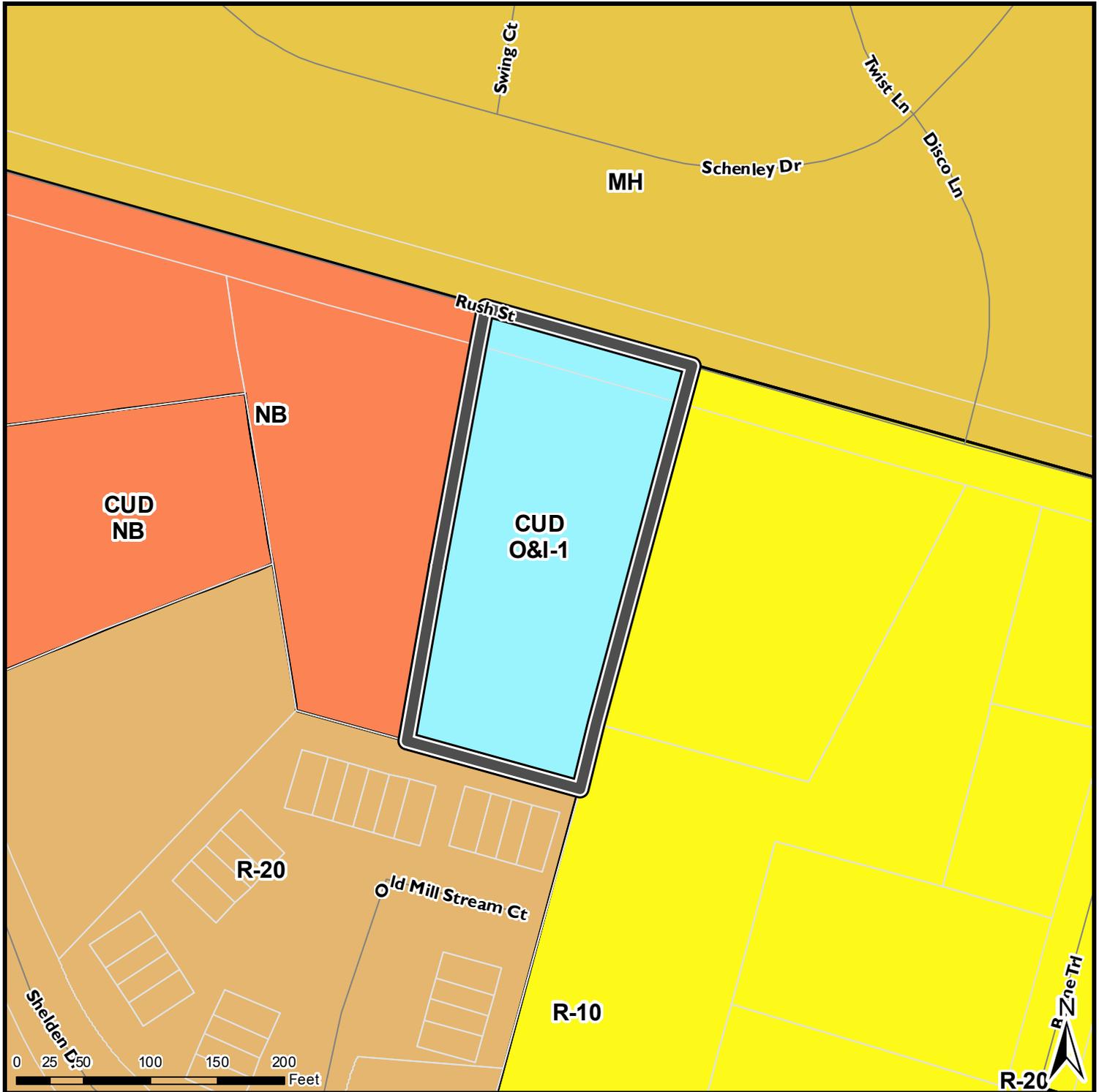


Existing Zoning Map

Z-12-2014



Submittal Date

3/11/2014

Request:

1 acres from
CUD O&I-1
to CX-3-PL

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11572

Case Information Z-12-14 Rush St.

<i>Location</i>	Rush Street, southside, between Hammond and Garner Roads Address:320 Rush Street PIN:1702842822000
<i>Request</i>	Rezone property from CUD O&I-1 to CX-3-PL
<i>Area of Request</i>	1 acre
<i>Property Owner</i>	Capitol Bail Bonding Inc PO Box 991, Raleigh, NC 27602-0991
<i>Applicant</i>	David Beasley, 919-669-1313
<i>Citizens Advisory Council</i>	Central Lonneta Williams, flonnetewms@bellsouth.net
<i>PC Recommendation Deadline</i>	August 11, 2014

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>	Community Mixed Use
<i>CONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 4.7—Capitalizing on Transit Access Policy UD 1.10—Frontage
<i>INCONSISTENT Policies</i>	N/A

Summary of Proposed Conditions

N/A

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
11/8/2013		05/27/14 Committee of the Whole	5/13/2014 6/10/2014



Zoning Staff Report – Case Z-12-14

General Use District

Case Summary

Overview

This one-acre parcel is located on the south side of the 300 block of Rush Street between Hammond Road and Boone Trail. The site is occupied by a single-family house, accessory structures, and a parking lot. The house is being used as a bail bonding business. There are a variety of land uses in the vicinity. To the north, across Rush Street, is a mobile home park; to the east is a vacant lot and single-family house; to the south is a group of 26 townhouses; and to the west is a multi-bay service garage.

The site and all adjacent parcels are designated for Community Mixed Use on the Future Land Use Map. The area across Rush Street to the north is designated on the Urban Form Map as a Transit Oriented District and the site is within a half-mile of a future fixed-guideway transit stop. Additionally, the Urban Form Map designates Rush Street as an Urban Thoroughfare.

The site is currently zoned CUD O&I-1. The current conditions include an express prohibition of bailbonding, check cashing, or banks on the site. Other conditions regulate stormwater controls, reimbursement rate for future right-of-way dedication, office operating hours, and prohibit use of the site for a commercial parking lot. There are a variety of adjacent zoning districts. Adjacent zoning includes Manufactured Home to the north, R-10 to the east, R-20 to the south, and Neighborhood Business to the west.

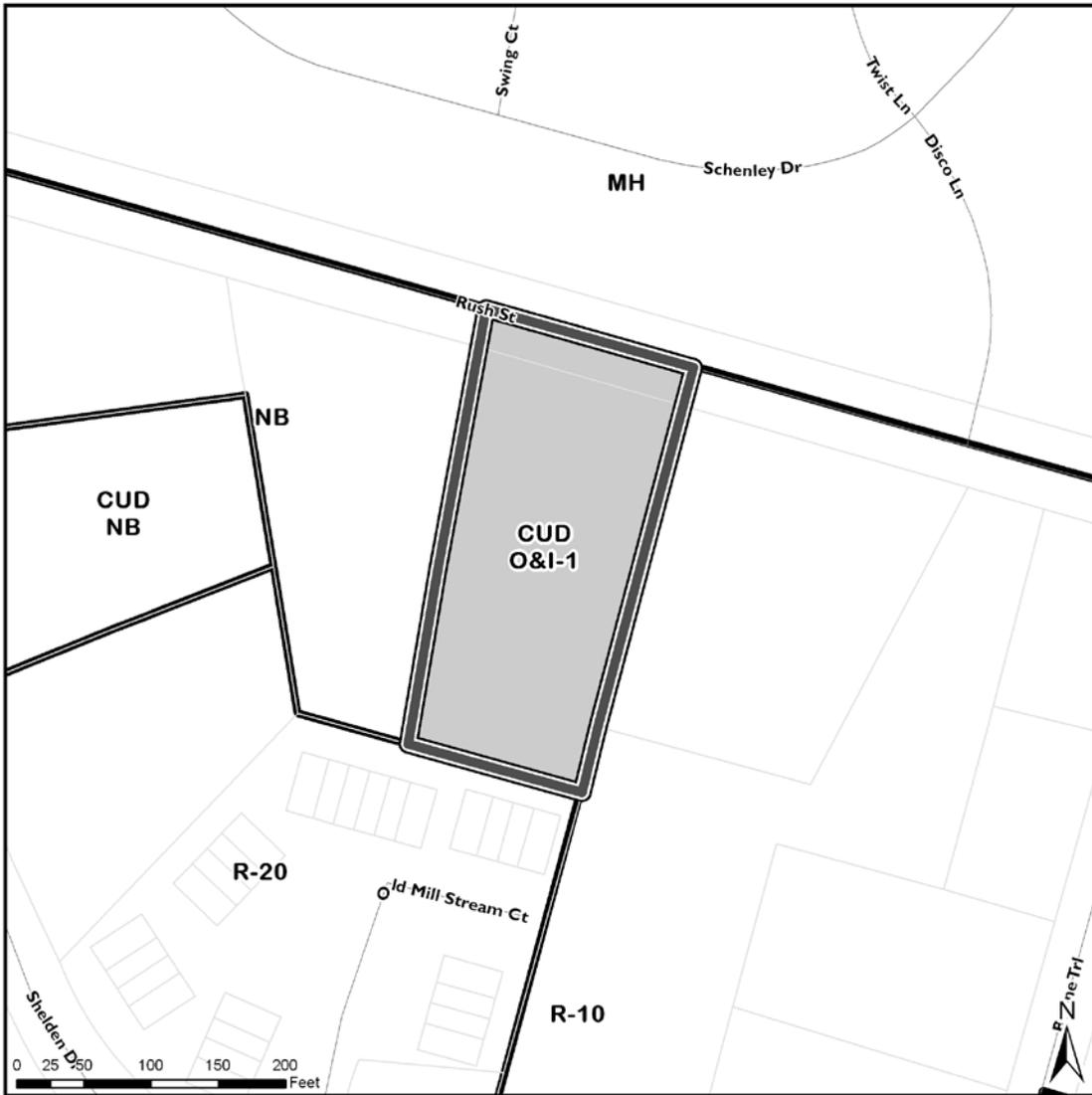
The current use as a bail bonding business is a violation of the CUD O&I-1 zoning. The owner was issued a notice of violation for a use prohibited by an applicable conditional use zoning district on August 28, 2013. The hearing for the violation has been postponed until the rezoning request has been decided by the City Council. The applicant seeks to rezone the site to make the existing use conforming.

Outstanding Issues

<i>Outstanding Issues</i>	N/A	<i>Suggested Mitigation</i>	N/A
---------------------------	-----	-----------------------------	-----

Existing Zoning Map

Z-12-2014



Submittal Date

3/11/2014

Request:

1 acres from
CUD O&I-1
to CX-3-PL



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	CUD O&I-1	MH	R-20	R-10	NB
<i>Additional Overlay</i>	N/A	N/A	N/A	N/A	N/A
<i>Future Land Use</i>	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use
<i>Current Land Use</i>	Bail Bonding Business	Mobile Home Park	Townhouse	Vacant and Single Family	Service Garage
<i>Urban Form (if applicable)</i>	N/A	Transit Oriented District	N/A	N/A	N/A

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	25 dwelling units/acre	30 dwelling units/acre
<i>Setbacks:</i>		
<i>Front:</i>	30'	5*
<i>Side:</i>	5'	5*
<i>Rear:</i>	20'	0' or 6**
<i>Retail Intensity Permitted:</i>	N/A	16,000 square feet
<i>Office Intensity Permitted:</i>	32,670square feet	28,500 square feet

*For General Building

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	1.00	1.00
<i>Zoning</i>	CUD O&I-1	CX-3-PL
<i>Max. Gross Building SF</i>	32,670	16,000 – 38,000
<i>Max. # of Residential Units</i>	25	30
<i>Max. Gross Office SF</i>	32,670	28,500
<i>Max. Gross Retail SF</i>	N/A	16,000
<i>Max. Gross Industrial SF</i>	N/A	N/A
<i>Potential F.A.R</i>	0.75	0.37 – 0.87

*The development intensities for proposed zoning districts were estimated using the **Envision Tomorrow** impact analysis tool. Reasonable assumptions are factored into the analysis to project the worst case development scenario for the proposed rezoning. The estimates presented in this table are rough estimates intended only to provide guidance for analysis in the absence of F.A.R's and density caps for specific UDO districts.

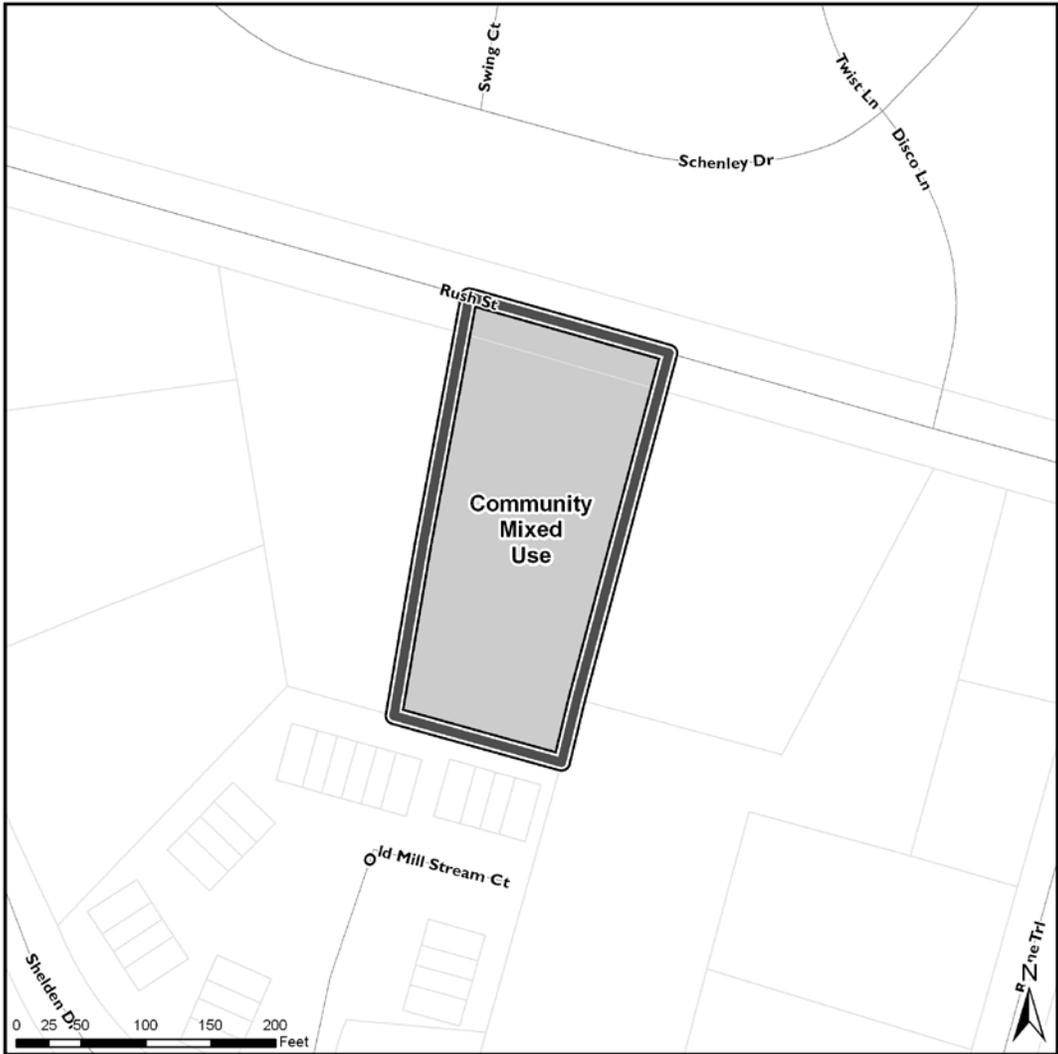
The proposed rezoning is:

Compatible with the property and surrounding area.

Incompatible.

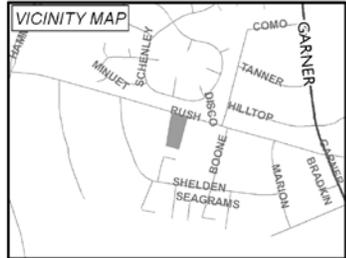
N/A

Future Land Use Map **Z-12-2014**



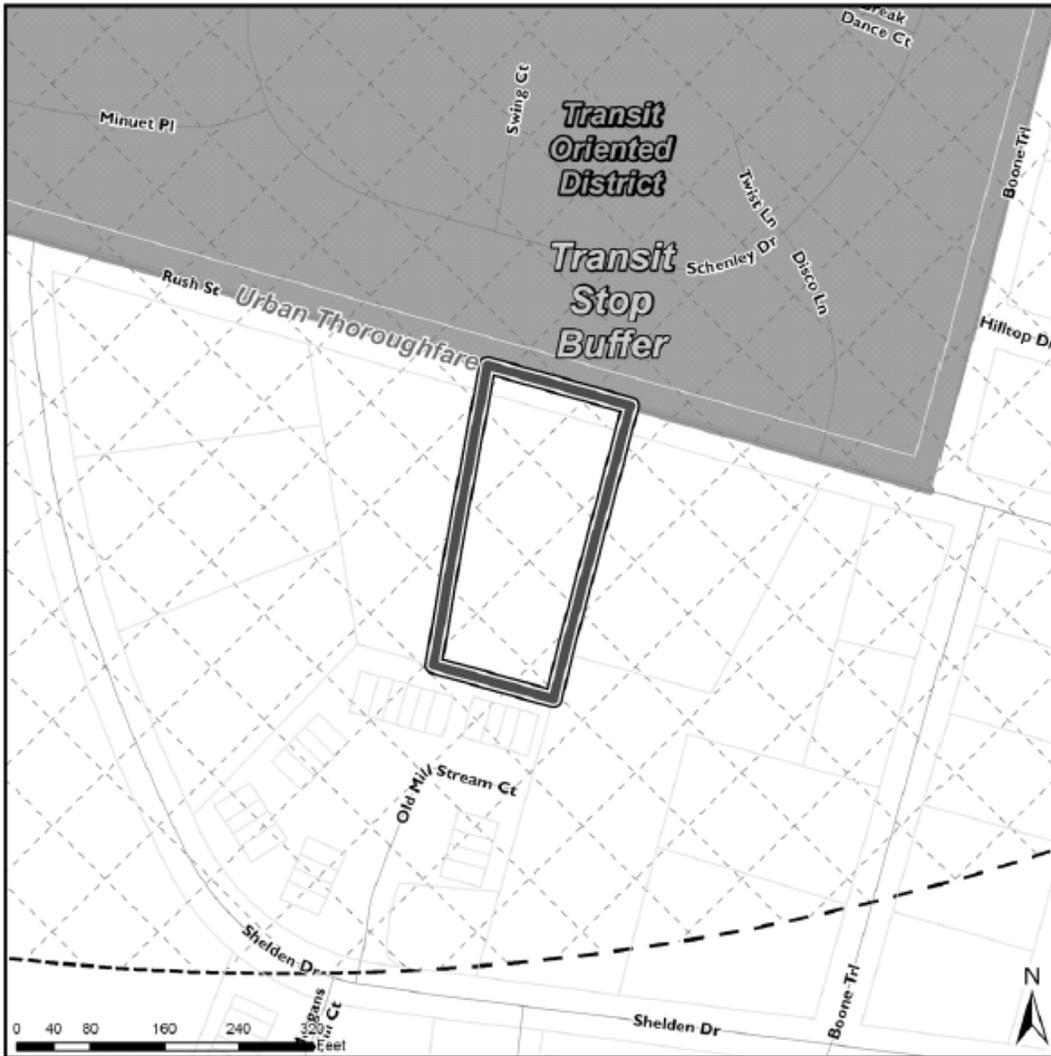

Submittal Date
 3/11/2014

Request:
 1 acres from
 CUD O&I-1
 to CX-3-PL



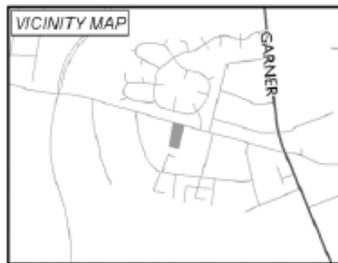
Urban Form Map

Z-12-2014



Submittal Date
3/11/2014

Request:
1 acres from
CUD O&I-1
to CX-3-PL



2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation: Community Mixed Use

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

Analysis of Inconsistency: n/a

N/A

2.2 Urban Form

Urban Form designation: Frontage on urban thoroughfare, located within transit stop buffer. North side of Rush Street is a Transit Oriented District.

Not applicable (no Urban Form designation).

The rezoning request is:

Consistent with the Urban Form Map.

Inconsistent

Analysis of Inconsistency:

N/A

2.3 Policy Guidance

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

N/A

2.4 Area Plan Policy Guidance

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

N/A

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Rezoning would permit development consistent with the Comprehensive Plan and the Urban Form Map.

3.2 Detriments of the Proposed Rezoning

- N/A

4. Impact Analysis

4.1 Transportation

A traffic impact analysis is not recommended for case Z-12-14. The property is located within an existing block that exceeds the required UDO block perimeter of 3,000 square feet for CX zoning. However, the property is too small to remedy the non-conforming block perimeter unless combined with other parcels as part of a larger development site.

Impact Identified: The rezoning intensifies permitted land uses in an oversized block (see accompanying comments report).

4.2 Transit

Rush Street is a current transit corridor and both the City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study anticipate that it will remain so. It is currently served by CAT route 7L Carolina Pines Cross Town. Unimproved stops without a bench or shelter are located about 300 feet south and 300 feet north of this location.

Impact Identified: A mixed use center will create demand for additional transit service however it is not anticipated that this rezoning will create capacity issues on the current transit system.

4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Wildcat
<i>Stormwater Management</i>	Subject to UDO Chapter 9. Natural Resource Protection
<i>Overlay District</i>	None

Impact Identified: None

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	3,250 gpd	7,200 gpd
<i>Waste Water</i>	3,250 gpd	7,200 gpd

Impact Identified: The proposed rezoning would add approximately 3,950 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.

At the time of development plan submittal, a downstream sewer capacity study may be required to determine the adequacy of capacity to support the proposed development. Any required improvements identified by the study would be required to be permitted and constructed prior to the issuance of a building permit.

Verification of available for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required of the developer.

4.5 Parks and Recreation

The site is not adjacent to any existing or proposed greenway corridors/trails.
The site is not adjacent to any connectors.
The site is not located within Park Search Area.
Park services for this area are provided by Biltmore Hills Community Center.

Impact Identified: None

4.6 Urban Forestry

The site is less than 2 acres and not subject to Unified Development Ordinance Article 9.1. Tree Conservation.

Impact Identified: None

4.7 Designated Historic Resources

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District, nor does it include any contributing properties to a historic district. This site does not include nor is it adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

Impact Identified: None

4.8 Community Development

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

Impact Identified: None

4.9 Appearance Commission

Not subject to Appearance Commission review.

4.10 Impacts Summary

No negative impacts are expected from this rezoning.

4.11 Mitigation of Impacts

N/A

5. Conclusions

The proposal is compatible with the variety of adjacent uses and development densities and is consistent with the Future Land Use Map and Urban Form Map found in the 2030 Comprehensive Plan. The Future Land Use Map designates the site for Community Mixed Use, which translates to a Commercial Mixed Use zoning district. The Urban Form Map indicates that the site is within a half-mile of a proposed fixed-guideway transit stop and across the street from a Transit Oriented District (TOD). Additionally, Rush Street is designated as an urban thoroughfare; an urban frontage approach is recommended and has been interpreted as Parking Limited (PL).

3/11/14 2:58 pm

CITY OF RALEIGH
CITY PLANNING DEPT



Planning & Development

**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use Existing Zoning Classification: CUD-O4I-1 Proposed Zoning Classification: Comm, Mixed Use 3 Cx PL Base District: Height: Frontage:	Transaction Number
If the property has been previously rezoned, provide the rezoning case number. 2102-95	376047
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 376047	Z-12-14

GENERAL INFORMATION		
Property Address 320 Rush Street, Raleigh NC 27610	Date 3-11-14	
Property PIN 170 2842822		
Nearest Intersection Sheldon Drive and Boone Trail	Property size (in acres) 1 acre	
Property Owner Capital Bail Bonding, Inc	Phone 919-669-1313	Fax 919-754-1625
	Email dbeasley7642@gmail.com	
Project Contact Person DAVID BEASLEY	Phone 919-669-1313	Fax 919-754-1625
	Email dbeasley7642@gmail.com	
Owner/Agent Signature <i>David Beasley</i>	Email dbeasley7642@gmail.com	

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



Planning & Development

**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive plan, or that the request be reasonable and in the public interest.</p>	<p>Transaction Number 376047 Zoning Case Number 2-12-14</p>

STATEMENT OF CONSISTENCY	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
1.	N/A
2.	
3.	
4.	

PUBLIC BENEFITS	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
1.	N/A
2.	
3.	
4.	

SUMMARY OF ISSUES

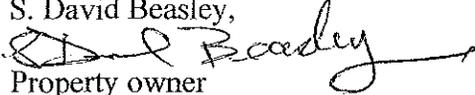
November 11, 2013

Neighborhood Meeting Report

A neighborhood meeting was scheduled and held at 1:00 PM, on November 8, 2013 at 320 Rush Street. We sent nine letters to nine owners. Not one owner showed up personally. Four owners, Judson Barrette, Mike Norwell, Dr. Bobby Raynor, and Jackie White called me prior to the meeting and gave me verbal consent that they would endorse my rezoning efforts.

Yours truly,

S. David Beasley,



Property owner

320 Rush St.

Raleigh, NC. 27610