Property: 3509, 3511, & 3513 Garner Rd

Size: 43.83 acres

Existing Zoning: R-4

Requested Zoning: R-10-CU
TO: Ruffin L. Hall, City Manager  
FROM: Ken Bowers AICP, Director; Donald Belk AICP, Planner II  
DEPARTMENT: City Planning  
DATE: April 24, 2019  
SUBJECT: City Council agenda item for May 7, 2019 – Z-11-18

On April 2, 2018, City Council authorized the public hearing for the following item:  
Z-11-18: approximately 43.83 acres located near the east intersection of Garner Road and Tryon Road Street at 3509, 3511, and 3513 Garner Road.  
Current zoning: Residential-4 (R-4).  
Requested zoning: Residential-10-Conditional Use (R-10-CU).  
The zoning conditions dated January 31, 2019 limit overall density to six (6) units per gross acre, prohibits the apartment building type, and preserves a minimum of 20% of the site area (net of right-of-way) as open space, which can include preservation of existing natural features, woodlands, stream buffers, wetlands, or vegetation, in compliance with the standards in Section 2.5 of the UDO.  
The request is consistent with the 2030 Comprehensive Plan and the Future Land Use Map.  
The Planning Commission recommends approval in a vote of 9 to 0.  
The South CAC supports approval in a vote of 11 to 0.  
Attached are the Planning Commission Certified Recommendation (including Staff Report and Traffic Study Review), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report.
CERTIFIED RECOMMENDATION
Raleigh Planning Commission

CR# 11888

CASE INFORMATION Z-11-18 3509, 3511, & 3513 GARNER ROAD

Location
Located approximately 0.3 miles east of the Garner Road-Tryon Road intersection.
Address: 3509, 3511, & 3513 Garner Road
PIN: 1712216519, 1712319496, & 1712317179

Request
Rezone property from R-4 to R-10 CU

Area of Request
43.83 acres

Corporate Limits
The subject site is within the City's extraterritorial jurisdiction. It bordered to the north and west by the corporate limits of the City, to the south by the corporate limits of the Town of Garner, and to the east by Garner's extraterritorial jurisdiction. Annexation is required for city services to be provided to site.

Property Owner
Jesse Lee Brown Heirs, c/o Shearon Brown, Administrator (3509 Garner Road); Eddie Start Heirs, c/o Samuel Stark (3511); Prestige Construction & Land Development LLC (3513)

Applicant
Randy H. Herman, Banks Law Firm, PA

Citizens Advisory Council (CAC)
South CAC; 2nd Monday of each month
Pam Adderley, Community Relations Analyst
(919) 996-5716/pam.adderley@raleighnc.gov

PC Recommendation Deadline
February 25, 2019

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

<table>
<thead>
<tr>
<th>FUTURE LAND USE</th>
<th>Low Density Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>URBAN FORM</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

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 4.5 – Connectivity
Policy LU 5.6 – Buffering Requirements
Policy LU 8.1 – Housing Variety
Policy LU 8.5—Conservation of Single-Family Neighborhoods
Policy LU 8.9 – Open Space in New Development
Policy LU 8.10—Infill Development
Policy EP 2.3 – Open Space Protection
Policy EP 2.5 – Protection of Water Features
INCONSISTENT Policies

None.

SUMMARY OF PROPOSED CONDITIONS

1. Density limited to 6 units per acre.
2. Permitted building types shall not include apartments.
3. A minimum of 20% of the site area (net of right-of-way) shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation. The preserved open space shall comply with the standards in Section 2.5 of the Unified Development Ordinance.

PUBLIC MEETINGS

<table>
<thead>
<tr>
<th>Neighborhood Meeting</th>
<th>CAC</th>
<th>Planning Commission</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 7, 2018</td>
<td>January 14, 2019 January 11, 2019 Vote: 11 For; 0 Against</td>
<td>November 27, 2018 January 29, 2019 February 12, 2019</td>
<td>February 19, 2019</td>
</tr>
</tbody>
</table>

PLANNING COMMISSION RECOMMENDATION

[Select one of the following and fill in details specific to the case.]

☒ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.

☐ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.

☐ The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.

☐ The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

Reasonableness and Public Interest

The request is consistent with the Comprehensive Plan and the Future Land Use Map and is reasonable and in the public interest because will add to the supply of housing options for residents in the City’s southeast area, provide for the preservation of open space and important woodlands in a sub-basin of the Neuse River watershed, and was received positively by the South CAC.
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.

**ATTACHMENTS**

1. Staff report
2. Comprehensive Plan Amendment Analysis [if applicable]

Staff Coordinator: Donald Belk: (919) 996-4641; donald.belk@raleighnc.gov
OVERVIEW

The rezoning site is located in south central Raleigh, about 0.3 miles east of the intersection of Garner Road and Tryon Road. Tryon Road currently terminates at the western edge of the subject property. The area is characterized by mainly low density residential uses to the north and south, with a small commercial area at the intersection of Garner and Tryon Road. The parcel to the west is vacant. The site is heavily wooded, with several streams that feed into the Little Arm Branch and ultimately the Big Branch Creek. The site’s topography slopes slightly downward from west to east toward the streams on the property. Land capacity analysis shows that approximately 36 percent of the site is unbuildable due to environmental constraints.

The subject site is approximately 43.83 acres and is formed by the properties at 3509, 3511, and 3513 Garner Road. These parcels are currently vacant and are zoned R-4. The site is bordered on the south and east by land under the jurisdiction of the Town of Garner. The site is linear in nature, with dimensions of 3,114 feet east to west by 617 feet north to south.

The parcels directly adjoining to the north of the site are zoned R-6-CU and consist of single-family, detached houses, with conditions that limited the rate of stormwater runoff to the previous R-4 value. Parcels adjoining to the west of the site are zoned R-10 and also consist of detached houses. To the south, the site is adjoined by residential parcels zoned at R-20 (Town of Garner), with four parcels to south zoned R-15, all containing detached houses. The vacant tract to the east of the site is also zoned R-20.

When developed, the site will be bisected by the future Tryon Road, designated as a Major Thoroughfare on the Raleigh Street Plan map.

Update for February 12, 2019

The applicant submitted a draft of revised conditions on January 31, 2019. Staff contends that these revisions have brought the proposal into consistency with the Future Land Use Map. The revised conditions also warrant the inclusion of additional policies that improve the overall consistency of the proposal with the 2030 Comprehensive Plan.

Condition #1 limits the overall density of the proposed rezoning to 6 units per acre, matching the maximum residential density recommended for Low Density Residential per the 2030 Plan and the Future Land Use Map.

For areas designated as Low Density Residential, the Comprehensive Plan states that “smaller lots, townhouses, and multifamily dwellings would only be appropriate as part of a conservation subdivision resulting in a significant open space set-aside.” While the proposal would prohibit apartments, it is expected that future development of the site...
would be exclusively townhomes, exceeding the percentage allowed for this building type (35%) in a formal R-6 Conservation Development Option. However, the natural resource protection requirements of the site will result in a significant set-aside of open space. These constraints will effectively mandate a ‘conservation subdivision’ design approach, as future buildout of the site will be limited to delineated ‘pods’ of land that are unencumbered by riparian buffers and jurisdictional wetlands.

Condition #3 will provide for a minimum of 20% preserved open space (net of street ROW), but given the environmental constraints on the site, the total preservation area at buildout could exceed that amount.

The applicant presented the case to the South CAC on January 14, and a vote was held at their meeting on February 11, 2019. The vote was 11 in favor, 0 against.

Update for April 2, 2019

On February 19, 2019, City Council was unable to set a public hearing on this case since the applicant had not yet obtained necessary signatures on the version of proposed zoning conditions that were recommended for approval by the Planning Commission. The applicant requested that Council defer action to set the public hearing until April 2, 2019.

The Council agreed to bring back this rezoning request as a special item on the April 2, 2019 agenda in order to consider setting a public hearing at that time.

Council must act to set the public hearing by April 20, 2019.

**Outstanding Issues**

<table>
<thead>
<tr>
<th>Outstanding Issues</th>
<th>Suggested Mitigation</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>None.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Existing Zoning

Z-11-2018

Property | 3509, 3511, & 3513 Garner Rd
Size | 43.83 acres
Existing Zoning | R-4
Requested Zoning | R-10-CU

Map by Raleigh Department of City Planning (revised): 4/18/2016
Property: 3509, 3511, & 3513 Garner Rd

Size: 43.83 acres

Existing Zoning: R-4

Requested Zoning: R-10-CU
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 262 residential units could provide for an increased supply of housing options and introduce a variety of building types.

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 likely development resulting from this request for R-10-CU zoning would support this theme.

The request is consistent with the Growing Successful Neighborhoods and Communities vision theme, which calls for the City to have healthy and safe older neighborhoods that are conserved and enhanced through careful infill development that complements the existing character of the area and responds to natural features. The proposal represents an infill development that will complement the present character of the area and preserve streams and wetlands.

The request is consistent with the Coordinating Land Use and Transportation vision theme, whereby Raleigh will coordinate its transportation investments with desired land use patterns to plan more effectively for housing, employment and retail uses, and for public services. Higher density residential and mixed-use development will provide the land use pattern needed to support successful new local and regional public transit services. The development that could result from this rezoning proposal would support this theme.

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

Yes. The Future Land Use designation of Low Density Residential signifies development from 1-6 units per acre, with provisions for the townhouse building type if significant open space is preserved. The proposed rezoning has conditions limiting the development yield to no more than 6 units per acre and preserving 20% of the site as open space. The environmental constraints on the site will likely result in a higher percentage of open space and result in a future subdivision layout that would mirror the R-6 Conservation Option. This will keep the proposal consistent with Low Density Residential designation on the Future Land Use Map.
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. This proposal would condition the density to no greater than 6 units per acre, which would be similar in character to the north-adjoining neighborhood, which is also zoned R-6. Parcels to west are zoned R-10. The condition to increase the preservation of open space would retain 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?

   Yes. Extension of Tryon Road and connections to several currently stubbed local streets will be required as result of this proposal. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.

**Future Land Use**

**Future Land Use designation:**

The rezoning request is:

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

Condition #1 of the request limits the maximum density to 6 units per gross acre, in conformance with the Low Density Residential designation on the Future Land Use Map.

**Urban Form**

**Urban Form designation:**

The rezoning request is:

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

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

☐ **Inconsistent**

   Not applicable: **There is no urban form designation for this site.**

**Compatibility**

The proposed rezoning is:

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

Staff Evaluation
Z-11-18 3509, 3511, & 3513 Garner Road
The request to rezone from R-4 to R-10-CU includes a condition to limit the maximum residential density to 6 units per acre and would be similar in character to adjoining neighborhoods, which are exclusively single-family, detached houses. A condition to preserve 20% of the net site area as open space would enhance the site’s compatibility with existing development to the north (which incorporates open space into the neighborhood pattern) and south (which consists of larger, wooded lots).

**Public Benefits of the Proposed Rezoning**

- The proposal would increase the housing supply, keeping the market stocked and naturally reducing the cost of owning and renting property.
- If developed, would result in the further eastward extension of Tryon Road, a major thoroughfare.

**Detriments of the Proposed Rezoning**

- Increased traffic. The proposed zoning would increase peak hour and daily trip volumes.

**Policy Guidance**

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

**Policy LU 1.2 – Future Land Use Map & 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 map amendment remains consistent with the Future Land Use Map, as the residential use and form permitted in R-6 would be in keeping with residential development recommended for areas designated for Low Density Residential.

**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. The condition to set density to 6 units per acre conforms to the Future Land Use Map designation for this area. The condition to set aside 20% of the site (net of right-of-way) complies with the Comprehensive Plan guidance to permit townhomes in Low Density Residential only with the preservation of significant areas of open space in a conservation subdivision design.

**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 proposal will provide a compact pattern of residential development that will improve the transportation network by the extension of Tryon Road and connections with several local streets.

**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.

- Sidewalks and street connections will provide access to the Tryon Road corridor upon completion of this major thoroughfare through the site.

**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 residential area to the south (Town of Garner, zoned R-20) contains lots averaging approximately 0.46 acres. These are deep lots and would be effectively buffered from development on the proposed site, which is heavily wooded.

**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 proposed rezoning, anticipated for future development as townhouses, would provide an alternative building type and increase the variety of housing stock in this area of predominately single-family homes.

**Policy LU 8.5—Conservation of Single-Family Neighborhoods**
Protect and conserve the City’s single-family neighborhoods and ensure that their zoning reflects their established low-density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.

- The proposed rezoning would reflect the established character of the surrounding area, preserve open space, and maintain neighborhood scale.

**Policy LU 8.9 – Open Space in New Development**
New residential development should be developed with common and usable open space that preserves the natural landscape and the highest quality ecological resources on the site.

- The site is located in the headwaters of the Little Arm Branch-Big Branch-Neuse River watershed and contains streams that are protected by the Neuse River buffer regulations. There are also wetlands on the site which may be jurisdictionally protected by federal regulations. These areas will provide open space that includes the highest quality ecological resources on the site.

**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 proposal complements the established character of the area. The proposed density would reflect existing conditions.

**Policy EP 2.3 – Open Space Protection**
Seek to identify all opportunities to conserve open space networks, mature existing tree stands, steep slopes, floodplains, priority wildlife habitats, and significant natural features as part of public and private development plans and targeted acquisition.

**Policy EP 2.5 – Protection of Water Features**
Lakes, ponds, rivers, streams, and wetlands should be protected and preserved. These water bodies provide valuable stormwater management and ecological, visual, and recreational benefits.
  - The site is densely wooded, and the natural constraints of the site will necessitate substantial open space set-asides. Jurisdictional wetlands and Neuse River riparian buffers will force road crossings to be minimized (e.g., prohibit a connection with Idlewild Village Drive) and provide for substantial primary open space (per UDO Section 2.5.2.A) beyond the required primary tree conservation areas (per UDO Section 9.1.4.A). The site is located within the headwaters of South Big Branch drainage basin, and with expansive floodplains on parcels to the east, this proposal offers an opportunity to conserve a contiguous, forested open space network eastward to Walnut Creek.

**Policy T 2.4 – Road Connectivity**
The use of cul-de-sacs and dead-end streets should be minimized.

**Policy T 2.6 – Preserving the Grid**
Existing street grid networks should be preserved and extended where feasible and appropriate to increase overall connectivity.
  - When developed, it would extend the existing street grid network, and provide excellent connectivity with connections to several stubbed local streets.

**Area Plan Policy Guidance**
  - There is no area plan guidance for this site.

**Impact Analysis**

**Transportation**

**Location**
The Z-11-2018 site is located in southeast Raleigh, near the Garner border. It is bounded by single family homes on the north, west, and south, and undeveloped land on the east.

**Area Plans**

Staff Evaluation
Z-11-18 3509, 3511, & 3513 Garner Road
The Z-11-2018 site is located in the City’s Garner-Tryon Neighborhood Center Study Area, which intends to guide nearby developments to be interconnected and walkable. The site is also in the vicinity of the Southern Gateway Corridor Study, which outlines goals for developing the vacant and underutilized land within the district to transform its character and perception.

**Streets**

East Tryon Road, a 4-lane divided avenue, stubs to the parcels on the west. In the immediate vicinity of the site, East Tryon Road narrows to 2 lanes. Several local streets either stub to or cul-de-sac at the parcel, including Randell Road, Northview Road, Burtons Barn Street, Peppersauce Street, Idlewood Village Drive, Mormon Springs Lane, and Tule Spring Street. The Raleigh Street Plan shows East Tryon Road extended as a 4-lane avenue through the parcel, connecting to Creech Road.

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-11-2018 is indeterminable due to the undeveloped land east of the parcel.

**Pedestrian Facilities**

Generally, the neighborhoods north of the parcel have sidewalks on one side of the street and those immediately south do not have sidewalks.

**Transit**

GoRaleigh Route 5 busses stop on Idlewood Village Drive approximately 1 mile from parcel Z-11-2018, running every 30 minutes during peak travel periods.

**Access**

The Z-11-2018 site is surrounded by neighborhoods of single family homes except for east of the site, which is currently undeveloped. It would be desirable to provide pedestrian & bicycle connections to the local streets that stub to the site.

Site access will be provided via East Tryon Road as well as presumably several local streets that stub to the parcel on the north and south. The only existing road frontage is via the stubbed streets. Driveways accessing streets within the site shall be coordinated according the Raleigh Street Design Manual.
TIA Determination

Approval of case Z-11-2018 (with conditions updated January 2019) would increase trip generation volumes as outlined in the below table. Prior to submission of these revised conditions, the change in maximum potential entitlement resulted in increased trip generation that exceeded the 150 vehicles per hour threshold in the PM peak hour. Under the new conditions, the increase in trip generation is less significant. The updated trip generation values are shown in the above table. The Single-Family entitlement potential generates more trips than that for townhouses.

<table>
<thead>
<tr>
<th>Z-11-18 Existing Land Use Empty</th>
<th>Daily Trips (vpd)</th>
<th>AM peak trips (vph)</th>
<th>PM peak trips (vph)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Z-11-18 Current Zoning Entitlements Residential (Single Family)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daily Trips (vpd)</td>
<td>AM peak trips (vph)</td>
<td>PM peak trips (vph)</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
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<tr>
<td>Z-11-18 Proposed Zoning Maximums Residential (Single Family)</td>
<td>Daily Trips (vpd)</td>
<td>AM peak trips (vph)</td>
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</tr>
<tr>
<td>1,286</td>
<td>94</td>
<td>127</td>
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<tr>
<td>Z-11-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)</td>
<td>Daily Trips (vpd)</td>
<td>AM peak trips (vph)</td>
<td>PM peak trips (vph)</td>
</tr>
<tr>
<td>1,286</td>
<td>94</td>
<td>127</td>
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</tbody>
</table>

Prior to updating conditions, which limit density, the applicant submitted a traffic study that analyzed operation of the intersections surrounding the site under the existing and proposed conditions, including the future intersection of Idlewood Village Drive and Tryon Road and other new intersections proposed by the development. The analysis determined that the direction and quantity of proposed site traffic is not anticipated to result in increased delays nor higher crash rates. It also determined that extension of East Tryon Road and connection to Idlewood Village Drive is anticipated to reduce vehicle volumes in the neighborhood to the north. The study made no recommendation for mitigation in the study area. City Staff reviewed the study and agrees with this determination.

The traffic study analyzed increased trip generation as compared to what is now allowable under revised conditions. Thus, the conclusion stands – the development is not expected to adversely affect the surrounding transportation network and no corresponding mitigations are required.

Impact Identified: None.

Transit

The subject property is located at the southern terminus of Idlewood Village Drive. The nearest GoRaleigh bus service is the #5 Biltmore Hills which runs hourly bus service 7 days a week and 30-minute bus service during weekday peak periods. The route connects neighborhoods principally located south of I-440 and east of Garner Road and

Staff Evaluation
Z-11-18 3509, 3511, & 3513 Garner Road
north of the subject property. The nearest bus stop to the subject property is ¾ of a mile north on Idlewood Village Drive.

The Wake Transit Plan long range bus plan is currently reviewing services in the City and may make minor changes to routes near the subject property but the nature of the residential street network around the subject property with the relatively low densities of houses in the area make serving specific properties difficult. Increasing densities almost always benefits the provision of transit services in the long run.

**Impact Identified: No impacts identified.**

**Hydrology**

<table>
<thead>
<tr>
<th>Floodplain</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Basin</td>
<td>South Big Branch</td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>Subject to UDO Section 9.2</td>
</tr>
<tr>
<td>Overlay District</td>
<td>None</td>
</tr>
</tbody>
</table>

**Impact Identified:** None. Neuse buffer present onsite subject to DEQ approval.

**Public Utilities**

<table>
<thead>
<tr>
<th>Maximum Demand (current)</th>
<th>Maximum Demand (proposed)</th>
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</thead>
<tbody>
<tr>
<td>Water</td>
<td>78,750 gpd</td>
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<tr>
<td>Waste Water</td>
<td>78,750 gpd</td>
</tr>
</tbody>
</table>

**Impact Identified:**

1. The proposed rezoning would add approximately 218,750 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
3. 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.
4. 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.
Parks and Recreation

1. This site is not impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing City of Raleigh park access is provided by Sanderford Road Park (1.0 miles) and Biltmore Hills Park (1.8 miles). Note that the Town of Garner Cloverdale Park is less than 1 mile from the site.
3. Nearest existing greenway trail access if provided by the Walnut Creek Greenway Trail (2.25 miles).
4. Because this site is not currently within City of Raleigh limits, a Park Access Level of Service score is not directly available, however, the surrounding City of Raleigh properties have an average to slightly below-average park access level of service. Note that this does not account for the presence of the nearby Cloverdale Park (Town of Garner).
5. This site is considered to be within a medium-priority land acquisition target area.

Impact Identified: None

Urban Forestry

Tree conservation areas would be required as part of the development plan submittal process per UDO Article 9.1. There are some potential primary tree conservation areas per UDO 9.1.4.A.6 & 8.

Impact Identified: None.

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 nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None.

Impacts Summary

A traffic impact analysis for the proposed rezoning analyzed operation of the intersections surrounding the site under the existing and proposed conditions, including the new intersections proposed by the development. The analysis determined that the direction and quantity of proposed site traffic is not anticipated to result in increased delays nor higher crash rates. It also determined that extension of East Tryon Road and connection to Idlewood Village Drive is anticipated to reduce vehicle volumes in the neighborhood to the north.

Potential impacts to sewer infrastructure will be ascertained if a downstream sewer capacity study is required upon development plan submittal.
Mitigation of Impacts

The traffic impact analysis made no recommendation for mitigation in the study area. City Staff reviewed the study and agrees with this determination. Any measures for mitigating the impact on water and sewer infrastructure will be identified during the analyses required prior to development.

Conclusion

Z-11-18 is a request to rezone 43.83 acres near the intersection of Garner Road and Tryon Road from R-4 to R-10-CU. The request is consistent with the Future Land Use Map and consistent with the Comprehensive Plan overall. Conditions have been revised to limit the maximum residential density on the site and ensure the preservation of open space, which should result in development that is compatible with the surrounding neighborhoods. Additional open space resulting from the stream buffers and wetlands will add to the character of development on the site and would reflect the form of the neighborhood to north, which incorporates open space into the development pattern. The proposal and anticipated development of the site will improve City road infrastructure with the extension of Tryon Road, protect important woodlands in a sub-basin of the Neuse River watershed, and add to the supply of housing options.

Case Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Revision [change to requested district, revised conditions, etc.]</th>
<th>Notes</th>
</tr>
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<tbody>
<tr>
<td>04/06/2018</td>
<td>Application submitted with conditions.</td>
<td></td>
</tr>
<tr>
<td>11/27/2018</td>
<td>Planning Commission first review</td>
<td>Case deferred until January 29, 2019 to allow applicant to resolve complications with the sale of the property.</td>
</tr>
<tr>
<td>1/14/2019</td>
<td>Presentation to South CAC</td>
<td>Case will return to South CAC on February 11 for a vote.</td>
</tr>
<tr>
<td>1/29/2019</td>
<td>Planning Commission second review</td>
<td>Case deferred until February 12, 2019 to allow for a vote by the South CAC.</td>
</tr>
<tr>
<td>2/11/2019</td>
<td>South CAC Vote</td>
<td>Vote 11 For; 0 Against.</td>
</tr>
<tr>
<td>2/12/2019</td>
<td>Planning Commission third review</td>
<td>Recommended for approval. (Vote 9-0)</td>
</tr>
</tbody>
</table>
Appendix

Surrounding Area Land Use/ Zoning Summary

<table>
<thead>
<tr>
<th>SUBJECT PROPERTY</th>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning</td>
<td>R-4</td>
<td>R-6-CU</td>
<td>R-20, R-15 (Town of Garner)</td>
<td>R-10</td>
</tr>
<tr>
<td>Additional Overlay</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Future Land Use</td>
<td>Low Density Residential</td>
<td>Low Density Residential</td>
<td>Medium Density Residential (Town of Garner)</td>
<td>Medium Density Residential (Town of Garner)</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant</td>
<td>Single-Family Detached</td>
<td>Single-Family Detached</td>
<td>Vacant</td>
</tr>
<tr>
<td>Urban Form</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Current vs. Proposed Zoning Summary

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>R-4</td>
<td>R-10-CU</td>
</tr>
<tr>
<td>Total Acreage</td>
<td>43.83</td>
<td>43.83</td>
</tr>
<tr>
<td>Setbacks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front:</td>
<td>20’</td>
<td>10’</td>
</tr>
<tr>
<td>Side:</td>
<td>10’</td>
<td>5’</td>
</tr>
<tr>
<td>Rear:</td>
<td>30’</td>
<td>20’</td>
</tr>
<tr>
<td>Residential Density:</td>
<td>4 du/ac</td>
<td>6 du/ac</td>
</tr>
<tr>
<td>Max. # of Residential Units</td>
<td>126</td>
<td>262</td>
</tr>
<tr>
<td>Max. Gross Building SF (if applicable)</td>
<td>277,200</td>
<td>576,400 (townhome) 576,400 (single family)</td>
</tr>
<tr>
<td>Max. Gross Office SF</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Max. Gross Retail SF</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Max. Gross Industrial SF</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Potential F.A.R</td>
<td>0.15</td>
<td>0.30 (townhome) 0.30 (single family)</td>
</tr>
<tr>
<td>Lot Size Requirements</td>
<td>Minimum width</td>
<td>65’</td>
</tr>
<tr>
<td></td>
<td>100’</td>
<td>60’</td>
</tr>
<tr>
<td></td>
<td>10,000 SqFt</td>
<td>4,000 SqFt</td>
</tr>
</tbody>
</table>

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

Staff Evaluation
Z-11-18 3509, 3511, & 3513 Garner Road
October 25, 2018

MEMORANDUM

TO: Bynum Walter, AICP
   Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE
       Transportation Planning Manager

SUBJECT: Traffic Study Review
         Z-11-18
         3509, 3511, 3513 Garner Rd, Tryon Extension
         Tryon Road Towns

I have reviewed the Traffic Impact Analysis (TIA) prepared by Timmons Group (Timmons) for the proposed Rezoning Case Z-11-18, referred to in the TIA as the Tryon Road Towns Development. The following memorandum summarizes the most relevant information pertaining to the study as well as City Staff’s review of the analysis and recommendations.

Development Details:
Site Location: Southeast Raleigh, along the boundary with the town of Garner, east of the intersection of Garner Road and E Tryon Road
Address: 3509, 3511, 3513 Garner Rd
Property Pins: 1712317179, 1712319496, 1712216519
Current Zoning: R-4
Proposed Zoning: R-10-CU
Existing Land Use: Undeveloped
Proposed Land Use: Townhouses (Multifamily Low Rise Residential)
Build-out Year: 2021

Refer to Figure 1 for the Site Location Map.

Study Area:
The Development includes the extension of Tryon Road eastward to the eastern boundary of the site. Note that the “Tryon Road” referred to herein refers both to the existing road and to this extension.

The following intersections were studied as part of this TIA:
1. Garner Road and Tryon Road (Signalized)
2. Sanderford Road and Idlewod Village Drive (TWSC*)
3. Peppersauce Street and Tryon Road (TWSC)
4. Idlewod Village Drive / Northview Street and Tryon Road (TWSC)
5. Norman Springs Lane / Randell Street and Tryon Road (TWSC)
6. Tule Spring Lane / Site Access #4 and Tryon Road
7. Site Access #5 and Tryon Road

*TWSC = Two Way Stop Control

Timmons also conducted traffic counts at the following intersections to assist in decisions regarding the redistribution of future traffic:
1. Idlewood Village Drive and Ujamaa Drive
2. Ujamaa Drive and Cyrus Street
3. Tryon Road and Cyrus Street

Trip Generation
Timmons assumes a 3% annual growth rate and uses the 10th Edition ITE Trip Generation Manual – Land Use Code 210 (Single Family Detached Houses). Timmons analyzed the trip generation scenario that is estimated to generate the most trips under the proposed zoning, which is 315 Single Family Houses. Trip generation for 350 townhouses is included as reference for what may be proposed for the site.

Table 1: Trip Generation

<table>
<thead>
<tr>
<th></th>
<th>Land Use</th>
<th>ITE Code</th>
<th>Size</th>
<th>Daily</th>
<th>AM</th>
<th>PM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
<td>Total</td>
</tr>
<tr>
<td>Exist.</td>
<td>Zoning R-4</td>
<td>210</td>
<td>126 Units</td>
<td>643</td>
<td>643</td>
<td>1,286</td>
</tr>
<tr>
<td>Prop.</td>
<td>Zoning R-10-CU</td>
<td>210</td>
<td>315 Units</td>
<td>1,494</td>
<td>1,494</td>
<td>2,988</td>
</tr>
<tr>
<td></td>
<td>Single Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Housing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Difference</strong></td>
<td></td>
<td></td>
<td>851</td>
<td>851</td>
<td>1,702</td>
</tr>
<tr>
<td></td>
<td><strong>Prop. Land Use</strong></td>
<td></td>
<td></td>
<td>1,303</td>
<td>1,303</td>
<td>2,606</td>
</tr>
<tr>
<td></td>
<td>Townhouses</td>
<td>220</td>
<td>350 Units</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Site Traffic Distribution
Trips generated by the proposed the Development are distributed as follows.

AM Peak Hour:
- Garner Road (south): 44% incoming / 15% outgoing
- Garner Road (north): 18% incoming / 32% outgoing
- Tryon Road (west): 12% incoming / 28% outgoing
- Sanderford Road (south): 14% incoming / 8% outgoing
- Sanderford Road (north): 12% incoming / 17% outgoing

PM Peak Hour:
- Garner Road (south): 16% incoming / 38% outgoing
- Garner Road (north): 30% incoming / 19% outgoing
- Tryon Road (west): 26% incoming / 15% outgoing
- Sanderford Road (south): 10% incoming / 17% outgoing
- Sanderford Road (north): 18% incoming / 11% outgoing
### Results and Impacts

Level of Service (LOS) results for the studied intersections are summarized below in Table 2.

**Table 2: Summary of LOS Results**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AM</td>
<td>PM</td>
<td>AM</td>
<td>PM</td>
</tr>
<tr>
<td>Garner Road</td>
<td>Overall</td>
<td>B (18.2)</td>
<td>C (24.9)</td>
<td>B (19.5)</td>
<td>C (27.5)</td>
</tr>
<tr>
<td>Tryon Road</td>
<td>EB</td>
<td>C (26.9)</td>
<td>C (32.6)</td>
<td>C (28.5)</td>
<td>D (36.8)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>C (23.8)</td>
<td>C (24.2)</td>
<td>C (24.4)</td>
<td>C (25.7)</td>
</tr>
<tr>
<td></td>
<td>NB</td>
<td>B (15.7)</td>
<td>B (12.9)</td>
<td>A (17.7)</td>
<td>B (13.2)</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>B (13.9)</td>
<td>C (24.8)</td>
<td>B (14.3)</td>
<td>C (27.4)</td>
</tr>
<tr>
<td>Sanderford</td>
<td>Overall</td>
<td>B (14.8)</td>
<td>B (13.4)</td>
<td>C (16.3)</td>
<td>B (14.3)</td>
</tr>
<tr>
<td>Road and</td>
<td>EB</td>
<td>B (13.3)</td>
<td>B (12.2)</td>
<td>B (14.5)</td>
<td>B (12.9)</td>
</tr>
<tr>
<td>Idlewood</td>
<td>NB</td>
<td>A (3.0)</td>
<td>A (3.3)</td>
<td>A (3.1)</td>
<td>A (3.4)</td>
</tr>
<tr>
<td>Village Drive</td>
<td>SB</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
</tr>
<tr>
<td>Peppersauce</td>
<td>Overall</td>
<td>A (9.5)</td>
<td>A (9.4)</td>
<td>A (10.1)</td>
<td>A (10.1)</td>
</tr>
<tr>
<td>Street and</td>
<td>EB</td>
<td>A (0.4)</td>
<td>A (0.7)</td>
<td>A (0.8)</td>
<td>A (1.2)</td>
</tr>
<tr>
<td>Tryon Road</td>
<td>WB</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>A (9.5)</td>
<td>A (9.4)</td>
<td>B (10.1)</td>
<td>B (10.1)</td>
</tr>
<tr>
<td>Idlewood</td>
<td>Overall</td>
<td>B (11.5)</td>
<td>B (12.5)</td>
<td>B (13.1)</td>
<td>B (14.7)</td>
</tr>
<tr>
<td>Village Drive</td>
<td>EB</td>
<td>B (11.5)</td>
<td>B (12.5)</td>
<td>B (13.1)</td>
<td>B (14.7)</td>
</tr>
<tr>
<td>/ Northview</td>
<td>NB</td>
<td>B (11.5)</td>
<td>B (12.5)</td>
<td>B (13.1)</td>
<td>B (14.7)</td>
</tr>
<tr>
<td>Street and</td>
<td>SB</td>
<td>A (9.0)</td>
<td>A (9.3)</td>
<td>A (9.5)</td>
<td>B (10.6)</td>
</tr>
<tr>
<td>Tryon Road</td>
<td>Overall</td>
<td>A (8.4)</td>
<td>A (8.4)</td>
<td>A (8.6)</td>
<td>A (8.5)</td>
</tr>
<tr>
<td></td>
<td>EB</td>
<td>A (2.4)</td>
<td>A (2.9)</td>
<td>A (2.9)</td>
<td>A (3.0)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
</tr>
<tr>
<td></td>
<td>NB</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
</tr>
<tr>
<td>Norman Springs Lane / Randell Street and Tryon Road (TWSC)</td>
<td>Overall</td>
<td>A (8.4)</td>
<td>A (8.4)</td>
<td>A (8.6)</td>
<td>A (8.5)</td>
</tr>
<tr>
<td>Tule Spring Lane / Site Access #4 and Tryon Road (TWSC)</td>
<td>Overall</td>
<td>A (8.6)</td>
<td>A (8.7)</td>
<td>A (8.8)</td>
<td>A (8.9)</td>
</tr>
<tr>
<td>Site Access #5 and Tryon Road (TWSC)</td>
<td>Overall</td>
<td>A (8.6)</td>
<td>A (8.6)</td>
<td>A (8.6)</td>
<td>A (8.7)</td>
</tr>
</tbody>
</table>

Note: EB = Eastbound, WB = Westbound, SB = Southbound, NB = Northbound

The LOS results show that the new intersections within in the proposed site are anticipated to function predominantly with LOS A. The new connection of Ildewood Village Drive and the Tryon Road extension is expected to operate at LOS B.
The signalized intersection of Garner Road and Tryon Road is expected to operate at LOS C or better overall, with the Tryon approaches experiencing LOS D in the PM peak hour. The Sanderford Road and Idlewood Village Drive intersection is expected to operate at LOS C or better in all studied scenarios.

Many of the studied intersections do not exist in the current condition and are triggered by the development. Overall, traffic conditions appear to experience marginal changes in delay as a result of this rezoning. Delay increases from the Build Existing Zoning Scenario to the Build Proposed Zoning Scenario by only a second or so.

Timmons also analyzed queue length in feet for the study intersections. This was especially pertinent at the Garner Road and Tryon Road signalized intersection. Refer to Table 3 for a summary of trips added to this intersection in each scenario and how the corresponding queue length compares to the available storage.

Table 3: Queuing Results at the Garner Rd and Tryon Rd Signalized Intersection

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AM</td>
<td>PM</td>
<td>AM</td>
<td>PM</td>
</tr>
<tr>
<td>EB L</td>
<td>125</td>
<td>98</td>
<td>92</td>
<td>155</td>
<td>171</td>
</tr>
<tr>
<td>EB Th</td>
<td></td>
<td>68</td>
<td>64</td>
<td>211</td>
<td>189</td>
</tr>
<tr>
<td>EB R</td>
<td></td>
<td>83</td>
<td>55</td>
<td>292</td>
<td>190</td>
</tr>
<tr>
<td>WB L</td>
<td>225</td>
<td>32</td>
<td>38</td>
<td>49</td>
<td>54</td>
</tr>
<tr>
<td>WB Th</td>
<td></td>
<td>186</td>
<td>71</td>
<td>126</td>
<td>53</td>
</tr>
<tr>
<td>WB R</td>
<td>250</td>
<td>41</td>
<td>34</td>
<td>38</td>
<td>33</td>
</tr>
<tr>
<td>NB L</td>
<td>285</td>
<td>285</td>
<td>89</td>
<td>97</td>
<td>32</td>
</tr>
<tr>
<td>NB Th/R</td>
<td>600</td>
<td>393</td>
<td>303</td>
<td>157</td>
<td>655</td>
</tr>
<tr>
<td>SB L</td>
<td>200</td>
<td>16</td>
<td>9</td>
<td>55</td>
<td>20</td>
</tr>
<tr>
<td>SB Th</td>
<td></td>
<td>205</td>
<td>110</td>
<td>563</td>
<td>360</td>
</tr>
<tr>
<td>SB R</td>
<td>275</td>
<td>131</td>
<td>75</td>
<td>136</td>
<td>77</td>
</tr>
</tbody>
</table>

Note: S = Available Storage Length (ft)
      T = Turning Movement Count (veh), Q = 95th Percentile Queue Length (ft)
      L = Left, R = Right, Th = Thru

Table 3 shows that queue length for the eastbound left movement is anticipated to exceed available storage in all scenarios. However, the proposed zoning does not add traffic to this movement as compared to the current zoning. Thus, Timmons determines that this conflict is not created by build out of the proposed zoning. It may be a concern for additional evaluation separate from analysis of this development or may call for further consideration and potential mitigation under future development in the surrounding area.

Neighborhood Impact Evaluation:

Connecting Idlewood Village Drive to the Tryon Road extension may decrease traffic in the neighborhood north of the site. Timmons performed turning movement counts at the intersection of Ujamaa Drive and Cyrus Street to analyze the potential effect of the new connection. Timmons assumes that 0% of the development traffic will use Ujamaa and Cyrus and determines that daily traffic on those streets may
decrease by 90% to 95% or by 1,500 to 2,000 vehicles per day. These reduction is expected to be distributed amongst the neighborhood streets that currently connect Idlewood Village Drive to Garner Road.

Idlewood Village Drive is currently prioritized as 6th on the list of streets eligible for traffic calming measures under the City’s Neighborhood Traffic Management Program (NTMP). Idlewood Village Drive may be eligible for future horizontal treatments such as curb bump outs and medians if residents ballot in favor of the treatments as detailed in the NTMP Policy. Under this development and the new connection of Idlewood Village Drive to the Tryon Road extension, an additional 57 vehicle trips are anticipated on Idlewood Village Drive in the AM peak hour and 86 new vehicle trips are anticipated in the PM peak hour. This is an approximate increase in daily traffic of 10% to 15% or by 500 to 700 vehicles per day. Idlewood Village Drive may be further prioritized under this additional traffic for an NTMP project upon development of this site.

Multi-Modal Level of Service (MMLOS):

Timmons conducted Multi-Modal analysis for the study area for the proposed condition using the BLOS / PLOS Calculator Form produced by League of Illinois Bicyclists (LJB). The following tables summarize the MMLOS findings:

Table 4: Intersection Pedestrian LOS Summary

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Intersection</th>
<th>AM</th>
<th>PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garner / Tryon</td>
<td>EB</td>
<td>B (2.62)</td>
<td>B (2.69)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>B (2.49)</td>
<td>B (2.56)</td>
</tr>
<tr>
<td></td>
<td>NB</td>
<td>B (2.68)</td>
<td>C (2.75)</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>B (2.63)</td>
<td>B (2.70)</td>
</tr>
<tr>
<td>Sanderford / Idlewood Village</td>
<td>NB</td>
<td>C (15.9)</td>
<td>E (33.8)</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>A (2.5)</td>
<td>A (3.6)</td>
</tr>
<tr>
<td>Peppersauce / Tryon</td>
<td>EB</td>
<td>B (9.2)</td>
<td>C (11.6)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>B (9.2)</td>
<td>C (11.6)</td>
</tr>
<tr>
<td>Ildewood Village / Northview / Tryon</td>
<td>EB</td>
<td>A (1.5)</td>
<td>A (2.0)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>A (1.3)</td>
<td>A (1.7)</td>
</tr>
<tr>
<td>Norman Springs / Randell / Tryon</td>
<td>EB</td>
<td>A (1.8)</td>
<td>A (2.4)</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>A (1.2)</td>
<td>A (1.6)</td>
</tr>
<tr>
<td>Tule Spring / Access #4 / Tryon</td>
<td>EB &amp; WB</td>
<td>A (0.7)</td>
<td>A (1.0)</td>
</tr>
<tr>
<td>Access #5 / Tryon</td>
<td>EB &amp; WB</td>
<td>A (0.0)</td>
<td>A (0.0)</td>
</tr>
</tbody>
</table>

Per this analysis, the intersections are anticipated to provide acceptable MMLOS, especially those being proposed by the development. Timmons notes that for the signalized intersection (Garner and Tryon), the LOS is presented as a score. For the non-signalized intersections, LOS is presented as delay in seconds per pedestrian.
Table 5: Segment MMLOS Summary

<table>
<thead>
<tr>
<th>Intersection / Arterial / Location</th>
<th>Bicycle LOS</th>
<th>Pedestrian LOS (Score)</th>
<th>Transit LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM</td>
<td>PM</td>
<td>AM</td>
</tr>
<tr>
<td>Sanderford N of Idlewood Village</td>
<td>D (3.98)</td>
<td>C (3.54)</td>
<td>LOS D</td>
</tr>
<tr>
<td>Idlewood Village W of Sanderford</td>
<td>C (3.48)</td>
<td>B (2.06)</td>
<td>LOS D</td>
</tr>
<tr>
<td>Tryon W of Garner</td>
<td>D (3.99)</td>
<td>C (2.59)</td>
<td></td>
</tr>
<tr>
<td>Tryon E of Garner</td>
<td>D (3.79)</td>
<td>B (2.35)</td>
<td></td>
</tr>
<tr>
<td>Garner S of Tryon</td>
<td>D (4.41)</td>
<td>D (3.54)</td>
<td></td>
</tr>
</tbody>
</table>

The MMLOS provided along the studied segments is not desirable. Timmons inappropriately assumes no bicycle infrastructure will be included on the newly extended portion of Tryon Road. It is anticipated that this infrastructure may positively affect multimodal opportunity in the area.

Timmons makes no recommendation, nor comments on how the proposed development will advance MMLOS.

**Crash Data Analysis:**

Timmons has provided Crash Data and analysis for the study area for the past 5 years.

Table 5: Crash Data Summary

<table>
<thead>
<tr>
<th>Intersection / Segment</th>
<th>Severity Index</th>
<th>Total No. of Crashes</th>
<th>Total Injuries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idlewood Village / Sanderford</td>
<td>3.96</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>Tryon / Garner</td>
<td>2.95</td>
<td>53</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>39</td>
</tr>
</tbody>
</table>

PD Only = Property Damage Only

Timmons only summarizes the data for these 2 intersections and determines that there are have been no recent fatal crashes at them and that the intersections do not have high severity indices. As such, Timmons makes no recommendation for countermeasures. Timmons does not comment on how increased traffic may impact crash severity or frequency for the study area.

**Conclusions and Recommendations:**

Per the City of Raleigh 2030 Comprehensive Plan (the Raleigh Street Plan), development of this site will involve extending Tryon Road eastward to the eastern boundary of the site. The development will also
make several connections to the north and south of the site. Per the analysis presented in this report, the new intersections as they are proposed will operate at acceptable LOS.

Timmons determines that there are no significant impacts imposed on the surrounding transportation network as a result of the proposed rezoning and development and thus makes no recommendation for offsite improvements.

City Staff agrees with the analysis performed and the findings in the Traffic Impact Analysis Report for the rezoning of the site to be known as the Tryon Road Towns Development prepared by Timmons Group. City Staff makes no further recommendation.

EJL / th
Figure 1: Site Location
1. Density limited to 6 units per gross acre.

2. Permitted building types shall not include apartments.

A minimum of 20% of the site area (net of right-of-way) shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands or vegetation. The preserved open space shall comply with the standards in Section 2.5 of the Unified Development Ordinance.

3.

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10.

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

Owner/Agent Signature

Print Name

Randy Herman
Rezoning Application

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

VALUE

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.

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

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

539962

GENERAL INFORMATION

Date 4/5/2018       Date Amended (1) 12/20/2018       Date Amended (2) 1/31/2019

Property Address 3513, 3511, 3509 Garner Road

Property PIN 1712317179, 1712319496, 1712216519        Deed Reference (book/page)

Nearest Intersection Tryon Road & Garner Road

Property Size (acres) 43.83   (For PD Applications Only) Total Units   Total Square Feet

Property Owner/Address Various-see attached

Phone   see attached    Fax  see attached

Email see attached

Project Contact Person/Address Randy H. Herman
The Banks Law Firm, P.A.
4309 Emperor Blvd, Suite 225
Durham, NC 27703

Phone   919-474-9137    Fax 919-474-9537

Email rherman@bankslawfirm.com

Owner/Agent Signature

Email rherman@bankslawfirm.com

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.
January 3, 2019

Raleigh Department of City Planning
Attn: Donald R. Belk
One Exchange Plaza, Suite 300
Raleigh, NC 27608

Re:    Rezoning Application Z-11-2018

Dear Mr. Belk:

On April 6, 2018, your office received a rezoning request for 43.83 acres of property, consisting of three separate parcels with addresses of 3513, 3511 and 3509 Garner Road, respectively. This application was subsequently assigned file number Z-11-2018. The application was filed by attorney Jamie Schwedler of Parker Poe, acting as agent for the property owners.

Please be aware that the property owners have elected to remove Ms. Schwedler as applicant and appoint me to continue the process, effective immediately. It is our belief that this change should not affect the timing of any previously scheduled hearings and meetings.

All property owners have signed the attached signature pages to indicate their consent to this change.

I look forward to working through the remaining rezoning process with you.

Sincerely,

Randy H. Herman
Attorney

Cc    Office of the City Attorney
Signature page to Raleigh notice letter:

3513 Garner Road

Prestige Construction & Land Development, LLC

By: ________________________________

Gilberta Lopez Ronce, Member/Manager
Signature page to Raleigh notice letter:

3509 Garner Road

<table>
<thead>
<tr>
<th>Name</th>
<th>Date Signed</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sharon Brown</td>
<td>12/27/18</td>
<td>5:14 PM</td>
<td>EST</td>
</tr>
<tr>
<td>Eric S. Brown</td>
<td>12/28/18</td>
<td>7:47 AM</td>
<td>EST</td>
</tr>
<tr>
<td>Janice B. Foster</td>
<td>12/27/18</td>
<td>5:13 PM</td>
<td>EST</td>
</tr>
<tr>
<td>John S. Foster, Jr.</td>
<td>12/28/18</td>
<td>11:26 AM</td>
<td>EST</td>
</tr>
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</table>
Signature page to Raleigh notice letter:

3511 Garner Road

Veronica Stark

Annie McClain
dotloop verified
12/20/18 5:27 PM EST
3031-64006-58904-TE67
Annie McClain

Rufus E. Stark, Jr.

Mary Stark
dotloop verified
12/20/18 4:16 PM EST
3031-64006-58904-TE67
Mary C. Stark

Joan T. Stark
dotloop verified
12/20/18 2:05 PM EST
3031-64006-58904-TE67
Janice B. Foster
dotloop verified
12/20/18 11:28 AM EST
3031-64006-58904-TE67
Joan T. Stark

Felicia Walker

John S. Foster, Jr.
dotloop verified
12/20/18 11:28 AM EST
3031-64006-58904-TE67

Leonard J. Walker

Rebecca Purifoy
dotloop verified
12/20/18 12:20 PM EST
3031-64006-58904-TE67
Rebecca Purifoy

Shearon Brown
dotloop verified
12/20/18 5:14 PM EST
3031-64006-58904-TE67
Shearon Brown
SUMMARY OF ISSUES

A neighborhood meeting was held on **February 7, 2018** (date) to discuss a potential rezoning located at **3513, 3511, & 3509 Garner Rd.** (property address).

The neighborhood meeting was held at **Biltmore Hills Community Center** (location).

There were approximately **23** (number) neighbors in attendance. The general issues discussed were:

**Summary of Issues:**

<table>
<thead>
<tr>
<th>Concerns over traffic increase and congestion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns over loss of buffer the undeveloped parcels currently provide a wooded buffer to abutting residents</td>
</tr>
<tr>
<td>Increase in crime; crime rates such as vandalism and theft have apparently risen since the development at the end of E. Tryon Road. Many believe crime rates will continue to rise if the area is further developed.</td>
</tr>
<tr>
<td>Flooding concerns. The Cloverdale neighborhood located below the site is prone to flooding. Many are concerned that further development would increase the severity of flooding.</td>
</tr>
<tr>
<td>Density concern. Most want the area to remain R-4 if it is indeed developed.</td>
</tr>
<tr>
<td>NAME</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>Shearon Brown</td>
</tr>
<tr>
<td>Janice Foster</td>
</tr>
<tr>
<td>Terry Stanberry</td>
</tr>
<tr>
<td>Mel Stanberry</td>
</tr>
<tr>
<td>David Benson</td>
</tr>
<tr>
<td>Johana Ramirez</td>
</tr>
<tr>
<td>David Lee</td>
</tr>
<tr>
<td>Rich Kocher</td>
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<td>James Cannady</td>
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<tr>
<td>John Pombo</td>
</tr>
<tr>
<td>Starr Pombo</td>
</tr>
<tr>
<td>Charon Faris</td>
</tr>
<tr>
<td>Angela Spence</td>
</tr>
<tr>
<td>Garry South</td>
</tr>
<tr>
<td>Shaun Farrington</td>
</tr>
<tr>
<td>LaChandra Hamilton</td>
</tr>
<tr>
<td>Adrayll Hamilton</td>
</tr>
<tr>
<td>Het Patel</td>
</tr>
<tr>
<td>Helen Cleereman</td>
</tr>
<tr>
<td>Lee Nykiya</td>
</tr>
<tr>
<td>Frankie Justice</td>
</tr>
<tr>
<td>Edeltraud Strickland</td>
</tr>
<tr>
<td>Craven Williams</td>
</tr>
</tbody>
</table>
Rezoning Application

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

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 N/A Frontage N/A 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: N/A

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

539962

General Information

Date 4/5/19 Date Amended (1) Date Amended (2)

Property Address 3513, 3511, & 3509 Garner Road

Property PIN 1712317179, 1712319496, & 1712216519 Deed Reference (book/page) see attached

Nearest Intersection Tryon Road & Garner Road

Property Size (acres) 43.83 (For PD Applications Only) Total Units Total Square Feet

Property Owner/Address
See attached.

Phone attached  Fax attached
Email attached

Project Contact Person/Address
Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone (919) 828-0564  Fax (919) 834-4564
Email jamieschwedler@parkerpoe.com

Owner/Agent Signature

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

1. Density limited to 8 units per acre

2. Permitted dwelling unit types shall not include apartments

3. A minimum of 10% of the net site area shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation

4.

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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: Jamie S. Schwedler

Print Name: Jamie S. Schwedler
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: N/A
Frontage: N/A
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: N/A

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

539962

GENERAL INFORMATION

Date
Date Amended (1)
Date Amended (2)

Property Address: 3513, 3511, & 3509 Garner Road

Property PIN 1712317179, 1712319496, & 1712216519
Deed Reference (book/page): see attached

Nearest Intersection: Tryon Road & Garner Road

Property Size (acres): 43.83
(For PD Applications Only)
Total Units
Total Square Feet

Property Owner/Address
See attached

Project Contact Person/Address
Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone: (919) 828-0564
Fax: (919) 834-4564
Email: jamieschwedler@parkerpoe.com

Email: jamieschwedler@parkerpoe.com

Owner/Agent Signature

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### Conditional Use District Zoning Conditions

<table>
<thead>
<tr>
<th>Zoning Case Number</th>
<th>OFFICE USE ONLY</th>
</tr>
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<tbody>
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<td>Existing Zoning</td>
<td>Rezoning Case #</td>
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<tr>
<td>R-4</td>
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<tr>
<td>Proposed Zoning</td>
<td></td>
</tr>
<tr>
<td>R-10-CU</td>
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</table>

#### Narrative of Zoning Conditions Offered

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Owner/Agent Signature: [Signature]

Print Name: [Name]

Prestige Construction & Land Development

[Stamp]

Member/Manager
# REZONING REQUEST

<table>
<thead>
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<tbody>
<tr>
<td>General Use</td>
<td>Conditional Use</td>
<td>Master Plan</td>
</tr>
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**Existing Zoning Base District**
- **District**: R-4
- **Height**: 
- **Frontage**: 
- **Overlay(s)**: 

**Proposed Zoning Base District**
- **District**: R-10
- **Height**: N/A
- **Frontage**: N/A
- **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: **N/A**

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

- **Transaction #**: 539962

---

## GENERAL INFORMATION

**Date**

**Date Amended (1)**

**Date Amended (2)**

**Property Address**: 3513, 3511, & 3509 Garner Road

**Property PIN**: 1712317179, 1712319496, & 1712216519

**Nearest Intersection**: Tryon Road & Garner Road

**Property Size (acres)**: 43.83

*For PD Applications Only*

**Total Units**

**Total Square Feet**

**Property Owner/Address**: See attached

**Project Contact Person/Address**: Jamie S. Schwedler  
- **Address**: 301 Fayetteville Street, Suite 1400  
- **City**: Raleigh, NC 27601

**Owner/Agent Signature**: 

**Phone**: attached  
**Fax**: attached  
**Email**: attached

**Phone**: (919) 828-0564  
**Fax**: (919) 834-4564

**Email**: jamieschwedler@parkerpoe.com

**Email**: jamieschwedler@parkerpoe.com

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<table>
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</thead>
<tbody>
<tr>
<td>R-4</td>
<td>R-10-CU</td>
</tr>
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### Narrative of Zoning Conditions Offered

1. Density limited to 8 units per acre

2. Permitted dwelling unit types shall not include apartments

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Owner/Agent Signature: [Signature]

Print Name: [Signature]

PAGE 2 OF 11
## REZONING REQUEST

- **General Use**: [ ]
- **Conditional Use**: [ ]
- **Master Plan**: [ ]

<table>
<thead>
<tr>
<th>Existing Zoning Base District</th>
<th>Height</th>
<th>Frontage</th>
<th>Overlay(s)</th>
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<tbody>
<tr>
<td>R-4</td>
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</table>

<table>
<thead>
<tr>
<th>Proposed Zoning Base District</th>
<th>Height</th>
<th>Frontage</th>
<th>Overlay(s)</th>
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<tbody>
<tr>
<td>R-10</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
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*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: **N/A**

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

- **539962**

## GENERAL INFORMATION

### Date

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

### Property Address

- **3513, 3511, & 3509 Garner Road**

### Property PIN

- 1712317179, 1712319496, & 1712216519
- **Deed Reference (book/page)** see attached

### Nearest Intersection

- **Tryon Road & Garner Road**

### Property Size (acres)

- **43.83**

### Property Owner/Address

- **See attached**

### Project Contact Person/Address

- **Jamie S. Schwedler**
  - Phone: (919) 828-0564
  - Fax: (919) 834-4564
  - Email: jamieschwedler@parkerpoe.com

### Owner/Agent Signature

- **[Signature]**

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**

**Date Submitted**

**Existing Zoning** R-4  **Proposed Zoning** R-10-CU

#### Narrative of Zoning Conditions Offered

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**Owner/Agent Signature**  [Signature]  **Print Name** [Signature]  

---

*[www.raleighnc.gov](http://www.raleighnc.gov) Revision 1.16.18*
**Rezoning Application**

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

---

**REZONING REQUEST**

<table>
<thead>
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<td>□ Master Plan</td>
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<tr>
<td>Existing Zoning Base District</td>
<td>R-4</td>
<td>Height</td>
<td>Frontage</td>
</tr>
<tr>
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<td>R-10</td>
<td>Height</td>
<td>N/A</td>
</tr>
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If the property has been previously rezoned, provide the rezoning case number: N/A

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539962

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**Property Address:** 3513, 3511, & 3509 Garner Road

**Property PIN:** 1712317179, 1712319496, & 1712216519

**Deed Reference (book/page):** see attached

**Nearest Intersection:** Tryon Road & Garner Road

**Property Size (acres):** 43.83

**Property Owner/Address:** See attached

**Phone:** attached | **Fax:** attached

**Email:** attached

**Project Contact Person/Address:**
Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

**Phone:** (919) 828-0564 | **Fax:** (919) 834-4564

**Email:** jamieschwedler@parkerpoe.com

**Owner/Agent Signature:**

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Owner/Agent Signature: [Signature]

Print Name: [Signature]

PAGE 2 OF 11
# Rezoning Application

## General Information

<table>
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<td></td>
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<td>Property PIN</td>
<td>1712317179, 1712319496, &amp; 1712216519</td>
<td></td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Tryon Road &amp; Garner Road</td>
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</tr>
<tr>
<td>Property Size (acres)</td>
<td>43.83</td>
<td></td>
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</tbody>
</table>

## Zoning Details

<table>
<thead>
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<th>Frontage</th>
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<tr>
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<td>N/A</td>
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</table>

**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: N/A

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

539962

Project Contact Person/Address:

Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Email: jamieschwedler@parkerpoe.com

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.
1. Density limited to 8 units per acre

2. Permitted dwelling unit types shall not include apartments

3. A minimum of 10% of the net site area shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation

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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: 

Print Name: JACINTA B. FORSTER

John S. Foster Jr.
### Rezoning Application

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

### REZONING REQUEST

- **General Use**
- **Conditional Use**
- **Master Plan**

<table>
<thead>
<tr>
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*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: **N/A**

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

- **539962**

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**Property Address:**

- 3513, 3511, & 3509 Garner Road

**Property PIN:**

- 1712317179, 1712319496, & 1712216519

**Deed Reference (book/page):** See attached

**Nearest Intersection:**

- Tryon Road & Garner Road

**Property Size (acres):** **43.83**

<table>
<thead>
<tr>
<th>(For PD Applications Only) Total Units</th>
<th>Total Square Feet</th>
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</table>

**Property Owner/Address:**

See attached

**Phone:** attached  
**Fax:** attached  
**Email:** attached

**Project Contact Person/Address:**

Jamie S. Schwedler  
301 Fayetteville Street, Suite 1400  
Raleigh, NC 27601

**Phone:** (919) 828-0564  
**Fax:** (919) 834-4564  
**Email:** jamieschwedler@parkerpoe.com

**Owner/Agent Signature:** [Signature]

**Email:** jamieschwedler@parkerpoe.com

---

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## Conditioned Use District Zoning Conditions

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<tr>
<td></td>
<td>Rezoning Case #</td>
</tr>
</tbody>
</table>

| Date Submitted | Proposed Zoning R-10-CU |

### Narrative of Zoning Conditions Offered

1. Density limited to 8 units per acre

2. Permitted dwelling unit types shall not include apartments

3. A minimum of 10% of the net site area shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation

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Owner/Agent Signature: 
Print Name: Annie McClain
Rezoning Application

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

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  N/A  Frontage  N/A  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: N/A

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

539962

GENERAL INFORMATION

Date  Date Amended (1)  Date Amended (2)

Property Address: 3513, 3511, & 3509 Garner Road

Property PIN: 1712317179, 1712319496, & 1712216519

Nearest Intersection: Tryon Road & Garner Road

Property Size (acres): 43.83

(Property Owner/Address)

See attached

Phone attached  Fax attached

Email attached

Project Contact Person/Address

Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone (919) 828-0564  Fax (919) 834-4564

Email jamieschwedler@parkerpoe.com

Owner/Agent Signature

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### Narrative of Zoning Conditions Offered

1. Density limited to 8 units per acre

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Owner/Agent Signature: ___________________________ Print Name: ___________________________
## REZONING REQUEST

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

- **Proposed Zoning Base District:** R-10  
  - Height: N/A  
  - Frontage: N/A  
  - Overlay(s):  

### OFFICE USE ONLY

- **Transaction #**  
- **Rezoning Case #**

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

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

- 539962

## GENERAL INFORMATION

- **Date**  
- **Date Amended (1)**  
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- **Property Address:** 3513, 3511, & 3509 Garner Road

- **Property PIN:** 1712317179, 1712319496, & 1712216519  
  - Deed Reference (book/page): see attached

- **Nearest Intersection:** Tryon Road & Garner Road

- **Property Size (acres):** 43.83  
  - (For PD Applications Only) Total Units  
  - Total Square Feet

- **Property Owner/Address:**  
  See attached

- **Project Contact Person/Address:**  
  Jamie S. Schwedler  
  301 Fayetteville Street, Suite 1400  
  Raleigh, NC 27601

- **Owner/Agent Signature:** [Signature]

- **Phone:** attached  
- **Fax:** attached

- **Email:** attached

- **Phone:** (919) 828-0564  
- **Fax:** (919) 834-4564

- **Email:** jamieschwedler@parkerpoe.com

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## CONDITIONAL USE DISTRICT ZONING CONDITIONS

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<tbody>
<tr>
<td></td>
<td>R-10-CU</td>
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### Existing Zoning

| R-4 |

### Narrative of Zoning Conditions Offered

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Owner/Agent Signature: [Signature]

Print Name: [Name]
Rezoning Application

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

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 N/A  Frontage N/A  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: N/A

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

539962

GENERAL INFORMATION

Date  Date Amended (1)  Date Amended (2)

Property Address: 3513, 3511, & 3509 Garner Road

Property PIN: 1712317179, 1712319496, & 1712216519  Deed Reference (book/page): see attached

Nearest Intersection: Tryon Road & Garner Road

Property Size (acres): 43.83  (For PD Applications Only) Total Units  Total Square Feet

Property Owner/Address: See attached

See attached

Project Contact Person/Address:

Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone: (919) 828-0564  Fax: (919) 834-4564

Email: jamieschwedler@parkerpoe.com

Owner/Agent Signature: [Signature]

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### Narrative of Zoning Conditions Offered

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Owner/Agent Signature: [Signature]

Print Name: [Joan T. Stark]
**REZONING REQUEST**

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

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

539962

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**GENERAL INFORMATION**

Date | Date Amended (1) | Date Amended (2)
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Property Address **3513, 3511, & 3509 Garner Road**

Property PIN 1712317179, 1712319496, & 1712216519

Deed Reference (book/page) see attached

Nearest Intersection **Tryon Road & Garner Road**

Property Size (acres) **43.83**

(For PD Applications Only) Total Units Total Square Feet

Property Owner/Address

See attached

Phone attached Fax attached

Email attached

Project Contact Person/Address

Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Owner/Agent Signature

Phone (919) 828-0564 Fax (919) 834-4564

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**Owner/Agent Signature:** [Signature]  
**Print Name:** [Print Name]
**Rezoning Application**

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

### REZONING REQUEST

<table>
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<th>General Use</th>
<th>Conditional Use</th>
<th>Master Plan</th>
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Existing Zoning Base District: **R-4**  
Height: **N/A**  
Frontage: **N/A**  
Over (s): **N/A**

Proposed Zoning Base District: **R-10**  
Height: **N/A**  
Frontage: **N/A**  
Over (s): **N/A**

*Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.*

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Property PIN: 1712317179, 1712319496, & 1712216519  
Deed Reference (book/page): **see attached**

Nearest Intersection: **Tryon Road & Garner Road**

Property Size (acres): **43.83**  
Total Square Feet: **Total**

Property Owner/Address:
See attached

Project Contact Person/Address:
Jamie S. Schwedler  
301 Fayetteville Street, Suite 1400  
Raleigh, NC 27601

Phone attached  
Fax attached  
Email attached

<table>
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<tr>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
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<tr>
<td>(919) 828-0564</td>
<td>(919) 834-4564</td>
<td><a href="mailto:jamieschwedler@parkerpoe.com">jamieschwedler@parkerpoe.com</a></td>
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Owner/Agent Signature: **[Signature]**

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<td>Existing Zoning R-4</td>
<td>Proposed Zoning R-10-CU</td>
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### Narratives of Zoning Conditions Offered

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Owner/Agent Signature: Rebecca Turner
Print Name: REBECCA TURNER
# Rezoning Application

**Department of City Planning**

1 Exchange Plaza, Suite 300  
Raleigh, NC 27601  
919-996-2682

---

**REZONING REQUEST**

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<td>R-10</td>
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Property Address 3513, 3511, & 3509 Garner Road

Property PIN 1712317179, 1712319496, & 1712216519  
Deed Reference (book/page) see attached

Nearest intersection Tryon Road & Garner Road

Property Size (acres) 43.83  
(For PD Applications Only) Total Units Total Square Feet

Property Owner/Address  
See attached

Phone attached  
Fax attached

Email attached

Project Contact Person/Address  
Jamie S. Schwedler  
301 Fayetteville Street, Suite 1400  
Raleigh, NC 27601

Phone (919) 828-0564  
Fax (919) 834-4564

Email jamieschwedler@parkerpoe.com

Owner/Agent Signature

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### CONDITIONAL USE DISTRICT ZONING CONDITIONS

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### Existing Zoning: R-4

### Proposed Zoning: R-10-CU

#### Narrative of Zoning Conditions Offered

1. **Density limited to 8 units per acre**

2. **Permitted dwelling unit types shall not include apartments**

3. **A minimum of 10% of the net site area shall be provided as open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation**

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Owner/Agent Signature: [Signature]
Print Name: [Signature]
## REZONING REQUEST

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<th>Conditional Use</th>
<th>Master Plan</th>
<th>Existing Zoning Base District</th>
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**Transaction #**

**Rezoning Case #**

*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: **N/A**

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

539962

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**Property Address:** 3513, 3511, & 3509 Garner Road

**Property PIN:** 1712317179, 1712319496, & 1712216519

**Nearest Intersection:** Tryon Road & Garner Road

**Property Size (acres):** 43.83

**Property Owner/Address:** See attached

**Project Contact Person/Address:** Jamie S. Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

**Owner/Agent Signature:** [Signature]

**Phone:** attached  
**Fax:** attached  
**Email:** attached

**Phone:** (919) 828-0564  
**Fax:** (919) 834-4564  
**Email:** jamieschwedler@parkerpoe.com

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### Narrative of Zoning Conditions Offered

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Owner/Agent Signature: Jamie S. Schwedler
Print Name: Jamie S. Schwedler
### Conditional Use District Zoning Conditions

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**Existing Zoning: R-4**  
**Proposed Zoning: R-10-CU**

**Narrative of Zoning Conditions Offered**

1. **Density limited to 8 units per acre**

2. **Permitted dwelling unit types shall not include apartments**

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Owner/Agent Signature:  
Print Name:  
Member/Manager:
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### Date Submitted

### Existing Zoning

R-4

### Proposed Zoning

R-10-CU

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Owner/Agent Signature: John S. Foster
Print Name: Janice B. Foster
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Owner/Agent Signature: [Signature]
Print Name: Annie McChlan
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Print Name: Mary C. Stark
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**Owner/Agent Signature**

[Signature]

**Print Name**

[Print Name]

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**PAGE 2 OF 11**

**WWW.RALEIGHNC.GOV**

**REVISION 1.16.18**
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Print Name: Rebecca Turffy
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Owner/Agent Signature: [Signature]

Print Name: [Print Name]

Additional condition lines:

4. [Blank]

5. [Blank]

6. [Blank]

7. [Blank]

8. [Blank]

9. [Blank]

10. [Blank]
Date:

Re: (site location)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on ___(date)____. The meeting will be held at _____(location)_____ and will begin at ___(time)____.

The purpose of this meeting is to discuss a potential rezoning of the property located at ___(site address)____. This site is current zoned ___(zoning)_____ and is proposed to be rezoned to _____________. (Please provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning.

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

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

Thank you

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

A neighborhood meeting was held on February 7, 2018 (date) to discuss a potential rezoning located at 3513, 3511, & 3509 Garner Rd. (property address).

The neighborhood meeting was held at Biltmore Hills Community Center (location).

There were approximately 23 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

<table>
<thead>
<tr>
<th>Concerns over traffic increase and congestion</th>
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<tbody>
<tr>
<td>Concerns over loss of buffer the undeveloped parcels currently provide a wooded buffer to abutting residents</td>
</tr>
<tr>
<td>Increase in crime; crime rates such as vandalism and theft have apparently risen since the development at the end of E. Tryon Road. Many believe crime rates will continue to rise if the area is further developed.</td>
</tr>
<tr>
<td>Flooding concerns. The Cloverdale neighborhood located below the site is prone to flooding. Many are concerned that further development would increase the severity of flooding.</td>
</tr>
<tr>
<td>Density concern. Most want the area to remain R-4 if it is indeed developed.</td>
</tr>
<tr>
<td>NAME</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>Shearon Brown</td>
</tr>
<tr>
<td>Janice Foster</td>
</tr>
<tr>
<td>Terry Stanberry</td>
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<td>David Benson</td>
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<td>Johana Ramirez</td>
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<td>David Lee</td>
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<td>Rich Kocher</td>
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<tr>
<td>James Cannady</td>
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<tr>
<td>John Pombo</td>
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<tr>
<td>Starr Pombo</td>
</tr>
<tr>
<td>Charon Faris</td>
</tr>
<tr>
<td>Angela Spence</td>
</tr>
<tr>
<td>Garry South</td>
</tr>
<tr>
<td>Shaun Farrington</td>
</tr>
<tr>
<td>LaChandra Hamilton</td>
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<tr>
<td>Adrayll Hamilton</td>
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<tr>
<td>Het Patel</td>
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<tr>
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</tr>
<tr>
<td>Lee Nykiya</td>
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<tr>
<td>Frankie Justice</td>
</tr>
<tr>
<td>Edeltraud Strickland</td>
</tr>
<tr>
<td>Craven Williams</td>
</tr>
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</table>
Ownership of Parcels
Rezoning 3513, 3511, & 3509 Garner Road

3513 Garner Road
PIN 1712317179
Prestige Construction & Land Development LLC
c/o Gilberto Lopez-Ponce
PO Box 1064
Hillsborough NC 27278-1064
Deed Book 11454, Page 2682
Acreage 27.33
Contact: Doug Winner (Real Estate Contact)
Phone: (919) 846-7555
Email: doug@winner1.com

3511 Garner Road
PIN 1712319496
Eddie Stark Heirs
c/o Samuel Stark
PO Box 387
Fuquay Varina NC 27526-0387
Deed Book 431, Page 5
Acreage 15.50
Contact: Ayesha Richardson (Real Estate Contact)
Phone: (919) 685-1018 Fax: (919) 336-4543
Email: Ayesha@GreensboroHousePrices.com

3509 Garner Road
1712216519
Jesse Lee Brown Heirs
c/o Shearon Brown, Administrator
3107 Shallowford Dr
Greensboro NC 27406-6246
No deed reference
Acreage 1.0
Contact: Shearon Brown
Phone: (336) 317-2880
Email: sabrow@bellsouth.net
Rezoning Application Addendum #1
3513, 3511, & 3509 Garner Road
Transaction #: 539962

Statement of Consistency

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. The rezoning request includes conditions on housing product, density, and open space, which are consistent with the site’s Future Land Use Map (“FLUM”) designation of Low Density Residential (1-6 units per acre). This designation corresponds roughly to a R-6 zoning designation, and is used to identify vacant land in the city where “single family residential use is planned over the next 20 years.” Smaller lots and townhouses are permitted in areas zoned R-6 if included in a conservation subdivision with a significant open space set-aside. See 2030 Comprehensive plan, pp. 32-33.

Applicant’s offered zoning conditions comply with the intent of the FLUM. These conditions prohibit apartments, limit density to 8 units per acre, and require a minimum 10% open space set aside. There are substantial riparian features on the site which will require buffering, and the site will also require 10% Tree Conservation Area. This, combined with a large amount of right of way likely required for the extension of Tryon Road, will result in a density close to 6 units per acre of the gross site area, consistent with the density, open space, and product allowed by the FLUM.

2. The site is very linear and contains significant environmental constraints. These features, and the proposed right of way designation, limit the applicant’s ability to offer a true conservation development model. In addition, to allow the option of townhomes on this site, it is not possible to have a zoning designation below R-10. However, the conditions offered attempt to mimic the conservation development model so that the resulting density is consistent with the FLUM designation. The resulting density is also consistent with adjacent property uses, which are R-10, R-6, and R-4.

3. The rezoning is also consistent with the following Comprehensive Plan policies:

- **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 applicant will provide these connections to the surrounding neighborhoods during site plan review, as directed by City transportation staff.

- **Policy LU 8.5 Conservation of Single-Family Neighborhoods**: Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale. The conditions offered on this vacant site preserve open space adjacent to several existing single-family neighborhoods, and mirror the average density found on adjacent sites, which are zoned R-4 to R-10.
• Policy LU 8.9 Open Space in New Development: New residential development should be developed with common and usable open space that preserves the natural landscape and the highest quality ecological resources on the site. The applicant is offering to commit 10% of the net site area to open space, which can include active areas or preservation of riparian buffers or wetlands. This will preserve a great deal of the existing environmental features on the site and allow the existing vegetation and wildlife to remain.

• Policy LU 8.11 Development of Vacant Sites: Facilitate the development of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. These three vacant lots are difficult to develop due to the environmental restraints, the narrow shape of the parcels, and the planned extension of Tryon Road which will bisect the site. Allowing the parcels to develop together will provide more flexibility for the placement of Tryon Road, and create a more reasonably shaped lot.

4. As there is no designation for this site on the Urban Form Map, no consistency analysis is warranted.

Public Benefits

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. Although not required by the UDO for conventional development of single family or townhome neighborhoods, a significant amount of open space will be set aside here. This will offer areas for recreation and environmental conservation. A significant portion of the site will be preserved as riparian buffer, open space, or tree conservation area, all of which benefits the public by protecting the environment.

2. The development of the property from vacant to residential use will facilitate the dedication of right of way needed to construct additional portions of Tryon Road between Cyrus Street and Sanderson Road. Tryon Road currently ends at the westernmost property line of the site. The proposed extension of the road along the parcel will contain a 4-lane divided avenue as mentioned on the Raleigh Street Plan. See B.9, Table T-2, Comprehensive Plan, pp. 99-101. The Applicant will be dedicating a large portion of the site for a right of way to create this corridor, which will ultimately ease traffic congestion and promote connectivity in Southeast Raleigh. See 1994 Tryon Extension Feasibility Study.