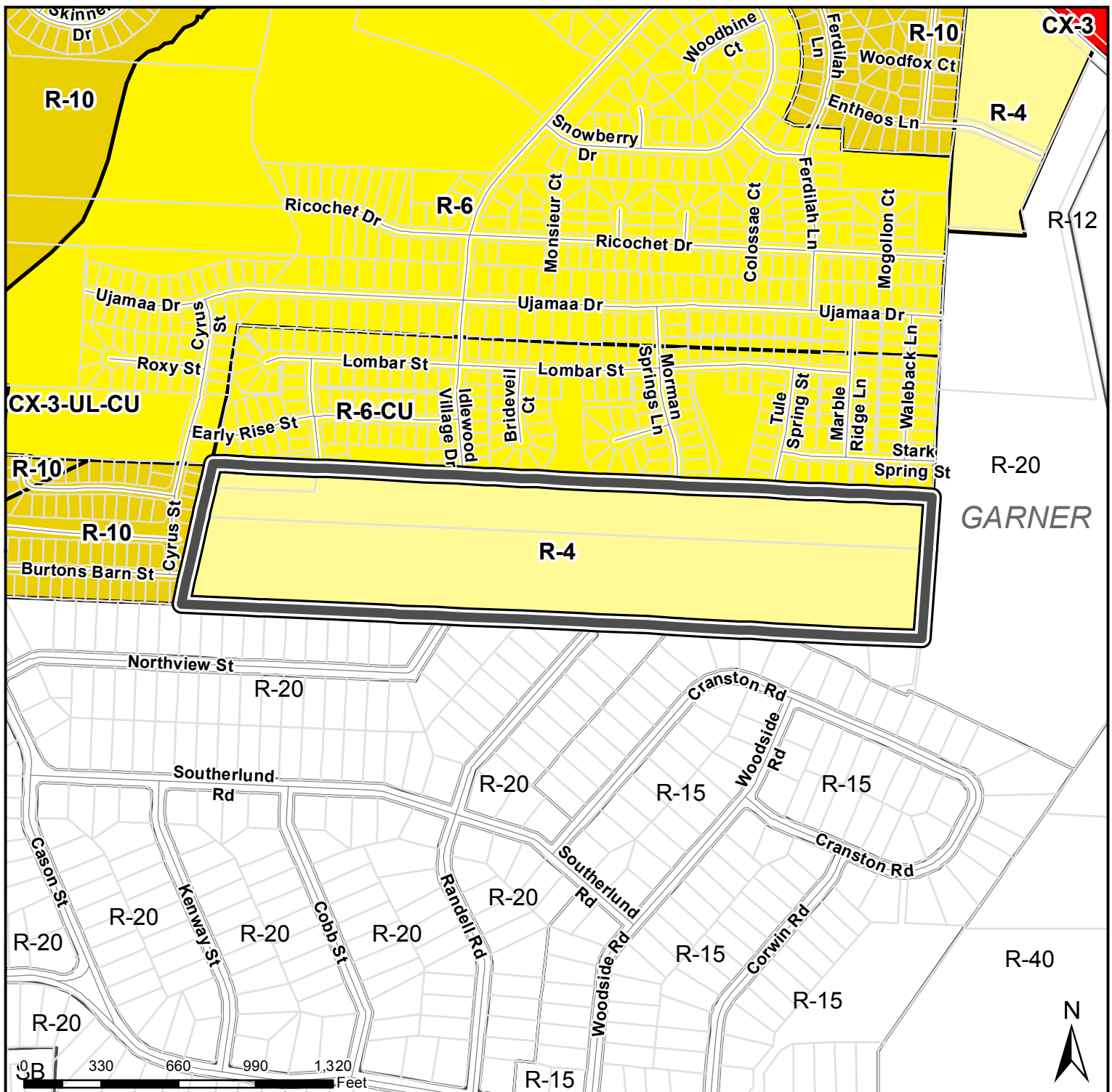
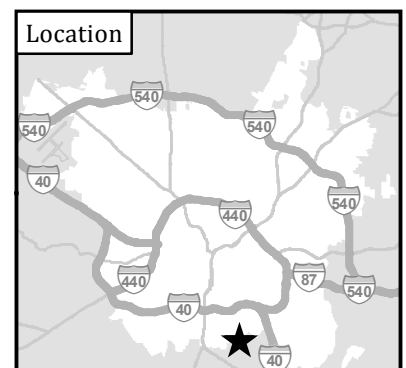


Existing Zoning

Z-11-2018



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





Raleigh

MEMO

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.

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)



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; 2 nd 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

<i>FUTURE LAND USE</i>	Low Density Residential
<i>URBAN FORM</i>	Not applicable
<i>CONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 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

	Policy T 2.4 – Road Connectivity Policy T 2.6 – Preserving the Grid
<i>INCONSISTENT Policies</i>	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

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

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.
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Change(s) in Circumstances [if applicable]	
Amendments to the Comprehensive Plan [if applicable]	
<i>Recommendation</i>	Approval
<i>Motion and Vote</i>	Motion: Braun; Second: Jeffreys; In Favor: Braun, Geary, Hicks, Jeffreys, Lyle, McIntosh, Novak, Swink and Tomasulo; Opposed: None.

ATTACHMENTS

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

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

Planning Director

Date

Planning Commission Chairperson

Date

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

ZONING STAFF REPORT – CASE Z-11-18

CONDITIONAL USE DISTRICT

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.

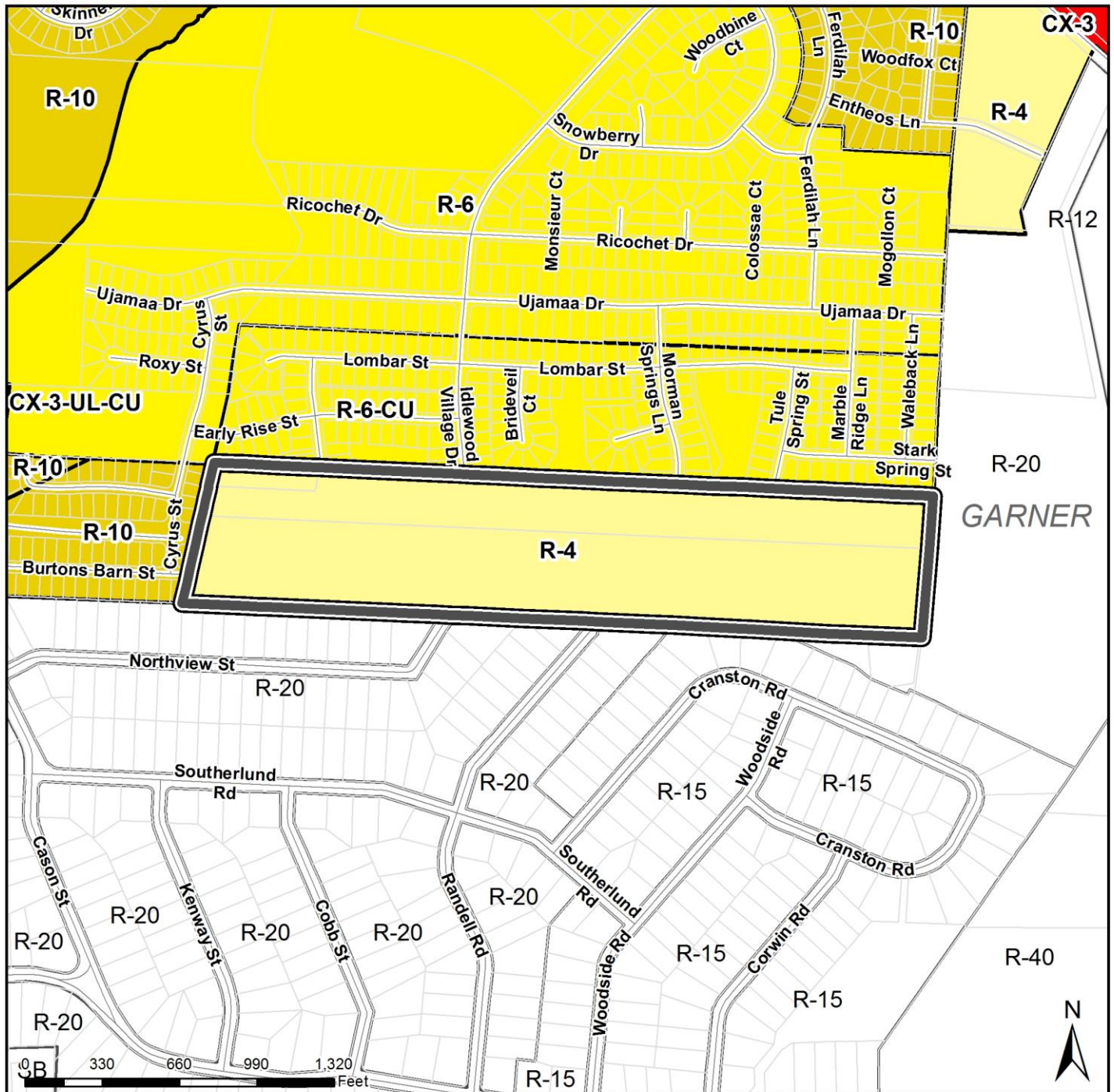
Council must act to set the public hearing by April 20, 2019.

OUTSTANDING ISSUES

Outstanding Issues	None.	Suggested Mitigation	N/A
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Existing Zoning

Z-11-2018



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

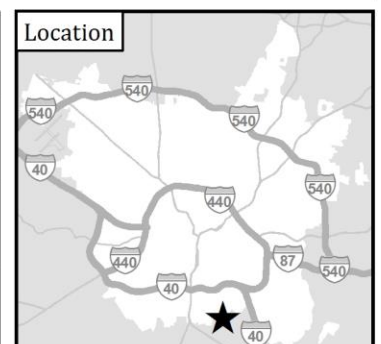


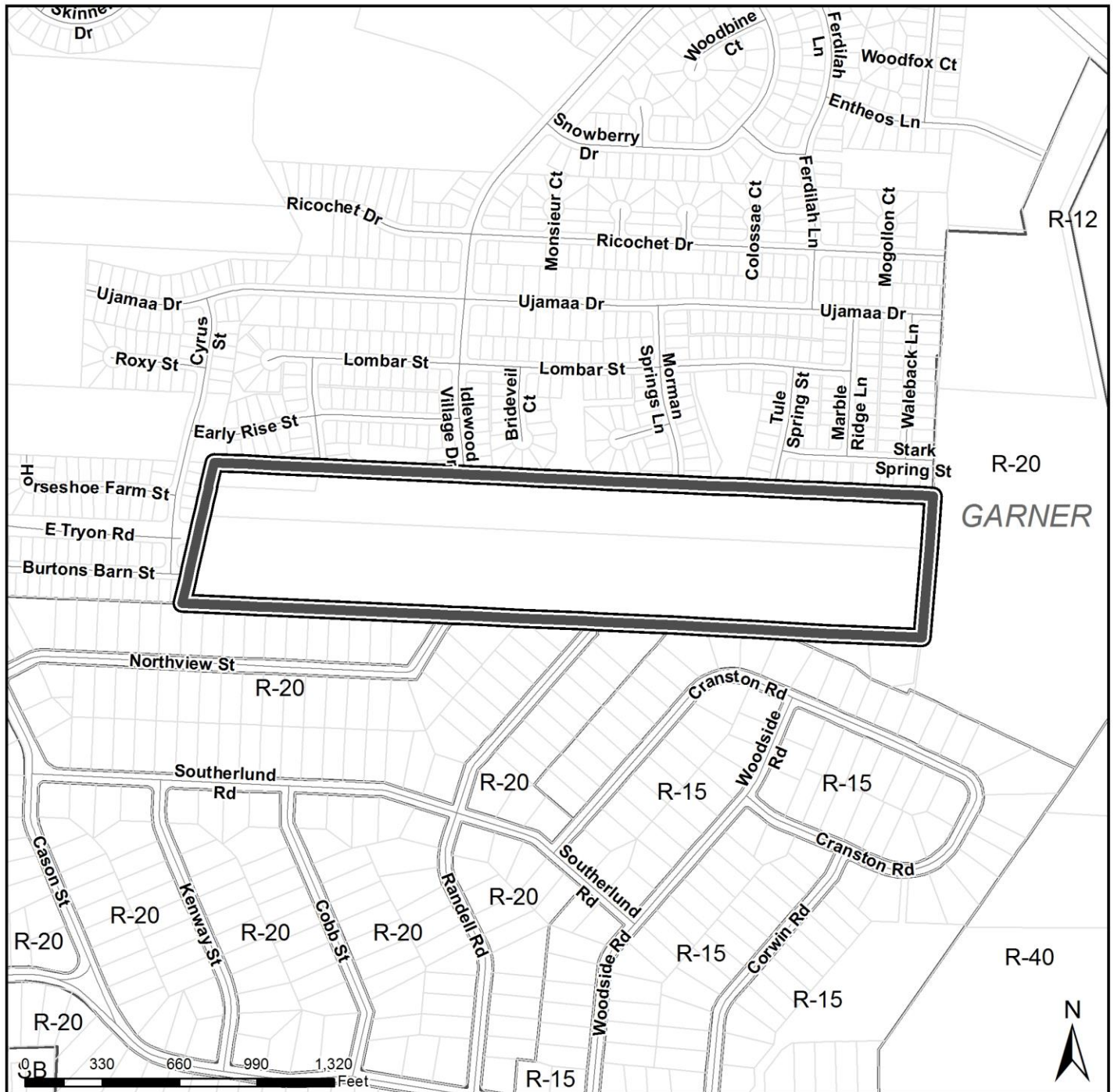
Future Land Use

Z-11-2018

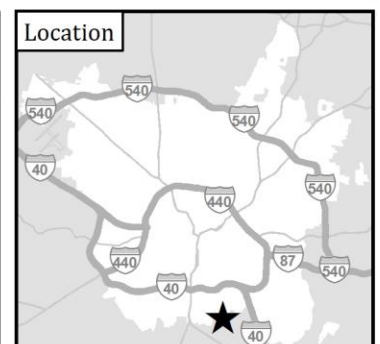


Property	3509, 3511, & 3513 Garner Rd
Size	43.83 acres
Existing Zoning	R-4
Requested Zoning	R-10-CU





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, Morman 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.

Z-11-18 Existing Land Use	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Empty	0	0	0
Z-11-18 Current Zoning Entitlements	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Residential (Single Family)	1,286	94	127
Z-11-18 Proposed Zoning Maximums	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Residential (Single Family)	2,522	191	256
Z-11-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	1,286	94	127

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

north of the subject property. The nearest bus stop to the subject property is $\frac{3}{4}$ 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

<i>Floodplain</i>	None
<i>Drainage Basin</i>	South Big Branch
<i>Stormwater Management</i>	Subject to UDO Section 9.2
<i>Overlay District</i>	None

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

Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	78,750 gpd	218,750 gpd
<i>Waste Water</i>	78,750 gpd	218,750 gpd

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 is 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

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

Appendix

Surrounding Area Land Use/ Zoning Summary

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

Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Zoning	R-4	R-10-CU
Total Acreage	43.83	43.83
Setbacks:		
Front:	20'	10'
Side:	10'	5'
Rear:	30'	20'
Residential Density:	4 du/ac	6 du/ac
Max. # of Residential Units	126	262
Max. Gross Building SF (if applicable)	277,200	576,400 (townhome) 576,400 (single family)
Max. Gross Office SF	-	-
Max. Gross Retail SF	-	-
Max. Gross Industrial SF	-	-
Potential F.A.R	0.15	0.30 (townhome) 0.30 (single family)
Lot Size Requirements		
Minimum width	65'	45'
Lot depth	100'	60'
Minimum area	10,000 SqFt	4,000 SqFt

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



City of Raleigh North Carolina

October 25, 2018

MEMORANDUM

TO: Bynum Walter, AICP
Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE *EAL*
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 Idlewood Village Drive (TWSC*)
3. Peppersauce Street and Tryon Road (TWSC)
4. Idlewood 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 (TWSC)
7. Site Access #5 and Tryon Road (TWSC)

*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 (TWSC)
2. Ujamaa Drive and Cyrus Street (TWSC)
3. Tryon Road and Cyrus Street (TWSC)

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

	Land Use	ITE Code	Size	Daily			AM			PM		
				In	Out	Total	In	Out	Total	In	Out	Total
Exist. Zoning R-4	Undeveloped	210	126 Units	643	643	1,286	24	70	94	80	47	127
Prop. Zoning R-10-CU	Single Family Housing	210	315 Units	1,494	1,494	2,988	57	171	228	193	113	306
Difference				851	851	1,702	34	101	134	113	66	179
Prop. Land Use	Townhouses	220	350 Units	1,303	1,303	2,606	36	121	157	113	67	180

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

Intersection	Approach	Existing (2018)		Background (2021)		Build Existing Zoning (2021)		Build Proposed Zoning (2021)	
		AM	PM	AM	PM	AM	PM	AM	PM
Garner Road and Tryon Road (Signalized)	Overall	B (18.2)	C (24.9)	B (19.5)	C (27.5)	C (21.3)	C (28.4)	C (22.1)	C (29.4)
	EB	C (26.9)	C (32.6)	C (28.5)	D (36.8)	C (30.2)	D (38.9)	C (30.8)	D (37.1)
	WB	C (23.8)	C (24.2)	C (24.4)	C (25.7)	C (25.3)	C (29.4)	C (25.6)	D (39.0)
	NB	B (15.7)	B (12.9)	A (17.7)	B (13.2)	C (20.5)	B (13.5)	C (21.5)	B (14.4)
	SB	B (13.9)	C (24.8)	B (14.3)	C (27.4)	B (13.5)	C (26.8)	B (13.5)	C (27.3)
Sanderford Road and Idlewood Village Drive (TWSC)	Overall	B (14.8)	B (13.4)	C (16.3)	B (14.3)	C (17.0)	B (14.8)	C (18.2)	C (15.5)
	EB	B (13.3)	B (12.2)	B (14.5)	B (12.9)	B (15.0)	B (13.2)	C (15.8)	B (13.6)
	NB	A (3.0)	A (3.3)	A (3.1)	A (3.4)	A (3.1)	A (3.6)	A (3.2)	A (3.9)
	SB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
Peppersauce Street and Tryon Road (TWSC)	Overall	These intersections will be constructed as a part of the development and thus are not analyzed for the Existing and Background Scenarios.				A (9.5)	A (9.4)	B (10.1)	B (10.1)
	EB					A (0.4)	A (0.7)	A (0.8)	A (1.2)
	WB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	SB					A (9.5)	A (9.4)	B (10.1)	B (10.1)
Idlewood Village Drive / Northview Street and Tryon Road (TWSC)	Overall					B (11.5)	B (12.5)	B (13.1)	B (14.7)
	EB					A (5.8)	A (5.3)	A (4.8)	A (3.9)
	WB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	NB					B (11.5)	B (12.5)	B (13.1)	B (14.7)
	SB					A (9.0)	A (9.3)	A (9.5)	B (10.6)
Norman Springs Lane / Randell Street and Tryon Road (TWSC)	Overall					A (8.4)	A (8.4)	A (8.6)	A (8.5)
	EB					A (2.4)	A (2.9)	A (2.9)	A (3.0)
	WB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	NB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	SB					A (8.4)	A (8.4)	A (8.6)	A (8.5)
Tule Spring Lane / Site Access #4 and Tryon Road (TWSC)	Overall					A (8.6)	A (8.7)	A (8.8)	A (8.9)
	EB					A (0.0)	A (0.9)	A (1.0)	A (1.0)
	WB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	NB					A (8.6)	A (8.7)	A (0.0)	A (0.0)
	SB					A (8.4)	A (8.4)	A (8.5)	A (8.4)
Site Access #5 and Tryon Road (TWSC)	Overall					A (8.6)	A (8.6)	A (8.6)	A (8.7)
	EB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	WB					A (0.0)	A (0.0)	A (0.0)	A (0.0)
	NB					A (8.6)	A (8.6)	A (8.6)	A (8.7)

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 Idlewood 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

	S	Existing (2018)				Background (2021)				Build Existing Zoning (2021)				Build Proposed Zoning (2021)			
		AM		PM		AM		PM		AM		PM		AM		PM	
		T	Q	T	Q	T	Q	T	Q	T	Q	T	Q	T	Q	T	Q
EB L	125	98	92	155	171	107	102	169	193	107	105	169	194	107	113	169	195
EB Th		68	64	211	189	74	68	231	218	77	71	252	246	81	73	282	285
EB R		83	55	292	190	91	59	319	210	91	59	319	210	91	59	319	210
WB L	225	32	38	49	54	35	40	54	60	45	48	72	94	60	60	97	141
WB Th		186	71	126	53	203	77	138	57	223	84	145	59	251	93	155	63
WB R	250	41	34	38	33	45	36	42	36	68	49	51	41	101	68	63	48
NB L	285	285	89	97	32	311	98	106	35	311	98	106	35	311	98	106	35
NB Th/R		600	393	303	157	655	487	331	174	666	502	344	182	680	519	361	195
SB L	200	16	9	55	20	17	9	60	22	21	10	84	29	27	12	118	38
SB Th		205	110	563	360	224	120	615	459	224	120	615	459	224	120	615	459
SB R	275	131	75	136	77	143	81	149	84	143	81	149	84	143	81	149	84

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

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

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

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

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

Intersection / Segment	Severity Index	Total No. of Crashes	Total Injuries		
			Fatal	Injury	PD Only
Idlewood Village / Sanderford	3.96	25	0	10	15
Tryon / Garner	2.95	53	0	14	39

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

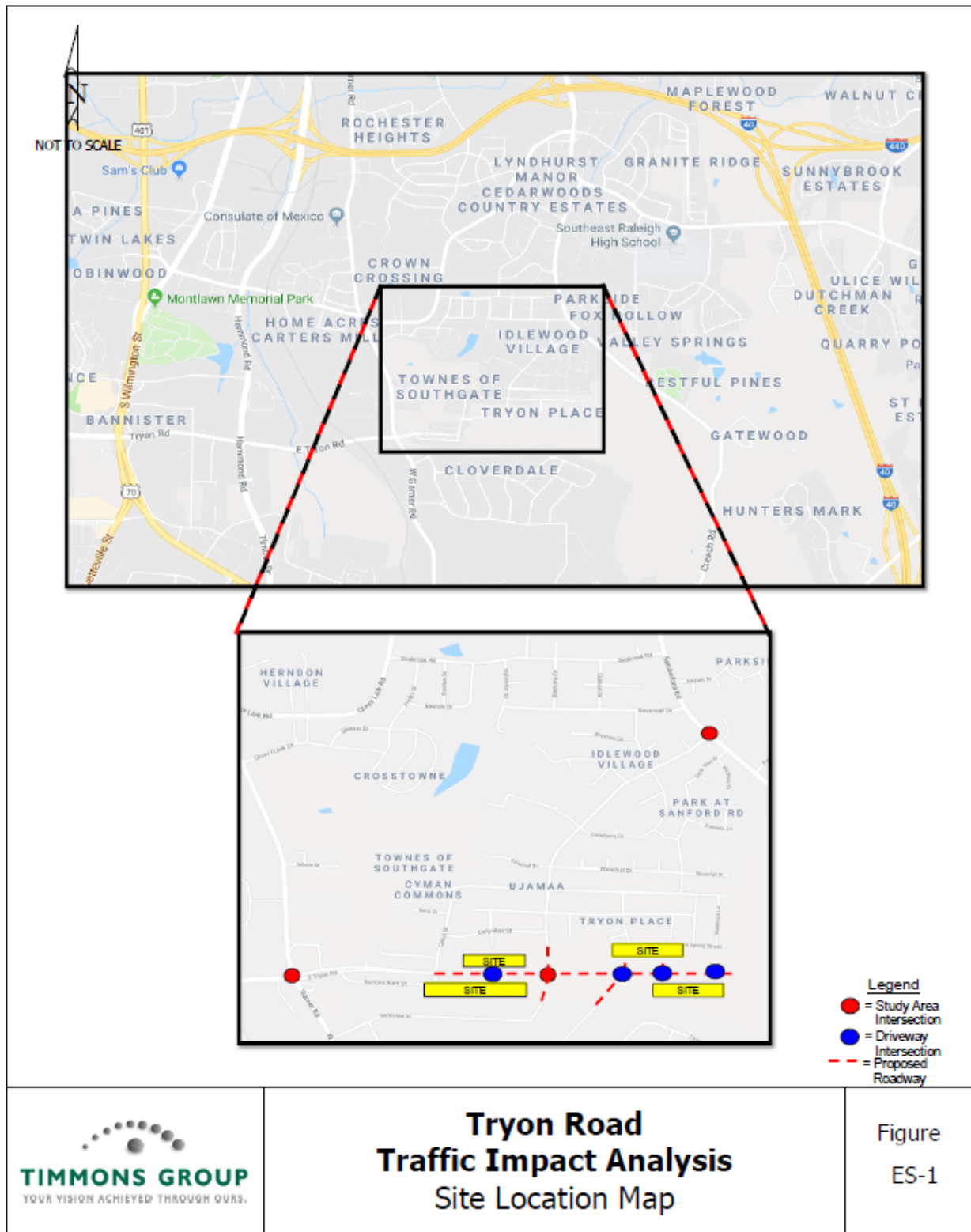
make several connections to the north and south of the site. Per the analysis presented in this report, the new intersections as they are proposed will operate at acceptable LOS.

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



CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-11-2018****OFFICE USE ONLY**Date Submitted **1/31/2019**

Transaction #

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

Rezoning Case #

Narrative of Zoning Conditions Offered

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.

4.

5.

6.

7.

8.

9.

10.

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

Owner/Agent Signature

Print Name


Randy Herman

Rezoning Application



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

REZONING REQUEST								
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # Rezoning Case #				
Existing Zoning Base District R-4 Height Frontage Overlay(s) _____								
Proposed Zoning Base District R-10 Height Frontage Overlay(s) _____								
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>								
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:								
<table border="1"><tr><td>539962</td><td></td><td></td><td></td></tr></table>					539962			
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,

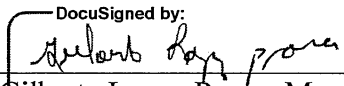

Randy H. Herman
Attorney

Cc Office of the City Attorney

Signature page to Raleigh notice letter:

3513 Garner Road

Prestige Construction & Land Development, LLC

By:  DocuSigned by:
Gilberto Lopez Ronce, Member/Manager

Signature page to Raleigh notice letter:

3509 Garner Road

<i>Shearon Brown</i>	dotloop verified 12/07/18 5:14 PM EST XRGR-YTWD-E8CO-P9IZ
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Shearon Brown

<i>Eric S. Brown</i>	dotloop verified 12/08/18 7:47 AM EST ZUFW-QWJK-Q5KG-HQ4A
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Eric Brown

<i>Janice B. Foster</i>	dotloop verified 12/07/18 5:15 PM EST VC4P-7YTU-AQM9-AGAY
-------------------------	---

Janice B. Foster

<i>John S. Foster, Jr.</i>	dotloop verified 12/09/18 11:26 AM EST LAQD-BCOA-W8IQ-JYYC
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John S. Foster, Jr.

Signature page to Raleigh notice letter:

3511 Garner Road

Veronica Stark

Annie McClain

dotloop verified
12/07/18 5:37 PM EST
3XBL-MNXX-5KNH-TE67

Annie McClain

Rufus E. Stark, Jr.

Mary Stark

dotloop verified
01/03/19 2:10 PM EST
6GUO-NDWC-BS6T-FDZ2

Mary C. Stark

Joan T. Stark

dotloop verified
01/03/19 3:16 PM EST
N4XZ-AOTG-3QCF-OOLA

Joan T. Stark

Janice B. Foster

dotloop verified
12/09/18 11:24 AM EST
MRE2-OKRM-ZNZM-LJML

Felicia Walker

John S. Foster, Jr.

dotloop verified
12/09/18 11:26 AM
EST
SOJU-YEFA-P5FS-OTUI

Leonard J. Walker

Rebecca Purifory

dotloop verified
01/03/19 12:02 PM EST
PGT8-VKUL-3TAX-W5EO

Rebecca Purifory

Shearon Brown

dotloop verified
12/07/18 5:14 PM EST
CBWC-WC69-H3TZ-XOFY

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:

Concerns over traffic increase and congestion
Concerns over loss of buffer the undeveloped parcels currently provide a wooded buffer to abutting residents
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.
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.
Density concern. Most want the area to remain R-4 if it is indeed developed.

ATTENDANCE ROSTER	
NAME	ADDRESS
Shearon Brown	3107 Shallowford Dr., Greensboro, NC 27406
Janice Foster	2840 NC HWY 39 N, Henderson, NC 27537
Terry Stanberry	3630 Brideveil Ct., Raleigh, NC 27610
Mel Stanberry	3630 Brideveil Ct., Raleigh, NC 27610
David Benson	3132 Randell Rd., Garner, NC 27529
Johana Ramirez	1704 Cranston Rd., Garner NC 27529
David Lee	1704 Cranston Rd., Garner NC 27529
Rich Kocher	1010 Northview St., Garner NC 27529
James Cannady	3617 Cranston Rd., Garner, NC 27529
John Pombo	1712 Cranston Rd., Garner, NC 27529
Starr Pombo	1712 Cranston Rd. Garner, NC 27529
Charon Faris	3613 Cranston Rd., Garner, NC 27529
Angela Spence	3733 Randell Rd., Garner, NC 27529
Garry South	8882 White Oak Rd., Garner, NC 27529
Shaun Farrington	3644 Tule spring St., Raleigh, NC 27610
LaChandra Hamilton	1536 Stark Spring St., Raleigh NC 27610
Adrayll Hamilton	1536 Stark Spring St., Raleigh NC 27610
Het Patel	800 Finsbury St., Durham, NC 27703
Helen Cleereman	1018 Northview St., Garner, NC 27529
Lee Nykiya	1504 Stark Spring St., Raleigh, NC 27610
Frankie Justice	3732 Randell Rd., Garner, NC 27529
Edeltraud Strickland	1025 Northview St., Garner, NC 27529
Craven Williams	1231 Northview St., Garner, NC 27529

Rezoning Application



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

REZONING REQUEST							
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # APR 6 2018 AM 11:45 Rezoning Case #				
Existing Zoning Base District	R-4	Height		Frontage			
Proposed Zoning Base District	R-10	Height		N/A			
Overlay(s) _____ 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:							
<table border="1"> <tr> <td>539962</td> <td></td> <td></td> <td></td> </tr> </table>				539962			
539962							

GENERAL INFORMATION			
Date	4/6/18	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		Email jamieschwedler@parkerpoe.com	

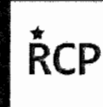
A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
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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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 Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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) _____

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**OFFICE
USE ONLY**

Transaction #

Rezoning Case #

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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**

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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

Jamie Schwedler

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS

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Date Submitted	
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Owner/Agent Signature *Gilberto Lopez-Ponce* Print Name Prestige Construction & Land Development LLC, by: Gilberto Lopez-Ponce member/manager

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

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OFFICE
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Raleigh, NC 27601

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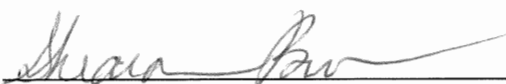
Owner/Agent Signature *Sheena Br...*

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
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Owner/Agent Signature  Print Name Sheqion Brown

Rezoning Application



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CITY PLANNING



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REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

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Fax **attached**

Email **attached**

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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

Vanonica J. Stark

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature Veronica Stark Print Name Veronica Stark

Rezoning Application



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District R-4 Height Frontage Overlay(s) _____			
Proposed Zoning Base District R-10 Height N/A Frontage N/A Overlay(s) _____			
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		Email jamieschwedler@parkerpoe.com	
Owner/Agent Signature Eric B...		Email jamieschwedler@parkerpoe.com	

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
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Owner/Agent Signature Eric Brown Print Name Eric Brown

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) _____

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OFFICE USE ONLY

Transaction #

Rezoning Case #

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(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

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Transaction #

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Rezoning Case #

Narrative of Zoning Conditions Offered

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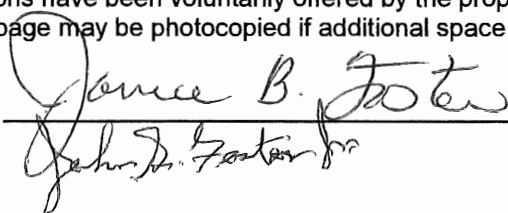
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Owner/Agent Signature

Print Name

Janice B Foster
JOHN S. FOSTER OR

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST							
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #				
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Proposed Zoning Base District R-10 Height N/A Frontage N/A Overlay(s) _____							
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GENERAL INFORMATION			
Date		Date Amended (1)	
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Property Address 3513, 3511, & 3509 Garner Road			
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		Email jamieschwedler@parkerpoe.com	
Owner/Agent Signature <i>Annie McClan</i>		Email jamieschwedler@parkerpoe.com	

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
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Owner/Agent Signature Annie McClain Print Name Annie McClain

Rezoning Application



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REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

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

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OFFICE USE ONLY

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Total Square Feet

Property Owner/Address

See attached

Phone **attached**

Fax **attached**

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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 *Rufus E. Stark Jr.* Print Name *Rufus E. Stark Jr.*

Rezoning Application



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REZONING REQUEST				
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Owner/Agent Signature <i>Mary C. Stark</i>	Email jamieschwedler@parkerpoe.com		

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Owner/Agent Signature

Mary C. Stark

Print Name

MARY C. STARK

Rezoning Application



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REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

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301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone (919) 828-0564

Fax (919) 834-4564

Email **jamieschwedler@parkerpoe.com**

Owner/Agent Signature

Joan I. Stark

Email **jamieschwedler@parkerpoe.com**

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Owner/Agent Signature Joan T. Stark Print Name Joan T. Stark

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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REZONING REQUEST				
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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		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.

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
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



Print Name

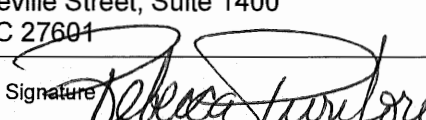
Felicia Walker, Leonard J. Walker

Rezoning Application



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District R-4 Height 12 Frontage 100 Overlot(s) 0			
Proposed Zoning Base District R-10 Height N/A Frontage N/A Overlot(s) 0			
<small>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</small>			
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 1 Total 1 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 		Email jamieschwedler@parkerpoe.com	

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COND[REDACTED]NAL USE DISTRICT ZONING COND[REDACTED]NS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
Existing Zoning R-4	Proposed Zoning R-10-CU	
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Owner/Agent Signature

Rebecca Purifoy

Print Name

REBECCA PURIFOY

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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.

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-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

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 *Sheep Brown*

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number	OFFICE USE ONLY Transaction # Rezoning Case #	
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Owner/Agent Signature Shearon Brown Print Name Shearon Brown

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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.

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-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

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

Email **jamieschwedler@parkerpoe.com**

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CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature Jamie S. Schwedler Print Name Jamie S. Schwedler

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Prestige Construction & Land Development
LLC by:

Submit Long paper

Gilberto Lopez-Ponce
Member/Manager

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
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Owner/Agent Signature Shea Brown Print Name Shea Brown

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
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Owner/Agent Signature Veronica Stark Print Name Veronica Stark

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
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Owner/Agent Signature Eric Brown Print Name Eric Brown

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Transaction #

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

Rezoning Case #

Narrative of Zoning Conditions Offered

1. Density limited to 8 units per acre

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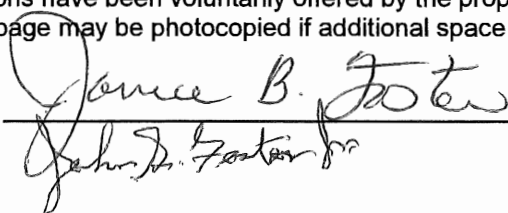
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Owner/Agent Signature

Print Name

Janice B Foster
JOHN S. FOSTER OR

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Date Submitted		
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Owner/Agent Signature Annie McClain Print Name Annie McClain

CONDITIONAL USE DISTRICT ZONING CONDITIONS

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Owner/Agent Signature *Rufus E. Stark Jr.* Print Name *Rufus E. Stark Jr.*

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature

Mary C. Stark

Print Name

MARY C. STARK

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature Joan T. Stark Print Name Joan T. Stark

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature



Print Name

Felicia Walker, Leonard J. Walker

COND[REDACTED]NAL USE DISTRICT ZONING COND[REDACTED]NS		
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Owner/Agent Signature

Rebecca Purifoy

Print Name

REBECCA PURIFOY

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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Owner/Agent Signature *Shearon Brown* Print Name *Shearon Brown*

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Transaction #

Existing Zoning R-4

Proposed Zoning R-10-CU

Rezoning Case #

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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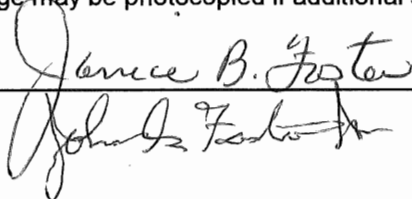
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Owner/Agent Signature



Print Name

JANICE B. Foster
JOHN S. FOSTER JR.

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.

SUBMITTED DATE: _____

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:

Concerns over traffic increase and congestion
Concerns over loss of buffer the undeveloped parcels currently provide a wooded buffer to abutting residents
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.
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.
Density concern. Most want the area to remain R-4 if it is indeed developed.

ATTENDANCE ROSTER	
NAME	ADDRESS
Shearon Brown	3107 Shallowford Dr., Greensboro, NC 27406
Janice Foster	2840 NC HWY 39 N, Henderson, NC 27537
Terry Stanberry	3630 Brideveil Ct., Raleigh, NC 27610
Mel Stanberry	3630 Brideveil Ct., Raleigh, NC 27610
David Benson	3132 Randell Rd., Garner, NC 27529
Johana Ramirez	1704 Cranston Rd., Garner NC 27529
David Lee	1704 Cranston Rd., Garner NC 27529
Rich Kocher	1010 Northview St., Garner NC 27529
James Cannady	3617 Cranston Rd., Garner, NC 27529
John Pombo	1712 Cranston Rd., Garner, NC 27529
Starr Pombo	1712 Cranston Rd. Garner, NC 27529
Charon Faris	3613 Cranston Rd., Garner, NC 27529
Angela Spence	3733 Randell Rd., Garner, NC 27529
Garry South	8882 White Oak Rd., Garner, NC 27529
Shaun Farrington	3644 Tule spring St., Raleigh, NC 27610
LaChandra Hamilton	1536 Stark Spring St., Raleigh NC 27610
Adrayll Hamilton	1536 Stark Spring St., Raleigh NC 27610
Het Patel	800 Finsbury St., Durham, NC 27703
Helen Cleereman	1018 Northview St., Garner, NC 27529
Lee Nykiya	1504 Stark Spring St., Raleigh, NC 27610
Frankie Justice	3732 Randell Rd., Garner, NC 27529
Edeltraud Strickland	1025 Northview St., Garner, NC 27529
Craven Williams	1231 Northview St., Garner, NC 27529

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.

YU, CHANG GU, POQIU
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WILLIS, JOEL GRAFTON WILLIS, REBECCA BAUMLER
WILLIAMS, THERESA K WILLIAMS, DARRYL
WILLIAMS, DONNELL WILLIAMS, CRAVEN DWIGHT
WARD, TREMAYLE WARD, LIDIA S
WANG, WEIFENG WU, QIUTAO
TRYON PLACE HOMEOWNERS ASSN INC
TROTTER, ELAINE G NEDDERMEYER, ANDREW T
THOMA, RYAN
STRICKLAND, EDELTRAUD A
STARK, EDDIE HEIRS
STANBERRY, TERRY D STANBERRY, MELISSA S
SPENCE, LOUIS L SPENCE, ANGELA M
SMITH, PEACHES
SLOOP-KWIATKOWSKI, KATLYN BROOKE KWIATKOWSKI, JOHN MARK
SKILLEN, RICHARD D
SHAW, ETHEL MAE H
SCHULTZ, GLORIA ANN
SANCHEZ, ULISES FERRER
RUSSELL, JOEL B RUSSELL, NINA
RUMBO, VICTOR RADILLA DIRCIO, KARINA CORTEZ
ROBINSON, COLIN B ROBINSON, BARBARA W
ROBERTSON, WILLIE JR ROBERTSON, LOTTIE M
REED, PRESTON L REED, FELICE S
PRESTIGE CONSTRUCTION & LD DVLP LLC
PETERSON, DAVID S
PATRICIO, VICTOR RODRIGUEZ ROMERO, MINERVA LOPEZ
PARKER, ALFRED S JR PARKER, RUDELL V
NOBLING, CLARENCE C NOBLING, PEGGY J
NGUYEN, KIMTHOA XUAN
MT CALVARY WORD OF FAITH CHURCH INC
MITEPE LLC
MEDLIN, SOPHIA SMITH MEDLIN, JERMAINE R.
MEBANE LUMBER CO INC
MCCUMMINGS, JACQUELYN L
MANN, BETTIE LOIS
MAHAN, CATHERINE
LEONARD, REBECCA S JOHNSON, DONNA S
LEE, NYKIYA D
LEACH, GENTRY HOWELL
LEACH, CHERYL LAUREN
LASSITER, WILLIAM H LASSITER, AILEEN
KIRK, EARL L III KIRK, JEAN W
JOHNSON, JOHNNY C JOHNSON, SHERRILL H
JACKSON, BETTY JO
ISRAEL, KEITH II ISRAEL, TIFFANY
IH3 PROPERTY NORTH CAROLINA LP
HUSSAIN, SYED ZEHRA, TABENDA
HOWLAND, JENNY LEE
HOOD, EDWARD P TRUSTEE EDWARD P HOOD REVOCABLE TRUST
HAMILTON, TERENCE HAMILTON, KENYATHA
HAMILTON, LACHANDRA Y
GUPTON, NATSHACHA R MCEACHIN, ANTHONY
GREGORY, KENNETH WADE GREGORY, BETTY MOORE
GRAVES, JERMAINE
GARRETT, ALISHA C
GARNER TOWN OF
FORD, STEPHANIE
FINNELL, ERIC L
FIELDS, FELICIA
FARIS, SHARON L
EVANS, CHARLES W
ERVIN, SHAWN ANTHONY REMIGIO, FRATIRA DENIA
DUNSTON, WILLIAM E
DOUGLAS, DELVA C
DELLINGER, CECIL F DELLINGER, MARY E
COATS, BETTY G PARRISH
CARR, ANGELICA D
CANNADY, JAMES AYERS
BUTLER, JESSICA C
BRYAN, VALERIE A
BROWN, TONY TERRIAL BROWN-SALMERON, MARLA ASTRID
BROWN, JESSE LEE HEIRS
BLUE DIAMOND INVESTMENT GROUP LLC
BENITEZ, FEDERICO V BENITEZ, BERTHA
BAXTER, CARL A BAXTER, AGNES B

1528 STARK SPRING ST
3713 MORMAN SPRINGS LN
3501 CRANSTON RD
1520 STARK SPRING ST
5241 ANCHORAGE WAY
1308 CATHEDRAL ROCK CT
1000 WALCOTT WAY
ASSOCIA HRW INC
821 LAS COLINDAS RD
3629 BRIDEVEIL CT
1025 NORTHVIEW ST
C/O SAMUEL STARK
3630 BRIDEVEIL CT
3733 RANDELL RD
1312 CATHEDRAL ROCK CT
1516 STARK SPRING ST
902 RICHARDSON RD
1217 NORTHVIEW ST
1029 NORTHVIEW ST
1022 EARLY RISE ST
3717 MORMAN SPRINGS LN
3740 RANDELL RD
3736 RANDELL RD
1500 STARK SPRING ST
1524 STARK SPRING ST
GILBERTO LOPEZ-PONCE
PO BOX 26313
3729 RANDELL RD
3800 BURTONS BARN ST
3609 CRANSTON RD
106 GLASTON CT
3100 SANDERFORD RD
2754 LAKEVIEW DR
3709 IDLEWOOD VILLAGE DR
PO BOX 160
1014 EARLY RISE ST
1132 EARLY RISE ST
1023 NORTHVIEW ST
3109 FAMILY LN
1504 STARK SPRING ST
1228 NORTHVIEW ST
3714 PEPPERSAUCE ST
3725 CYRUS ST
1213 NORTHVIEW ST
1209 NORTHVIEW ST
3708 IDLEWOOD VILLAGE DR
1316 CATHEDRAL ROCK CT
INVITATION HOMES-TAX DEPT
1508 STARK SPRING ST
3625 CRANSTON RD
1117 NORTHVIEW ST
1008 EARLY RISE ST
1536 STARK SPRING ST
1540 STARK SPRING ST
1205 NORTHVIEW ST
1304 CATHEDRAL ROCK CT
3713 IDLEWOOD VILLAGE DR
900 7TH AVE
3801 BURTONS BARN ST
2473 POST ST
1512 STARK SPRING ST
3613 CRANSTON RD
1113 NORTHVIEW ST
3712 MORMAN SPRINGS LN
3712 IDLEWOOD VILLAGE DR
3713 CYRUS ST
3737 RANDELL RD
1027 NORTHVIEW ST
3715 PEPPERSAUCE ST
3617 CRANSTON RD
1136 EARLY RISE ST
3625 BRIDEVEIL CT
3648 TULE SPRING ST
SHEARON BROWN ADMIN
1907 WOODSTONE CT
3507 CRANSTON RD
3711 PEPPERSAUCE ST

RALEIGH NC 27610-6819
RALEIGH NC 27610-2691
GARNER NC 27529-2613
RALEIGH NC 27610-6819
RALEIGH NC 27610-1558
RALEIGH NC 27610-2694
CARY NC 27519-8349
4700 HOMEWOOD CT STE 380
SAN RAFAEL CA 94903-2347
RALEIGH NC 27610-2697
GARNER NC 27529-2623
PO BOX 387
RALEIGH NC 27610-2698
GARNER NC 27529-2629
RALEIGH NC 27610-2694
RALEIGH NC 27610-6819
GARNER NC 27529-2846
GARNER NC 27529-2627
GARNER NC 27529-2623
RALEIGH NC 27610-6561
RALEIGH NC 27610-2691
GARNER NC 27529-2630
GARNER NC 27529-2630
RALEIGH NC 27610-6819
RALEIGH NC 27610-6819
PO BOX 1064
RALEIGH NC 27611-6313
GARNER NC 27529-2629
RALEIGH NC 27610-4763
GARNER NC 27529-2615
APEX NC 27502-1866
RALEIGH NC 27610-5918
RALEIGH NC 27609-7635
RALEIGH NC 27610-6765
MEBANE NC 27302-0160
RALEIGH NC 27610-6561
RALEIGH NC 27610-6562
GARNER NC 27529-2623
KNIGHTDALE NC 27545-8727
RALEIGH NC 27610-6819
GARNER NC 27529-2628
RALEIGH NC 27610-6497
RALEIGH NC 27610-6424
GARNER NC 27529-2627
GARNER NC 27529-2627
RALEIGH NC 27610-6763
RALEIGH NC 27610-2694
1717 MAIN ST STE 2000
DALLAS TX 75201-4657
RALEIGH NC 27610-6819
GARNER NC 27529-2615
GARNER NC 27529-2625
RALEIGH NC 27610-6561
RALEIGH NC 27610-6819
RALEIGH NC 27610-6819
GARNER NC 27529-2627
RALEIGH NC 27610-2694
RALEIGH NC 27610-6765
GARNER NC 27529-3796
RALEIGH NC 27610-4764
SAN FRANCISCO CA 94115-3310
RALEIGH NC 27610-6819
GARNER NC 27529-2615
GARNER NC 27529-2625
RALEIGH NC 27610-2692
RALEIGH NC 27610-6763
RALEIGH NC 27610-6424
GARNER NC 27529-2629
GARNER NC 27529-2623
RALEIGH NC 27610-6498
GARNER NC 27529-2615
RALEIGH NC 27610-6562
RALEIGH NC 27610-2697
RALEIGH NC 27610-6821
3107 SHALLOWFORD DR
GOSHEN IN 46526-5612
GARNER NC 27529-2613
RALEIGH NC 27610-6498
FUQUAY VARINA NC 27526-0387
HILLSBOROUGH NC 27278-1064
GREENSBORO NC 27406-6246

BAXTER, CARL A BAXTER, AGNES B
AYALA, MARVIN
AMUNDSEN, MARVIN WINDSOR AMUNDSEN, TAMRA S
AMH NC PROPERTIES, LP
AMH NC PROPERTIES, L.P., LIMITED PARTNERSHIP
AMH NC PROPERTIES LP
AMH 2014-3 BORROWER LLC
AMH 2014-2 BORROWER LLC
ALLEN, SHEMEAKA DAVON ALLEN, JEREMY JERMAINE
AHMED, SYEDA DILARA

3711 PEPPERSAUCE ST
3621 CRANSTON RD
3652 TULE SPRING ST
PROPERTY TAX DEPT
30601 AGOURA RD STE 200
30601 AGOURA RD STE 200
AMERICAN HOMES 4 RENT
AMERICAN HOMES 4 RENT
1532 STARK SPRING ST
3708 MORMAN SPRINGS LN

RALEIGH NC 27610-6498
GARNER NC 27529-2615
RALEIGH NC 27610-6821
30601 AGOURA RD STE 200PT
AGOURA HILLS CA 91301-2148
AGOURA HILLS CA 91301-2148
30601 AGOURA RD STE 200
30601 AGOURA RD STE 200
RALEIGH NC 27610-6819
RALEIGH NC 27610-2692

AGOURA HILLS CA 91301-2150

AGOURA HILLS CA 91301-2148

AGOURA HILLS CA 91301-2148