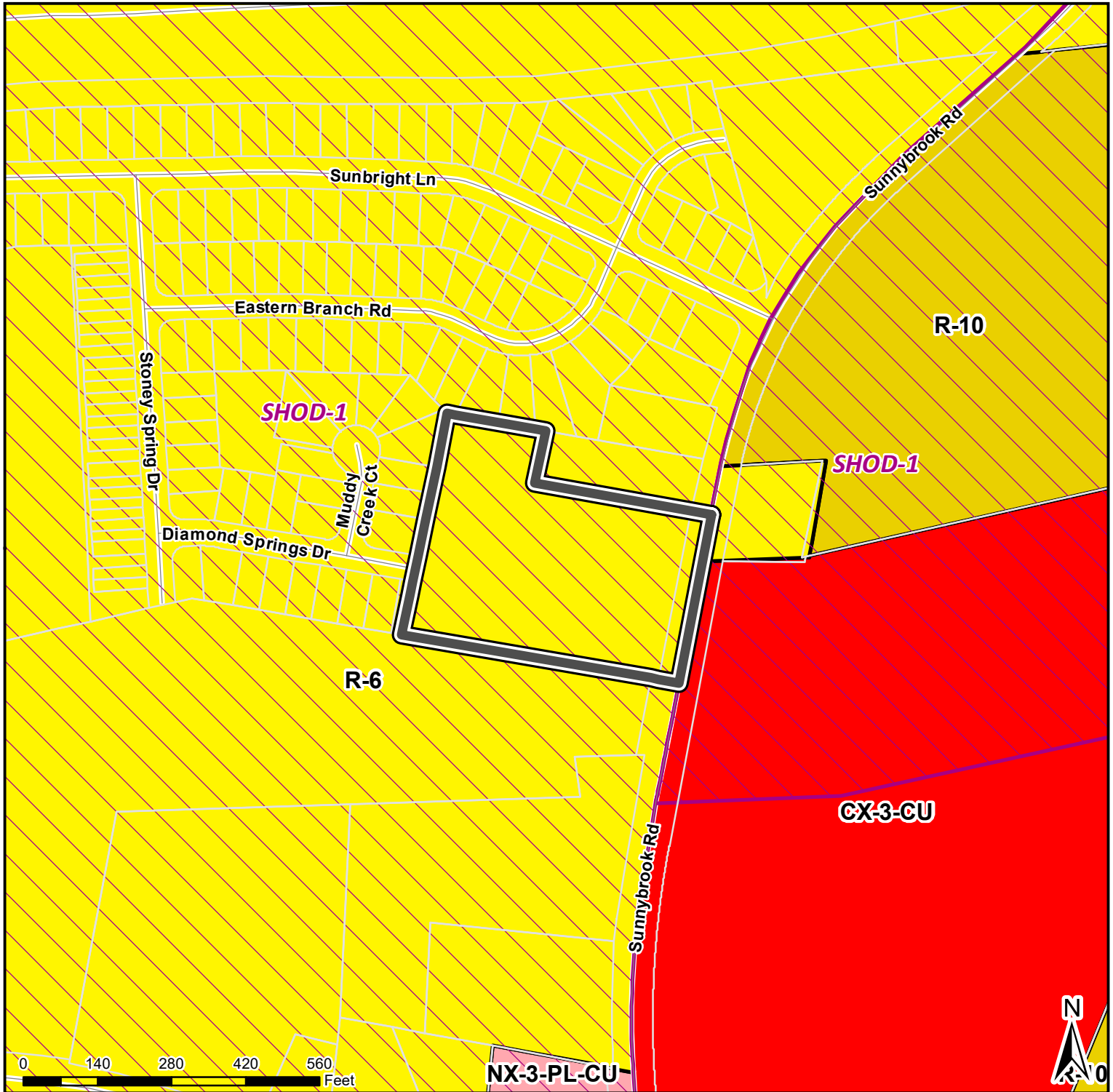
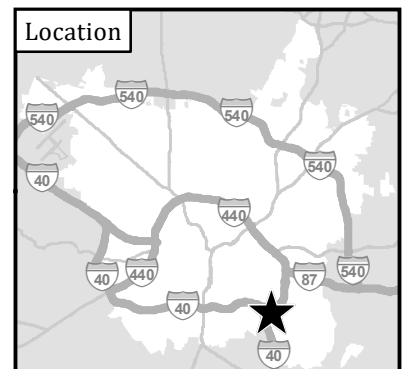


Existing Zoning

Z-12-2019



Property	2224 Sunnybrook Rd
Size	4 acres
Existing Zoning	R-6 w/SHOD-1
Requested Zoning	NX-3-CU w/SHOD-1





Raleigh MEMO

TO: Ruffin L. Hall, City Manager

THRU: Ken Bowers AICP, Director

FROM: Ira Mabel, Planner II

DEPARTMENT: City Planning

DATE: December 17, 2019

SUBJECT: City Council agenda item for January 7, 2019 – Z-12-19

On November 19, 2019, City Council authorized the public hearing for the following item:

Z-12-19: 2224 Sunnybrook Road, approximately 4.1 acres [located one-quarter of a mile north of Sunnybrook Road's intersection with Rock Quarry Road](#).

Current zoning: Residential-6 with Special Highway Overlay District-1 (R-6 w/SHOD-1)

Requested zoning: Neighborhood Mixed Use-3 Stories-Conditional Use with Special Highway Overlay District-1 (NX-3-CU w/SHOD-1)

Signed zoning conditions received on November 5, 2019 prohibit a number of uses otherwise allowed in NX districts; limit indoor recreation uses to educational programs for youth; apply the use standards in OX districts to restaurants and retail sales; require at least half of the site remain as open space; require rain barrels or rain gardens as stormwater control devices; waive block perimeter standards in exchange for an easement for a multi-use path so long as the property is not subdivided and development does not exceed 30,000 square feet; limit residential density to 6 units per acre; and limit non-residential development to 30,000 square feet.

Consistency statements are required by state law. The specific language of the statements vary, depending on whether the Council is approving or denying the request, and whether the Council finds that the request is, or is not, consistent with the Comprehensive Plan and Future Land Use Map.

In rezoning case Z-12-19, staff has provided three (3) potential consistency statements.

- Option A would be appropriate if the Council decides to approve the request and finds that the request is inconsistent with both the 2030 Comprehensive Plan and the Future Land Use Map.
- Option B would be appropriate if the Council decides to approve the request and finds that the request is inconsistent with the Future Land Use Map, but consistent with the Comprehensive Plan.
- Option C would be appropriate if the Council decides to deny the request.

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)

Staff has evaluated the request as **inconsistent** with the 2030 Comprehensive Plan and **inconsistent** with the Future Land Use Map.

Planning Commission has determined the request to be **consistent** with the 2030 Comprehensive Plan and **inconsistent** with the Future Land Use Map.

The Planning Commission recommends approval of the request (8 - 0).

The Southeast CAC voted in favor of the case (19 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report.



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR#11954

CASE INFORMATION: Z-12-19 SUNNYBROOK ROAD

Location	On the west side of Sunnybrook Road, approximately one-quarter of a mile north of its intersection with Rock Quarry Road Address: 2224 Sunnybrook Road PINs: 1722286206 iMaps , Google Maps , Directions from City Hall
Current Zoning	R-6 w/ SHOD-1
Requested Zoning	NX-3-CU w/ SHOD-1
Area of Request	4.09 acres
Corporate Limits	The subject site is outside of Raleigh's corporate limits but within the ETJ and adjacent or partially adjacent on all four sides to City limits. The site will need to be annexed to receive water and sewer service.
Property Owner	Yasmin Fozard 2409 East Weaver Street Durham, NC 26710
Applicant	Yasmin Fozard
Citizens Advisory Council (CAC)	South CAC
PC Recommendation Deadline	November 20, 2019

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited: Medical; Commercial parking lot; Personal service; Bar, nightclub, tavern, lounge; Vehicle fuel sales; Vehicle sales/rental; Detention center, jail, prison; Vehicle repair (minor).
2. Indoor recreation uses shall be limited to those typically associated with seasonal educational programs for youth.
3. Restaurants shall be subject to the limited use standards for OX districts, except for the minimum spacing of 150 feet from residential districts.
4. Retail shall be subject to the limited use standards for OX districts.
5. A minimum of 50% of the site shall be reserved as a combination of tree conservation area and open space, and shall be adjacent to the Sunnybrook Estates subdivision.
6. Any stormwater plan must incorporate at least one rain garden or rain barrel.

7. For any development less than 30,000 gross square feet and as long as the subject parcel is not subdivided, the block perimeter standards are waived. An extension of Diamond Springs Drive may be substituted with the dedication of a 20-foot easement for a multi-use path, but not necessarily the construction of the path.
8. Residential density shall be limited to 6 units per acre.
9. Non-residential development shall be limited to 30,000 square feet.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Low Density Residential
Urban Form	N/A
Consistent Policies	Policy LU 5.2—Managing Commercial Development Impacts Policy LU 7.5—High-Impact Commercial Uses Policy LU 8.9—Open Space in New Development Policy EP 2.1—Green Infrastructure Policy EP 2.3—Open Space Preservation Policy EP 3.8—Low Impact Development Policy H 1.8—Zoning for Housing
Inconsistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 3.1—Zoning of Annexed Lands Policy LU 1.3—Conditional Use District Consistency Policy LU 4.5—Connectivity Policy LU 7.4—Scale and Design of New Commercial Uses Policy T 2.3—Eliminating Gaps Policy T 2.6—Preserving the Grid

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

Neighborhood Meeting	CAC	Planning Commission	City Council
3/15/2019 7 attendees	6/10/2019 7/9/2019 19 (Y) – 0 (N) – 0 (A)	8/22/2019 9/26/2019 10/24/2019 11/12/2019	11/19/19

PLANNING COMMISSION RECOMMENDATION

The rezoning case is **Inconsistent** with the Future Land Use Map and **Consistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

Reasonableness and Public Interest	The request is reasonable and in the public interest because it will protect an established use and is consistent with Comprehensive Plan policies regarding mitigating commercial impacts, preserving open space, green infrastructure, and zoning for housing.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel(s) only from Low Density Residential to Office & Residential Mixed Use.
Recommendation	Approval and amendment to the Future Land Use Map
Motion and Vote	Motion: Geary; Second: Mann In Favor: Geary, Hicks, Jeffreys, Lampman, Mann, Novak, Tomasulo, and Winters
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Comprehensive Plan Amendment Analysis

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 11/12/19

Planning Commission Chair 11/2/19

Staff Coordinator: Ira Mabel: (919) 996-2652; Ira.Mabel@raleighnc.gov



ZONING STAFF REPORT – CASE Z-12-19

Conditional Use District

OVERVIEW

The request is to rezone one parcel of approximately 4.1 acres from Residential-6 with Special Highway Overlay District-1 (R-6 w/ SHOD-1) to Neighborhood Mixed Use-3 Stories-Conditional Use with Special Highway Overlay District-1 (NX-3-UL-CU w/ SHOD-1). Proposed zoning conditions prohibit a number of uses otherwise allowed in NX districts; limit indoor recreation uses to educational programs for youth; apply the use standards in OX districts to restaurants and retail sales; require at least half of the site remain as open space; require rain barrels or rain gardens as stormwater control devices; waive block perimeter standards in exchange for an easement for a multi-use path so long as the property is not subdivided and development does not exceed 30,000 square feet; limit residential density to 6 units per acre; and limit non-residential development to 30,000 square feet.

The applicant and owner of the property currently uses it to operate a non-profit called the Institute of Landscape Art and Sustainable Spaces (ILASS). According to their website, “through educational and green technology programs we focus on environmental justice solutions and servicing the needs of at-risk youths and adults in the community.” This use has been determined to most closely fit “indoor recreation” as defined by the UDO. Indoor recreation is not permitted in any zoning district less intense than Neighborhood Mixed Use; that means the use is currently non-conforming. Approval of this request would eliminate the nonconformity.

In addition to the rezoning being necessary for the continued operation of the non-profit, the applicant will also likely need variances from right-of-way dedication, slope easement, and/or utility placement easement along Sunnybrook Road. This is to avoid the relocation or demolition of the existing structure that would be needed to accommodate the required right-of-way dedication on Sunnybrook.

Staff cannot support a variance to the right-of-way dedication; staff can support a variance for the utility placement easement. If the applicant builds the road section along the frontage, a slope easement is unnecessary. If the applicant does not construct the road and instead seeks a variance from the slope easement, she would be required to build a retaining wall along the section in front of the of the existing house and grade a small section; the slope easement would still be necessary along the rest of the property.

The subject site is on the west side of Sunnybrook Road just south of Sunbright Lane, and about midway between Sunnybrook’s intersection with Rock Quarry Road and its underpass beneath I-440. The site is outside of the city’s corporate limits, but within a 5.3-acre pocket of ETJ almost completely surrounded by incorporated parcels and therefore contiguous with city limits. The lot contains one detached dwelling and is largely wooded, generally sloping from west to east toward Sunnybrook Road with a natural drainage course in the southeast corner. The existing structure is relatively close to Sunnybrook Road (less than 40 feet), but is around 8 feet higher than street level.

To the east of the site is the Sunnybrook Estates subdivision, over 300 detached and townhouse units built between 2005 and 2015. To the north are two single-family homes also located within the city's ETJ. To the east across Sunnybrook Road is city-owned land used as parking for the Walnut Creek Amphitheater, as well as a vacant lot owned by Walmart. To the south is the 14.6-acre lot housing the Redeeming Love Missionary Baptist Church, although the church itself fronts along Rock Quarry Road. The rear 11 acres of the church's lot adjacent to Sunnybrook Estates and the rezoning site is undeveloped.

Sunbright Lane is currently the only access point to Sunnybrook Estates. Based on the Street Plan and existing pattern of stub streets in the neighborhood, four additional connections from the subdivision to either Sunnybrook Road or Rock Quarry Road are likely to be constructed as the area redevelops. One of those, Diamond Springs Drive, would bisect the rezoning site. This request includes a condition that waives the city's block perimeter standard ([UDO Section 8.3.2.A](#)), which would otherwise require Diamond Springs Drive to be extended across the site to Sunnybrook Road.

The subject site is designated as Low Density Residential on the Future Land Use Map, as is Sunnybrook Estates and the other unincorporated residential properties to the north. Other nearby uses in the area are mostly residential, with non-residential activity restricted to Rock Quarry Road. Walnut Creek Elementary School is located at the intersection of Sunnybrook Road and Rock Quarry Road, within both a Neighborhood Mixed Use designation along Rock Quarry and a Moderate Density Residential designation further south. That intersection also has Community Mixed Use designations on the norther quadrants, extending to the boundaries of the Redeeming Love Missionary Baptist Church and Walmart properties.

Update for November 12 Planning Commission

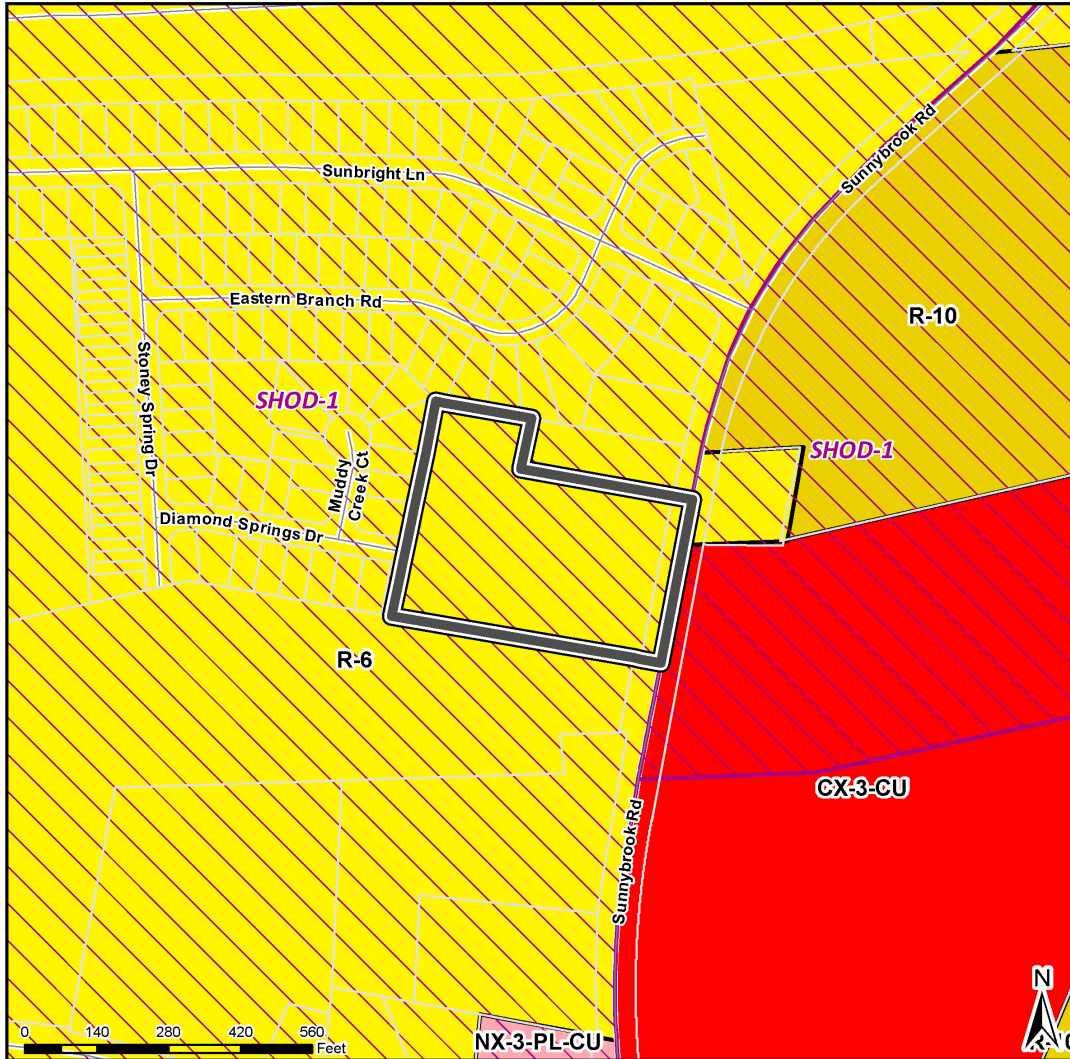
On October 24, 2019 the Committee of the Whole voted to recommend approval of this case (7-0) provided that the applicant clarify a condition to specify that required open space will be on the rear of the site. The applicant has submitted revised language for that condition that requires the open space to be contiguous with the properties in the Sunnybrook Estates subdivision that are adjacent to the rezoning site.

OUTSTANDING ISSUES

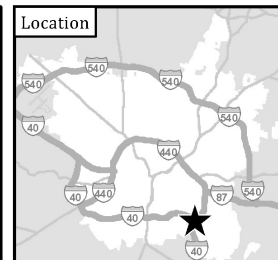
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
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Existing Zoning

Z-12-2019



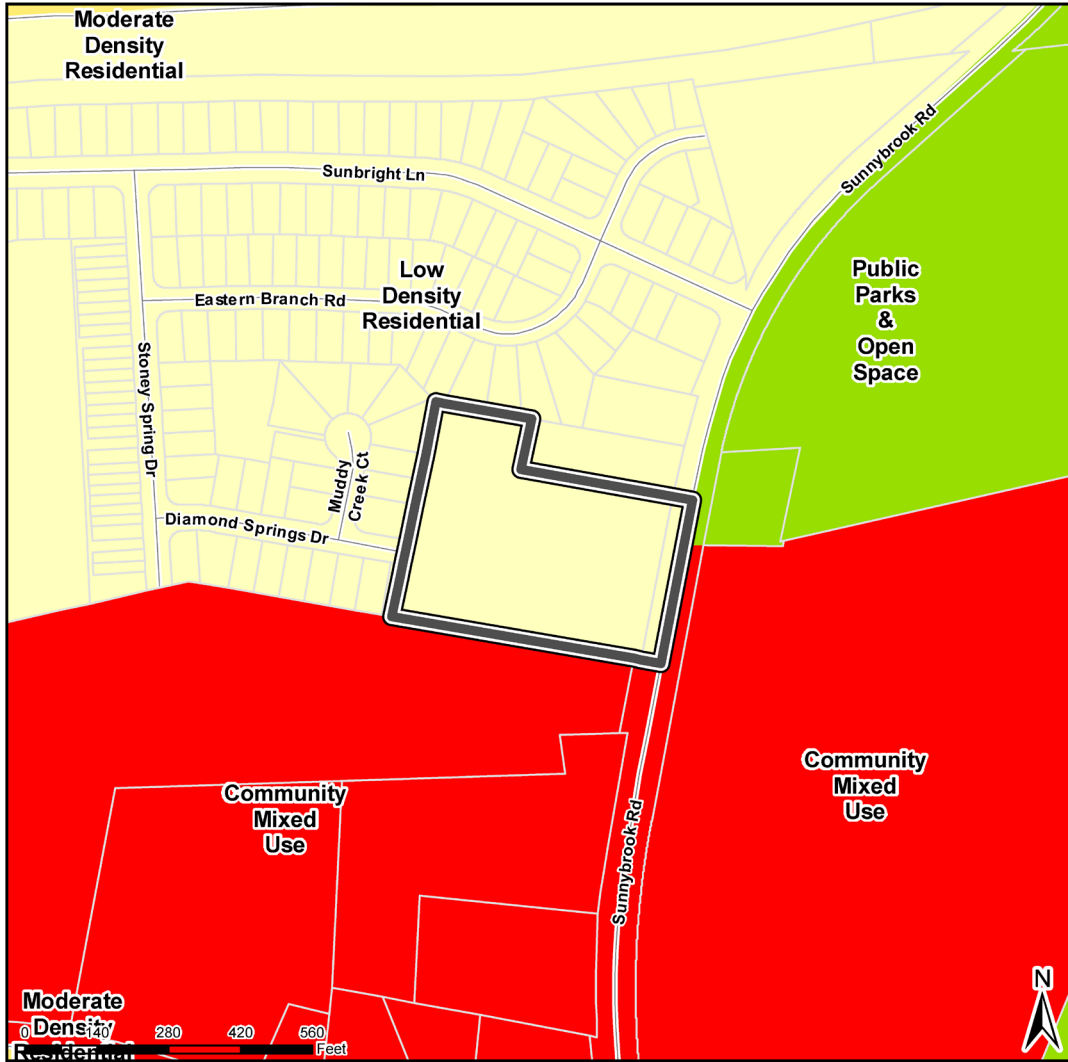
Property	2224 Sunnybrook Rd
Size	4 acres
Existing Zoning	R-6 w/SHOD-1
Requested Zoning	NX-3-CU w/SHOD-1



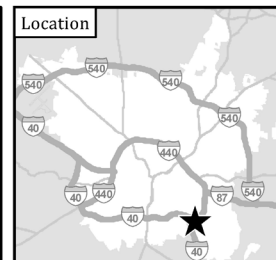
Map by Raleigh Department of City Planning (reckhowh): 3/29/2019

Future Land Use

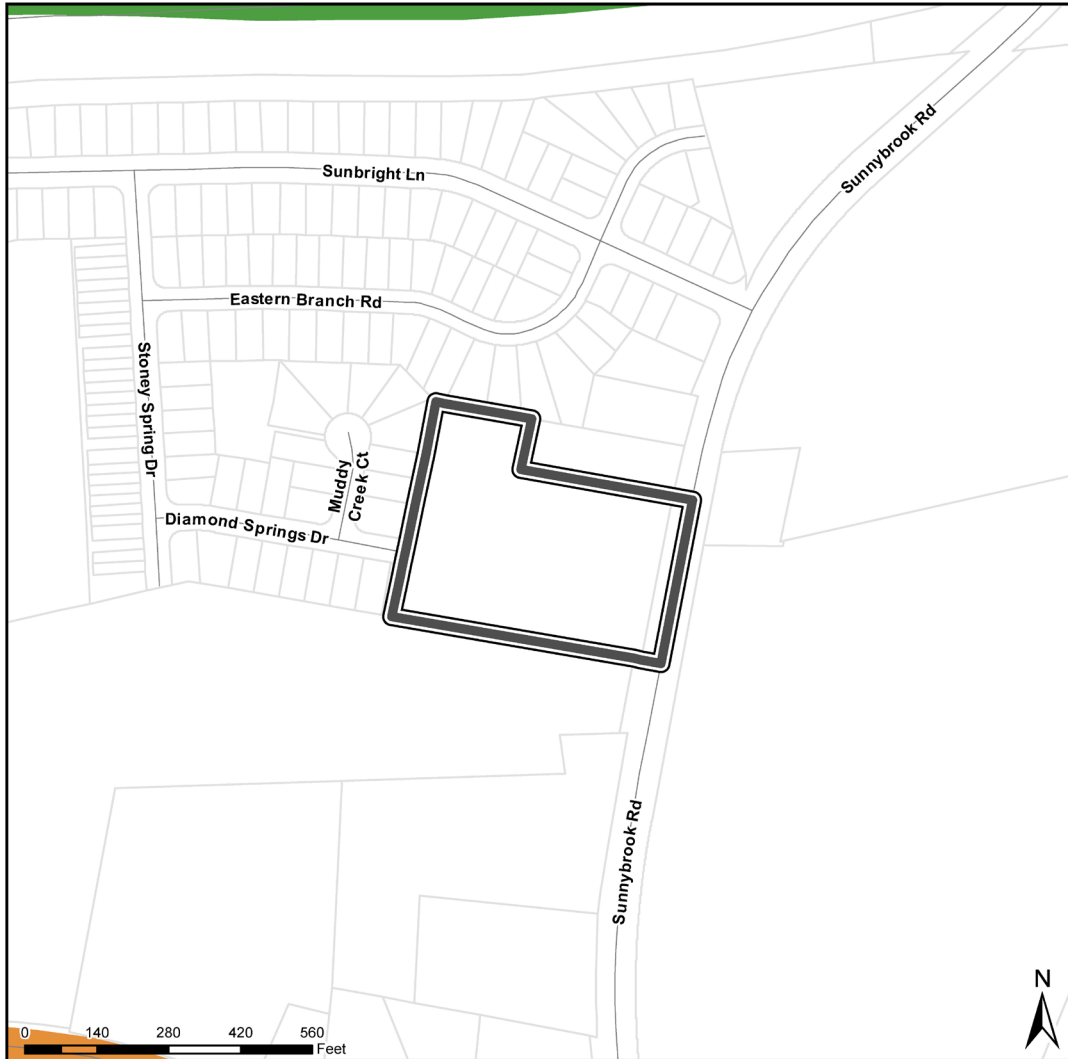
Z-12-2019



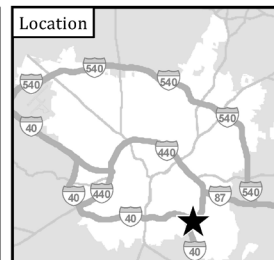
Property	2224 Sunnybrook Rd
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Requested Zoning	NX-3-CU w/SHOD-1



Map by Raleigh Department of City Planning (reckhowh): 3/29/2019



Property	2224 Sunnybrook Rd
Size	4 acres
Existing Zoning	R-6 w/SHOD-1
Requested Zoning	NX-3-CU w/SHOD-1



Map by Raleigh Department of City Planning (reckhowh): 3/29/2019

COMPREHENSIVE PLAN

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

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

The request is not entirely consistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Expanding Housing Choices** vision theme, which encourages expanding the supply and diversity of housing opportunities for all segments of the population. Although the intent of this request is not the construction of housing, the rezoning request would allow townhouses and apartments, which are generally more affordable housing options than single-family homes, increasing the choice of housing types and prices in the area.

The request is not consistent with the **Coordinating Land Use and Transportation** vision theme. This theme calls for “additional bicycle and pedestrian facilities and roadways that better serve us all.” Although the space for a new pedestrian connection is included in the conditions of the case, the construction of the connection is not required and the proposed exemption from block perimeter severely limits the functionality of the established street grid in the area.

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

No. The subject site is identified as Low Density Residential, which suggests single-family detached homes up to 6 units per acre. Although the request would only permit 6 units per acre, the Low Density Residential designation does not envision commercial uses, which would be possible in an NX zoning district.

- 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?

The use can potentially be established without significantly altering the character of the area. Achieving this would require restricting the massing, design, and materials of non-residential uses to conditions in keeping with the existing neighborhood.

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

No. City standards would normally require the extension of Diamond Springs Drive to serve both this site and the nearby neighborhood. In addition, city sewer, while close to and accessible from the rear of site, would have to be extended at the developer's expense.

Future Land Use

Future Land Use designation: Low Density Residential

The rezoning request is

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

☒ **Inconsistent**

The Future Land Use Map designation of Low Density Residential calls for a maximum of six dwelling units per acre. Smaller lots and more intense building types are only appropriate when significant open space is set aside. Although this request limits residential density to the amount envisioned by the FLUM category and sets aside a significant amount of open space, the Low Density Residential category does not include commercial uses, which would be permitted if this request were approved.

Urban Form

Urban Form designation: None

The rezoning request is

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

☐ **Inconsistent**

☒ **Other** (no Urban Form designation)

Compatibility

The proposed rezoning is

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

☒ **Incompatible.**

The request is not compatible with the property and the surrounding area. Properties abutting the site are entirely zoned R-6; the only nearby buildings are residential. The uses and building types permitted in this NX district request could be out of character with the area.

Public Benefits of the Proposed Rezoning

- The request could provide greater housing choice and, by increasing supply, improve housing affordability.
- The request will preserve much more forested open space than would otherwise be required.
- The request will resolve an existing nonconforming use, allowing an important community service provider to remain.

Detriments of the Proposed Rezoning

- The request will prevent the extension of a street that would otherwise play an important role in local connectivity.
- The request will permit commercial uses, which don't exist in the neighborhood today.

Policy Guidance

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

Policy LU 5.2—Managing Commercial Development Impacts

Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.

Policy LU 7.5—High-Impact Commercial Uses

Ensure that the City's zoning regulations limit the location and proliferation of fast food restaurants, sexually-oriented businesses, late night alcoholic beverage establishments, 24-hour mini-marts and convenience stores, and similar high impact commercial establishments that generate excessive late night activity, noise, or otherwise affect the quality of life in nearby residential neighborhoods.

- Although the request is for a Neighborhood Mixed Use zoning district, the conditions limit commercial uses in such a way that it would be consistent with an Office and Development Mixed Use FLUM designation. In addition, because of the reduction in commercial entitlement and the large amount of open space required, the impact of new commercial uses in this location will be mitigated compared to the base district's standards.

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.

Policy EP 2.3—Open Space Preservation

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.

- The request includes a requirement to preserve 50% of the site as open space, which is significantly higher than the 10% for tree conservation and 10% for residential outdoor amenity area otherwise required.

Policy EP 2.1—Green Infrastructure

Ensure protection of Raleigh's unique and significant green infrastructure – its natural resources, landscapes, and ecological systems – through best practices management, stewardship and land use regulations.

Policy EP 3.8—Low Impact Development

Promote the use of Low Impact Development (LID) techniques to mitigate the impact of stormwater runoff. This includes the use of green roofs, rain gardens, cisterns, rain barrels, and on-site wastewater reuse systems in urban and suburban landscapes.

- The request includes a requirement for rain barrels and/or rain gardens to be a component of the stormwater control plan.

Policy H 1.8—Zoning for Housing

Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.

- Although the intent of this request is not the construction of housing, rezoning from R-6 to NX-3 would allow townhouse and apartment building types, which would provide for increased housing choice and variety.

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

Policy LU 3.1—Zoning of Annexed Lands

The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.

- The request is inconsistent with the Future Land Use Map designation of Low Density Residential, which envisions single-family housing as dense as 6 units per acre. The request permits commercial uses similar to those in the Office and Residential Mixed Use designation.

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.

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.

Policy T 2.3—Eliminating Gaps

Eliminate “gaps” in the roadway system and provide a higher roadway grid density that will increase mobility options and promote the accessibility of nearby land uses.

Policy T 2.6—Preserving the Grid

Existing street grid networks should be preserved and extended where feasible and appropriate to increase overall connectivity.

- The condition waiving the UDO’s block perimeter standard is inconsistent with a number of transportation-related Comprehensive Plan policies. To eliminate gaps, extend the existing street grid, and improve the connectivity of the Sunnybrook Estates neighborhood, Diamond Springs Drive should be extended to Sunnybrook Road.

Policy LU 7.4—Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

- Although the request includes a limit on total square footage of new commercial uses allowed, there are no restrictions on height, mass, scale, or design. A new commercial use could potentially be incompatible with the two-story, 1,500-2,500 square foot homes in the adjacent neighborhood.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon/Energy Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	0* *see note	It should be noted that this score does not include the presence of the #17 bus on Rock Quarry Road. An address on Red Quartz Drive a similar distance away from the #7L received a 39 Transit Score.
Walk Score	30	8	The site is within walking distance of the Walnut Creek Elementary School, PreEminent Charter School, and the Walnut Creek Amphitheater, although there are no sidewalks on Sunnybrook Rd..

Source: Walk Score is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

Summary: According to Walk Score, this part of Raleigh has below average walkability. However, increasing the commercial entitlement in this location, and therefore potential destinations, could improve the walk score for surrounding properties.

Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

Summary: Although the intent of this rezoning request is for a commercial use and not the construction of housing, the proposed district would permit all possible housing types. Approval of this rezoning request would allow more energy-efficient housing units to be developed.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Neither	The residential density will remain the same.
Does it include any subsidized units?	No	
Does it permit a variety of housing types?	Yes	The proposed district would permit all possible housing types.
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	The request is for a mixed-use district, Neighborhood Mixed Use-3 Stories. The district does not specify lot size per housing unit, meaning that the cost of the land can be spread across more units.
Is it within walking distance of transit?	Yes	There is transit service on Rock Quarry Road at Sunnybrook Road, approximately 1/3 of a mile (5 minutes walking) from the site.

**The average lot size for detached residential homes in Raleigh is 0.28 acres.*

Summary: Although the applicant's stated intent for this rezoning request is for a commercial use, the request would allow townhouse and apartment building types, which are generally more affordable than detached and attached units.

IMPACT ANALYSIS

Historic Resources

1. 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.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Walnut Creek North Park (1.3 miles) and Worthdale Park (1.4 miles).
3. Nearest existing greenway trail access is provided by Walnut Creek Greenway Trail (0.5 miles).
4. Park access level of service in this area is graded a B letter grade.

Impact Identified: None.

Public Utilities

NOTE: this analysis was completed before the conditions revised for the 10/24 Planning Commission meeting. Because those conditions reduced the potential residential and commercial entitlement, these calculations now represent overestimates.

1. The proposed rezoning would add approximately 46,250 gpd to the wastewater collection and water distribution systems of the city. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of building permit and constructed prior to release of a certificate of occupancy.
3. Verification of water available for fire flow is required as part of the building permit process. any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the developer.

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	15,000 gpd	15,000 gpd	46,250 gpd
Waste Water	15,000 gpd	15,000 gpd	46,250 gpd

Impact Identified: None.

Stormwater

1. No downstream structural impacts identified.

Floodplain	N/A
Drainage Basin	Walnut Creek
Stormwater Management	UDO 9.2
Overlay District	N/A

Impact Identified: None.

Transit

1. There is currently no existing transit service on Sunnybrook Road and the nearest bus stop is located on Rock Quarry Road at Sunnybrook, approximately 1/3 of a mile from this site.

Impact Identified: None.

Transportation

1. **Location.** The Z-12-19 site is in southeast Raleigh on Sunnybrook Road between Sunbright Lane and Rock Quarry Road. The site is located across from Walnut Creek Park South and the Amphitheater and north of Walnut Creek Elementary School.
2. **Area Plans.** The Z-12-19 site is not located within any area plans, planned transit facilities, or school speed zones.
3. **Street Plan.** The subject site fronts Sunnybrook Road, an undivided 3-lane road maintained by NCDOT. Sunnybrook Road is designated as a future 4-lane divided avenue in the Raleigh Street Plan. In accordance with [UDO Section 8.4.6.B](#), construction and dedication of half of cross section of a 4-lane divided avenue is required with

development of the parcel through either a subdivision or administrative site review. These improvements would expand the right-of-way to 52 ft from centerline. In some cases, a fee-in-lieu payment combined with right-of-way and slope easement dedication are allowed.

4. **Block Perimeter.** In accordance with UDO section 8.3.2, the maximum block perimeter for NX-3 zoning districts is 3,000 ft. A continuous block perimeter does not exist due to the barriers and access restrictions created by the nearby highway interchange. The extension of Sunbright Lane to Rock Quarry as a neighborhood street would result in a block perimeter of 7,300 ft. The extension of Diamond Springs Drive to Sunnybrook Road would create a block perimeter of approximately 3,300 ft. Existing access to the adjacent neighborhood is only via Sunbright Lane. Street Design Manual Article 9.2 requires three points of access for residential developments over 300 units.

Condition 7 exempts the site from meeting block perimeter requirements as long as the subject property is not subdivided and for developments less than 6,000 gross square feet. In those cases, a pedestrian passage shall be provided in lieu of a street. This condition helps to maintain connectivity and the integrity of the long-term build out of the street network.

5. **Access.** Existing access to the subject site is via Sunnybrook Road. The conditions do not allow access via the Diamond Springs Drive stub at the western boundary of the site. With 320-ft of frontage on Sunnybrook Road (planned right-of-way greater than 80-ft), the site will be limited to one access point on Sunnybrook Road under these conditions.
6. **Pedestrian Facilities.** There are no sidewalks along the Z-12-19 parcel. There have been 2 pedestrian crashes in last 5 years less than a ¼ mile south of site along Sunnybrook Road. One in 2016 was a type A crash.
7. **Bicycle Facilities.** There are no on-street bicycle facilities on Sunnybrook Road. The Long-Term Bike Plan calls for a separated bikeway on Sunnybrook Road. There have been no bicycle crashes near the site. The existing and planned connections to the nearby Walnut Creek greenway trail are a mile from the Z-12-19 parcel.
8. **Transit.** Inbound and outbound bus stops for GoRaleigh route 17 are located approximately ¼ mile south of the site on Rock Quarry Road. GoRaleigh route 17 bus provides service every hour.
9. **Other Projects in the Area.** Approximately a mile west of the site NCDOT is in the construction phase of the I-40 widening project. This project is unlikely to affect the subject site. The Rock Quarry Road Part – A project will widen and improve Rock Quarry Road between Sunnybrook Road and Olde Birch Drive. It is funded by the 2017 Transportation Bond and a federal grant. The environmental planning for the project was completed in April 2019. At this time a design and construction schedule are pending.

10. **TIA Determination.** There was one crash with a fatality or a disabling injury near the intersection of Rock Quarry Road and Sunnybrook Road. Approval of case Z-12-19 may marginally increase trip generation. A traffic study is not required for case Z-12-19.

NOTE: this analysis was completed before the conditions revised for the 10/24 Planning Commission meeting. Because those conditions reduced the potential residential and commercial entitlement, these calculations now represent overestimates.

Z-12-19 Existing Land Use Single Family	Daily	AM	PM
	9	1	1
Z-12-19 Current Zoning Entitlements Single Family	Daily	AM	PM
	176	11	13
Z-12-19 Proposed Zoning Maximums Neighborhood Mixed Use	Daily	AM	PM
	823	99	89
Z-12-19 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	647	88	75

Impact Identified: None.

Urban Forestry

1. Additional Tree Conservation is proposed above code requirement.

Impact Identified: None.

Impacts Summary

The condition waiving block perimeter is inconsistent with the city's transportation goals related to connectivity.

Mitigation of Impacts

The applicant could remove the block perimeter condition.

CONCLUSION

This request is to rezone approximately 4.1 acres from Residential–6 with Special Highway Overlay District-1 (R-6 w/ SHOD-1) to Neighborhood Mixed Use–3 Stories–Conditional Use with Special Highway Overlay District-1 (R-6 w/ SHOD-1). Proposed zoning conditions prohibit a number of uses otherwise allowed in NX districts; limit indoor recreation uses to educational programs for youth; apply the use standards in OX districts to restaurants and retail sales; require at least half of the site remain as open space; require rain barrels or rain gardens as stormwater control devices; waive block perimeter standards in exchange for an easement for a multi-use path so long as the property is not subdivided and development does not exceed 30,000 square feet; limit residential density to 6 units per acre; and limit non-residential development to 30,000 square feet.

The request is **inconsistent** with the Future Land Use Map and **inconsistent** with Comprehensive Plan overall.

The request is **consistent** with Comprehensive Plan policies regarding mitigating commercial impacts, preserving open space, and green infrastructure. The request is **inconsistent** with transportation and connectivity policies.

The request would support the Vision Theme of *Expanding Housing Choice*, but not the *Coordinating Land Use and Transportation* theme. Development under the proposal could potentially adversely affect the community.

CASE TIMELINE

Date	Action	Notes
3/28/2019	Submitted application	Application incomplete
7/9/2019	South CAC vote	19 – 0 in favor
7/9/2019	Submitted revised conditions	Application complete
8/22/19	Planning Commission Committee of the Whole	No quorum
9/26/19	Planning Commission Committee of the Whole	
10/1/19	Submitted revised conditions	
10/24/19	Planning Commission Committee of the Whole	
10/31/19	Submitted revised conditions	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-6	R-6	R-6	CX-3-CU	R-6
Additional Overlay	SHOD-1	SHOD-1	SHOD-1	SHOD-1	SHOD-1
Future Land Use	Low Density Residential	Low Density Residential	Community Mixed Use	Community Mixed Use; Public Parks & Open Space	Low Density Residential
Current Land Use	Detached dwelling	Detached dwelling	Vacant	Vacant; Parking	Detached dwelling
Urban Form	N/A	N/A	N/A	N/A	N/A

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-6	NX-3-CU
Total Acreage	4.1	4.1
Setbacks:	(attached house)	(general building)
Front	10'	5'
Side	5'	5'
Rear	20'	0' or 6'
Residential Density:	5.85	5.85
Max. # of Residential Units	24	24
Max. Gross Building SF	48,000	56,400 (res. + off. + retail)
Max. Gross Office SF	-	30,000
Max. Gross Retail SF	-	4,500 (off. + retail)
Max. Gross Industrial SF	-	-
Potential F.A.R	0.27	0.32

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



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-12-19

OVERVIEW

The approval of Z-12-19 Sunnybrook Drive would require an amendment to the Future Land Use Map.

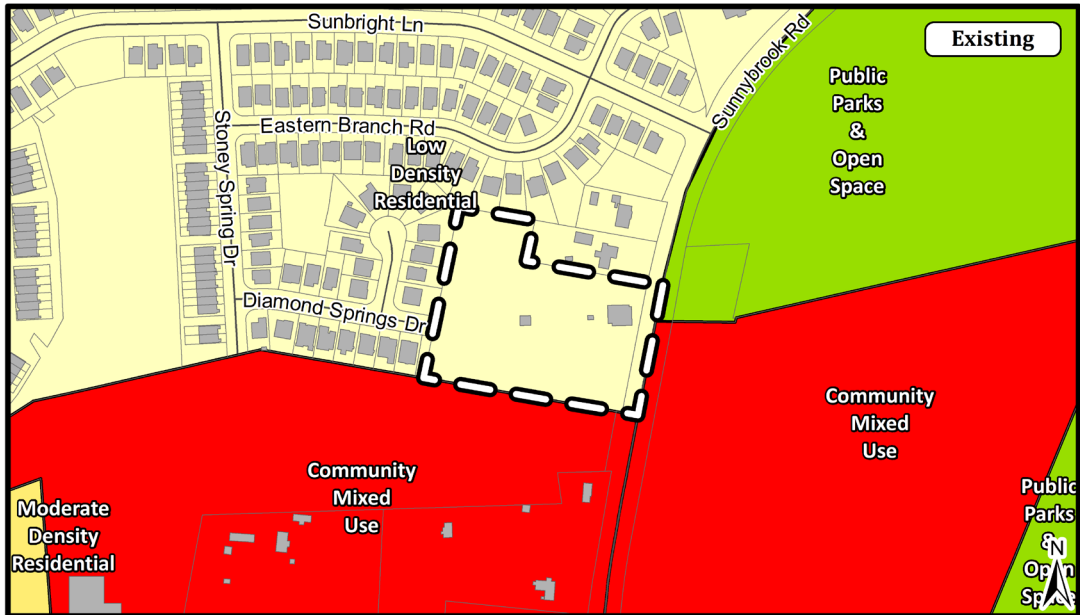
The Future Land Use Map identifies the subject site as Low Density Residential which envisions single-family housing as dense as 6 units per acre. The requested conditional use zoning district would permit commercial uses similar to those in the Office and Residential Mixed Use designation. If approved, the Future Land Use Map would be amended to Office & Residential Mixed Use.

Of the Office & Residential Mixed Use designation, the 2030 Comprehensive Plan states:

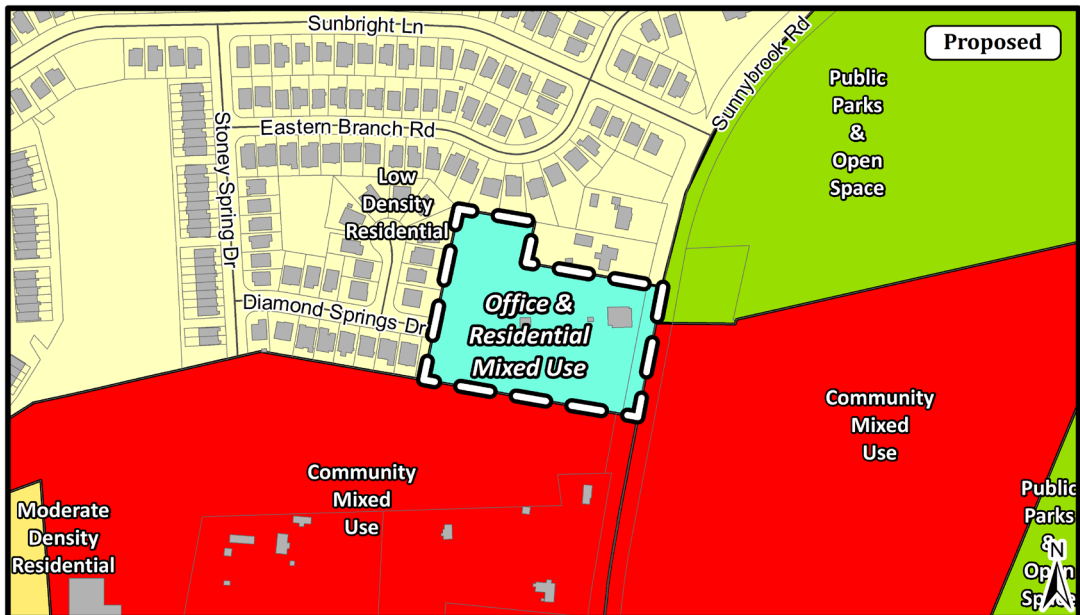
This category is applied primarily to frontage lots along major streets where low density residential uses are no longer appropriate, as well as office parks and developments suitable for a more mixed-use development pattern. This category encourages a mix of residential and office use. Retail not ancillary to employment and/or residential uses is discouraged so that retail can be more appropriately clustered and concentrated in retail and mixed-use centers at major intersections and planned transit stations. OX is the closest corresponding zoning district. Higher-impact uses such as hotels and hospitals are not contemplated or recommended in this land use category except as limited uses in appropriate locations. Heights would generally be limited to four stories when near neighborhoods, with additional height allowed for larger sites and locations along major corridors where adjacent uses would not be adversely impacted.

Z-12-19: Required Amendment to the Future Land Use Map

Existing Designation: Low Density Residential



Proposed Designation: Office & Residential Mixed Use



CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
Existing Zoning	Proposed Zoning	
Narrative of Zoning Conditions Offered		
Enter a numbered list of conditions below. Each page of conditions must list the case number and submittal date.		

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 _____

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-12-19****OFFICE USE ONLY**Date Submitted **10/29/19**

Transaction #

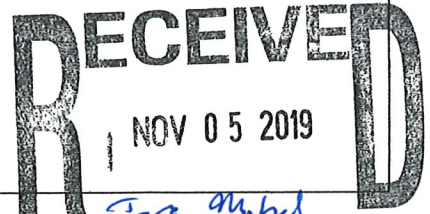
Existing Zoning **R-6**Proposed Zoning **NX-3-CU**

Rezoning Case #

Narrative of Zoning Conditions Offered

Enter a numbered list of conditions below. Each page of conditions must list the case number and submittal date.

1. The following uses shall be prohibited: Medical; Commercial parking lot; Personal service; Bar, nightclub, tavern, lounge; Vehicle fuel sales; Vehicle sales/rental; Detention center, jail, prison; Vehicle repair (minor). Indoor recreation uses shall be limited to those typically associated with seasonal educational programs for youth.
2. Eating establishments shall be subject to the limited use standards for OX districts as listed in UDO Section 6.4.10, except for the following: 6.4.10.C.2.b.v.
3. Retail sales shall be subject to the limited use standards for OX districts as listed in UDO Section 6.4.11.
4. A minimum of 50% of the site shall be recorded at the time of site plan as a combination of tree conservation area and open space with permitted uses as defined by UDO Section 2.5.4. This area shall be contiguous with the northern and western property boundaries of the site, adjacent to 3570 Eastern Branch Road (Wake County PIN 1722286526), 3566 Eastern Branch Road (Wake County PIN 1722285567), 3562 Eastern Branch Road (Wake County PIN 1722285508), 3558 Eastern Branch Road (Wake County PIN 1722284650), 2009 Muddy Creek Court (Wake County PIN 1722283478), 2013 Muddy Creek Court (Wake County PIN 1722283452), 2017 Muddy Creek Court (Wake County PIN 1722283347), 2021 Muddy Creek Court (Wake County PIN 1722283321), and 3610 Diamond Springs Drive (Wake County PIN 1722283147), being lots 73, 74, 75, 76, 107, 108, 109, 110, and 121 in Wake County Book of Maps 2010, Page 1051. Tree conservation areas shall not be recorded in locations that would obstruct any future right-of-way dedication necessary for a direct extension of Diamond Springs Drive to Sunnybrook Road.
5. Any stormwater control plan submitted to the city must incorporate at least one rain garden or rain barrel among the devices to control the quantity and/or quality of runoff on the site.
6. As permitted by UDO Section 10.2.4.E.2.c., for any development less than 30,000 gross square feet and as long as the subject parcel is not subdivided, the block perimeter standards of UDO Section 8.3.2.A are waived. Under this scenario, an extension of Diamond Springs Drive may be substituted with a public access easement with a minimum width of twenty (20) feet to comply with the Pedestrian Passage defined in UDO Section 8.4.8.B, to be located along the portion of the western property boundary adjacent to 3610 Diamond Springs Drive (Wake County PIN 1722283147; lot 121 in Wake County Book of Maps 2010, Page 1051) and the southern property boundary shared with 3425 Rock Quarry Road (Wake County PIN 1722177985; Wake County Book of Deeds 9584 Page 64).
7. Residential density shall be limited to 6 dwelling units per acre.
8. The gross floor area of non-residential development shall be limited to 30,000 square feet.



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

Yasmin Fozard

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 # 578547 Rezoning Case # Z-12-19	
Existing Zoning Base District	R-6	Height		Frontage
Proposed Zoning Base District	NX	Height		3
Overlay(s) <u>SHOD -1</u> Overlay(s) <u>SHOD -1</u>				
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
Pre - Application Conference - December 2018	578547 Transaction Number			

MAR 28 2019 AM 9:59

GENERAL INFORMATION			
Date	March 25, 2019		Date Amended (1)
Date Amended (2)			
Property Address	2224 Sunnybrook Road, Raleigh, NC 27610		
Property PIN	1722286206	Deed Reference (book/page)	Book 010689 / Page 01728
Nearest Intersection	Rock Quarry Road		
Property Size (acres)	4 acres	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address	Yasmin M/ Fozard 2409 East Weaver Street Durham, NC 27610		
Phone	(919) 806-7560	Fax	
Email	yfozard109@gmail.com		
Project Contact Person/Address	Yasmin M/ Fozard 2409 East Weaver Street Durham, NC 27610		
Phone	(919) 806-7560	Fax	
Email	yfozard109@gmail.com		
Owner/Agent Signature	Yasmin M. Fozard Email yfozard109@gmail.com		

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

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<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 align="center">STATEMENT OF CONSISTENCY</p>	
<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>	
<p>The rezoning request is inconsistent with the future land use designation, the urban form map, and any</p> <p>1. applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>2.</p>	
<p>3.</p>	
<p>4.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>The proposed rezoned property will accommodate an arboretum trail in the forested area to connect to the</p> <p>1. surrounding neighborhood so the community can enjoy the urban forested area. The arboretum trail is also where the enviroKIDs Summer Camper will use STEM to study the urban forest.</p>	
<p>The proposed rezoned property would accommodate, use and study agricultural / community gardening funded by the USDA. The community will also have access to the community garden to both grow their vegetables and learn to eat healthy foods. The enviroKIDs Summer Campers will learn to grow their own food as well as donate food to families in need of fresh vegetables in the Research Triangle Park area.</p> <p>2.</p>	
<p>The neighborhood youth will be able to participate in a free environmental summer day camp for at-risk youth called the enviroKIDs Summer Camp. The summer camp program will provide an extended environmental educational resources where the teenagers can also earn Community Service Hours. The summer camp will protect the at-risk youth between the age of 13-18 years by keeping them off the street.</p> <p>3.</p>	
<p>Local artist will be given studio space to create their art work, display their art work and a place to interact with</p> <p>4. other artist. The local community will also be able to interact and enjoy the artist and art work of the local artist.</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	OFFICE USE ONLY Transaction # Rezoning Case #
INVENTORY OF HISTORIC RESOURCES	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
NA	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
NA	

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
 - b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"
- as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: N/A

[Click here](#) to view the Urban Form Map.

- | | |
|----|---|
| 1. | <p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response:</p> <p>All of the mixed-use development retail space such as the Artist Coffee Shop, Artist Bookstore and Art will be used by artist working in the shared artist workspace and studios on site only. The art retail uses will be accessory use and not open to the general public . The proposed mix use development is a sustainable development with very little disturbance to the existing site.</p> |
| 2. | <p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p>Response:</p> <p>Presently three fourths of the property is forested. The only single proposed structure (art studios) will be located over 120 feet of forested area from any adjacent residential structure. The proposed structure will match the height of the lower density neighborhood houses of 2 stories. The only proposed structure (art studios) will only be two stories tall and located over 300 feet away from the road.</p> |
| 3. | <p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p>Response:</p> <p>Presently three fourths of the property is forested. The forest should not be disturbed with the development of a road network but enhanced as an urban forest study and protected space. During the community meeting the surrounding neighborhood stated they will not support a road network developed through the property forest. The Community will however support the development of an arboretum trail network that will connect directly into the neighborhood.</p> |
| 4. | <p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p>Response:</p> <p>The proposed rezoning plan is not in support of the City of Raleigh interconnect street plan. The property is used by a 501c3 non-profit organization call ILASS to conduct a summer camp for at-risk youth. The property is used as a protected camp space for the Campers to study the urban environment. The forest should not be disturbed with the development of a interconnect road network but enhanced as an urban forest and protected space for at-risk youth to study safely. The adjacent lower density neighborhoods is also opposed to constructing a public road through the existing forested area. They enjoy using the forest as a place of relaxation from work and daily stresses</p> |
| 5. | <p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p>Response:</p> <p>The only proposed structure to be located on the property is a single 2 story art studio for local artist. The proposed structure is located 300 feet away from the main road, which is Sunnybrook Road. The existing house will be enhanced and reused. It is important for the existing urban forest to remain undisturbed as an outdoor classroom for at-risk youth to study. The enviroKIDs Summer Camp has been studying this urban forest for six years. The North Carolina Forest Service, USDA, Triangle Community Foundation and ILASS - Institute of Landscape, Art and Sustainable Space have funded the enviroKIDs Summer Camp for the past six years.</p> |

6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response:</p> <p>There is only one 2 story new building constructed on this site as artist studio shared work space. The mix use development introduces a large open grassed courtyard. The existing house, the existing well house, the proposed new artist studio structure, an outdoor theater, an outdoor classroom, the artist coffee house and bookstore and a grape vine will be located around the large open grassed courtyard. There will be a physical define pathway and trail system on the site as ways to access these shared use spaces. Parking areas are located in rear of the site.</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response:</p> <p>The existing house, the existing well house, the proposed new artist studio structure, an outdoor theater, an outdoor classroom, the artist coffee house and bookstore and a grape vine will be located around the large open grassed courtyard. There will be a physical define pathway and trail system to connect the different uses. The proposed new artist studio is 300 feet from the main road and over 120 feet away from the existing subdivision.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response:</p> <p>The site is not located at a street intersection.</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response:</p> <p>To ensure that urban open space is well-used, it will be locate and design carefully. The development will introduces a large open grassed courtyard. The space will be located where it is visible and easily accessible from building entrances and pathways. Views and sun exposure will be taken in account.</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response:</p> <p>New urban open space is a large open grassed courtyard. It will contain direct access from the adjacent existing and new uses. The large open grassed courtyard will be open along the adjacent walks and allow for multiple points of entry. They will also be visually permeable from the walks, allowing passersby to see directly into the open space.</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response:</p> <p>The perimeter of large open grassed courtyard will consist of active uses that provide pedestrian traffic from the space including the existing house, the existing well house, the proposed new artist studio structure, an outdoor theater, an outdoor classroom, the artist coffee house and bookstore, grape vine and the enviroKIDs Summer Camp outdoor and indoor study areas.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response:</p> <p>NA</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> <p>NA</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response:</p> <p>NA</p>
15.	<p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i></p> <p>Response:</p> <p>NA</p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>Response:</p> <p>NA</p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p>Response:</p> <p>NA</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Response:</p> <p>NA</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>Response:</p> <p>NA</p>

20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response: NA</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response: NA</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response: NA</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response: NA</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response: NA</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response: NA</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response: NA</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
2. Rezoning application review fee (see <u>Fee Schedule</u> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
4. Two sets of stamped envelopes addressed to all property owners within 500 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>		✓	
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>		✓	
9. Completed and signed zoning conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>		✓	
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
11. Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓

MASTER PLAN SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
4. Completed application; Include electronic version via cd or flash drive	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

Date: February 26, 2019

Re: 2224 Sunnybrook Road
Raleigh, North Carolina 27610

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on March 15, 2019. The meeting will be held at Worthdale Community Center located at 1001 Cooper Road, Raleigh, North Carolina 27610, and will begin at 6:30pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 2224 Sunnybrook Road, Raleigh, North Carolina 27610. This site is current zoned R-6 and is proposed to be rezoned to Neighborhood Mix Use (NX3 Zoning) with a Conditional Use.

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: Yasmin M. Fozard, 2409 East Weaver Street, Durham, North Carolina 27707, yfozard109@gmail.com, (919) 806-7560

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

3/15
We are in favor of the rezoning

Sean + Dana Cordell
2009 Muddy Creek Ct
27610

* Dana Cordell

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Sign-In Sheet

Name	Address	Contact
1. Kenneth Williams	3524 Diamond Springs Dr	(708) 938-3806
2. Yvette Williams	3524 Diamond Springs Dr	
3. ANN NORMAN	3512 Diamond Springs Dr	(919) 441-0814
4. Dieva Hill	3529 Eastern Branch Rd	919-896-2307
5. Larry Cordell	3608 Diamond Springs Dr	865-591-7513
6. Loretta Robinson	3604 Diamond Springs Dr	347418-8132
7. Lamar Mack	3545 Eastern Branch Rd	1brown6984@aol.com
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Rv3 2 power
e AOL.com

~~Rv3 2 Power~~
~~@AOL.com~~

SUMMARY OF ISSUES

A neighborhood meeting was held on March 15, 2019 (date) to discuss a potential rezoning located at 2224 Sunnybrook Road, Raleigh, NC 27610 (property address).

The neighborhood meeting was held at Worthdale Community Center, 1001 Cooper Road, Raleigh, NC 27610 (location).

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

Summary of Issues:

The subdivision in the rear of the property is concerned about the safety of their neighborhood. The Community believe the possibility of a street running through the subdivision would put the residents in the neighborhood at risk.

The Community does not want a road constructed through the property connecting Diamond Springs Drive in the subdivision to Sunnybrook Road.

The community wants the enviroKIDs Summer Camp to continue.

The Community wants the forested area to remain and to be preserved

The Community wants the rezoning to take place so that the summer camp can continue and the forest will remain undisturbed.

Dieva vowels@gmail.com

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name:

Dieva M. Hill

No issues with proposed plan for the car
Just don't want a road placed.

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name: *Lamon Mack*

My only issue is that I don't want an additional street running into the community.

504/2det@gmail.com

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name:

Kenneth & Yvette Williams
3524 Diamond Springs Dr.
Raleigh N.C. 27610
Email - RUS2Power@aol.com

Our concern is the safety of our neighborhood, the possibility of a street running through our subdivision would put our residents at risk.

The non for Profit enviro-Kids project would be negatively impacted by any rezoning involving public roads going thru 2224 Sunnybrook Rd.

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name: Loretta Brown-Robinson
lbrown6984@aol.com

- No road
- Want Camp to continue
- Want woods to remain
- Want preservation to remain

March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name: LARRY CORDELL

MAIN CONCERNS: Road through property

RACORDELL@GMAIL.COM

Date: February 26, 2019

Re: 2224 Sunnybrook Road
Raleigh, North Carolina 27610

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(919) 996-2682
Rezoning @raleighnc.gov

Thank you

We want the rezoning to take place
so that the property would remain
as it is now.

Ayodele S. Amadi
A. ~~Amadi~~

Property owner
2013 Muddy Cree
Raleigh NC 27610

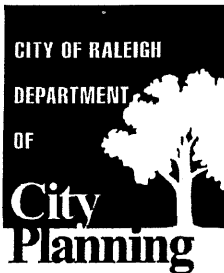
March 15, 2019

2224 Sunnybrook Road Rezoning Community Meeting

Comment Sheet

Name: Ann N'Ormen Annanonlygirl@aol.com

My request is to not put a continuation of Diamond Springs Dr.
The road provides safety for our homes and our children.
I am in agreement with the rezoning for the condominium
use but I do not want a road to go through Diamond
Springs.



Pre-Application Conference

Meeting Record

Transaction #: 578547 Meeting Date & Time: 10:00 AM 12/7/18

Location: One Exchange Plaza 3rd Floor Nash Conference

Attendees: Yasmin Fozard, Jaran Hashin, John Anagnost
Donald Bell

Parcels discussed (address and/or PIN): 2224 Sunnybrook Rd

Current Zoning: R-6

Potential Re-Zoning: NX-3-CU or CX-3-CU

CAC Chair/Contact Information: South CAC

General Notes: Property is currently being used as a
summer camp. camp does Urban Forestry, and studies nature,
camp would like to expand some activities, such as arts,
would like to create a shared workspace for artists and a gallery with
also. The property is designated as low density residential
which supports up to 6 units per acre. NX allows a number of
commercial uses that could be conditioned out. The site
cafe

Department & Staff	Notes
Development Services ___Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 ___Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 ___Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517	<u>could preserve additional forested</u> <u>area beyond tree conservation through</u> <u>conditions, changing the use will require</u> <u>additional parking, which will require administrative</u> <u>site review, which includes improvements to sunny brook</u> <u>parking, and stormwater improvements.</u> UDO Sections: <u>A sketch plan can be scheduled to discuss</u>

these potential requirements. must notify
all residents with 500ft and invite them to a
neighborhood meeting. CX-3 required for outdoor recreation