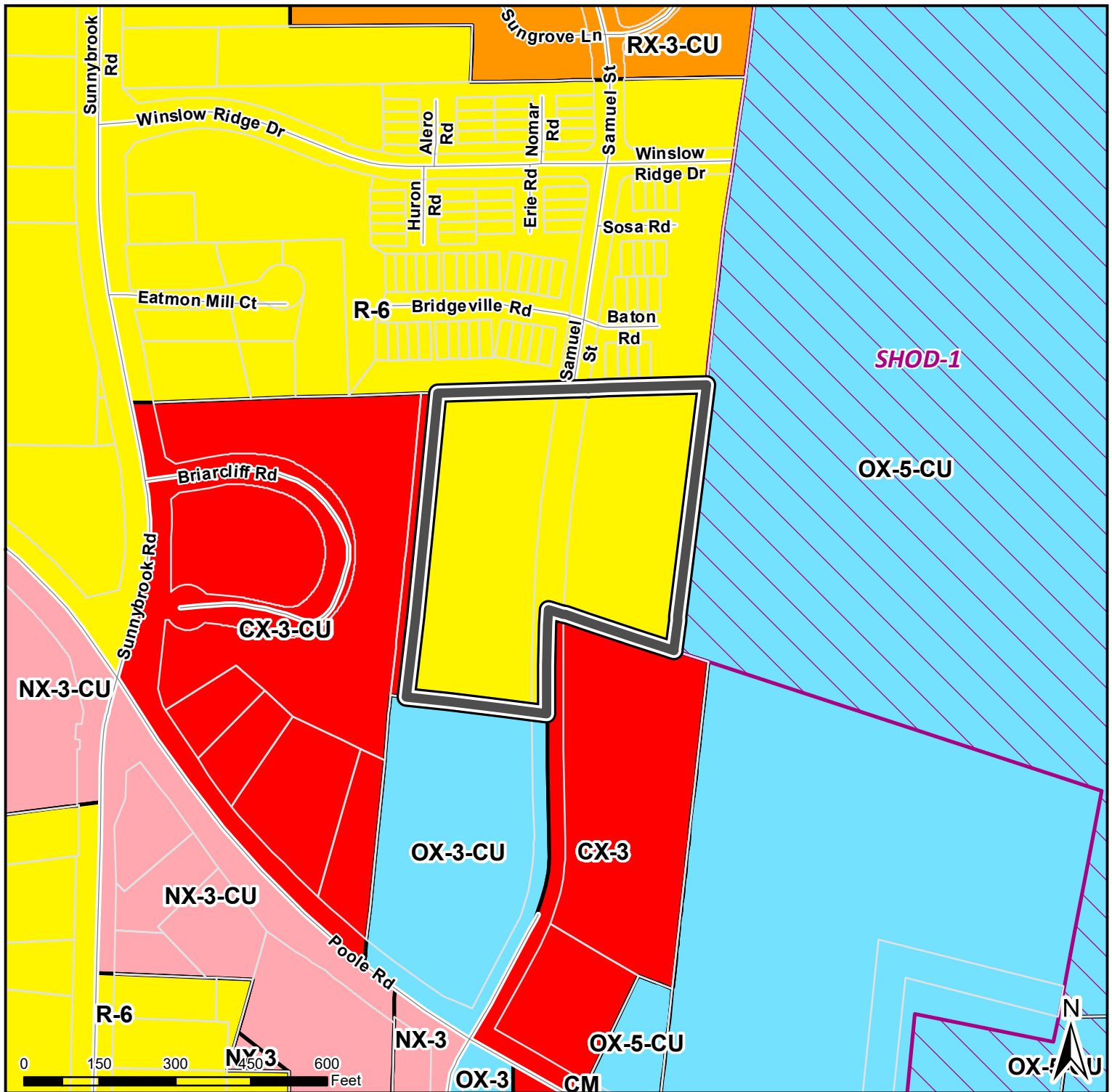
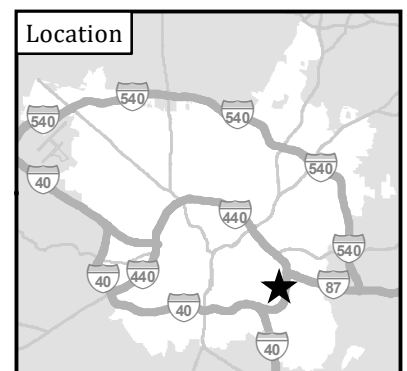


Existing Zoning

Z-9-2019



Property	800 Samuel St
Size	5.9 acres
Existing Zoning	R-6
Requested Zoning	NX-3-CU





RALEIGH PLANNING COMMISSION

CERTIFIED RECOMMENDATION

CR# 11909

CASE INFORMATION: Z-9-19 – 800 SAMUEL STREET

Location	Southeast Raleigh, near the northwest intersection of Poole Road and Samuel Street. Approximately one-half mile west of the Poole Road/I-87 intersection. Address: 800 Samuel Street PIN: 1723456736 iMaps , Google Maps , Directions from City Hall
Current Zoning	R-6
Requested Zoning	NX-3-CU
Area of Request	5.90 acres
Corporate Limits	Site is within City of Raleigh extraterritorial jurisdiction, adjacent to corporate limits. Annexation will be required.
Property Owner	Beverly Rosser Reitzel 388 Blackberry Inn Road Weaverville, NC 28787-9766
Applicant	Pamela Porter TMTLA Associates 5011 Southpark Drive, Suite 200 Durham, NC 27713
Citizens Advisory Council (CAC)	Southeast CAC; 2 nd Thursday of each month Jonathan Edwards, Community Relations Analyst (919) 996-5712/ jonathan.edwards@raleighnc.gov
PC Recommendation Deadline	July 22, 2019

SUMMARY OF PROPOSED CONDITIONS

1. Principle uses permitted shall be limited to Multi-Unit Living.
2. Building Type permitted: Townhouse
3. Maximum number of dwelling units: 50 units

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Neighborhood Mixed Use
Urban Form	Not applicable
Consistent Policies	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency

	Policy LU 2.2 – Compact Development Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 4.5 - Connectivity Policy LU 4.10 – Development at Freeway Interchanges Policy LU 5.4 – Density Transitions Policy LU 5.5 – Transitional and Buffer Zone Districts Policy LU 5.6 – Buffering Requirements Policy LU 8.1 – Housing Variety Policy LU 8.10 – Infill Development
Inconsistent Policies	None.

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

Neighborhood Meeting	CAC	Planning Commission	City Council
February 5, 2019; 7 Attendees	March 14, 2019 (Southeast) April 11, 2019 Vote: 16 For, 2 Against	April 23, 2019 May 14, 2019	May 21, 2019

PLANNING COMMISSION RECOMMENDATION

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

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

Reasonableness and Public Interest	The proposal is consistent with the Comprehensive Plan and Future Land Use Map and is reasonable and in the public interest because it provides more housing in the City of Raleigh and greater housing choice for residents of the City's southeast area.
---	--

Recommendation	Approval
Motion and Vote	Motion: Jeffreys Second: Novak In Favor: Geary, Hicks, Jeffreys, Mann, Novak and Swink

ATTACHMENTS

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

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

Planning Director

Date

Planning Commission Chair Date

Staff Coordinator:

Don Belk: (919) 996-4641; Donald.Belk@raleighnc.gov



ZONING STAFF REPORT – CASE Z-9-19

Conditional Use District

OVERVIEW

The rezoning site is located in southeast Raleigh at 800 Samuel Street, near the northwest corner of the intersection of Poole Road and Samuel Street (which becomes Williams Road south of the intersection). The area is characterized by mainly commercial uses along Poole Road west of the I-440 (I-87) overpass, with predominantly single-family residential uses to the south of the commercial area. North of the site is the Winslow Ridge at Sunnybrook townhome development with an R-6 zoning designation. East of the site is a 72.6-acre tract of vacant, forested land presently owned by the State of North Carolina, zoned OX-5-CU, which borders I-87. South of the site is a parcel with frontage on Poole Road which contains a vacant church building. This parcel is designated as Office Mixed Use (OX-3-CU) and was the subject of rezoning case Z-23-18, approved on January 8, 2019. West of the site is a residential neighborhood with frontage on Sunnybrook Road, zoned CX-3-CU.

The 11.1-acre subject site is split-zoned, with the 5.9-acre northern section of the site designated as R-6 (subject to this rezoning proposal), and the remaining 5.2 acres zoned for Commercial Mixed Use-3 stories (CX-3). The site is mostly wooded, with topography sloping downward to the northwest from the highest point on the site - approximately 322 feet - with the low point at approximately 232 feet.

The parcels directly adjoining to the west and east of the site are zoned CX-3-CU and CX-3, respectively. The adjoining CX-3-CU district at the corner of Poole Road and Sunnybrook Road prohibits adult establishments, garages and filling stations. The conditions also require the re-subdivision of existing tracts if non-residential uses are planned in order to (1) close the internal loop street, and (2) restrict the number of private access points to Sunnybrook and Poole Road to no more than two per thoroughfare. Also, the Floor Area Ratio (FAR) of any retail use in this district shall not exceed 0.15. The OX-3-CU district adjoining the site to the south prohibits uses such as detention centers, jails, or prisons. To the east, the State-owned property zoned OX-5-CU limits building height outside of the SHOD-1 overlay district to a maximum of 70 feet and limits the gross floor area of all buildings to a maximum of 1 million square feet.

Update for May 14, 2019

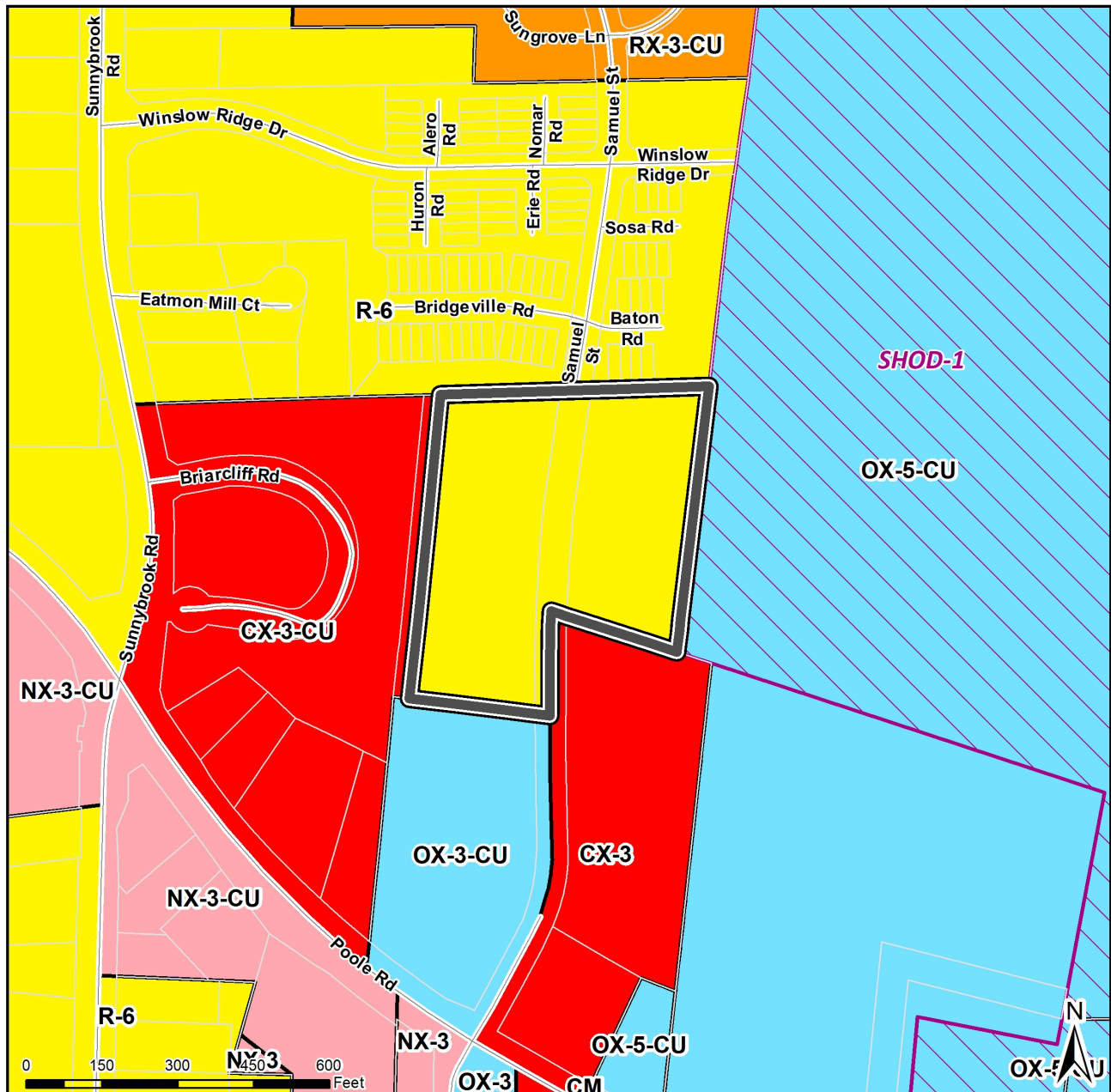
The applicant has submitted revised conditions to address staff concerns regarding clarity, intent, and specificity to the proposal.

OUTSTANDING ISSUES

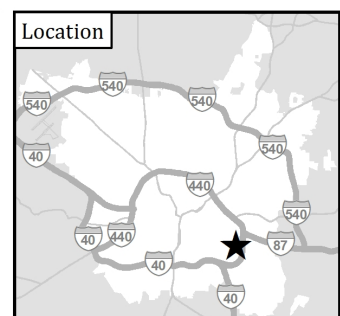
Outstanding Issues		Suggested Mitigation	
	1. None.		1. None.

Existing Zoning

Z-9-2019



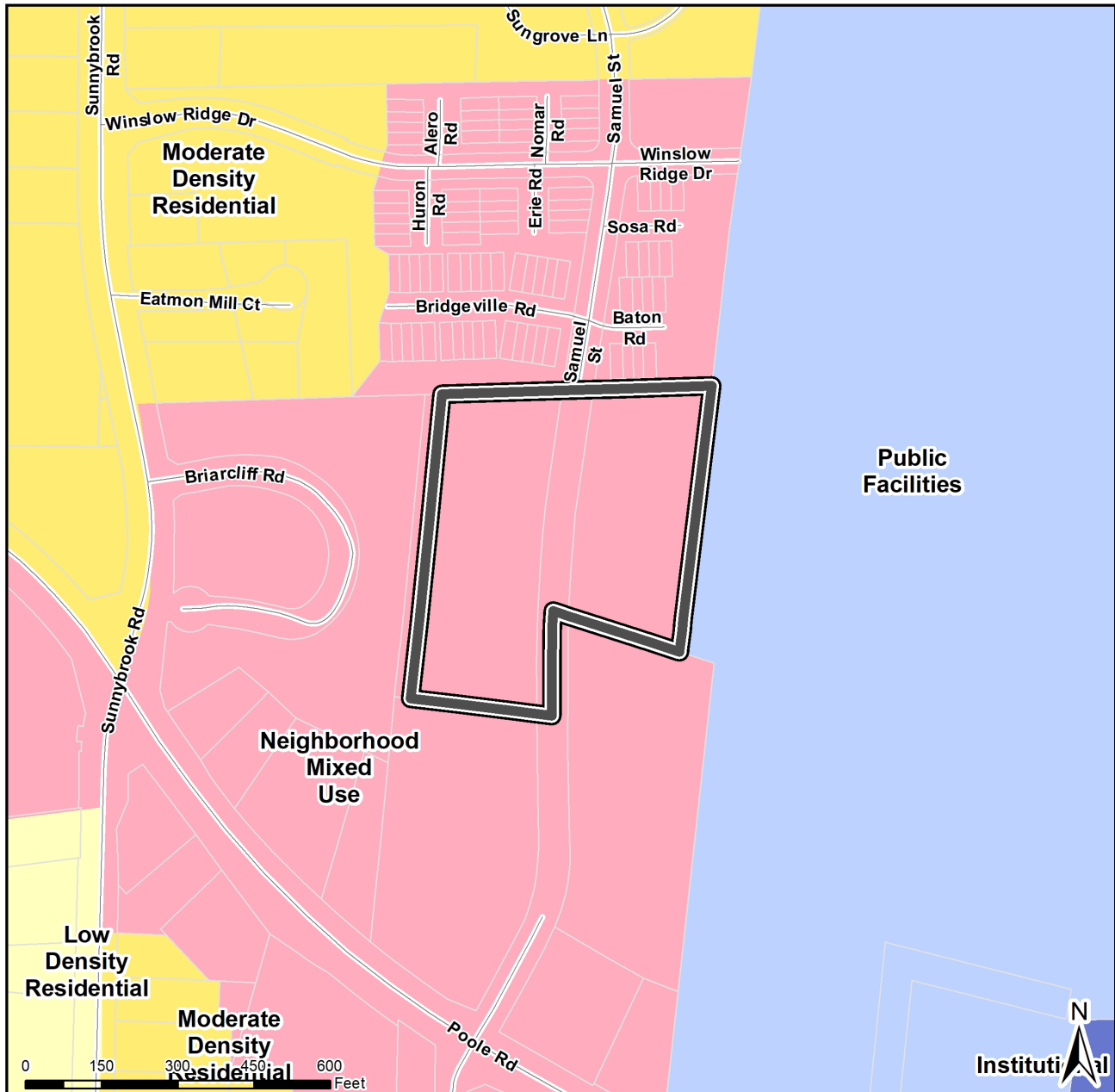
Property	800 Samuel St
Size	5.9 acres
Existing Zoning	R-6
Requested Zoning	NX-3-CU



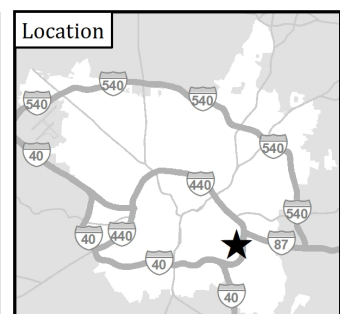
Map by Raleigh Department of City Planning (reckhowh): 2/28/2019

Future Land Use

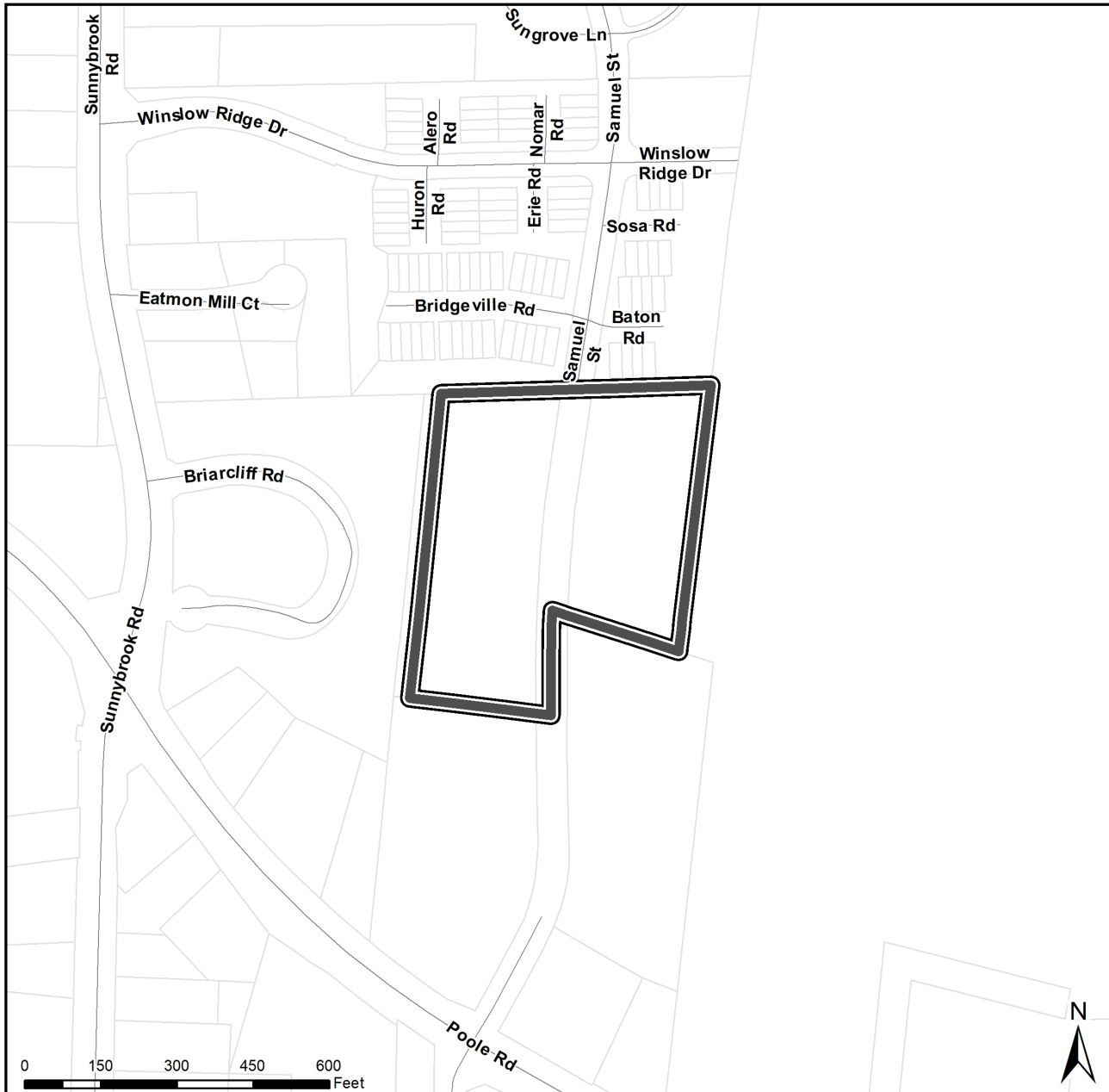
Z-9-2019



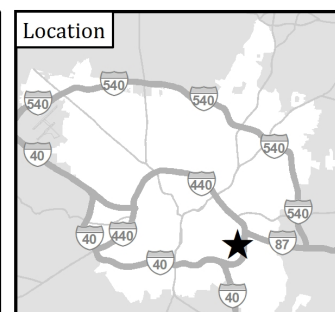
Property	800 Samuel St
Size	5.9 acres
Existing Zoning	R-6
Requested Zoning	NX-3-CU



Map by Raleigh Department of City Planning (reckhowh): 2/28/2019



Property	800 Samuel St
Size	5.9 acres
Existing Zoning	R-6
Requested Zoning	NX-3-CU



Map by Raleigh Department of City Planning (reckhowh): 2/28/2019

COMPREHENSIVE PLAN

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

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

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

The request is consistent with the **Expanding Housing Choices** theme, as the proposed entitlement of residential as a single use (50 dwelling units) could provide for an increased supply of affordable and workforce housing options.

The request is consistent with the **Economic Prosperity and Equity** vision theme, which seeks a high level of opportunity and quality of life for all residents, and for all areas of Raleigh to prosper from the City's economic expansion. The requested rezoning would permit up to 50 townhomes, which could provide new housing options and homeownership opportunities for residents in the City's southeast area.

The request is consistent with the **Managing Our Growth** vision theme which encourages quality growth through more integrated land uses and providing desirable spaces and places to live and work. The request for NX zoning supports this theme by providing for multi-unit residential development in close proximity to commercial areas.

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

Yes. The site is designated in the Future Land Use Map as *Neighborhood Mixed Use*, which generally applies to neighborhood-scale shopping centers and pedestrian-oriented retail with small professional offices that serve a radius of one mile or less. (The primary corresponding zoning district for Neighborhood Mixed Use areas is NX.) Moreover, the requested NX-3-CU would yield a multi-family residential use (townhomes) that could be supported in NX-designated areas, where heights are limited to three stories.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

Yes. The proposed use is specifically designated within the Neighborhood Mixed Use designation of the Future Land Use Map, and can be established without adversely altering the character of the area.

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

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

Future Land Use

Future Land Use designation: Neighborhood Mixed Use

The rezoning request is

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

The request to rezone from R-6 to NX-3-CU is consistent with Future Land Use Map, as it is the primary corresponding zoning district within a Neighborhood Mixed Use area.

Urban Form

Urban Form designation:

The rezoning request is

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

☐ **Inconsistent**

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

Compatibility

The proposed rezoning is

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

Presently, the area surrounding the proposed site is a mix of townhomes, detached homes and office and commercial uses. While a three-story townhome development would be taller than the townhouses to the north, the east-adjointing property is zoned for OX-5, and similar and more intensive uses are already permitted on the parcels adjoining the site to the south (zoned OX-3-CU) and west (zoned CX-3-CU).

☐ **Incompatible.**

Public Benefits of the Proposed Rezoning

- The proposed site lies within an Economic Development Priority Area. This designation refers to an underperforming area identified by the City of Raleigh as that could benefit from economic development opportunities. The area of the proposed rezoning is part of a Census Block Group in which 40% of the block group is considered 'high poverty' or is adjacent to a 'high poverty' block group.
- The proposal could spur further investment and development in this area of the city.
- The proposal could increase housing choices for residents in the City's southeast area.

- New residents of the proposed development, and businesses created as a result of this proposal, would be served by transit and proximity to I-87.

Detriments of the Proposed Rezoning

- None noted.

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 proposed zoning (NX-3-CU) is consistent with the Future Land Use Map and is the most appropriate zoning district for this area.

Policy LU 1.3 – Conditional Use District Consistency

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

- The conditions proposed in the request are consistent with the Comprehensive Plan, as they would provide for multi-unit building types (townhomes) recommended in areas designated for Neighborhood Mixed Use.

Policy 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 request allows for a more intensive residential use in an area that is predominantly single-family detached residential. Residential density would increase slightly from a currently permitted 6 units per acre, to an allowed 8.47 units per acre.

Policy LU 2.6 – Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

- A Downstream Sewer Capacity Study and verification of water available for fire flow may be required prior to approval for site development.

Policy LU 4.5 – Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

- The proposal would result in the completion of Samuel Street and its connection with Winslow Ridge Drive, providing current and future residents with direct access to both Poole Road and Sunnybrook Road.

Policy LU 4.10 – Development at Freeway Interchanges

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

- The proposed site is near I-87 Exit 15 at Poole Road, which is classified as a six-lane, divided avenue. Development on the site would be accessed from Samuel Street. The proposed site is in proximity to large areas zoned for intensive development (OX-5, CX-3, IX-5).

Policy LU 5.4 – Density Transitions

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

Policy LU 5.5 – Transitional and Buffer Zone Districts

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

Policy LU 5.6 – Buffering Requirements

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

- The proposal will serve as a transitional density and intensity between the R-6-zoned areas to the north and the CX- and OX-zoned areas to the south, east, and west. A Neighborhood Transition Zone A will be required along the northern boundary of the site, and a required stream buffer will provide a heavily wooded area between the proposed development and the R-6-zoned area to the north.

Policy LU 8.1 – Housing Variety

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

- The proposal will provide additional townhouses in an area that is predominantly single-family residential.

Policy LU 8.10 – Infill Development

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

- The proposed development of this site would fill a gap and add substantially to the character of the surrounding area.

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

- None.

Area Plan Policy Guidance

- There is no area plan guidance for this site.

IMPACT ANALYSIS

Historic Resources

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

Impact Identified: None.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Worthdale Park (0.7 miles) and Walnut Creek North Park (0.9 miles).
3. Nearest existing greenway trail access is provided by Walnut Creek Greenway Trail (0.8 miles).
4. Park access level of service in this area is graded a B letter grade.

Impact Identified: None.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	21,875 gpd	31,250 gpd	21,875 gpd
Waste Water	21,875 gpd	31,250 gpd	21,875 gpd

Impact Identified:

1. The proposed rezoning would add approximately 31,250 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.

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

Stormwater

Floodplain	Flood hazard soils
Drainage Basin	Crabtree
Stormwater Management	UDO 9.2.2, 9.2.3, 9.3
Overlay District	None

Impact Identified: No downstream structural flooding impacts identified

Transit

1. The nearest existing transit stop is located at Poole Road and Samuel Street. Service for GoRaleigh Route 18 is provided every 30 minutes during peak hours.

Impact Identified: None.

Transportation

1. Streets: The subject property is north of Poole Road and east of Sunnybrook Road. Poole Road is specified as a 6-lane divided avenue in the Raleigh Street Plan; Sunnybrook Road is designated a 4-lane divided avenue. Poole Road is maintained by NCDOT. North of the Poole Road, Sunnybrook Road is maintained by the City of Raleigh and south of the intersection it is maintained by NCDOT. There is a right-of-way dedicated through the subject property for Samuel Street, which is 2-lane undivided avenue in the Raleigh Street Plan. The built sections of Samuel Street are maintained by the City of Raleigh.
2. Block Perimeter: In accordance with UDO section 8.3.2, the maximum block perimeter for NX-3 zoning districts is 3,000 feet. Taking into account the completion of Samuel Street, but not other future street connections required by the Unified Development Ordinance, the block perimeter for Z-9-19 will be approximately 4,600 feet between Poole Road, Samuel Street, Sunnybrook Road, and Winslow Ridge Drive.

3. Pedestrian Facilities: There are existing sidewalks on both sides of Poole Road near the site. There have been a few pedestrian crashes in this area in the last 10 years that resulted in injuries. Additional sidewalk sections have been added since the aforementioned crashes, which may be requiring fewer pedestrian crossings and resulting in safer conditions.
4. Bicycle Facilities: There are no existing bicycle facilities surrounding the Z-9-19 parcel. The Long-Term Bikeway Plan calls for separated bikeways on both Poole Road and Sunnybrook Road. There was a bicycle crash at the intersection of Sunnybrook Road and Poole Road in 2014.
5. Transit: Transit service is provided by GoRaleigh Route 19, which runs every 15 min during weekdays, and every 30 min throughout the weekend. The closest stops are near Eatmon Mill Court on Sunnybrook Road. These stops will be approximately one third of a mile walk from the Z-9-19 site.
6. Access: Access to the subject site will be via Samuel Street.
7. Other Projects in the Area: There are no other projects currently planned near the site.
8. TIA Determination: Approval of case Z-9-19 may reduce trip generation by 3 vehicles in the AM peak hour and 6 vehicles in the PM peak hour. Trips generated may increase by 34 vehicles per day. Townhouses are predicted to generate less peak hour traffic per unit than detached houses. This change in trip generation does not trigger the requirement for a TIA. There are no site contextual conflicts that trigger the TIA requirement. A traffic study is not required for case Z-9-19.

Z-9-19 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-9-19 Current Zoning Entitlements	Daily	AM	PM
Single Family Residential	314	25	33
Z-9-19 Proposed Zoning Maximums	Daily	AM	PM
Townhome Residential	348	22	27
Z-9-19 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	34	-3	-6

Impact Identified: None.

Urban Forestry

1. This rezoning does not affect the application of UDO 9.1 (Tree Conservation).

Impact Identified: None.

Impacts Summary

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

Mitigation of Impacts

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

CONCLUSION

Z-9-19 is a request to rezone 5.9 acres near the intersection of Poole Road and Samuel Street from R-6 to NX-3-CU. The request is consistent with the Future Land Use Map and consistent with the Comprehensive Plan overall. The proposed site lies within an Economic Development Priority Area. Development of the site will improve street connectivity. The proposal is conditioned to permit only the development of 50 townhomes, resulting in a residential density of 8.47 units per acre. This new residential development could spur further investment and redevelopment in this part of the city.

CASE TIMELINE

Date	Action	Notes
02/28/19	Application submitted with conditions.	
04/11/19	Southeast CAC discussion and vote	16 in favor; 2 against
04/23/19	Planning Commission 1 st Review	Case deferred to allow for revisions to conditions to address staff concerns regarding clarity, intent, and specificity to the proposal.
05/14/19	Planning Commission 2 nd Review	Recommendation for approval
05/22/19	City Council	City Council set public hearing for June 4, 2019

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

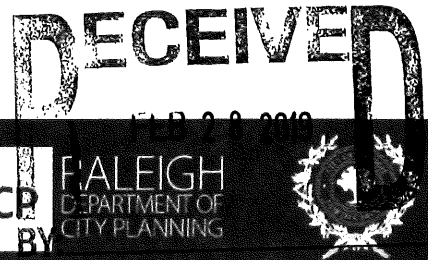
SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-6	R-6	OX-3-CU CX-3	OX-5-CU	CX-3-CU
Additional Overlay	None	None	None	SHOD-1	None
Future Land Use	Neighborhood Mixed Use	Neighborhood Mixed Use	Neighborhood Mixed Use	Public Facilities	Neighborhood Mixed Use
Current Land Use	Vacant	Residential (Townhomes)	Institutional* Vacant	Vacant	Residential (Single Family)
Urban Form	N/A	N/A	N/A	N/A	N/A

**Former church now abandoned; parcel rezoned on January 8, 2019 (Z-23-18)*

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-6	NX-3-CU
Total Acreage	5.90	5.90
Setbacks:		
Front	10'	10'
Side	5'	0' or 6'
Rear	20'	20'
Residential Density:	5.93	8.47
Max. # of Residential Units	35	50
Max. Gross Building SF	70,000	75,000
Max. Gross Office SF	-	-
Max. Gross Retail SF	-	-
Max. Gross Industrial SF	-	-
Potential F.A.R	0.27	0.29

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



Rezoning Application

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

REZONING REQUEST				
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # 581745 Rezoning Case # Z-9-19
Existing Zoning Base District	R-6	Height	Frontage	
Proposed Zoning Base District	NX	Height	3	
Overlay(s) _____				
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
581745				

GENERAL INFORMATION			
Date 1/15/2019		Date Amended (1)	Date Amended (2)
Property Address 800 Samuel Street, Raleigh NC			
Property PIN 1723-45-6736		Deed Reference (book/page) 14497/1158	
Nearest Intersection			
Property Size (acres) 11.18	(For PD Applications Only) Total Units		Total Square Feet
Property Owner/Address Beverly Reitzel 388 Blackberry Inn Road Weaverville, NC 28787		Phone 828/702-7077	Fax
		Email	
Project Contact Person/Address Pamela Porter - TMTLA Associates 5011 Southpark Drive, Ste. 200 Durham, NC 27713		Phone 919-484-8880	Fax
		Email pam@tmtla.com	
Owner/Agent Signature <i>Beverly Reitzel</i>		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 | 919-996-2682

FEB 28 2019

REZONING REQUEST

BY: _____

OFFICE
USE ONLY

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-6** Height _____ Frontage _____ Overlay(s) _____

Proposed Zoning Base District **NX** Height **3** 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.

Transaction #
581745
Rezoning Case #
7-9-19

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:

581745

GENERAL INFORMATION

Date **1/15/2019**

Date Amended (1) _____

Date Amended (2) _____

Property Address **800 Samuel Street, Raleigh NC**

Property PIN **1723-45-6736**

Deed Reference (book/page) **14497/1158**

Nearest Intersection _____

Property Size (acres) **11.18**

(For PD Applications Only) Total Units _____

Total Square Feet _____

Property Owner/Address

Thomas Walter Brand III
PO BOX 11
COLUMBUS, NC 28722

Phone _____

Fax _____

Email _____

Project Contact Person/Address

Pamela Porter - TMTLA Associates
5011 Southpark Drive, Ste. 200
Durham, NC 27713

Phone **919-484-8880**

Fax _____

Email **pam@tmtla.com**

Owner/Agent Signature

Thomas Walter Brand III

Email

twbrandtiii@gmail.com

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 | 919-996-2682

RECEIVED
FEB 28 2019

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

BY: _____

OFF
USE ONLY

Existing Zoning Base District **R-6** Height _____ Frontage _____ Overlay(s) _____

Proposed Zoning Base District **NX** Height **3** 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.

Transaction #
581745
Rezoning Case #
2-9-19

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:

581745

GENERAL INFORMATION

Date **1/15/2019**

Date Amended (1) _____

Date Amended (2) _____

Property Address **800 Samuel Street, Raleigh NC**

Property PIN **1723-45-6736**

Deed Reference (book/page) **14497/1158**

Nearest Intersection _____

Property Size (acres) **11.18**

(For PD Applications Only) Total Units _____

Total Square Feet _____

Property Owner/Address

Paula B. Cannon McCoy
100 Red Bird Lane
Hampstead, NC 28445

Phone _____

Fax _____

Email _____

Project Contact Person/Address

Pamela Porter - TMTLA Associates
5011 Southpark Drive, Ste. 200
Durham, NC 27713

Phone **919-484-8880**

Fax _____

Email **pam@tmtla.com**

Owner/Agent Signature

Paula B. Cannon McCoy

Email

Paula.McCoy09@gmail.com

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

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number 581745		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted 1/15/2019, edited 3/26/2019		
Existing Zoning R-6	Proposed Zoning NX-3-CU	
Narrative of Zoning Conditions Offered		
The principal uses permitted shall be limited to the following as listed in Allowable Principal Uses Table (UDO 1. Section 6.1.4): multi-unit living. The detached house, attached house, apartment, general building, mixed use building, and civic building types shall be prohibited.		
2. Residential density shall be limited to 50 dwelling units on the portion of the site being rezoned to NX-3-CU.		
3.		
4.		
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9.		
10.		

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

Owner/Agent Signature Paula B. Cannon McCoy Print Name Paula B. Cannon McCoy



CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number **581745**

OFFICE USE ONLY

Date Submitted **1/15/2019, edited 3/26/2019**

Transaction #

Existing Zoning **R-6**

Proposed Zoning **NX-3-CU**

Rezoning Case #

Narrative of Zoning Conditions Offered

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Owner/Agent Signature

Thomas Walter Brand III

Print Name

THOMAS WALTER BRAND III

5/6/19

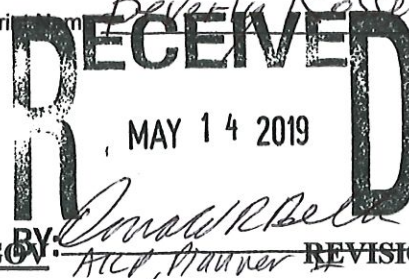


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These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature

Beverly Rosser Reitzel Beverly Rosser Reitzel





January 15, 2019

Re: 800 Samuel Street

Dear Neighboring Property Owners:

Prior to the submittal of any rezoning application the City of Raleigh requires a neighborhood meeting that includes the property owners within 500 feet of the area requested for rezoning.

You are invited to attend this neighborhood meeting on Tuesday, February 5, 2019. The meeting will be held at Worthdale Park Community Center, 1001 Cooper Road in Raleigh. The meeting will begin at 6:00 pm.

The agenda for the meeting is to discuss a rezoning of the property located at 800 Samuel Street. The property is located near the intersection of Samuel Street and Poole Road. This site is currently zoned CX-3 and R-6. The zoning of the CX-3 portion of the site shall remain unchanged. The R-6 zoned portion of the site is proposed to be rezoned to NX-3-CU. The purpose of the new zoning designation will allow the site to be developed as townhomes.

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

919-484-8880

pam@tmtla.com

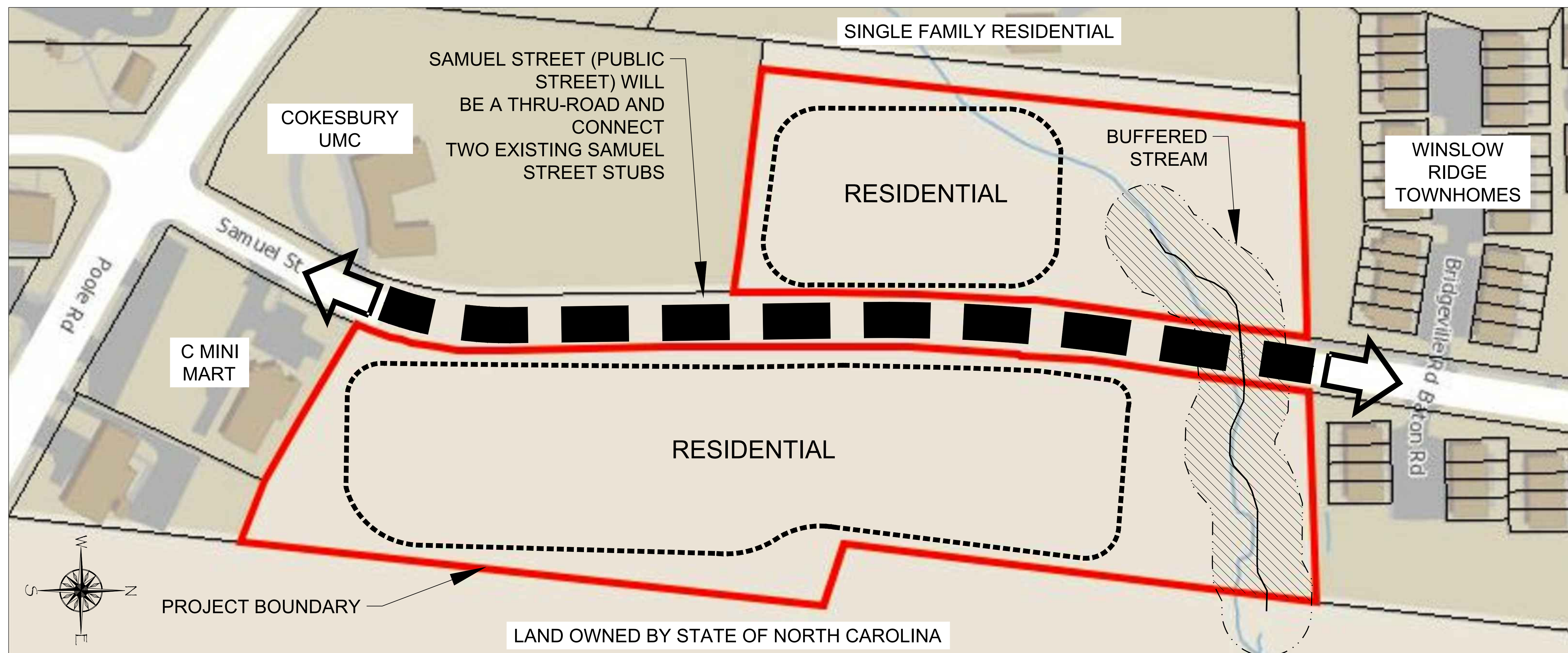
For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at:

(919) 996-2682

rezoning@raleighnc.gov

We look forward to seeing you on February 5th.

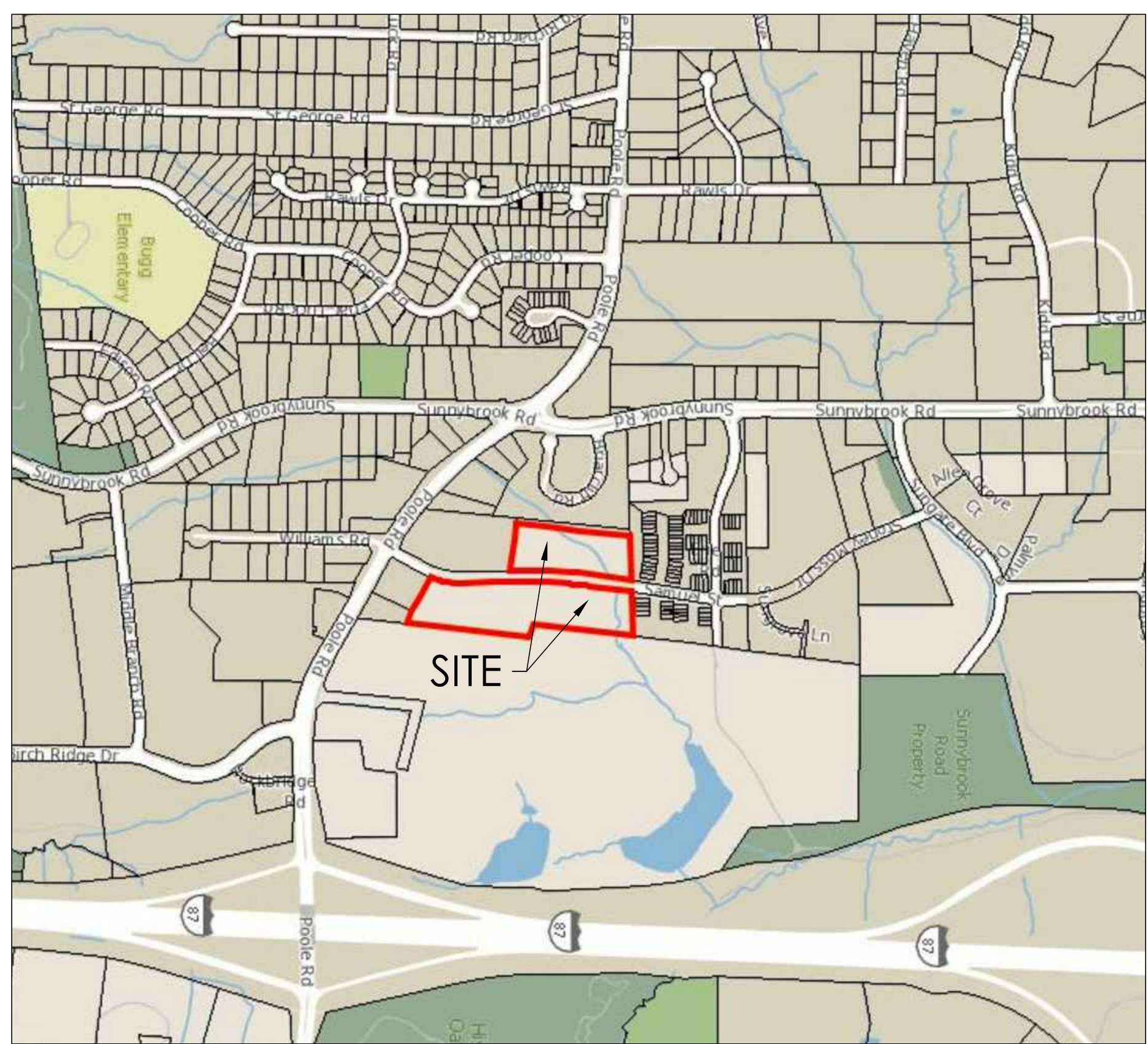
Thank you,
Pamela Porter, PLA, LEED AP
TMTLA Associates



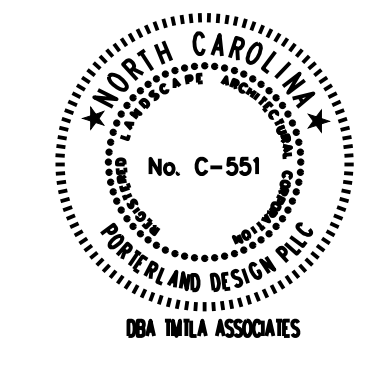
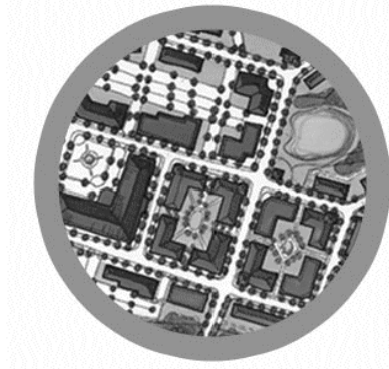
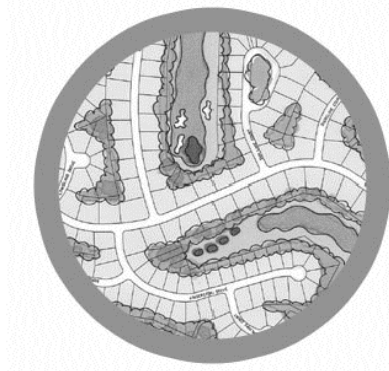
CONCEPTUAL REZONING PLAN (1" = 60') - FOR ILLUSTRATIVE PURPOSES ONLY



AERIAL PHOTO OF 800 SAMUEL STREET (1" = 100')



VICINITY MAP (NOT TO SCALE)



TMTLA ASSOCIATES
 5011 SOUTHPARK DRIVE, STE. 200 - DURHAM, NC 27713
 p: (919) 484-8880 e: info@tmtla.com

Summit Engineering

REVISIONS:

REZONING DIAGRAM
800 SAMUEL STREET
 Raleigh, North Carolina

SCALE:
 AS NOTED
 DRAWN BY:
 PMP
 PROJECT #
 19001
 DATE:
 02/05/2019
 SHEET

ASRA PARTNERS LLC 1821 GRANDE MAISON DR APEX NC 27502-5260	BANKS, KIARA 507 HURON RD RALEIGH NC 27610-5351	BARNES, KATIE LEE 3370 BRIDGEVILLE RD RALEIGH NC 27610-2875
BARTOLIN, JAMES BARTOLIN, JANICE 502 HURON RD RALEIGH NC 27610-5350	BELL, BERNICE ETTA 3360 BRIDGEVILLE RD RALEIGH NC 27610-2875	BERDUSCO, RAUL AGUIRRE PO BOX 1303 MORRISVILLE NC 27560-1303
BISHOP, PHILLIP JR 3371 BRIDGEVILLE RD RALEIGH NC 27610-2876	BLACKWELL, GINGER R 3357 BRIDGEVILLE RD RALEIGH NC 27610-2876	BOYER, DELIA S 427 ALERO RD RALEIGH NC 27610-5084
BRIDGES, ADONIS RAYMOND 3406 BATON RD RALEIGH NC 27610-1903	BYLOW, TIMOTHY BYLOW, TIFFANI 2000 MUIRFIELD VILLAGE WAY RALEIGH NC 27604-6904	BYNUM, DEMOND 3404 BATON RD RALEIGH NC 27610-1903
CARR, JEANNE 428 ALERO RD RALEIGH NC 27610-5083	CLARK, HATTIE M PO BOX 46373 RALEIGH NC 27620-6373	COC PROPERTIES INC 110 MACKENAN DR STE 113 CARY NC 27511-7901
COOPER, CHERYL 509 ERIE RD RALEIGH NC 27610-3998	COX, AMY M 509 HURON RD RALEIGH NC 27610-5351	DALTON, JASON A 1601 SUNRISE AVE RALEIGH NC 27608-2547
DENTON, RANDALL D AUDREY A 509 SUNNYBROOK RD RALEIGH NC 27610-2850	DENTON, RICHARD 507 ERIE RD RALEIGH NC 27610-3998	DEREU, DARRIN W 7505 OLD HUNDRED RD RALEIGH NC 27613-3527
DUELL, HENRY L 907 WILLIAMS RD RALEIGH NC 27610-4314	DUNLOW, TRISHA 834 MIDDLE GROUND AVE ROLESVILLE NC 27571-9341	EDWARDS, ANDREW E EDWARDS, BONITA D 6809 BRENTWOOD DR UPPER MARLBORO MD 20772-3938
ERVIN, VALERIE 3402 SOSA RD RALEIGH NC 27610-4097	FENNER, BERNETTA 3408 SOSA RD RALEIGH NC 27610-4097	GAITHER, ALYCIA 426 ALERO RD RALEIGH NC 27610-5083
GHAFOOR, ATIF 314 WILLINGHAM RD MORRISVILLE NC 27560-9633	GODWIN, JULIAN G III GODWIN, NANCY 2421 WENTWORTH ST RALEIGH NC 27612-4760	GORHAM, CHERYL A 3376 BRIDGEVILLE RD RALEIGH NC 27610-2875

GRANT, TERRI R 3368 BRIDGEVILLE RD RALEIGH NC 27610-2875	GREASON, MURRAY C JR TRUSTEE WILDER, EDLEY W TRUST 745 ARBOR RD WINSTON SALEM NC 27104-2209	H & W ASSET MANAGEMENT LLC 4715 YADKINVILLE RD UNIT 569 PFAFFTOWN NC 27040-1001
HARPER, ADRIANE G 3409 SOSA RD RALEIGH NC 27610-4098	HARRIS, ALBERTA P 3353 BRIDGEVILLE RD RALEIGH NC 27610-2876	HARRIS, LINWOOD K. 6049 RICKER RD RALEIGH NC 27610-4282
HEMBY, KAREN A 422 ALERO RD RALEIGH NC 27610-5083	HINTON, JAMES BING, THADINE 506 ERIE RD RALEIGH NC 27610-3990	HORTON, CATRICE 3404 SOSA RD RALEIGH NC 27610-4097
HORTON, TAMARA D 3405 SOSA RD RALEIGH NC 27610-4098	HOUSE BONEY LLC 4441 SIX FORKS RD STE 106 RALEIGH NC 27609-5729	HOUSE, JOSEPH D 3809 CLIFF HAVEN DR RALEIGH NC 27615-4184
HOUSE-POOLE ROAD, LLC 514 N BLOODWORTH ST RALEIGH NC 27604-1226	INAMDAR, SAPAN INAMDAR, PINA PATEL 1430 PARILLO CT NORTH BRUNSWICK NJ 08902-1139	JOHN-RICHARDSON, KAREN Z 506 HURON RD RALEIGH NC 27610-5350
KIMANI, RAHAB MWANGI, PETER 3406 SOSA RD RALEIGH NC 27610-4097	KING, VERONICA 3350 BRIDGEVILLE RD RALEIGH NC 27610-2875	KNIGHT, ROY L JR KNIGHT, LASHANTA C 1401 COOPERSHILL DR APT 300 RALEIGH NC 27604-4527
KOUAMA, ANDRE KOUAMA, SOLANGE LEMA 3367 BRIDGEVILLE RD RALEIGH NC 27610-2876	LANGFORD, PATRICIA 503 ERIE RD RALEIGH NC 27610-3998	LASH, TIFFANI 3811 DEEP HOLLOW WAY BOWIE MD 20721-1275
LENNON, ETHEL SANTINA 3403 BATON RD RALEIGH NC 27610-1905	LIGOTINO, MITCHELL 508 ERIE RD RALEIGH NC 27610-3990	LIVERMAN, JACQUELYN DENTON 519 SUNNYBROOK RD RALEIGH NC 27610-2850
LOT PROPERTIES LLC 907 QUEENSFERRY RD CARY NC 27511-6422	MACKEY, TONYA FRANCINE 3374 BRIDGEVILLE RD RALEIGH NC 27610-2875	MASON, PAULETTE 3369 BRIDGEVILLE RD RALEIGH NC 27610-2876
MCGINN, ROBERT MCGINN, ANGELA 3352 BRIDGEVILLE RD RALEIGH NC 27610-2875	MCNAIR, RICHARD 3378 BRIDGEVILLE RD RALEIGH NC 27610-2875	MELLISH, JOHN U MELLISH, ROSELIND C 3372 BRIDGEVILLE RD RALEIGH NC 27610-2875

NABORS, DANIELLA D NABORS, SPENCER 1001 FOREST EDGE CT WEXFORD PA 15090-9594	NEW FORTIS CORP 504 HURON RD RALEIGH NC 27610-5350	NORTH CAROLINA STATE - STATE PROPERTY OFFICE 116 W JONES ST RALEIGH NC 27603-1300
ONUIGBO, EMEKA L ONUIGBO, ONYINYECHI HAPPINESS 3362 BRIDGEVILLE RD RALEIGH NC 27610-2875	OVERSTREET, REBECCA J 3402 BATON RD RALEIGH NC 27610-1903	PALMER, LAQUANA 3365 BRIDGEVILLE RD RALEIGH NC 27610-2876
PARKS, MICHAEL T 2548 OAKES PLANTATION DR RALEIGH NC 27610-9328	PEARSON, TIMOTHY JR 1620 BELAFONTE DR RALEIGH NC 27610-3679	PITTMAN, TAMIAH 424 ALERO RD RALEIGH NC 27610-5083
POOLE ROAD LIMITED PARTNERSHIP C/O KFC #Y333035 2950 GATEWAY CENTRE BLVD MORRISVILLE NC 27560-9615	RAGHAVAN, DASARATHY DASARATHY, HEMAMALINI 1106 BLACKBURN RD APEX NC 27502-5231	RALEIGH CITY OF PO BOX 590 RALEIGH NC 27602-0590
REITZEL, JOHN L JR REITZEL, BEVERLY ROSSER 388 BLACKBERRY INN RD WEAVERVILLE NC 28787-9766	RICKETTS, EROL RICKETTS, DIANA MURPHY 420 ALERO RD RALEIGH NC 27610-5083	RUSSELL, DEBRA J 421 ALERO RD RALEIGH NC 27610-5084
SHADDING, PATRICIA 3379 BRIDGEVILLE RD RALEIGH NC 27610-2876	SHERMAN, THERESA M SHERMAN, ROBERT B 511 HURON RD RALEIGH NC 27610-5351	SIMPSON, VIVIAN 3407 SOSA RD RALEIGH NC 27610-4098
SMITH, SHERRIE Y 504 ERIE RD RALEIGH NC 27610-3990	SOUTHERN BELL TELEPHONE & 1155 PEACHTREE ST NE # 15H08 ATLANTA GA 30309-7629	STACKHOUSE PROPERTIES LLC PO BOX 14466 RTP NC 27709-4466
STEWART, KATHY M 427 NOMAR RD RALEIGH NC 27610-5086	SWAIN, FRANCES Y 3356 BRIDGEVILLE RD RALEIGH NC 27610-2875	SWIGART, DRAKE YOUNG 3354 BRIDGEVILLE RD RALEIGH NC 27610-2875
TANNER, VICTORIA 510 HURON RD RALEIGH NC 27610-5350	THE UNITED METHODIST CHURCH INCORPORATED 700 WATERFIELD RIDGE PL GARNER NC 27529-3365	THOMAS, BRENDA S 3407 BATON RD RALEIGH NC 27610-1905
VIRGINIA ST LLC 1914 ALEXANDER RD RALEIGH NC 27608-2340	VORONTSOVA, LIUDMILA 3375 BRIDGEVILLE RD RALEIGH NC 27610-2876	WALNUT CREEK LIMITED PARTNERSHIP 33 S SERVICE RD JERICHO NY 11753-1036

[illegible]

800 Samuel St. Reunion

ATTENDANCE ROSTER

[illegible]

SUMMARY OF ISSUES

A neighborhood meeting was held on 2/5/2019 (date) to discuss a potential rezoning located at 800 Samuel Street in Raleigh (property address).

The neighborhood meeting was held at Worthdale Community Center - 1001 Cooper Road in Raleigh (location).

There were approximately 7 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Residents who live in the adjacent townhome community (Winslow Ridge) are concerned for increased traffic going through their neighborhood when Samuel Street is connected through our project. Most of the concern they have is regarding traffic from the adjacent apartment complex.

A couple of meeting attendees were concerned with removal of trees on our site - especially the trees between our proposed townhomes and Winslow Ridge. It was noted the stream buffer, less the portion required for crossing, would remain in tact as required by Raleigh TCA rules.

Residents were concerned about how our project will impact their property values.

Residents asked about the quantity and type of product we are proposing. We told them we are committing to a max of 80 townhome units for the entire parcel. Townhomes will be 2 story and have between 2 and 3 bedrooms. We also told them no commercial uses are being proposed.

Most of the concerns the neighbors expressed stem from the apartment complex currently under construction (Sunnybrook Pointe Apartments). They are mostly concerned with how connecting Samuel Street will create a shortcut for the apartment residents through their neighborhood.

The meeting attendees kept circling back to the implementation of traffic calming devices to alleviate speeding traffic through Winslow Ridge and our project. They are concerned that in addition to apartment residents that concert traffic will use the connection as a way to get around

(cont. from above) the traffic light at the corner of Poole Road and Sunnybrook Road. Currently the apartment complex is under construction but residents noted they were not aware of the density that was proposed as part of the apartment complex which compounds the issue with traffic.

Pre-Application Conference

(this form must be provided at the time of formal submittal)



**DEVELOPMENT
SERVICES
DEPARTMENT**

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831
Litchford Satellite Office | 8320 -- 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review*
- ☒ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

* Optional conference

GENERAL INFORMATION

Date Submitted December 21, 2018

Applicant(s) Name Donald Sever, Summit Design and Engineering

Applicant's Mailing Address 1110 Navaho Dr Suite 600 Raleigh NC 27609

Phone 919 322-0115

Email don.sever@summitde.net

Property PIN # 1723456736

Site Address / Location 800 Samuel Street

Current Zoning CX-3 and R-6

Additional Information (if needed) :

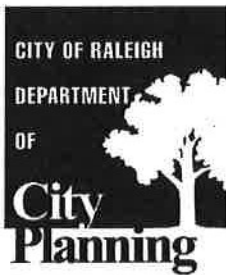
Would like to build townhomes on the entire parcel. Part if it is CX-3. Can plans be submitted for a portion of the site to build townhomes while the rest of the property is being rezoned. Looking at a total of 80 units on the 11 acre parcel.

OFFICE USE ONLY

Transaction # : 581745

Date of Pre-Application Conference : 1/4/2019

Staff Signature *Shadrach Bell, AICP Planner II*



Pre-Application Conference

Meeting Record

Transaction #: 581745 Meeting Date & Time: 10:00 AM 1/4/19

Location: One Exchange Plaza 3rd Floor Nash Conference

Attendees: Kyle Little, Don Belk, John Anagnost,
Matt Klem, Don Sever

Parcels discussed (address and/or PIN): 800 Samuel St

Current Zoning: R-6, CX-3

Potential Re-Zoning: CX-3, R-10

CAC Chair/Contact Information: Southeast CAC

General Notes: property is currently split zoned CX-3 and
R-6. The PLUM is currently designated as Neighborhood
Mixed Use, which supports MX zoning. Conditions could
be offered as part of the rezoning request. There is a pending
rezoning on the adjacent property to CX, could condition out
certain commercial use if the proposed development is going
to be entirely residential. would require a neighborhood transition

Department & Staff	Notes
Development Services ___Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 ___Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 ___Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517	<u>between residentially zoned property</u> <u>to the north and the proposed development</u> <u>A neighborhood meeting is required for property</u> <u>owners within 500 ft of the request. Could</u> <u>UDO Sections: put a cap on the amount of units</u> <u>via conditions. will want to meet with</u> <u>the Southeast CAC for a vote,</u> <u>Corey Branch is the district</u> <u>Council member</u>