

CITY OF RALEIGH

Z-12-09

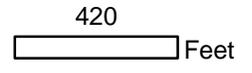
R-10

to

R-15 CUD

1.31 acres

Public Hearing
 June 2, 2009
 (September 30, 2009)



Case No. 2-12-09
Petition No. 2-12-09



REVISED

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - 1) to lessen congestion in the streets;
 - 2) to provide adequate light and air;
 - 3) to prevent the overcrowding of land;
 - 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - 5) to regulate in accordance with a comprehensive plan;
 - 6) to avoid spot zoning; and
 - 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature: <u>Cary Franklin Squires</u>	Date: <u>5/18/09</u>
<u>Alison Marshall Squires</u>	<u>5/18/09</u>
<u>Elwyn A. Squires</u>	<u>5/16/09</u>
<u>Carolyn J. Squires</u>	<u>5/16/09</u>

REVISED
EXHIBIT B. Request for Zoning Change

Office Use Only	2-12-09
Petition No.	9/19/08
Date Filed:	pd. 1028 2006 by GC#4847
Filing Fee:	

Please use this form only - form may be photocopied. Please type or print

See instructions, page 6

	Names	Addresses	Telephone
1) Petitioner(s):	Cary F. Squires	1400 Harvey Johnson Road	919/524-8911
<small>Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.</small>	Alison M. Squires	Raleigh, NC 27603	
	Elwyn A. Squires	9511 Via Palma Ceia	
	Carolyn J. Squires	Apopka, FL 32703	407/808-5992

2) Property Owner(s): Same as No. 1 Above

3) Contact Person(s): Karen Kemerait 1117 Hillsborough Street Raleigh, NC 27603 919/747-8102

4) Property Description: Wake County Property Identification Number(s) (PIN): 0793282662; 0793281693; 0793282456; 0793281485; 0793280494

Please provide surveys if proposed zoning boundary lines do not follow property lines.

General Street Location (nearest street intersections): Stovall Drive and Marcom Street; Stovall Drive and Kelford Street

Listed in same order as PIN Numbers in Item 4 above:

5) Area of Subject Property (acres): .27 acres; .29 acres; .26 acres; .26 acres; .23 acres

6) Current Zoning District(s) Classification: R-10 on all parcels

Include Overlay District(s), if Applicable: Southwest District Plan; Gorman/Burt Neighborhood Plan

7) Proposed Zoning District Classification: CU-D
R-15 on all parcels

Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state: Southwest District Plan; Gorman/Burt Neighborhood Plan

Office Use Only
 Petition No. 2-12-09

B) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only - form may be photocopied - please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
Bost, James L. & Bettie W.	1512 Delmont Dr.	Raleigh, NC 27606	0793186220 0793280169
Hamerka, Paul A.	2716 Charleston Oaks Drive	Raleigh, NC 27614	0793281214
Lucas, Kenneth A.	7424 Chapel Hill Road	Raleigh, NC 27607	0793281514 0793281605 0793188405
Sylvan Park Apartments, LLC	7424 Chapel Hill Road	Raleigh, NC 27607	0793186880
Squires, Elwyn A. & Carolyn J.	9511 Via Palma Ceia	Apopka, FL 32703	0793280494
Winn, David B.	3814 Marcom St.	Raleigh, NC 27606	0793280874
Teague, Craig J. & Martin, Martha J.	3344 N. Wilson Ave	Tucson, AZ 85719	0793281264
Squires, Cary F. & Alison M.	1400 Harvey Johnson Road	Raleigh, NC 27603	0793281485 0793281693 0793282456 0793282662
Andersen, Marc W. & Birgit S.	4500 Touchstone Forest Road	Raleigh, NC 27612	0793283874 0793281834
Holly Spring Associates, LLC	1401 Sunday Dr. Suite 116	Raleigh, NC 27607	0793283276 0793282175 0793283476 0793284425
Stanley, Charles F. Jr., Trustee & Nancy	5206 Asbury Cir.	Raleigh, NC 27606	0793282214

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Office Use Only Petition No. 2-12-09
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B) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only -- form may be photocopied -- please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
Forest Park Apartments	7424 Chapel Hill Rd	Raleigh, NC 27607	0793282804
Brafford, Chester L., Jr.	P. O. Box 11125	Southport, NC 28461-1125	0793282893
Brafford, Nell F.	1511 Collegeview Ave.	Raleigh, NC 27606	0793283549
Burke, J. L. Roncs, Pamela	601 N. State St.	Ukiah, CA 95482	0793284622
Anderson, William E. & Lide C.	P. O. Box 58186	Raleigh, NC 27658	0793285852
Gordon, William E.	301 E. Williams St.	Apex, NC 27502	0793286216

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REVISED

Office Use Only	
Petition No.	2-12-09
Date Filed:	9/19/08

Refiled: 5/18/09

**EXHIBIT D. Petitioner's Argument on Behalf
of The Zoning Change Requested**

Please use this form only - form may be photocopied - please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement shall address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

REVISED PETITIONER'S STATEMENT:**I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).**

A. Please state which District Plan area the subject property is located within and the recommended land use for this property:

Response: The five parcels that make up the subject property are located within the Southwest District and within the Gorman/Burt Neighborhood. The recommended urban form for the parcels is residential. The Gorman/Burt Neighborhood Plan states that the recommended land use for the properties is R-10, and also states that residential densities higher than R-10 are appropriate if specified development guidelines are used.

The proposed rezoning is consistent with both the Southwest District Plan and the Gorman/Burt Neighborhood Plan as all development guidelines recommended by the Neighborhood Plan will be used. Therefore, a residential density of CUD R-15 will be appropriate and in conformity with the recommended land use for the properties.

B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

Response: The subject properties are located within the Gorman/Burt Neighborhood Plan. The Gorman/Burt Neighborhood Plan states that densities higher than R-10 are appropriate for areas of the Gorman/Burt Neighborhood if the following guidelines are used:

- Height limitation of three floors above grade;
- Minimum pitch roof of 3/12;
- Facades which are broken up with minimum 4-foot offsets, forward or back, at least every 25 feet, minimum 10-foot offsets at least every 50 feet or some other satisfactory limitation of long unbroken facades;
- Parking is to be fully screened from the right-of-way as outlined in Special Overlay District-3 zoning;
- Limit buildings materials to residential types; wood, wood-like siding and brick; and
- Parking in addition to what is required by the City Code should be considered.

The proposed rezoning and development will be in conformity with the plans and policies of the Gorman/Burt Neighborhood Plan, as the rezoning conditions will ensure that the specified development guidelines for the proposed CUD R-15 development will be met. As the development guidelines will be met, the density of CUD R-15 density will be appropriate for the subject properties and the area.

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

Response: The proposed rezoning from R-10 to CUD R-15 is consistent with the intent and policies of the Comprehensive Plan, the Southwest District Plan, the Gorman/Burt Neighborhood Plan, and the Vision Statement for the Comprehensive Plan Update. Initially, as stated previously, the proposed rezoning is consistent with the Southwest District Plan and the Gorman/Burt Neighborhood Plan as the rezoning conditions will ensure that all recommended development guidelines are met. Also, the rezoning is consistent with those plans since the proposed higher density residential will be located adjacent to areas already used or targeted for higher densities. Furthermore, the goals and policies of the plans will be met as the proposed rezoning will provide a good transition between the higher residential densities to the east and the R-6 and R-4 densities farther to the west. Additionally, the proposed rezoning to CUD R-15 will allow the redevelopment of the properties for town homes, and that redevelopment will promote the improvement of the properties.

Finally, the proposed rezoning is in accordance with the Vision Statement for the Comprehensive Plan. The rezoning will allow the redevelopment of the existing rental units on the properties to provide a needed housing choice (*i.e.*, town homes) for the workforce in the Gorman/Burt Neighborhood. Specifically, the proposed housing for the properties is expected to provide decent and affordable housing for those working at Centennial Campus and NC State University since the properties are in close proximity to both Centennial Campus and NC State University.

II. Compatibility of the proposed map amendment with the property and surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

Response: The properties are located south of Western Boulevard (a secondary arterial) and west of Gorman Street (a minor thoroughfare), and they are bordered by internal streets (Kelford Street, Marcom Street, and Stovall Street). The properties are adjacent to single family and multi-family homes, many of which are rental properties, town homes, apartments, and a trailer park. The properties are in close proximity to a fraternity home, the McKimmon Center, and the Centennial Campus.

The proposed rezoning and redevelopment of the properties will be compatible with the uses on the nearby properties, which include multi-family homes, town homes and apartments. The proposed redevelopment of town homes will be an appropriate transitional use between the higher density uses and office and industrial uses to the east and the lower density residential uses farther to the west. The interests of the residential property owners to the west will be adequately protected by the provisions of the Raleigh City Code and the conditions of the rezoning.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards);

Response: The existing zoning patterns in the surrounding area are R-10, R-15, CUD R-15, CUD R-20, and O&I-1. Specifically, zoning classifications of CUD R-15 and R-10 are located to the west of the parcels, a zoning classification of O&I-1 is located to the northeast of the properties, zoning classifications of O&I-1 and R-20 are located to the east of the parcels, and zoning classifications of CUD R-30 and CUD R-20 are located to the south of the properties. The proposed rezoning to CUD R-15 will be in conformity with the existing zoning patterns in the area since the parcels are in close proximity to higher density residential uses of apartments, town homes, and a manufactured housing park.

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area.

Response: The proposed zoning amendment from R-10 to CUD R-15 is compatible with the suitability of the property and the character of the surrounding area. The proposed rezoning for redevelopment of town homes is compatible with the properties since residential units (rental properties) are currently located on the parcels and because the proposed density of twenty units per acre or less will be suitable for the properties. A CUD R-15 zoning classification will be compatible with the character of the area since the properties are in close proximity to existing multi-family residences, town homes, apartment complexes, and a trailer park. Additionally, the proposed CUD R-15 zoning classification will be an appropriate transition from the office and institutional uses and higher residential densities to the east and the lower residential densities farther to the west.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

Response: The proposed rezoning provides an opportunity for the redevelopment of the existing older rental homes located on the properties to improve the properties.

B. For the immediate neighbors:

Response: The proposed rezoning provides an opportunity for the redevelopment of the older rental homes located on the properties to improve the properties. It will also allow the development of housing that is needed for the workforce in the area.

C. For the surrounding community:

Response: The proposed rezoning provides an opportunity for the redevelopment of the older rental homes located on the properties to improve the properties. The proposed rezoning to CUD R-15 will provide needed housing options for those working in the area (*i.e.*, at Centennial Campus and NC State University).

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties: Explain:

Response: No. Higher density residential classifications currently exist on some of the surrounding properties. The proposed change simply allows higher density residential on the subject properties, and the rezoning will be compatible with the zoning classifications and uses of the surrounding properties.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

Response: The redevelopment of the properties will comply with all requirements of the Raleigh City Code and the conditions of the rezoning. The proposed rezoning is reasonable and appropriate for the subject properties and in the public interest as it will allow the redevelopment of the properties to replace the older rental units that currently exist on the properties.

V. Recommended items of discussion (where applicable).

a. An error by the City Council in establishing the current zoning classification of the property.

Response: In accordance with the Gorman/Burt Neighborhood Plan, the current zoning classification for the properties may be higher density residential (*i.e.*, CUD R-15) if the development guidelines are met.

b. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

Response: Circumstances and the need for housing in the Gorman/Burt Neighborhood have changed since the Comprehensive Plan was adopted. The Comprehensive Plan was adopted prior to the growth that has occurred as a result of the development of Centennial Campus. The development and growth of Centennial Campus has increased the demand for housing in the vicinity of the campus. Therefore, since the Comprehensive Plan was adopted, the demand for housing within walking and biking distance of Centennial Campus has greatly increased.

Also, good land use planning principles typically advocate and support the proposed development in the proposed location. The proposed development will provide needed housing in close proximity to employment centers, which will enable the residents to walk, bike or use transit to work.

Furthermore, in light of the character and nature of the surrounding area and the development guidelines contained in the Gorman/Burt Neighborhood Plan, the zoning classification of R-10 for the properties is no longer necessary. The conditions of the rezoning and development guidelines for higher densities in the Neighborhood Plan will protect the interests of the surrounding properties.

c. The public need for additional land to be zoned to the classification requested.

Response: There is a public need for this land to be rezoned to CUD R-15. The rezoning of the properties will promote the redevelopment and improvement of the existing properties and will allow the replacement of the older rental units on the properties. Also, the rezoning will further a public need by providing a needed housing choice (*i.e.*, town homes) that will expand the supply of affordable housing options for the workforce in the Gorman/Burt Neighborhood.

d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

Response: There will be no increased impact from the current uses on the properties on public services, facilities, infrastructure, fire safety, parks and recreation, topography, and access to light and air as a result of the rezoning. The requested zoning classification will allow a somewhat greater residential density; but there is no anticipated impact on public services due to the higher density as the area for the proposed rezoning is small (1.31 acres).

VI. Other arguments on behalf of the map amendment requested.

Response: The proposed rezoning of the five parcels will allow the redevelopment of older rental homes and will improve the properties. Furthermore, the properties are in an ideal location to provide needed housing for those working at Centennial Campus and at NC State University. Moreover, the properties are in an ideal location for higher density residential as they are located in close proximity to the greenway corridors, greenway corridor connectors, CAT routes, and the Wolfline transit system so that the residents may walk, bike or take public transit to Centennial Campus and NC State University.

DOST, JAMES L & BETTIE W
1512 DELMONT DR
RALEIGH NC 27606-2672

NC PIN # 0793186220

SYLVAN PARK APARTMENTS LLC
7424 CHAPEL HILL RD
RALEIGH NC 27607-5079

NC PIN # 0793186880

LUCAS, KENNETH A & DAWN S
7424 CHAPEL HILL RD
RALEIGH NC 27607-5079

NC PIN # 0793188405

BOST, JAMES L & BETTY W
1512 DELMONT DR
RALEIGH NC 27606-2672

NC PIN # 0793280169

SQUIRES, ELWYN A & CAROLYN J
9511 VIA PALMA CEIA
APOPKA FL 32703-1865

NC PIN # 0793280494

WINN, DAVID B
3814 MARCOM ST
RALEIGH NC 27606-2854

NC PIN # 0793280874

HAMERKA, PAUL A
2716 CHARLESTON OAKS DR
RALEIGH NC 27614-8870

NC PIN # 0793281214

TEAGUE, CRAIG J & MARTHA J MARTIN
3344 N WILSON AVE
TUCSON AZ 85719-2453

NC PIN # 0793281264

SQUIRES, CARY FRANKLIN
SQUIRES, ALISON MARSHALL
1400 HARVEY JOHNSON RD
RALEIGH NC 27603-8666

NC PIN # 0793281485

LUCAS, KENNETH A
7424 CHAPEL HILL RD
RALEIGH NC 27607-5079

NC PIN # 0793281514

LUCAS, KENNETH A
7424 CHAPEL HILL RD
RALEIGH NC 27607-5079

NC PIN # 0793281605

SQUIRES, CARY FRANKLIN
SQUIRES, ALISON MARSHALL
1400 HARVEY JOHNSON RD
RALEIGH NC 27603-8666

NC PIN # 0793281693

ANDERSEN, MARC W & BIRGIT S
4500 TOUCHSTONE FOREST RD
RALEIGH NC 27612-4133

NC PIN # 0793281834

HOLLY SPRING ASSOCIATES LLC
1401 SUNDAY DR STE 116
RALEIGH NC 27607-5173

NC PIN # 0793282175

STANLEY, CHARLES P JR TRUSTEE &
STANLEY, NANCY WARD
5206 ASBURY CIR
RALEIGH NC 27606-1269

NC PIN # 0793282211

SQUIRES, CARY FRANKLIN
SQUIRES, ALISON MARSHALL
1400 HARVEY JOHNSON RD
RALEIGH NC 27603-8666

NC PIN # 0793282456

SQUIRES, CARY FRANKLIN
SQUIRES, ALISON MARSHALL
1400 HARVEY JOHNSON RD
RALEIGH NC 27603-8666

NC PIN # 0793282662

FOREST PARK APARTMENTS
7424 CHAPEL HILL RD
RALEIGH NC 27607-5079

NC PIN # 0793282800

BRAFFORD, CHESTER L JR
PO BOX 11125
SOUTHPORT NC 28461-1125

NC PIN # 0793282893

HOLLY SPRING ASSOCIATES LLC
1401 SUNDAY DR STE 116
RALEIGH NC 27607-5173

NC PIN # 0793283276

HOLLY SPRING ASSOCIATES LLC
1401 SUNDAY DR STE 116
RALEIGH NC 27607-5173

NC PIN # 0793283411

BRAFFORD, NELL F
1511 COLLEGEVIEW AVE
RALEIGH NC 27606-4848

NC PIN # 0793283549

ANDERSEN, MARC & BIRGIT
4500 TOUCHSTONE FOREST RD
RALEIGH NC 27612-4133

NC PIN # 0793283874

HOLLY SPRING ASSOCIATES LLC
1401 SUNDAY DR STE 116
RALEIGH NC 27607-5173

NC PIN # 0793284411

BURKE, J L
RONCS, PAMELA
601 N STATE ST
UKIAH CA 95482-4026

NC PIN # 0793284622

ANDERSON, WILLIAM E & LIDE C
PO BOX 58186
RALEIGH NC 27658-8186

NC PIN # 0793285852

GORDON, WILLIAM E
301 E WILLIAMS ST
APEX NC 27502-2146

NC PIN # 0793286111

2-12-09



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-12-09 Conditional Use; Marcom Street

General Location: Between Marcom Street and Kelford Street, at Stovall Drive

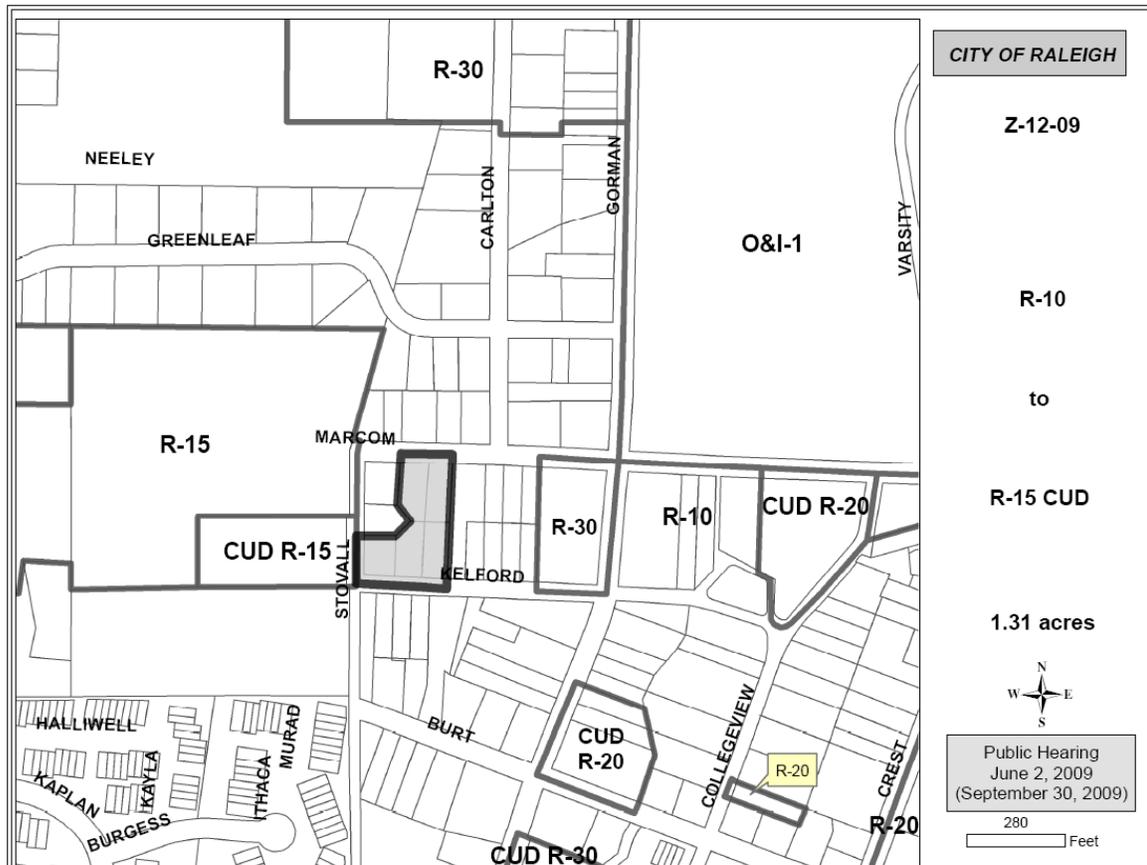
**Planning District
/ CAC:** Southwest/ West

Request: Petition for Rezoning from Residential-10 to Residential-15 Conditional Use District.

**Comprehensive Plan
Consistency:** This proposal is consistent with the Comprehensive Plan.

**Valid Protest
Petition (VSPP):** Yes.

Recommendation: The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated June 5, 2009.



CASE FILE: Z-12-09 Conditional Use

LOCATION: This site is located between Marcom Street and Kelford Street, at Stovall Drive.

REQUEST: This request is to rezone approximately 1.31 acres, currently zoned Residential-10. The proposal is to rezone the property to Residential-15 Conditional Use District.

COMPREHENSIVE PLAN CONSISTENCY: This proposal is consistent with the Comprehensive Plan.

RECOMMENDATION: The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated June 5, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is designated by the Gorman-Burt Neighborhood Plan for medium-density uses. However, the Plan also lists high-density development guidelines—all of which the proposal is conditioned to meet or exceed.
- (2) The applicant has provided additional conditions which include: limiting building height and materials, minimum roof pitch, breaking up front façades greater than 25 feet in width, tree conservation measures, provision of certain architectural components of townhouse development, limiting townhouse parking to the interior of the site, providing 10% additional parking beyond Code, limiting townhouse development curb cuts, providing stormwater capacity up to a 50-year event, setting right-of-way reimbursement at R-10 values, dumpster location and pickup hours, limiting ownership of multiple units, and offering cross-access to the west.
- (3) Being consistent and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.

To PC: COW: 2/3/09; 3/3/09; 4/7/09
Case History: PC: 4/14/09 (recommended approval);
6/9/09 (recommended approval)

To CC: 4/21/09 (referred to CPC); CPC: 4/29/09 (recommended re-advertising); CC: 5/5/09 (approved re-advertising); 6/2/09 (public hearing)

City Council Status: _____

Staff Coordinator: Doug Hill

Motion: Haq
Second: Butler
In Favor: Anderson, Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris Edmisten, Mullins, Smith, Vance
Opposed: Holt
Excused:

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 Staff Report attached.

Signatures: (Planning Dir.) _____ (PC Chair) _____

date: _____ date: 6/10/09 _____



Zoning Staff Report: Z-12-09 Conditional Use

LOCATION: This site is located between Marcom Street and Kelford Street, at Stovall Drive.

AREA OF REQUEST: 1.31 acres

PROPERTY OWNER: Cary F. Squires, Alison M. Squires, Elwyn A. Squires, Carolyn J. Squires

CONTACT PERSON: Karen Kemerait, 747-8102

PLANNING COMMISSION RECOMMENDATION DEADLINE: September 30, 2009

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential-10	Residential-15 Conditional Use District
	<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
	n/a	n/a

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	13 units	19 units

ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	Not permitted

ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	Not permitted

ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Tract ID	Tract ID

ZONING HISTORY: This property has been zoned R-10 since 1967 (Z-21-67).

SURROUNDING ZONING: NORTH: Residential-10
SOUTH: Residential-10
EAST: Residential-10
WEST: Residential-10, Residential-15, Residential-15 CUD (Z-99-98):
Conditions: (effective 11/28/98)
A. No more than twenty-eight dwelling units may be built on this property.

LAND USE: Low-density residential

SURROUNDING

LAND USE: NORTH: Low-density residential
SOUTH: Low-density residential
EAST: Low-density residential
WEST: High-density residential, medium-density residential

**DESIGNATED
HISTORIC**

RESOURCES: None on site; none within 100 feet of site.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
PLAN SUMMARY**

TABLE: In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City’s adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	Southwest
Urban Form	Medium density residential (10 d.u. or less per acre)
Specific Area Plan	Gorman/ Burt Neighborhood Plan
Guidelines	n/a

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

This proposal is consistent with the Comprehensive Plan. The Gorman-Burt Neighborhood Plan specifies (Policy 3) that:

“Densities higher than Residential-10 should be focused within three hundred [300] feet of the rights-of-way of Gorman Street, the section of Marcom Street east of Gorman Street, Varsity Drive and within two hundred feet of the Crest Road right-of-way...to promote the improvement of existing properties, make better use of transit possibilities, and provide a transition to those areas of the neighborhood which have more value as owner occupied housing.”

The site is between 425 and 660 feet from the Gorman Street right-of-way. Its current zoning corresponds directly with the provisions of the Neighborhood Plan, which places the site within an “area of 10 dwelling units or less.” However, the Neighborhood Plan also states that:

“Future rezoning to higher density residential in the Gorman-Burt Neighborhood should include the application of development guidelines... Other areas of the Gorman-Burt Neighborhood may also be appropriate for higher density housing using these guidelines, which may be used in conditional use zoning cases for higher densities.”

The conditions proposed for the rezoning echo the higher-density development guidelines listed in the Neighborhood Plan.

2. Compatibility of the proposed rezoning with the property and surrounding area.

The proposed rezoning applies primarily to mid-block parcels (with one corner lot). Rezoning would introduce a section of high-density development between properties zoned for medium density. The current development density of the site and its immediate environs approximates R-4; most properties along Marcom and Kelford streets have been built out with single-family residences. The properties on the west side of Stovall Drive are zoned for 14 and 15 dwelling units to the acre, but consist of larger lots (2 and 10½ acres respectively) than the subject site, and have no through streets, permitting significant open space and vegetation to be incorporated into site design; those properties also are located outside the boundaries of the Gorman-Burt Neighborhood Plan.

The proposal would cap site building height at thirty feet and 2 occupied stories. Some neighboring buildings (including the multi-family units across Stovall Street) are two stories in height; the majority of dwellings on the block are one story.

Properties in the subject section of the neighborhood are characterized by a canopy of tall, mature trees. As the site is less than 2 acres, the City's Tree Conservation Ordinance does not currently apply to site development. However, the proposal seeks to preserve at least one fourth of the site trees measuring twenty-four inches or greater d.b.h. (diameter at breast height; i.e., at 4½ feet above grade).

3. Public benefits of the proposed rezoning

The site's location is in close proximity to transit and the NCSU campus, and thus could offer future residents the option of non-automotive travel. The proposal notes that higher-density redevelopment could increase the amount of affordable housing units "for the workforce," while updating neighborhood housing stock. A definition of "affordable" is not provided, however.

4. Detriments of the proposed rezoning

Removal of mature trees could alter site appearance and environment.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Marcom Street is classified as a residential street and exists as a 2-lane road with a 26-foot back-to-back curb and gutter section within a 60-foot right-of-way. City standards call for Marcom Street to be constructed with a 31-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within the existing right-of-way. Stovall Drive is also classified as a residential street and is also constructed with a 26-foot back-to-back curb and gutter section within a 41-foot right-of-way. City standards call for Stovall Drive to be constructed with a 31-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within a 50-foot right-of-way. Kelford Street is classified as a minor residential street and is constructed with a 26-foot back-to-back curb and gutter section within a 50-foot right-of-way. City standards call for Kelford Street to have sidewalks installed on a minimum of one side.

TRANSIT: This site is within close proximity of current bus routes but does not provide an appropriate space for a bus stop. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: none
DRAINAGE BASIN: Bushy
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations.
No Buffer. No WSPD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>6,877</u> gpd	Approx. <u>13,755</u> gpd
Waste Water	Approx. <u>6,877</u> gpd	Approx. <u>13,755</u> gpd

The proposed rezoning would add approximately 6,878 gpd the City's wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case's boundary.

PARKS AND RECREATION:

This property is not adjacent to any greenway corridor. There is a proposed increase in dwelling units but the total number of residents can be served by existing facilities at Kentwood Park.

WAKE COUNTY PUBLIC SCHOOLS:

The maximum number of dwelling units permitted by right under the current zoning is 13; the proposed rezoning could permit 19. This would result in an estimated net increase in school enrollment of 6. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current capacity	Future enrollment	Future capacity
Combs	843	102.6%	847	103.0%
Davis Drive	1,210	111.6%	1,211	111.7%
Athens Drive	1,909	109.3%	1,910	109.3%

IMPACTS SUMMARY:

The proposed rezoning could add 6 students to base schools, which are currently operating over capacity.

OPTIONAL ITEMS OF DISCUSSION

1. An error by the City Council in establishing the current zoning classification of the property.

The proposal suggests that higher density may be approved if the development guidelines provided in the Neighborhood Plan are met. The Plan suggests that this determination hinges on whether a site is deemed to be "appropriate for higher density housing." Under the existing zoning, the site may already be redeveloped at densities more than twice the existing build-out, a potential it has held since its 1967 zoning, and which is affirmed by the Neighborhood Plan's designating site density at "10 d.u. or less."

2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be properly applied to it now were it being zoned for the first time.

The proposal cites the growth of Centennial Campus and the site's proximity to employment areas as providing an impetus for increased density, adding that existing neighborhood character and the higher density guidelines makes the current zoning "no longer necessary." While circumstances have changed, again, it should be noted that the existing zoning would permit densities greater than that of the existing build-out.

APPEARANCE COMMISSION:

This request is not subject to Appearance Commission review.

**CITIZENS'
ADVISORY COUNCIL:** DISTRICT: West
CAC CONTACT PERSON: Mark Vander Borgh, 357-2454

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

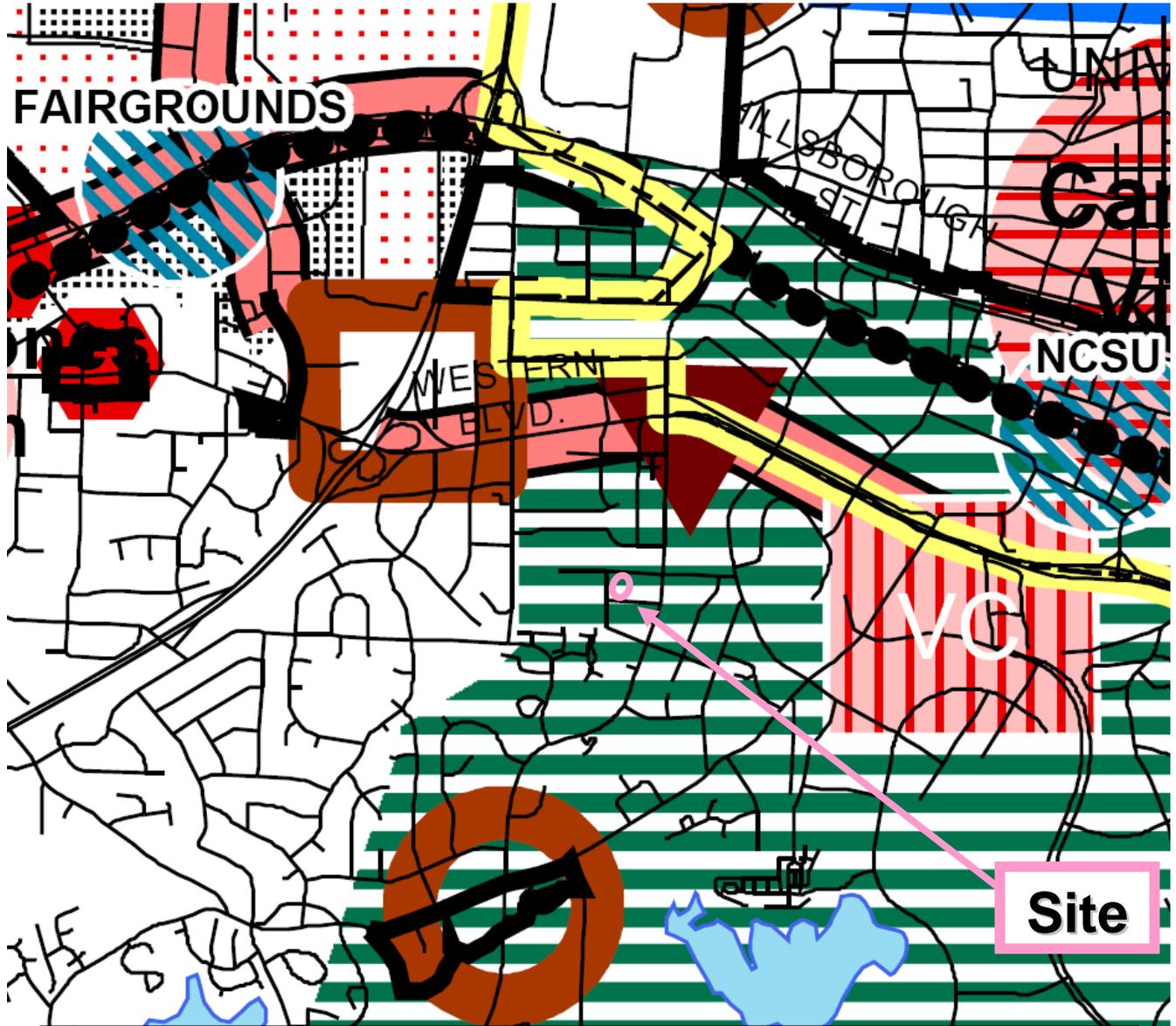
1. Outstanding issues

None.

2. Suggested conditions

None.

Urban Form— Southwest District Plan



	NEIGHBORHOOD FOCUS		SPECIAL AREA		PRIMARILY NONRESIDENTIAL THOROUGHFARES
	NEIGHBORHOOD CENTER		RURAL RESIDENTIAL		PRIMARILY RESIDENTIAL THOROUGHFARES
	COMMUNITY FOCUS		EMPLOYMENT AREA		RETAIL AREAS
	CITY FOCUS		REGIONAL CENTER		RESIDENTIAL RETAIL
	GATEWAY CORRIDOR		TRANSIT CORRIDOR		TODS
	REGIONAL INTENSITY AREA		POLICY BOUNDARY LINE		RESIDENTIAL (SUBURBAN)

Urban Form— Gorman-Burt Neighborhood Plan

