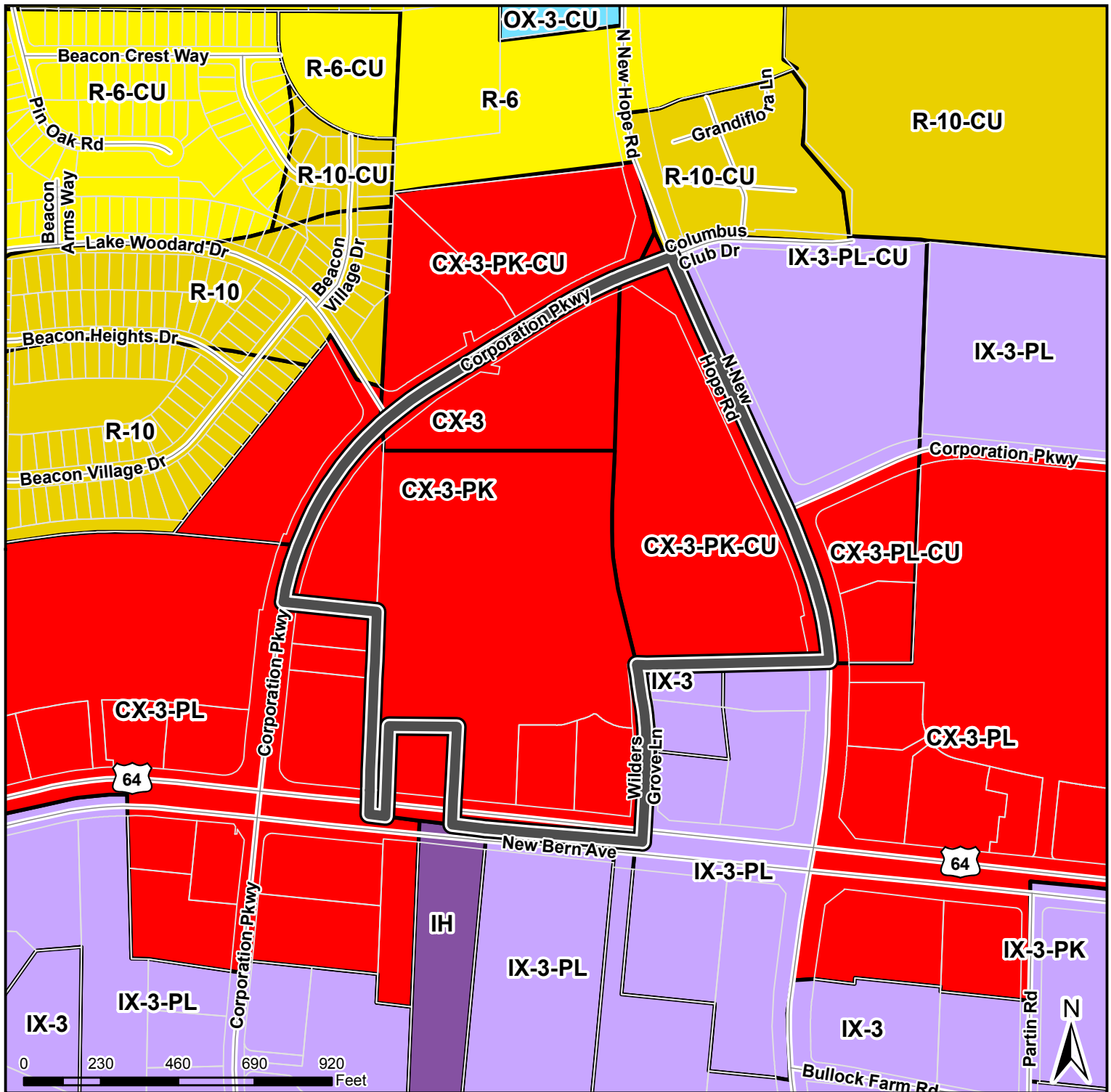
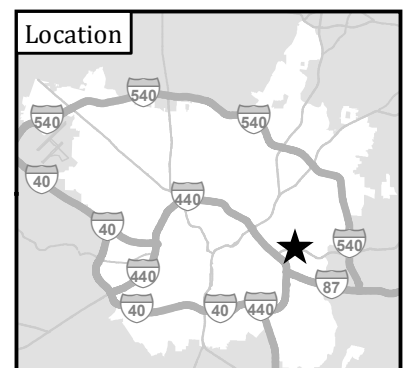


Existing Zoning

Z-13-2018



Property	0, 4121, & 4201 New Bern Ave; 1412 Corporation Pkwy
Size	32.82 acres
Existing Zoning	CX-3, CX-3-PK, CX-3-PK-CU
Requested Zoning	CX-3-PL-CU





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director
Matthew Klem, Planner II

COPY: City Clerk

DEPARTMENT: City Planning

DATE: December 20, 2018

SUBJECT: City Council agenda item for January 8, 2019 –
Rezoning Z-13-18

On November 6, 2018, City Council closed the public hearing for the following item:

Z-13-18 New Bern Avenue and Corporation Parkway, north of New Bern Avenue and bounded by New Bern Avenue, Corporation Parkway, and New Hope Road, at 0, 411, 4201 New Bern Ave and 1412 Corporation Pkwy

Current Zoning: Commercial Mixed Use-3 stories (CX-3), Commercial Mixed Use-3 stories-Parkway (CX-3-PK), and Commercial Mixed Use-3 stories-Parkway-Conditional Use (CX-3-PK-CU)

Requested Zoning: Commercial Mixed Use-3 stories-Parking Limited-Conditional Use (CX-3-PL-CU). Proposed zoning conditions regulate high intensity uses, protect existing trees along New Bern Avenue and New Hope Road, and the provide transit easements and amenities.

The request is **consistent** with the 2030 Comprehensive Plan.

The request is **consistent** with the Future Land Use Map.

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

The Northeast CAC voted in favor of the case (4-0).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

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

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



CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR#

CASE INFORMATION Z-13-18 NEW BERN AVE AND CORPORATION PKWY

Location iMaps Google Driving Directions	Bound by New Bern Avenue, Corporation Parkway, and N. New Hope Road. Address: 0, 4121, 4201 New Bern Avenue and 1421 Corporation Parkway PIN: 1724960124, 1724868905, 1724868153 & 1724862746
Request	Rezone property from CX-3, CX-3-PK, CX-3-PK-CU to CX-3-PL
Area of Request	32.82 acres
Corporate Limits	The subject site is within, and surrounded on all sides by, the corporate limits of the City of Raleigh.
Property Owner	Joseph P. Riddle, Riddle Commercial Properties, Inc., and Wilders Grove Inc.
Applicant	Michael Birch
Citizens Advisory Council (CAC)	North East CAC Pam Adderly, Community Specialist 919-996-5716, pam.adderley@raleighnc.gov
PC Recommendation Deadline	December 11, 2018

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

FUTURE LAND USE	Community Mixed Use
URBAN FORM	Mixed Use Center, Transit Emphasis Corridor, Urban Thoroughfare
CONSISTENT Policies	Policy LU 1.2 Future Land Use and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 6.1 Composition of Mixed-Use Centers Policy LU 7.2 Shopping Center Reuse Policy H 1.8 Zoning for Housing Policy UD 1.10 Frontage
INCONSISTENT Policies	Policy LU 7.5 High Impact Commercial Uses

SUMMARY OF PROPOSED CONDITIONS

1. The following principal uses shall be prohibited: adult establishment.

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
3/28/2018 6 attendees	6/14/2018 9/13/2018	6/26/2018 8/14/2018 9/25/2018	10/2/2018

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request is reasonable and in the public interest because it increases the city's potential overall housing stock which will help to moderate the costs of owning and renting by keeping the market well supplied with a variety of housing types. Increasing zoning entitlement will also better leverage the high level of transit service currently available to the site.
Recommendation	Approval
Motion and Vote	Motion: Alcine; Second: Hicks; In Favor: Alcine, Braun, Geary, Hicks, Jeffreys, Novak, Queen, and Swink.
Reason for Opposed Vote (s)	N/A

ATTACHMENTS

1. Staff report

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

Planning Director

Date

Planning Commission Chairperson

Date

Staff Coordinator:

Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT – Z-13-18

New Bern Ave and Corporation Pkwy

CONDITIONAL/GENERAL USE DISTRICT

OVERVIEW

The subject site is located along New Bern Avenue, east of I-440, between its intersections with Corporation Parkway and New Hope Road. The largest of the parcels is developed with a shopping center of approximately 200,000 square feet in size. The other three parcels in the rezoning request are vacant.

The area is more generally characterized by a suburban auto-oriented development pattern along New Bern Avenue from the beltline to Hedingham Boulevard. North of the subject site, along New Hope Road, is a development pattern of low to moderate density residential subdivisions of a predominantly detached housing type.

The subject site consists of four parcels totaling nearly 33 acres and is split zoned between CX-3, CX-3-PK, and CX-3-PK-CU. Adjacent properties are zoned Commercial Mixed Use and Industrial Mixed Use with various frontages and conditions.

The proposal seeks to rezone the subject site from Commercial Mixed Use-3 stories (CX-3), Commercial Mixed Use-3 stories-Parkway (CX-3-PK), and Commercial Mixed Use-3 stories-Parkway- Conditional Use (CX-3-PK-CU) to Commercial Mixed Use-3 stories-Parking Limited-Conditional Use (CX-3-PL-CU). The proposed zoning condition prohibits the adult establishment use.

A portion of the subject site, which accounts for approximately 10 acres, has zoning conditions from at 1987 zoning case. The conditions limit the development of this portion of the subject site to 15 units per acre. The request would remove this limitation.

The existing zoning entitlement is estimated to be around 1.1 million square feet of mixed-use development assuming roughly equal parts office, residential, and commercial uses. The maximum stand-alone retail entitlement for the subject site is estimated to be approximately 600,000 square feet which is three times larger than the existing shopping center on site. The maximum office entitlement is just over one million square feet. The office and retail entitlements are not anticipated to increase with the requested zoning. The change in entitlement with the requested zoning impacts the amount of residential development the site would permit by removing the condition limiting residential entitlement. The residential density is anticipated to increase from 29 units per acre to 36 units per acre; an increase of about 240 units.

The request would also change the frontage designation from Parkway (PK) to Parking Limited (PL). Prior to the Unified Development Ordinance (UDO) 2014 remapping, the subject site was split zoned between base districts Industrial (IND) and Thoroughfare District (TD). During the remapping, the Parkway designation was assigned to the subject site to emulate the requirements of the TD protective yard under the old Part 10 Code. The remapping exercise resulted in a best match to emulate the legacy zoning entitlement with the regulations of the new UDO. While the Parkway frontage did match the existing zoning entitlement prior to the remapping, adopted policies in the 2030 Comprehensive Plan do not specify that type of protective yard on the subject site.

The Future Land Use Map (FLUM) designation for the subject site is Community Mixed Use, as are properties to the east and west. South of the subject site, across New Bern Avenue, the FLUM designation is Business and Commercial Services. North of the subject site, properties are split between Low Density Residential and Moderate Density Residential FLUM designations.

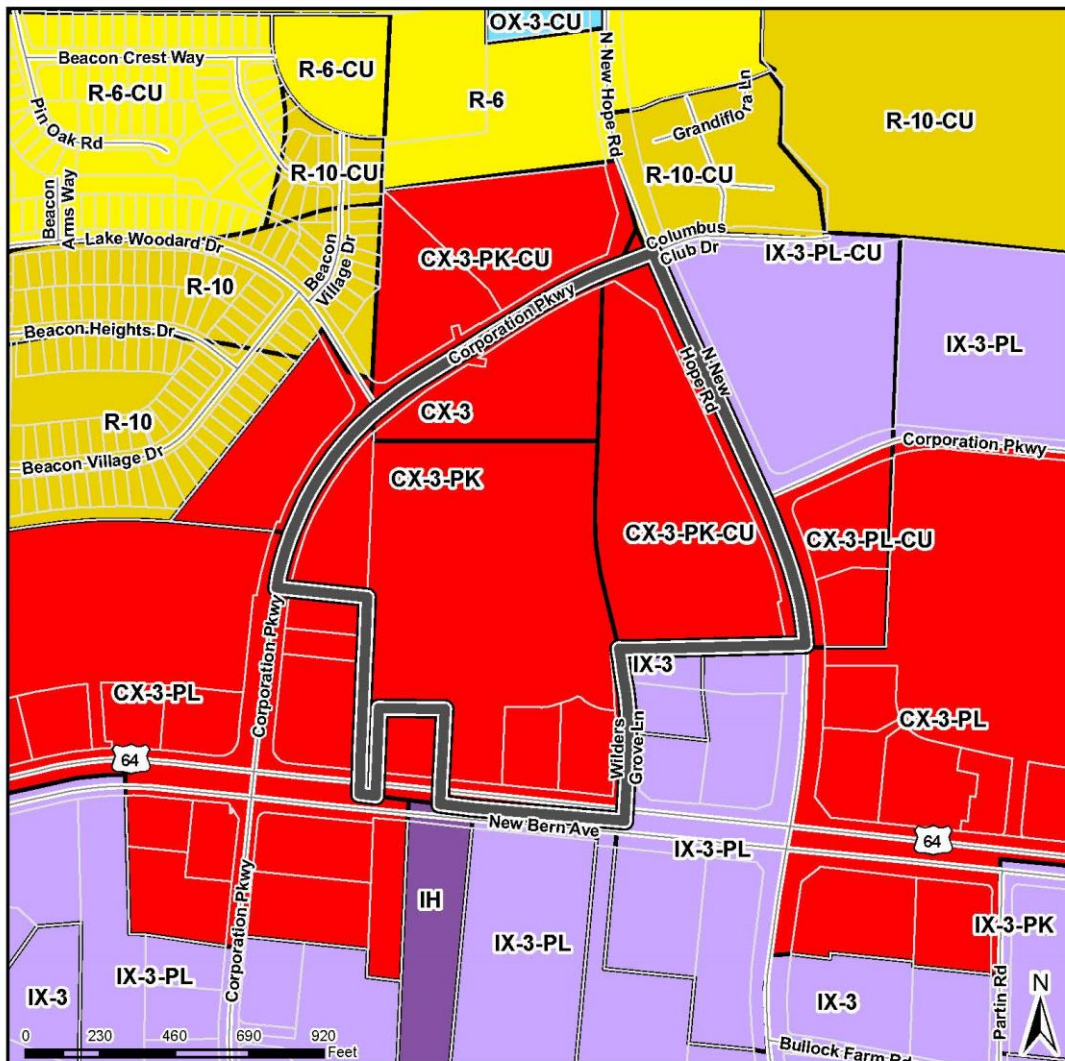
The subject site is located within the boundaries of a Mixed Use Center of approximately 280 acres in size as identified on the Urban Form Map. The subject site also fronts two streets designated as Transit Emphasis Corridors (New Bern Avenue and New Hope Road), and one street designated as an Urban Thoroughfare (Corporation Parkway).

OUTSTANDING ISSUES

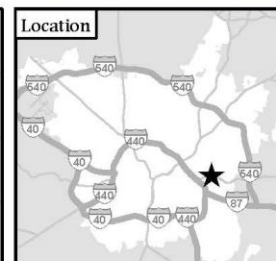
Outstanding Issues	1. No CAC vote.	Suggested Mitigation	1. The North East CAC will meet again on August 9 to vote on the request.
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Existing Zoning

Z-13-2018



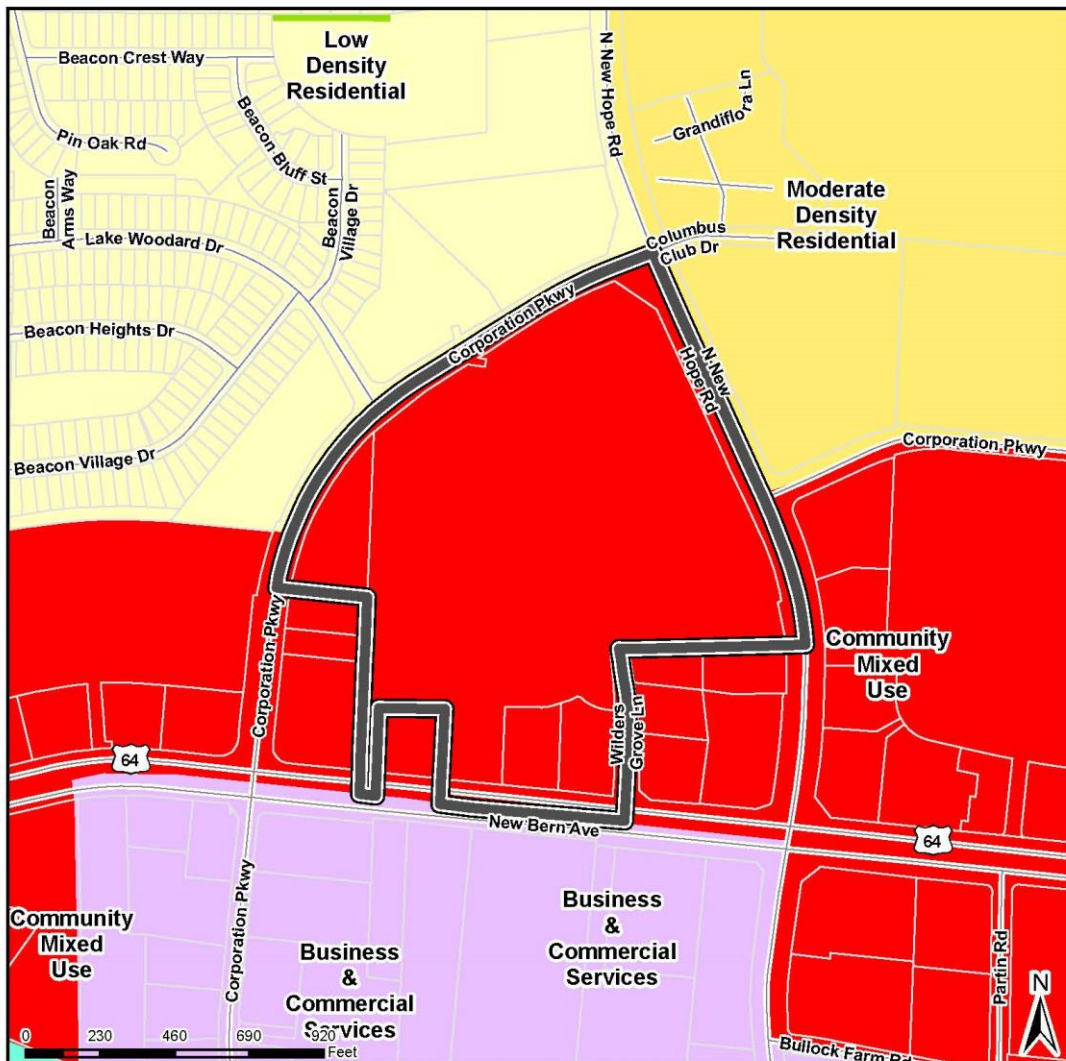
Property	0, 4121, & 4201 New Bern Ave; 1412 Corporation Pkwy
Size	32.82 acres
Existing Zoning	CX-3, CX-3-PK, CX-3-PK-CU
Requested Zoning	CX-3-PL-CU



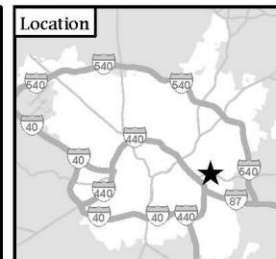
Map by Raleigh Department of City Planning (lttsek), 5/23/2018

Future Land Use

Z-13-2018



Property	0, 4121, & 4201 New Bern Ave; 1412 Corporation Pkwy
Size	32.82 acres
Existing Zoning	CX-3, CX-3-PK, CX-3-PK-CU
Requested Zoning	CX-3-PL-CU



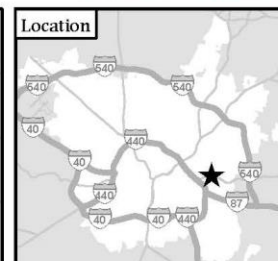
Map by Raleigh Department of City Planning (lttsek). 5/23/2018

Urban Form

Z-13-2018



Property	0, 4121, & 4201 New Bern Ave; 1412 Corporation Pkwy
Size	32.82 acres
Existing Zoning	CX-3, CX-3-PK, CX-3-PK-CU
Requested Zoning	CX-3-PL-CU



Map by Raleigh Department of City Planning (lttsek). 5/23/2018

Comprehensive Plan

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

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

The request is consistent with the Coordinating Land Use and Transportation vision theme. This vision theme encourages pedestrian facilities and higher density residential and mixed-use development to support successful new local and regional public transit service. The site is currently served by the GoRaleigh Route 15 WakeMed. This route offers fifteen minutes service which represents the highest frequency the GoRaleigh transit system offers. The rezoning request to remove conditions limiting residential density to fifteen units per acre helps to realize this vision. Changing the Parkway frontage, which represents a suburban or rural frontage type, to Parking Limited will also help to create a more walkable, urban, and pedestrian friendly development.

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

The rezoning request will maintain the base zoning district of Commercial Mixed Use (CX). The subject site is identified as Community Mixed Use on the FLUM. CX is the closest corresponding zoning district to this FLUM designation.

- 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?

N/A

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

Streets and other public infrastructure appear to be able to serve the requested rezoning entitlement. The parks access level of service for this area is below average and the area is also considered high priority for park land acquisition.

Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

The rezoning request will maintain the base zoning district of Commercial Mixed Use (CX). The subject site is identified as Community Mixed Use on the FLUM. CX is the closest corresponding zoning district to this FLUM designation and is therefore consistent with the recommendations of the FLUM.

Urban Form

Urban Form designation:

The rezoning request is:

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

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

☐ **Inconsistent**

The subject site is located within the boundaries of a Mixed Use Center of approximately 280 acres in size as identified on the Urban Form Map. The subject site also fronts two streets designated as Transit Emphasis Corridors (New Bern Avenue and New Hope Road), and one street designated as an Urban Thoroughfare (Corporation Parkway). Each of these designations recommends an urban or hybrid frontage. The rezoning request would map a Parking Limited frontage on the subject site which is considered a hybrid frontage.

Compatibility

The proposed rezoning is:

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

☐ **Incompatible.**

The request is compatible with the property and the surrounding area. The request seeks to remove a condition that limits ten (10) acres of the site to a residential density of 15 units per acre and to change the Parkway frontage to a Parking Limited frontage. These changes would be non-disruptive to the surrounding area. The mapping of a Parking Limited frontage is consistent with the frontage designations of the majority of properties from I-440 to New Hope Road.

Public Benefits of the Proposed Rezoning

- Removing the condition that limits residential density limit of 15 units per acre will allow the subject site to be developed with a more intense residential use.
- Changing the frontage designation from Parkway to Parking Limited will match the predominant frontage designations for businesses along New Bern Avenue, Corporation Parkway, and New Hope Road, creating a more pedestrian focused style of development.
- The subject site is served by the GoRaleigh route 15 which provides the highest frequency the GoRaleigh system offers: 15-minute service. Increasing the residential entitlement and permitting a more pedestrian focused development type will make a better use of the city's existing transit service.

Detriments of the Proposed Rezoning

- The subject site has frontage on New Bern Avenue, Corporation Parkway, and New Hope Road. Some portions of these frontages have mature landscaping that is currently protected by the Parkway frontage designation. The removal of that designation may result in the removal of mature trees.
- While the proposed zoning conditions prohibit adult establishments, other high impact commercial uses could negatively impact the nearby Beacon Hill neighborhood.

Policy Guidance

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

Policy LU 1.2 Future Land Use 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.

- The rezoning request will maintain the base zoning district of Commercial Mixed Use (CX). The subject site is identified as Community Mixed Use on the FLUM. CX is the closest corresponding zoning district to this FLUM designation and is therefore consistent with the recommendations of the FLUM.

Policy LU 1.3 Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

- The request removes a condition that limits density on a portion of the site to fifteen units per acre. The request also prohibits adult establishments on the site. Both changes are consistent with the 2030 Comprehensive Plan.

Policy LU 2.6 Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

- The infrastructure in the area appears sufficient to support the increase in development entitlement on the subject site.

Policy LU 4.9 Corridor Development

Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for “transit intensive” investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

- The subject site is located on New Bern Avenue which is identified as a multi-modal corridor on the Growth Framework Map. The rezoning request includes the removal of the Parkway frontage and the application of the Parking Limited frontage. The change in the frontage designation from a rural/suburban frontage type to a more urban frontage that is more pedestrian oriented and will encourage walkability.

Policy LU 6.1 Composition of Mixed-Use Centers

Mixed-use centers should be comprised of well-mixed and integrated developments that avoid segregated uses and have well planned public spaces that bring people together and provide opportunities for active living and interaction.

- The request will remove a limitation on residential density entitlement. Removing that entitlement limit will potentially create a greater mix of uses on the site.

Policy LU 7.2 Shopping Center Reuse

Promote the redevelopment of aging and high vacancy shopping centers into mixed-use developments with housing and public recreation facilities.

- Removing conditions that limit residential entitlement and provide the opportunity for a more urban development may encourage the redevelopment of a twenty-five-year-old shopping center.

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.

- The request will remove a limit to residential density entitlement.

Policy UD 1.10 Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

- The request will change the existing Parkway frontage to a Parking Limited frontage, which is called for in the 2030 Comprehensive Plan. The predominant frontage designation along New Bern Avenue, New Hope Road, and Corporation Parkway is Parking Limited.

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

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.

- While the proposed condition prohibits adult establishments, other potentially high-impact commercial uses, if established on Corporation Parkway, could negatively impact the nearby Beacon Hill neighborhood.

Impact Analysis

Transportation

The Raleigh Street Plan classifies New Bern Avenue as a six-lane divided avenue, Corporation Parkway as a two-lane divided avenue, and North New Hope Road as a four-lane divided avenue. New Bern Ave is NCDOT maintained and Corporation Parkway and North New Hope Road are City of Raleigh maintained. Wilders Grove Lane extends from New Bern Avenue into the site. Approximately 470 feet of Wilders Grove Lane is city-maintained and the remainder is privately-maintained.

In accordance with UDO section 8.3.2, the maximum block perimeter for CX-3 zoning is 3,000 feet. The block perimeter for the Z-13-18 site, as defined by public rights-of-way for New Bern Avenue, Corporation Parkway, and North New Hope Road is over 5,000 feet.

There are sidewalks on both sides of New Bern Avenue and North New Hope Road near the site. A portion of Corporation Parkway is missing sidewalks along the west side of the street and Wilders Grove Lane has sidewalks only along the west side of the street.

Within the last several years, there have been at least two pedestrian crashes within the Z-13-18 site, as well as at least four pedestrian crashes on New Bern Avenue just south of the site.

The Raleigh Long-Term Bikeway Plan contains bicycle lanes on Corporation Parkway and separated Bikeways on New Bern Avenue and North New Hope Church Road.

There was a bicycle crash at the intersection of Corporation Parkway and New Bern Avenue within the last several years.

The Raleigh Greenway Plan contains a greenway trail just north of the site, connecting the Crabtree Creek Trail and the Neuse River Trail. It shows a connector trail east of the site, parallel to North New Hope Road.

Site access will be provided via New Bern Avenue, Corporation Parkway, and North New Hope Road. The subject parcels have a combined road frontage of approximately 3,650 feet. According to the Raleigh Street Design Manual, driveways for CX zoning that are accessing streets with ROW width greater than 80 feet must be spaced 300 feet apart. The Z-13-18 site would be restricted to two access points on New Bern Avenue and one access point on Wilders Grove Lane. A maximum of four access points may be acceptable on Corporation Parkway and three on North New Hope Road, unless a design adjustment is granted.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. The Z-13-18 site is surrounded by other commercial developments that are interconnected via private access drives. Redevelopment in the area will be required to meet current standards for street connectivity and pedestrian access.

Other Projects within the Area

There is an NCDOT / GoRaleigh Transit Transfer Facility Project proposed at New Bern Commons, just east of North New Hope Road. There is also a federally funded, city-initiated project to add a third eastbound lane to New Bern between Freedom Drive and Patriot Drive, where the street currently has a short two-lane bottleneck. It was funded from the federal fiscal year 2019 Locally Administered Projects Program (LAPP) administered by CAMPO.

TIA Determination

Approval of case Z-13-2018 would not increase average peak hour nor daily trip volumes. There have been a high number of crashes at the surrounding intersections in the past three years and there is a high severity index at the intersection of Corporation Parkway and Lake Woodard Drive. There are other site contextual concerns that could require a traffic study at the time of a site plan or subdivision application. A traffic study is not required for the rezoning case Z-13-2018.

Z-13-18 Existing Land Use	Daily	AM	PM
Partially Retail, Partially Undeveloped	7,260	247	656
Z-13-18 Current Zoning Entitlements	Daily	AM	PM
Residential, Retail, Office	14,792	1,328	1,720
Z-13-18 Proposed Zoning Maximums	Daily	AM	PM
Residential, Retail, Office	14,792	1,328	1,720
Z-13-18 Trip Volume Change	Daily	AM	PM
(Proposed Maximums minus Current Entitlements)	0	0	0

Impact Identified: No TIA required.

Transit

The Z-13-2018 subject site is served by GoRaleigh Route 15 WakeMed with buses running every 15 minutes and by Route 15L Trawick with busses running every 45 minutes. There are three bus stops adjacent to the subject site that are served by both the Route 15 WakeMed and the Route 15L Trawick.

Impact Identified: None.

Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Marsh and Crabtree
<i>Stormwater Management</i>	Subject to stormwater regulations under Article 9 of UDO.
<i>Overlay District</i>	none

Impact Identified: None.

Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	590,000 gpd	590,000 gpd	739,375 gpd
<i>Waste Water</i>	590,000 gpd	590,000 gpd	739,375 gpd

The proposed rezoning would add approximately 149,375 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 adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.

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.

Impact Identified: None.

Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. The nearest existing park access is provided by Marsh Creek Park (2 miles) and Lockwood Park (2.8 miles). The nearest existing greenway trail access is provided by Crabtree Creek Greenway Trail (1.4 miles) and Neuse River Greenway Trail (2 miles).

Park access level of service is below average. The area is a high priority for park land acquisition.

Impact Identified: None.

Urban Forestry

On the largest of the four properties in questions, the area with existing trees that would meet the requirements for primary tree conservation are along New Bern Avenue. The proposed rezoning will eliminate the possibility of primary tree conservation due to the associated build-to requirements of the Parking Limited frontage. The remaining three parcels that make up the subject site are less than two acres in size and tree conservation would not be required at time of subdivision or site plan.

Impact Identified: Primary tree conservation areas may not be required at the time of redevelopment.

Impacts Summary

Public Utilities staff has noted the potential need for a Downstream Sewer Capacity Study at the time of redevelopment.

Urban Forestry staff has noted that the application of the Parking Limited frontage will eliminate the possibility of primary tree conservation on the site.

Mitigation of Impacts

The applicant could consider conditions to preserve existing mature trees on the subject site.

Conclusion

The proposed rezoning is requesting two fundamental changes: 1) the application of the Parking Limited frontage; 2) the removal of a zoning condition that limits the residential density entitlement on approximately 10 acres of the subject site to a maximum 15 units per acre. The result of the change will increase the residential dwelling entitlement by approximately 240 units. The increase in residential entitlement in this area is supported by the 2030 Comprehensive Plan. The existing non-residential entitlement does not change. The change in frontage designation from Parkway to Parking limited will result in the potential elimination of mature landscaping along New Bern Avenue and Corporation Parkway. The 2030 Comprehensive Plan recommends that New Bern Avenue, New Hope Road, and Corporation Parkway have urban or hybrid frontages to encourage a pedestrian-friendly, walkable built environment that encourages multiple modes of transportation. Additionally, the Parkway frontage is recommended in rural or suburban areas where multi-modal access is not emphasized. Considering the level of transit service currently provided to the subject site and the 2030 Comprehensive Plan's suggested mixed use nature of the subject site, the removal of the density-limiting zoning condition and the Parkway frontage designation will help to realize the envisioned land use pattern in the area.

Case Timeline

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
3/16/2018	Pre-application conference	
3/28/2018	Neighborhood meeting	
6/14/2018	Fist Northeast CAC meeting	
6/26/2018	Planning Commission begins review	
8/9/2018	Northeast CAC vote	
8/14/2018	Planning Commission meeting	

Appendix

Surrounding Area Land Use/ Zoning Summary

	<i>SUBJECT PROPERTY</i>	<i>NORTH</i>	<i>SOUTH</i>	<i>EAST</i>	<i>WEST</i>
Existing Zoning	CX-3, CX-3-PK, CX-3-PK-CU	CX-3-PK-CU	CX-3-PL, IX-3, IX-3-PL, IH	IX-3-PL-CU, CX-3-PL-CU	CX-3-PL, CX-3-PK
Additional Overlay	-	-	-	-	-
Future Land Use	Community Mixed Use	Low Density Residential	Business & Commercial Services, Community Mixed Use	Moderate Density Residential, Community Mixed Use	Low Density Residential, Community Mixed Use
Current Land Use	Retail	Office	Light Industrial, Vehicle Fuel Sales	Self Service Storage, Retail	Retail
Urban Form (if applicable)	Mixed Use Center, Transit Emphasis Corridor, Urban Thoroughfare	Mixed Use Center, Urban Thoroughfare	Mixed Use Center, Transit Emphasis Corridor	Mixed Use Center, Transit Emphasis Corridor	Mixed Use Center, Urban Thoroughfare

Current vs. Proposed Zoning Summary

Zoning	Existing Zoning CX-3, CX-3-PK, CX-3-PK-CU	Proposed Zoning CX-3-PL-CU
Total Acreage	32.82	32.82
Setbacks for CX-3: Front: Side: Rear:	5' min 0' to 6' min 0' to 6' min	0' min (Parking Limited Frontage) 0' to 6' 0' to 6'
Setbacks for CX-3-PK: Front: Side: Rear:	50' min (Parkway Frontage) 0' to 6' 0' to 6'	0' min (Parking Limited Frontage) 0' to 6' 0' to 6'
<i>Residential Density:</i>	28.76	36.05
<i>Max. # of Residential Units</i>	944	1,183
<i>Max. Gross Building SF</i>	1,193,541	1,530,809
<i>Max. Gross Office SF</i>	1,126,236	1,126,236
<i>Max. Gross Retail SF</i>	349,653	349,653
<i>Max. Gross Industrial SF</i>	874,350	874,350
<i>Potential F.A.R</i>	.89	1.07

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

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan	b. CX-3 and CX-3-PK-CU
Existing Zoning Base District	CX	Height	3
Frontage	PK	Overlay(s)	
Proposed Zoning Base District	CX	Height	3
Frontage	PL	Overlay(s)	
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number: Z-67-1987			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			

GENERAL INFORMATION			
Date	Date Amended (1)	Date Amended (2)	
Property Address 0, 4121, 4201 New Bern Avenue; 1412 Corporation Parkway			
Property PIN 1724-96-0124; 1724-86-8905; 1724-86-8153; 1724-86-2746		Deed Reference (book/page) 15520/1716; 10578/194; 15520/1716; 12292/2297	
Nearest Intersection New Bern Avenue, between Corporation Parkway and N New Hope Road			
Property Size (acres) 32.82	(For PD Applications Only) Total Units	Total Square Feet	
Property Owner/Address See attached		Phone 919.864.3135	Fax
		Email riddlecommercial@aol.com	
Project Contact Person/Address Michael Birch Morris, Russell, Eagle & Worley, PLLC 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607		Phone 919.645.4317	Fax
		Email mbirch@morrisrussell.com	
Owner/Agent Signature <i>Joseph P. Riddle</i>		Email	

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

RIDDLE COMMERCIAL PROPERTIES – WILDERS GROVE SHOPPING CENTER

REZONING PETITION ATTACHMENT

Address

0, 4121, and 4201 New Bern Avenue; 1412 Corporation Parkway

PINs

- 0 New Bern Ave
 - 1724-96-0124
- 4121 New Bern Ave
 - 1724-86-8905
- 4201 New Bern Ave
 - 1724-86-8153
- 1412 Corporation Parkway
 - 1724-86-2746

Deed Book/Page

- 0 New Bern Ave
 - 15520/1716
- 4121 New Bern Ave
 - 10578/194
- 4201 New Bern Ave
 - 15520/1716
- 1412 Corporation Parkway
 - 12292/2297

Owners

- 0 New Bern Ave
 - Joseph P. Riddle III
 - PO Box 53729
 - Fayetteville, NC 28305
- 4121 New Bern Ave
 - Wilders Grove, Inc.
 - PO Box 53729
 - Fayetteville, NC 28305
- 4201 New Bern Ave
 - Joseph P. Riddle III
 - PO Box 53729
 - Fayetteville, NC 28305
- 1412 Corporation Pkwy
 - Riddle Commercial Properties, Inc.
 - PO Box 53646
 - Fayetteville, NC 28305

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</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">Transaction #</p> <p align="center">Rezoning Case #</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 Future Land Use Map (FLUM) designates the 4 parcels as Community Mixed Use, which applies to larger shopping centers. CX is the district that most closely aligns with this designation. This Future Land Use category calls for appropriate urban form frontage standards, recognizing that some of these designated areas are auto-oriented</p> <p>1. shopping plazas fronting on high-volume arterial roadways. The Wilders Grove shopping center fits this description, and the Parking Limited frontage district is most appropriate given the built environment and the development pattern on the north and south side of New Bern Avenue and along New Hope Road and Corporation Parkway.</p>	
<p>The property is located in a mixed-use center, and is surrounded on three sides by two Transit Emphasis Corridors and one Urban Thoroughfare.</p> <p>2. The descriptions for both types of corridors call for a hybrid approach to frontage based on context. The -PL frontage district is a hybrid frontage and is consistent with the Urban Form designations based on the context of the auto-oriented shopping center and the surrounding properties along New Bern Avenue, New Hope Road and Corporation Parkway.</p>	
<p>The rezoning is consistent with the following Comprehensive Plan policies: LU 1.2, LU 3.2, LU 4.9,</p> <p>3. LU 5.1, LU 6.3, and UD 1.10.</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 rezoning would benefit the public by providing a consistent frontage along New</p> <p>1. Bern Avenue.</p>	
<p>The proposed rezoning would benefit the public by facilitating the development and</p> <p>2. redevelopment of an auto-oriented shopping center consistent with the Urban Form guidance.</p>	
<p>3.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources	OFFICE USE ONLY
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.	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.	
No historic resources are located on the property.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
Not applicable.	

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: Mixed Use Center

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

1. *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.*

Response:

The proposed zoning permits retail, office and residential uses, consistent with this guideline. Also, the property is within walking distance to a mix of uses.

2. *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.*

Response:

The property is not adjacent to lower density neighborhoods.

3. *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.*

Response:

The property is connected to Corporation Parkway and North New Hope Road which connect to adjacent neighborhoods, consistent with this guideline.

4. *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.*

Response:

No new streets are contemplated as part of this development.

5. *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.*

Response:

No new streets or intersections are contemplated as part of this development.

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>The Parking Limited frontage ensures that development of the property will be consistent with this guideline.</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 Parking Limited frontage ensures that development of the property will be consistent with this guideline.</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 Parking Limited frontage ensures that development of the property will be consistent with this guideline.</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>Outdoor amenity areas will be provided consistent with the UDO.</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>Outdoor amenity areas will be provided consistent with the UDO.</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>Sidewalks and outdoor amenity areas will be provided consistent with the UDO, consistent with this guideline.</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>Outdoor amenity areas will be provided consistent with the UDO.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</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>The Parking Limited frontage ensures development consistent with this guideline.</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>The Parking Limited frontage will ensure that parking is consistent with this guideline.</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>No new parking structures are contemplated with this development.</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>Wilder's Grove Shopping Center is served by the WakeMed bus route, a GoRaleigh route to Knightdale/Wendell/Zebulon, and a GoRaleigh connector route.</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>The UDO requires convenient pedestrian access between the building entrance and the transit stop, consistent with this guideline.</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>There are no known sensitive natural resources on the property.</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: Sidewalks and driveways will be provided in accordance with the UDO.</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: Sidewalks will be provided in accordance with the UDO.</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: Street trees will be provided in accordance with the UDO.</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: The Parking Limited frontage ensures development will be consistent with this guideline.</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: The Parking Limited frontage ensures development will be consistent with this guideline.</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: The Parking Limited frontage ensures development will be consistent with this guideline.</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: Sidewalks will comply with applicable UDO standards, consistent with this guideline.</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 100 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 checked="" type="checkbox"/>	<input 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"/>			✓

CONDITIONAL USE DISTRICT ZONING CONDITIONS	
Zoning Case Number Z-13-18	OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted December 6, 2018	
Existing Zoning CX-3-PK ^{& CX-3-PK-CUD} _{CX-3} Proposed Zoning CX-3-PL-CU	
Narrative Of Zoning Conditions Offered	
<p>The following principal uses shall be prohibited on the property: adult establishment. Additionally, the following land uses shall be</p> <p>1. prohibited within 500 feet of the Village at Beacon Hill subdivision: telecommunication tower – all types; outdoor recreation – all types; bar, nightclub, tavern, lounge; detention center, jail, prison.</p>	
<p>Those trees located on the property within 25 feet of the New Bern Avenue right-of-way shall be maintained. Removal of trees within this</p> <p>2. area shall be permitted when a tree is unhealthy, diseased, dead or hazardous or where removal results from the provision of a pedestrian connection to New Bern Avenue, a transit easement or improvement, or a public or private easement required by a governmental entity.</p>	
<p>Those trees located on the property within 35 feet of the N New Hope Road right-of-way shall be maintained. Removal of trees within this</p> <p>3. area shall be permitted when a tree is unhealthy, diseased, dead or hazardous or where removal results from the provision of a pedestrian connection to N New Hope Road, a transit easement or improvement, or a public or private easement required by a governmental entity.</p>	
<p>If requested by the Transit Division at the time of subdivision or site plan approval, the owner shall provide the City of Raleigh a transit easement measuring no greater than 15 feet by 20 feet (or such lesser dimension as approved by the City) prior to building permit issuance. If requested by the Transit Division, the owner shall install prior to the issuance of a certificate of occupancy those transit easement improvements (such as bus shelter pad, bus shelter, bench, lean bar and trash receptacle) requested by the Transit Division. The location of the easement shall be approved by the Transit Division and the written deed of easement shall be approved by the City Attorney.</p> <p>4.</p>	
5.	
6.	
7.	
8.	
9.	
10.	

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

Owner/Agent Signature Joseph P. Niddelle III Print Name Joseph P. Niddelle III

REZONING OF PROPERTY CONSISTING OF +/- 32.82 ACRES
LOCATED ON THE NORTH SIDE OF NEW BERN AVENUE, WEST OF NORTH NEW
HOPE ROAD, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
MARCH 28, 2018

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, March 28, 2018 at 6:30 p.m. The property considered for this potential rezoning total approximately 32.82 acres, and is located north of New Bern Avenue, west of North New Hope Road, in the City of Raleigh, having Wake County Parcel Identification Numbers 1724-96-0124, 1724-86-8905, 1724-86-8153, and 1724-86-2746. This meeting was held at the Marsh Creek Park Community Center, located at 3050 N New Hope Road, Raleigh, NC 27604. All owners of property within 500 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE

MICHAEL BIRCH
Email: mbirch@morrisrussell.com
Direct: (919) 645-4317

MORRIS RUSSELL
MORRIS, RUSSELL, EAGLE & WORLEY, PLLC
2235 GATEWAY ACCESS POINT, SUITE 201
RALEIGH, NORTH CAROLINA 27607

P. O. Box 19001
Raleigh, NC 27619
www.morrisrussell.com

Telephone: (919) 645-4300
Facsimile: (919) 510-6802

To: Neighboring Property Owner
From: Michael Birch
Date: March 16, 2018
Re: Neighborhood Meeting for Potential Rezoning of Wilders Grove Shopping Center

We are counsel for Wilders Grove, Inc., Riddle Co., Inc. and Joseph Riddle (the "Owners"), the owners of four parcels that are part of the Wilders Grove Shopping Center, totaling approximately 32.82 acres located on the north side of New Bern Avenue and west of N. New Hope Road (the "Properties"). The Properties have addresses of 4201, 4121 and 0 New Bern Avenue and 1412 Corporation Parkway, and Parcel Identification Numbers 1724-86-8153, 1724-86-8905, 1724-96-0124 and 1724-86-2746. The Properties are currently zoned CX-3, CX-3-PK and CX-3-PK-CU, and the Owners are considering rezoning the Properties to CX-3-PK-CU.

You are invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, March 28, 2018 at 6:30 p.m. This meeting will be held in the meeting room at the Marsh Creek Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 500 feet of the Property prior to filing a rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.645.4317 and mbirch@morrisrussell.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at 919.996.2626 or rezoning@raleighnc.gov.

EXHIBIT B – NOTICE LIST

1724586605
WILDERS GROVE INC
PO BOX 53729
FAYETTEVILLE NC 28305-3729

1724758853
CIRCLE K STORES INC
PROPERTY TAX DEPT DC17
PO BOX 52055
PHOENIX AZ 85072-2055

1724762432
BEACON PLAZA SHOPPING CNTR CONDO
PO BOX 97603
RALEIGH NC 27624-7603

1724762432
LIFE CRAFT LLC
5107 WOODFIELD LAKE RD
CARY NC 27518-7143

1724762432
ROCK QUARRY PROPERTIES LLC
3510 ROCK QUARRY RD
RALEIGH NC 27610-5115

1724762432
EAO LLC
J KENNETH EDWARDS
5909 FALLS OF NEUSE RD STE 200
RALEIGH NC 27609-4000

1724762432
WTKC LLC
5505 BREAMORE CIR
RALEIGH NC 27615-1158

1724762432
D'JOAL PROPERTIES, LLC
51271 FANTASIA DR
MACOMB MI 48042-6037

1724762432
CCM 54 LLC
JAMES I ANTHONY JR
PO BOX 10810
RALEIGH NC 27605-0810

1724762432
LNK INVESTMENT INC
5505 BREAMORE CIR
RALEIGH NC 27615-1158

1724762432
NORMANDALE PROPERTIES LLC
PO BOX 31052
RALEIGH NC 27622-1052

1724762432
AT100 LLC
PO BOX 30219
RALEIGH NC 27622-0219

1724762432
AT100 LLC
PO BOX 30219
RALEIGH NC 27622-0219

1724762892
VILLAGE @ WESTGATE HMOWNERS
ASSOC
PO BOX 20959
RALEIGH NC 27619-0959

1724766934
FARRIS, KATHERINE ANN
1344 BEACON VILLAGE DR
RALEIGH NC 27604-8494

1724766976
COWAN, JENNIFER
1345 BEACON VILLAGE DR
RALEIGH NC 27604-8494

1724767917
KINLAW, K REID WALKER, JENNIFER
1352 BEACON VILLAGE DR
RALEIGH NC 27604-8494

1724768211
WACHOVIA BANK & TRUST COMPANY
RYAN LLC
PO BOX 56607
ATLANTA GA 30343-0607

1724776158
LAMANE, VALES
1407 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724777050
KIPUNI, MBUNDU ETAL MANIONGO, JOSIE
KIPUNI
1400 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724777092
NGUYEN, TRISH LY MINH NGO, VINH
1404 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724777221
DAVILA, ANDREW
1415 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724777254
SNEAD, W DAVID JR SNEAD, ROBIN
1419 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724777277
PARKER, SHAWN MAURICE PARKER,
MARIAMA TOURE
1423 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724778025
IH5 PROPERTY NORTH CAROLINA LP
INVITATION HOMES-TAX DEPT
1717 MAIN ST STE 2000
DALLAS TX 75201-4657

1724778059
CARSON, CATHY LUANNE
1412 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724778172
AMH 2014-2 BORROWER LLC
AMERICAN HOMES 4 RENT
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301-2148

1724778196
BULLOCK, DELPHINE D
1420 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724778300
NAPORA, SHAWN D
1427 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724778323
SHELTON, ROBERT SR SHELTON, SARAN
ELAINE
1431 BEACON VILLAGE DR
RALEIGH NC 27604-8490

1724775359
KING, IRIS M
1501 BEACON VILLAGE DR
RALEIGH NC 27604-5491

1724779129
CARR, MICHELLE L
1424 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724779242
BROWN, BRUCE E WILLIAMS-BROWN,
TARA A
1428 BEACON VILLAGE DR
RALEIGH NC 27604-8493

1724779275
MARTIN, KEVIN C
1017 RIVER COMMONS DR
KNIGHTDALE NC 27545-0620

1724779299
DAVIS, JOAN C
1600 BEACON VILLAGE DR
RALEIGH NC 27604-8492

1724779403
MASHBURN, ALLEN CRAIG
1505 BEACON VILLAGE DR
RALEIGH NC 27604-8491

1724779426
AMH 2014-3 BORROWER LLC
AMERICAN HOMES 4 RENT
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301-2148

1724779459
GRAHAM, THOMAS H
1513 BEACON VILLAGE DR
RALEIGH NC 27604-8491

1724779582
ZAVALETA, JOSE PEREZ, ROCELIA
1517 BEACON VILLAGE DR
RALEIGH NC 27604-8491

1724816908
RALEIGH CITY OF
PO BOX 520
RALEIGH NC 27602-0590

1724851625
1310 CP LLC
200 CARPATHIAN WAY
RALEIGH NC 27615-1613

1724851872
M M FOWLER INC
4220 NEAL RD
DURHAM NC 27705-2322

1724854605
MOORE & SONS REALTY III LLC
3212 DOGWOOD DR
RALEIGH NC 27604-3950

1724855510
4S PROPERTIES LLC
8725 UNIVERSITY PKWY
RURAL HALL NC 27045-0515

1724861293
L & P ASSOCIATES LLC
4001 NEW BERN AVE STE 102
RALEIGH NC 27610-2779

1724861526
POPE, LARRY E
1325 MARSHALL FARM ST
WAKE FOREST NC 27557-4342

1724862403
POPE, LARRY E
1325 MARSHALL FARM ST
WAKE FOREST NC 27557-4342

1724862746
RIDDLE CO INC
PO BOX 53646
FAYETTEVILLE NC 28305-3646

1724864175
HILL PROPERTIES
17101 GREEN DOLPHIN LN
CORNELIUS NC 28031-7692

1724868153
RIDDLE, JOSEPH P III
PO BOX 53729
FAYETTEVILLE NC 28305-3729

1724870056
COGGINS CONSTRUCTION CO
3939 GLENWOOD AVE STE 166
RALEIGH NC 27612-4739

1724870322
MILIAN, PABLO ENRIQUE GONZA ACOSTA,
ISORA
1504 BEACON VILLAGE DR
RALEIGH NC 27604-5492

1724870345
ROBERTSON, EMMA J
1508 BEACON VILLAGE DR
RALEIGH NC 27604-8492

1724870378
AMH 2015-2 BORROWER LLC
AMERICAN HOMES 4 RENT
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301-2148

1724870491
TOMPKINS, CHRISTOPHER TOMPKINS,
HAYDEN
1516 BEACON VILLAGE DR
RALEIGH NC 27604-5492

1724870515
AMH NC PROPERTIES LP
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301-2148

1724871424
SNYDER, SEAN ERIC
1520 BEACON VILLAGE DR
RALEIGH NC 27604-8492

1724871539
ONWUKWE, EMMANUEL M ONWUKWE,
BLESSING U
1601 BEACON VILLAGE DR
RALEIGH NC 27604-8505

1724871653
AMH 2015-2 BORROWER LLC
AMERICAN HOMES 4 RENT
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301-2148

1724871676
GILLETTE, VERDINA G
1609 BEACON VILLAGE DR
RALEIGH NC 27604-8505

1724572456
MIRANDA, MARIO A L MIRANDA, JULIA L V
1800 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724872571
YOUNG, RICHARD W
1804 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724873515
TRAN, SUONG THI
1608 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724573519
WARR, MICHAEL WARR, CHRISTINA
1612 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724873623
BANERJEE, AMAL K BANERJEE, RATNA
1616 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724873637
MAY, BASILICA B
1620 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724573722
MUFANDAEDZA, ITAI BOTHWELL WHITLEY,
LAURA
1624 BEACON VILLAGE DR
RALEIGH NC 27604-8504

1724875503
STATE EMPLOYEES CREDIT UNION
CORPORATION PARKWAY
PO BOX 26807
RALEIGH NC 27611-8807

1724877885
ST MARKS PARRISH OF THE
1725 N NEW HOPE RD
RALEIGH NC 27604-8304

1724575724
STATE EMPLOYEES CREDIT UNION
CORPORATION PARKWAY
PO BOX 26807
RALEIGH NC 27611-8807

1724951145
NEW HOPE STORAGE LLC
3200 RUGBY RD
DURHAM NC 27707-5429

1724952821
VT CHESAPEAKE VENTURES LLC
C/O JOHNSON PARKS & SCHERER
2515 FILBERT ST
SAN FRANCISCO CA 94123-3317

1724960124
RIDDLE, JOSEPH P III
PO BOX 53729
FAYETTEVILLE NC 28305-3729

1724962098
PARTIN, GLEN H
1012 FALLS BRIDGE DR
RALEIGH NC 27614-8935

1724962098
SPINX OIL COMPANY INC
PO BOX 8624
GREENVILLE SC 29604-8624

1724962367
WILDERS GROVE ASSOCIATES
PO BOX 464
RALEIGH NC 27602-0464

1724963213
WILDERS GROVE ASSOCIATES
PO BOX 464
RALEIGH NC 27602-0464

1724965110
WILDERS GROVE ASSOCIATES
ATTN: STORE ACCOUNTING
1 CVS DR # MC2320
WOONSOCKET RI 02895-6146

1724965306
WILDERS GROVE ASSOCIATES
PO BOX 464
RALEIGH NC 27602-0464

1724968035
WIDEWATERS NEW BERN CO LLC
PO BOX 58807
ATLANTA GA 30343-0807

1724968258
MURPHY OIL USA INC
AD VALOREM TAX DEPT
PO BOX 7300
EL DORADO AR 71731-7300

1724965545
NEW HOPE ROAD RALEIGH LLC
PO BOX 957
GRAHAM NC 27253-0957

1724968822
NEW HOPE ROAD RALEIGH LLC
PO BOX 957
GRAHAM NC 27253-0957

1724974953
NEW HOPE VILLAGE ASSOCIATES LLC
7706 SIX FORKS RD
RALEIGH NC 27615-6067

1724976379
NEW HOPE STORAGE LLC
PO BOX 957
GRAHAM NC 27253-0957

1734052948
WIDEWATERS NEW BERN CO LLC
PO BOX 58807
ATLANTA GA 30343-0807

1734060061
OREOF 2017 RUBY LLC
ORION INVESTMENT & MGMT LTD CORP
200 S BISCAYNE BLVD FL 7
MIAMI FL 33131-2310

1734064566
WAL-MART REAL ESTATE BUSINESS
TRUST
MS 0555
PO BOX 5050
BENTONVILLE AR 72712-6055

1734082190
COLUMBUS CLUB OF RALEIGH INC
4301 COLUMBUS CLUB DR
RALEIGH NC 27604-1157

EXHIBIT C – ITEMS DISCUSSED

1. Current zoning, including frontage district
2. Impact of current -PK frontage district
3. Purpose of rezoning to change frontage district to -PL
4. Development plans after rezoning/reasons for rezoning

EXHIBIT D – MEETING ATTENDEES

1. Joan Davis
2. Iris King
3. Jamar McDuffie
4. Court Crosby
5. Kenneth Kinlaw
6. Jennifer Walker

Pre-Application Conference

(this form must be provided at the time of formal submittal)



DEVELOPMENT SERVICES DEPARTMENT

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831
Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review*
- ☐ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

* Optional conference

GENERAL INFORMATION

Date Submitted 3/7/18

Applicant(s) Name Michael Birch, Morris, Russell, Eagle & Worley, PLLC

Applicant's Mailing Address 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607

Phone 919-645-4317

Email mbirch@morrisrussell.com

Property PIN # 1724-96-0124, 1724-86-8905, 1724-86-8153, and 1724-86-2746

Site Address / Location 0, 4111, and 4201 New Bern Avenue; 1412 Corporation Parkway

Current Zoning CX-3-PK

Additional Information (if needed) :

Proposed rezoning: CX-3-PL

OFFICE USE ONLY

Transaction # : 547418

Date of Pre-Application Conference :

3/16/18

Staff Signature

A handwritten signature in black ink, appearing to read "John C. [unclear]".

Z-13-18 Existing Land Use Partially Retail, Partially Undeveloped	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	7,260	247	656
Z-13-18 Current Zoning Entitlements Residential, Retail, Office	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	14,792	1,328	1,720
Z-13-18 Proposed Zoning Maximums Residential, Retail, Office	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	14,792	1,328	1,720
Z-13-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	0	0	0
Z-8-2018 Traffic Study Worksheet			
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No	There are no trips generated as a result of the proposed entitlement
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	No	There are no trips generated as a result of the proposed entitlement
C	More than 100 veh/hr trips in the peak direction	No	There are no trips generated as a result of the proposed entitlement
D	Daily Trips \geq 3,000 veh/day	No	There are no trips generated as a result of the proposed entitlement
E	Enrollment increases at public or private schools	N/A	Not Applicable
6.23.5	Site Context	Meets TIA Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	Yes	There are also several nearby intersections that have high crash rates, although not necessarily severe
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No?	
C	Creates a fourth leg at an existing signalized intersection	No	
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No	
E	Access is to/from a Major Street as defined by the City's Street Plan Map Major street - avenue with more than 4 lanes or boulevard	Yes	
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	Yes	On New Bern Ave and North New Hope Rd
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	?	
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	No	None noted as of May 18, 2018

Z-67-87 New Hope Road, east side, opposite Corporation Parkway, being a portion of Parcel 8, Tax Map 498, rezoned to Thoroughfare Conditional Use and Industrial-1 Conditional Use, according to map dated February 2, 1988, on file in the City of Raleigh Planning Department.

Conditions:

The owner would agree to dedicate the rights-of-way of Corporation Parkway extending eastward across the subject property and New Hope Road extending southwardly across the subject property as requested by the City of Raleigh DOT upon the consultation with the owners. The owners will not require any reimbursement for right-of-way only.

Any residential use of Thoroughfare District property shall be limited to a maximum of 15 units per acres.