

CITY OF RALEIGH

Z-14-09

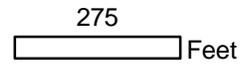
**NB, O&I-1,
NB CUD w/PBOD**

to

NB CUD w/ PBOD

.68 acre

Public Hearing
January 22, 2009
(May 22, 2009)





SEP 19 AM 9:27

Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

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

Please check boxes where appropriate

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

Signature(s)

Violet Meir, by Victor Meir, AIF/POA

Date:

09-18-08

Please type or print name(s) clearly:

Violet Meir, by Victor Meir, AIF/POA

09-18-08

EXHIBIT B. Request for Zoning Change

Office Use Only	
Petition No.	Z-14-09
Date Filed:	9-19-09
Filing Fee:	pd. 1028.00 by check #14968

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

See instructions, page 6

	Name(s)	Address	Telephone / E-Mail
1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	Joe Meir, Blue Ridge Realty	2501 Blue Ridge Rd; #280 Raleigh, NC 27607	(919) 783-9292 xt 101 jmeir@br-realty.com
2) Property Owner(s):	Violet Meir c/o Glenwood North Bldg. Inc; C/O Blue Ridge Realty, Inc	2501 Blue Ridge Rd; #280 Raleigh NC 27607	(919) 783-9292 xt 101 jmeir@br-realty.com
	Violet Meir	125 Duncansby Court Cary, NC 27511	(919) 783-9292 xt 101
3) Contact Person(s):	Joe Meir, Blue Ridge Realty	2501 Blue Ridge Rd; #280 Raleigh, NC 27607	919) 783-9292 xt 101 jmeir@br-realty.com

4) Property Description: Wake County Property Identification Number(s) (PIN): _____
Please provide surveys if proposed zoning boundary lines do not follow property lines.

1704-40-4859

1704-40-3921

General Street Location (nearest street intersections):
**Northwest quadrant, intersection of Glenwood Avenue
and West North Street.** _____

5) Area of Subject Property (acres): 0.68 Acre

6) Current Zoning District(s) Classification: NB; O& I-1; NB,CUD; with PBOD for all property
Include Overlay District(s), if Applicable

7) Proposed Zoning District Classification: NB-CUD, PBOD
Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.

2- 14 -09

BEAMAN, OLIVER J JR & MELISSA H
521 N BOUNDARY ST
RALEIGH NC 27604-1952

NC PIN # 1704401652

REDAN ASSOCIATES LLC
PO BOX 10181
RALEIGH NC 27605-0181

NC PIN # 1704401792

SWEENEY, EUGENE F & CAROLYN C
2358 NW 23RD RD
BOCA RATON FL 33434-4368

NC PIN # 1704402612

GLENWOOD CENTER LLC
C/O BLUE RIDGE REALTY INC
C/O BLUE RIDGE REALTY INC
2501 BLUE RIDGE RD STE 280

NC PIN # 1704402651

630 NORTH STREET LLC
4709 WEDGEWOOD ST
RALEIGH NC 27612-5702

NC PIN # 1704402921

RANDELL, WILLIAM G III & LYNNE
133 FAYETTEVILLE ST STE 600
RALEIGH NC 27601-2911

NC PIN # 1704403661

MEIR, VIOLET S
125 DUNCANSBY CT
CARY NC 27511-6403

NC PIN # 1704403921

GODWIN, CATHERINE H
2700 HAZELWOOD DR
RALEIGH NC 27608-1416

NC PIN # 1704403986

GLENWOOD CENTER THE
C/O BLUE RIDGE REALTY
C/O BLUE RIDGE REALTY
2501 BLUE RIDGE RD STE 280

NC PIN # 1704404723

GLENWOOD NORTH BLDG INC
C/O BLUE RIDGE REALTY INC
C/O BLUE RIDGE REALTY INC
2501 BLUE RIDGE RD STE 280

NC PIN # 1704404859

GODWIN, CATHERINE H
2700 HAZELWOOD DR
RALEIGH NC 27608-1416

NC PIN # 1704404947

HIBERNIAN REAL ESTATE LLC
214 COMMONS WAY
CHAPEL HILL NC 27516-9229

NC PIN # 1704405722

HIBERNIAN REAL ESTATE LLC
214 COMMONS WAY
CHAPEL HILL NC 27516-9229

NC PIN # 1704405725

GODWIN, CATHERINE H
2700 HAZELWOOD DR
RALEIGH NC 27608-1416

NC PIN # 1704405917

UHFOP LLC
227 E FRONT ST
NEW BERN NC 28560-2145

NC PIN # 1704406652

306 GLENWOOD AVENUE ASSOCIATES
306 GLENWOOD AVE
RALEIGH NC 27603-1407

NC PIN # 1704406657

D'AMELIO, MICHAEL L
2519 LEWIS FARM RD
RALEIGH NC 27608-1911

NC PIN # 1704406763

RALEIGH MIDTOWN INVESTORS L L C
3901 BARRETT DR STE 102
RALEIGH NC 27609-6611

NC PIN # 1704406990

MERCURY CAPITAL LLC
133 FAYETTEVILLE ST FL 6
RALEIGH NC 27601-1356

NC PIN # 1704407684

ASHE AVENUE VENTURES LLC
C/O DOUGLAS V BOLTON
PO BOX 10156

NC PIN # 1704407700

BOYLAN PARTNERS LLC
410 N BOYLAN AVE
RALEIGH NC 27603-1212

NC PIN # 1704412037

HIBERNIA REAL ESTATE LP
2212 EVERETT AVE
RALEIGH NC 27607-7328

NC PIN # 1704414057

SOUTH GLENWOOD COMPANY LLC
2007 REAVES DR
RALEIGH NC 27608-1640

NC PIN # 1704414062

MY THREE B'S LLC
510 GLENWOOD AVE APT 512
RALEIGH NC 27603-1263

NC PIN # 1704414142

CREAMERY LIMITED PARTNERSHIP THE
3901 BARRETT DR STE 102
RALEIGH NC 27609-6611

NC PIN # 1704417007

Office Use Only	
Petition No.	2-14-09
Date Filed:	_____

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

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

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

Required items of discussion:

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

Recommended items of discussion (where applicable):

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

PETITIONER’S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

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

The subject property is located in the “University District” of the Comprehensive Plan, and the designated land use for this property is “Housing/Mixed-Use Infill”.

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

The subject property is part of the Glenwood South Small Area Plan, and adjacent to the North Boylan Neighborhood Conservation Plan. The Glenwood South Small Area Plan designates this property for “Housing/Mixed-Use Infill”. The property is also within the Glenwood South Streetscape Plan/Pedestrian Business Overlay District. The streetscape plan regulates building height, setbacks, and streetscape treatment/design.

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

The land uses allowed in the requested NB-CUD/PBOD category are consistent with the goals of the Glenwood South Small Area Plan (SAP) and Glenwood Streetscape Plan. The existing parcel currently zoned NB-CUD zoning only allows "parking lot" as principal use, which is not in keeping with the goals of the SAP, nor the adjoining North Boylan plan. The existing O&I-1 zoning category restricts land uses that are encouraged in the Glenwood South Small Area Plan. The existing O&I-1 zoning requires greater building setbacks than what is recommended by the Glenwood South Streetscape Plan.

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

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

The adjacent land uses include a vacant building that was formerly used as a church; night club; bar; restaurant; coffee shop; office; surface parking; residential uses ranging from low to high density. A rail line that brings the potential for future light rail transit is in close proximity; the property fronts on Glenwood Avenue, a major thoroughfare.

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

The existing zoning patterns include mostly categories that encourage a mixture of land uses, and higher intensity/density. The predominant zoning categories in the area include RB; B; I-1; NB; O&I-1 with extensive overlay districts and small area/streetscape plans to guide growth and redevelopment.

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

As stated above, the zoning in the vicinity of the subject property tends to allow higher intensity and density and a mixture of land uses. Re-development that is pedestrian and transit-oriented is encouraged and can be more readily achieved under the proposed zoning category. The proposed NB-CUD/PBOD zoning would more readily allow the uses designated in the Small Area Plan.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The removal of the condition that one of the two parcels be used solely for parking would allow for a better use of the property, which is located within a rapidly emerging pedestrian-oriented district that is in close proximity to potential light-rail transit corridor/station. The larger parcel is "split-zoned", which creates difficulty in developing the parcels as a single unified project – a goal of the Comprehensive Plan is to consolidate small parcels along thoroughfares to encourage a more cohesive development pattern.

B. For the immediate neighbors:

The redevelopment of the property under the requested zoning category will allow for a more cohesive and unified development along the main pedestrian corridor of the Glenwood South District and to more readily achieve the goals stated in the PBOD/Glenwood South Streetscape Plan. The rezoning will encourage significant re-investment in the community, improvements to the streetscape infrastructure, and the removal of a land use restriction that mandates surface parking lot as a single-purpose use. We anticipate no detriments to neighbors or the community, as the proposed zoning is more compatible with the Glenwood South Small Area & Streetscape plans; it is consistent with the goals of the Comprehensive Plan; it incorporates additional conditions to ensure the desired compatibility.

C. For the surrounding community:

The benefit for the surrounding community will be similar as outlined for the immediate neighbors. The proposed rezoning increases the potential for redevelopment that will likely improve to the City's property tax revenue from this property.

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

No; the surrounding properties are also regulated by the PBOD/Streetscape Plan and guided by the Small Area Plan which will largely shape the development of the overall area. The same opportunities and constraints generally apply to all properties. Many adjacent properties are already zoned Neighborhood Business (NB) or Business (BUS).

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

The subject property fronts on a major thoroughfare, and is within a pedestrian-oriented district; the proposed re-zoning would provide a better opportunity for the property to be a more dynamic component of the Glenwood South Streetscape and Small Area Plan. The property fronts on Glenwood Avenue, a transit route, and is in close proximity to the TTA light rail corridor.

V. Recommended items of discussion (where applicable).

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

N/A

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

As noted above:

- 1. The condition on the smaller parcel fronting on West North Street which restricts land use solely to parking is now no longer appropriate.
- 2. The split zoning on the larger parcel creates hardship for a redevelopment project that incorporates the recommendations of the small area plan.
- 3. The character of the area is no longer best served by the existing (and multiple) zoning categories.

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

The goal of pedestrian-scale and pedestrian-oriented development described in the Glenwood South Small Area Plan is more likely to be accomplished under the proposed NB-CUD/PBOD zoning compared to the existing zoning, which suggests a suburban-form character.

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

The impact on public services will be negligible as the proposed zoning will encourage a form of development that is more efficient for government to provide needed services.

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

The benefits resulting from the proposed rezoning include:

- 1. The adoption of a single zoning category where three categories currently exist on a relatively small footprint of land.
- 2. The removal of 'parking-only" principal land use on a parcel located in a designated pedestrian-oriented district.
- 3. The removal of a zoning category (O&I-1) that does not readily conform with the physical form described in the Small Area Plan and the Streetscape Plan.



Certified Recommendation of the City of Raleigh Planning Commission

Case File: **Z-14-09 Conditional Use; Glenwood Avenue and W. North Street**

General Location: Glenwood Avenue, northwest quadrant of its intersection with W. North Street

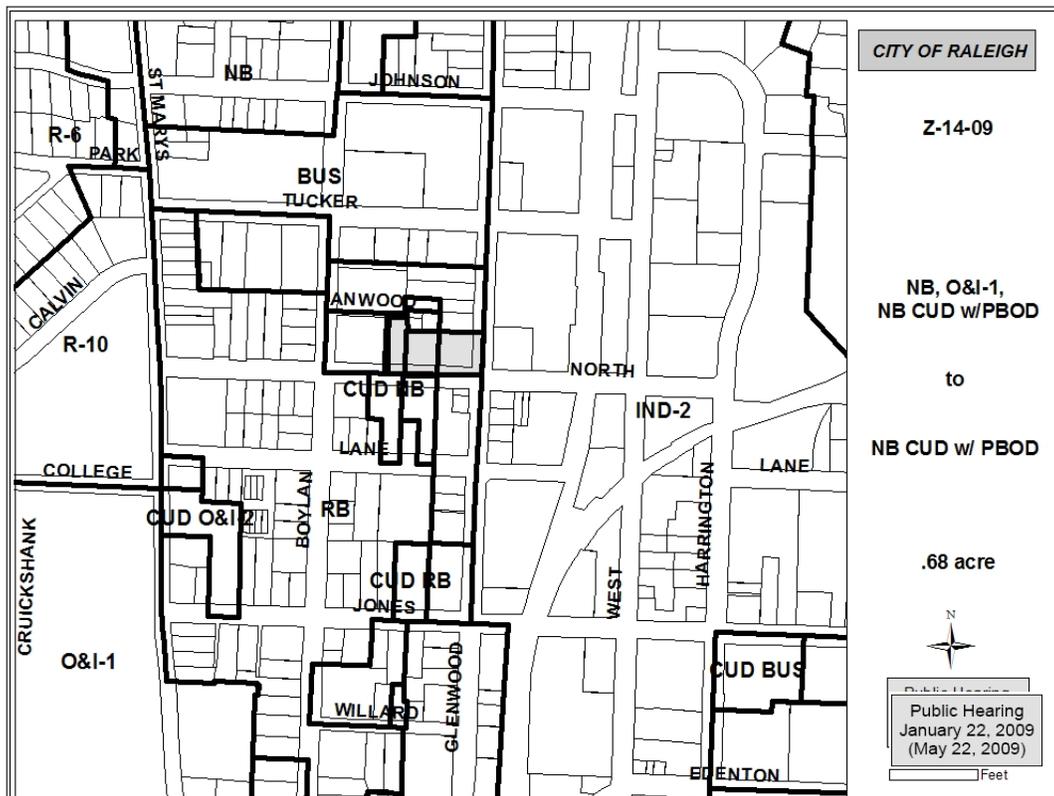
Planning District / CAC: University / Hillsborough

Request: Petition for Rezoning from **Neighborhood Business, Office & Institution-1, and Neighborhood Business Conditional Use District** (all with **Pedestrian Business Overlay District**) to **Neighborhood Business Conditional Use District with Pedestrian Business Overlay District**.

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

Valid Protest Petition (VSPP): None.

Recommendation: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated January 21, 2009.



CASE FILE: Z-14-09 Conditional Use

LOCATION: This site is located in the northwest quadrant of the intersection of Glenwood Avenue, and W. North Street.

REQUEST: This request is to rezone approximately 0.68 acre, currently zoned Neighborhood Business, Office & Institution-1, and Neighborhood Business Conditional Use District (all with Pedestrian Business Overlay District). The proposal is to rezone the property to Neighborhood Business Conditional Use District with Pedestrian Business Overlay District.

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

RECOMMENDATION: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated January 21, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is within the Downtown Regional Center, which designates the site as appropriate for intensive mixed uses.
 - (2) The request is compatible with existing land uses and development patterns in the adjacent area.
 - (3) The applicant has provided zoning conditions which prohibit uses and services less suited to the Pedestrian Business Overlay Districts in which the site is located, while permitting additional citizen input regarding future site development.
 - (4) Being consistent and compatible, and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.
-

To PC: 1/27/09
Case History:

To CC: 2/3/09 **City Council Status:** _____

Staff Coordinator: Doug Hill

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

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

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

date: _____ date: 1/29/09



Zoning Staff Report: Z-14-09 Conditional Use

LOCATION: This site is located in the northwest quadrant of the intersection of Glenwood Avenue, and W. North Street

AREA OF REQUEST: 0.68 acre

PROPERTY OWNER: Violet Meir

CONTACT PERSON: Joe Meir, (919) 783-9292, ext. 101

PLANNING COMMISSION RECOMMENDATION DEADLINE: May 22, 2009

ZONING: Current Zoning

Neighborhood Business, Office & Institution-1, and Neighborhood Business CUD

Current Overlay District

Pedestrian Business

Proposed Zoning

Neighborhood Business CUD

Proposed Overlay District

Pedestrian Business

ALLOWABLE DWELLING UNITS:

Current Zoning

w / Staff approval: 8 units
w / PC approval: 13 units

PBOD permits densities up to 320 units per acre subject to compliance with performance standards.

Proposed Zoning

6 units

PBOD permits densities up to 320 units per acre subject to compliance with performance standards.

ALLOWABLE OFFICE SQUARE FOOTAGE:

Current Zoning

NB: No maximum specified.
O&I-1 and NB CUD (which is conditioned to O&I-1): 15,291 square feet (0.75 FAR).

Proposed Zoning

No maximum specified.

ALLOWABLE RETAIL SQUARE FOOTAGE:

Current Zoning

NB: No maximum specified.
O&I-1 and NB CUD (which is conditioned to O&I-1): Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.

Proposed Zoning

No maximum specified.

**ALLOWABLE
GROUND SIGNS:**

Current Zoning

Proposed Zoning

Low Profile (as per the Peace and
Glenwood South streetscape plans)--
Area = 70 sq. ft., Height = 3.5 feet

Low Profile (as per the Peace and
Glenwood South streetscape plans)--
Area = 70 sq. ft., Height = 3.5 feet

ZONING HISTORY:

The portion of the site zoned O&I-1 has been so zoned since 1959 (Z-7-59).

The portion of the site zoned NB has been so zoned since 1965 (Z-36-65).

The two above areas are within the Glenwood South PBOD, and are thus subject to the Streetscape and Parking Plan effective January 31, 2000.

The parcel zoned NB CUD has been so zoned since 1997 (Z-29-97), under the following conditions:

1. The property shall be utilized only for accessory use parking and loading or utility service areas associated with buildings on parcels abutting the area proposed for rezoning and for uses allowed in the Office and Institution 1 District except those which are prohibited in the Neighborhood Business District.

2. Any dumpster placed upon tax parcels 1704.18 40 2761, 3721 and 3611 shall be screened from view from tax parcels 1704.18 40 1792, 2661 and 3661 in accordance with section 10-2082.8(a)(1) of the City Code. Any dumpster placed upon tax parcel 1704.18 40 3921 shall be screened from view from tax parcel 1704.18 40 2923 in accordance with section 10-2082.8(a)(1) of the City Code.

The NB CUD parcel is located within the Peace Street PBOD, and is thus subject to the revised Streetscape and Parking Plan effective March 15, 2005.

**SURROUNDING
ZONING:**

NORTH: NB w/ PBOD
SOUTH: NB w/ PBOD, NB CUD w/ PBOD: Z-29-1997 (crosses North Street from the portion of the subject site immediately to the north to include the parcel on the south side of the street), also Z-18-96, located immediately south the O&I-1 portion of the subject site, and zoned under the following conditions:

1. No building shall be located upon the property, which shall be utilized only for parking and service areas associated with the building or buildings upon adjoining parcels 1704.18-40-4587, 4681 and 4696.

2. Any dumpster placed upon the property shall be screened from view from parcels 1704.18-40-3661, 1704.18-40-3611 and 1704.18-40-3721.

EAST: IND-2
WEST: O&I-1

LAND USE:

East portion: office, surface parking; west parcel: parking/ service area

**SURROUNDING
LAND USE:**

NORTH: Restaurant, bar, surface parking
SOUTH: Restaurant/ bar, offices, retail, surface parking
EAST: Retail
WEST: Church building

**DESIGNATED
 HISTORIC
 RESOURCES:**

None on site. Nearby Raleigh Historic Landmarks: the Pine State Creamery building is within 70 feet; Tucker Carriage House, within 1,100 feet; Elmwood, within 1,300 feet; Cameron Park National Register Historic District, within 750 feet; Glenwood National Register Historic District, within 1,100 feet; St. Mary's School National Register Historic District, within 1,400 feet.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
 PLAN SUMMARY**

TABLE:

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

Element	Application to case
Planning District	University
Urban Form	East portion: Commercial Mixed Use; Central and west portions: Housing/ Mixed Use Infill
Specific Area Plan	Glenwood South Small Area Plan
Guidelines	East parcel: Glenwood South Streetscape and Parking Plan West parcel: Peace Street Streetscape and Parking Plan Entire site: Transit Oriented Development Guidelines, Office Use Floor Area Ratio and Building Lot Coverage Guidelines

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

This proposal is consistent with the Comprehensive Plan. The site is located within the Downtown Regional Center, which the Plan earmarks for "the most intense development in the city." The area is also designated for Transit-Oriented Development, toward creating "higher intensity, mixed use developments within walking distance (usually within 1/2 mile) from a [rail] transit stop."

The Transit Oriented Development Guidelines state that "The goal is to have a large, concentrated population which lives and/or works within the service area of the transit stop. Within walking distance of a transit stop (1/4 to 1/2 mile) should be high intensity multiple land uses or high density residential uses or both. A mix of uses near the transit stop minimizes the need to travel outside of the immediate area. All TODs consist of a mix of several land uses... The housing within TODs will be built at medium to high densities so that the maximum number of people can walk to the commercial center and transit stop. The highest intensities of development are therefore to be the closest to the transit station."

The site is located within 850 feet (approx. 1/7 mile) of the proposed State Government Transit Station. The Plan notes that the areas near this station and that downtown are expected to "accommodate increased densities and more intense patterns of development than other Station Areas," and states that the State Government Station "includes the Glenwood Avenue Corridor." It

concludes that “the State Government Center Station Area has the capacity to attract new or improved residential and/or commercial development. In recent years, the state government area has undergone significant revitalization and redevelopment, particularly along the Glenwood South corridor immediately to the west.”

The proposed rezoning is consistent with these concepts and provisions.

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

Existing on-site and adjacent buildings are of heights which are less than the maximums provided by the streetscape plans, and generally are less than those permitted under existing zoning. The nearby 222 Glenwood (7 stories) and 510 Glenwood (6 stories) buildings exemplify more recent development. 630 North, a 10-story building has been approved (as SP-62-06) for the property immediately adjacent on the west. The development trend has been toward mixed-use, as would be permitted by the proposed zoning.

3. Public benefits of the proposed rezoning

The proposal would bring consistent zoning and zoning conditions to the full site, permitting unified redevelopment and opportunity for more intensive retail uses (which are restricted within the current O&I zoning), in accordance with the intentions of the PBODs. If the present O&I-1 zoning were proposed today, it would likely be viewed inconsistent with the Comprehensive Plan.

4. Detriments of the proposed rezoning

Traffic impacts could increase from higher density/ intensity of use.

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

TRANSPORTATION: Glenwood Avenue (2007 ADT - 7,800) is classified as a major thoroughfare and exists as a four lane undivided street with on street parking. Glenwood Avenue is constructed with a 45-foot back-to-back curb and gutter cross-section with sidewalks on both sides within a 66-foot right-of-way. This segment of Glenwood Avenue is within the Glenwood South pedestrian business overlay district which typically requires the installation of 14-18 foot sidewalks. North Street is classified as a minor thoroughfare and exists as a two-lane road with on street parking with a 41-foot back-to-back curb and gutter section with sidewalks on both sides within a 70-foot right-of-way. Neither NCDOT nor the City have any projects scheduled on any of these roadways in the vicinity of this case.

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

HYDROLOGY: FLOODPLAIN: None.
DRAINAGE BASIN: Pigeon House
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations. No Buffer. No WSPOD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>4,250</u> gpd	Approx. <u>4,250</u> gpd
Waste Water	Approx. <u>4,250</u> gpd	Approx. <u>4,250</u> gpd

The proposed rezoning would not impact the City's wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case's boundary.

PARKS AND RECREATION:

This property is not adjacent to any greenway corridors. This proposal does not increase the possible number of residents therefore there is no impact upon existing park facilities.

WAKE COUNTY PUBLIC SCHOOLS:

The maximum number of dwelling units permitted by right under the current zoning is 13; the proposed rezoning could permit 8. This would result in an estimated net decrease in school enrollment of 2. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	385	100.0%
Daniels	1,162	101.5%	1,161	101.4%
Broughton	2,174	106.3%	2,174	106.3%

It should be noted, however, that with City Council approval, up to 320 residential units per acre can be permitted within the PBOD; the maximum units then permitted on site would be 217. This could result in an estimated increase in school enrollment of 58. The base school figures could be affected as indicated below:

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	414	107.5%
Daniels	1,162	101.5%	1,179	103.0%
Broughton	2,174	106.3%	2,186	106.9%

Maximum build out could thus have a marked impact on already overcrowded base schools.

IMPACTS SUMMARY: Approval of the maximum number of residential units could bring 58 new students to already overcrowded base schools.

OPTIONAL ITEMS OF DISCUSSION

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

N/A

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

The applicant notes that under the present split zoning and zoning conditions "the character of the area is no longer best served." Staff concurs.

**APPEARANCE
COMMISSION:**

This request is subject to Appearance Commission review (January 6:
Development Review Committee; January 15: full commission).

**CITIZENS'
ADVISORY COUNCIL:**

DISTRICT: Hillsborough
CAC CONTACT PERSON: Ana Pardo, 818-5933

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

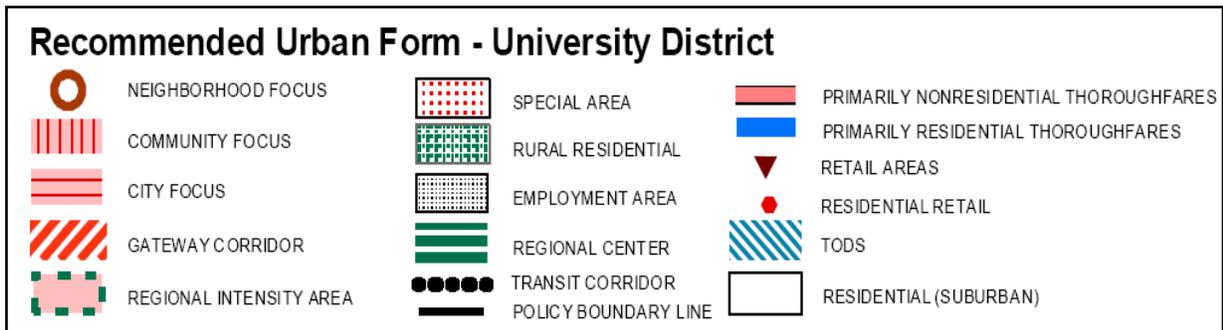
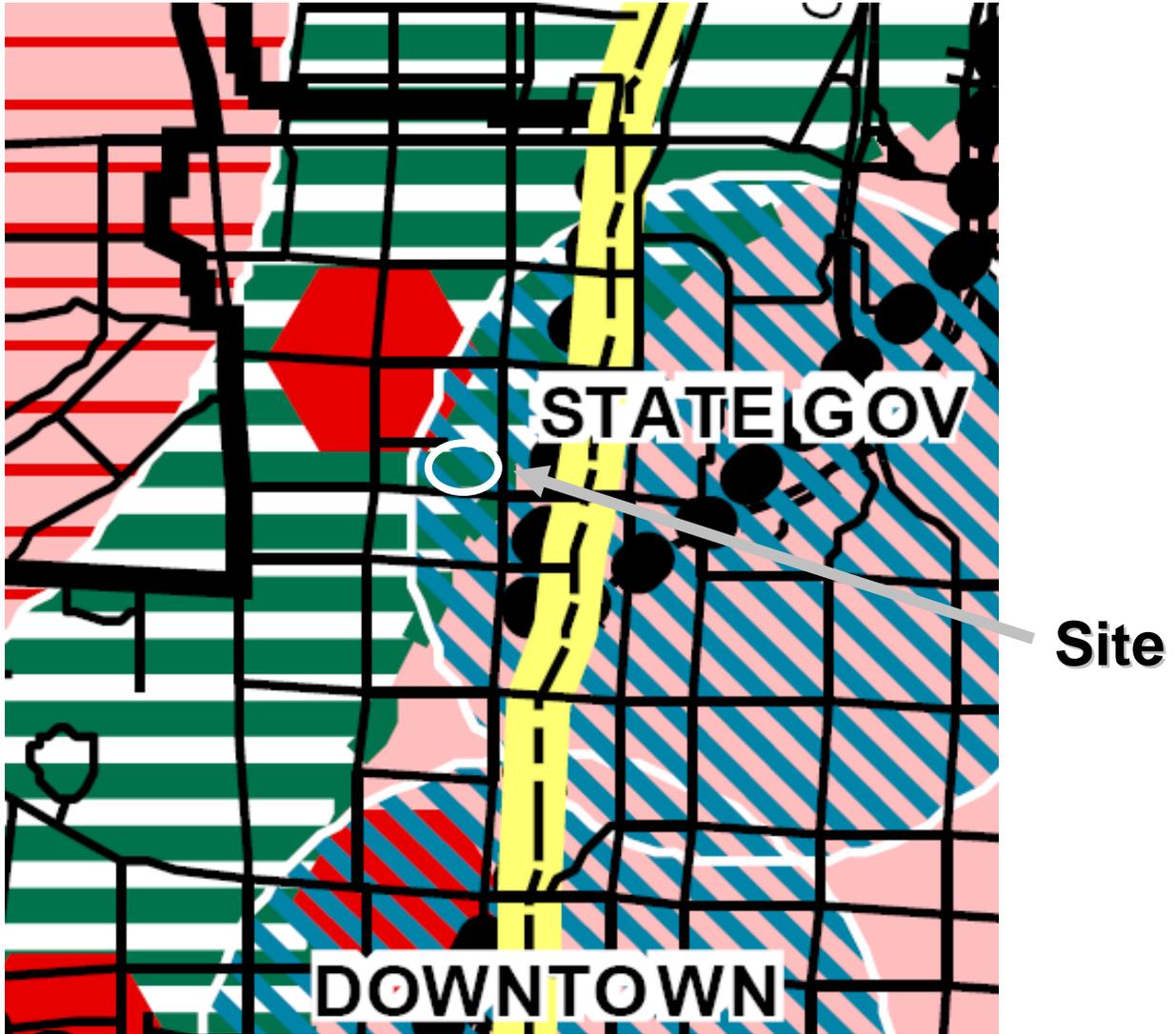
1. Outstanding issues

None.

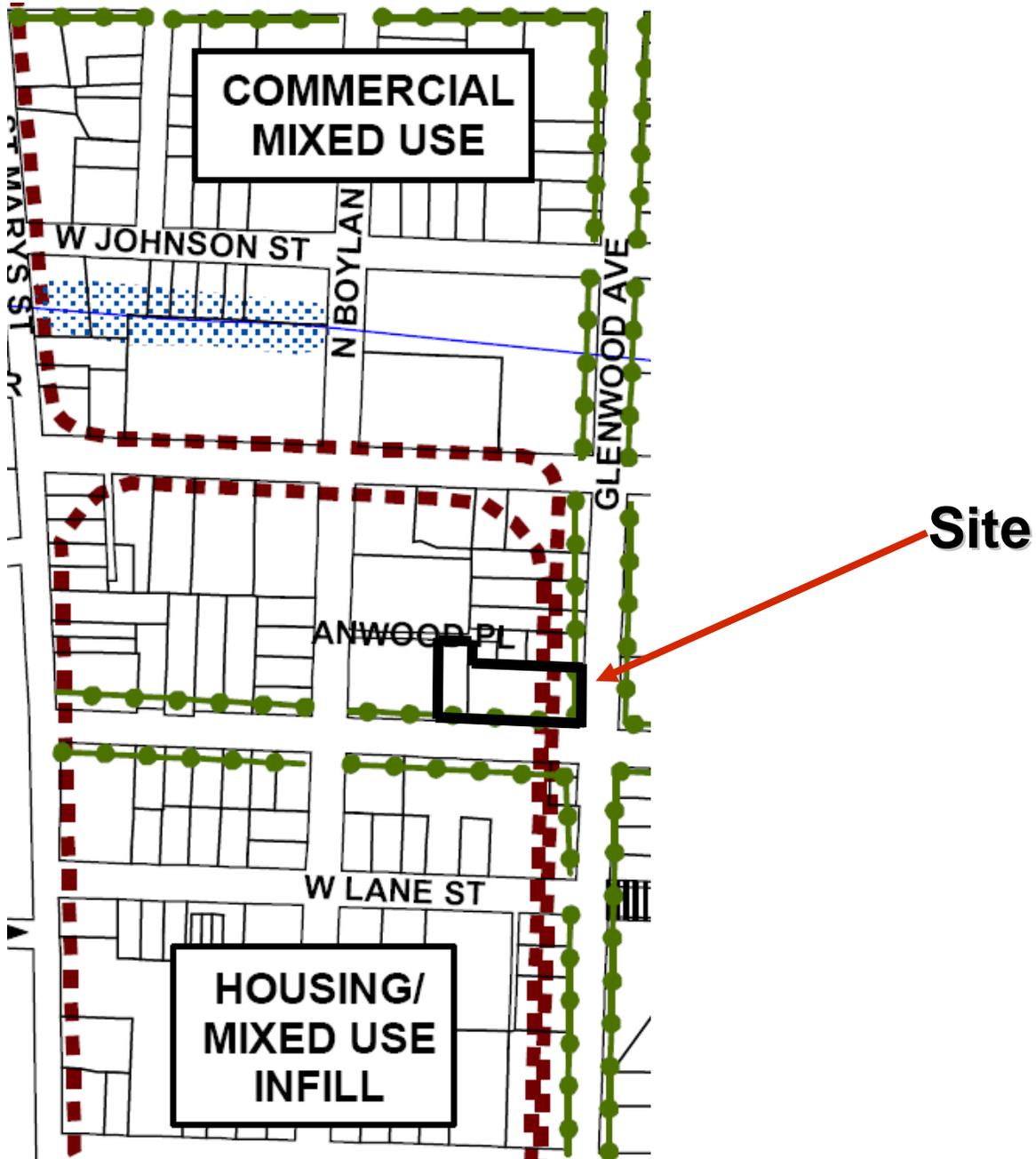
2. Suggested conditions

None.

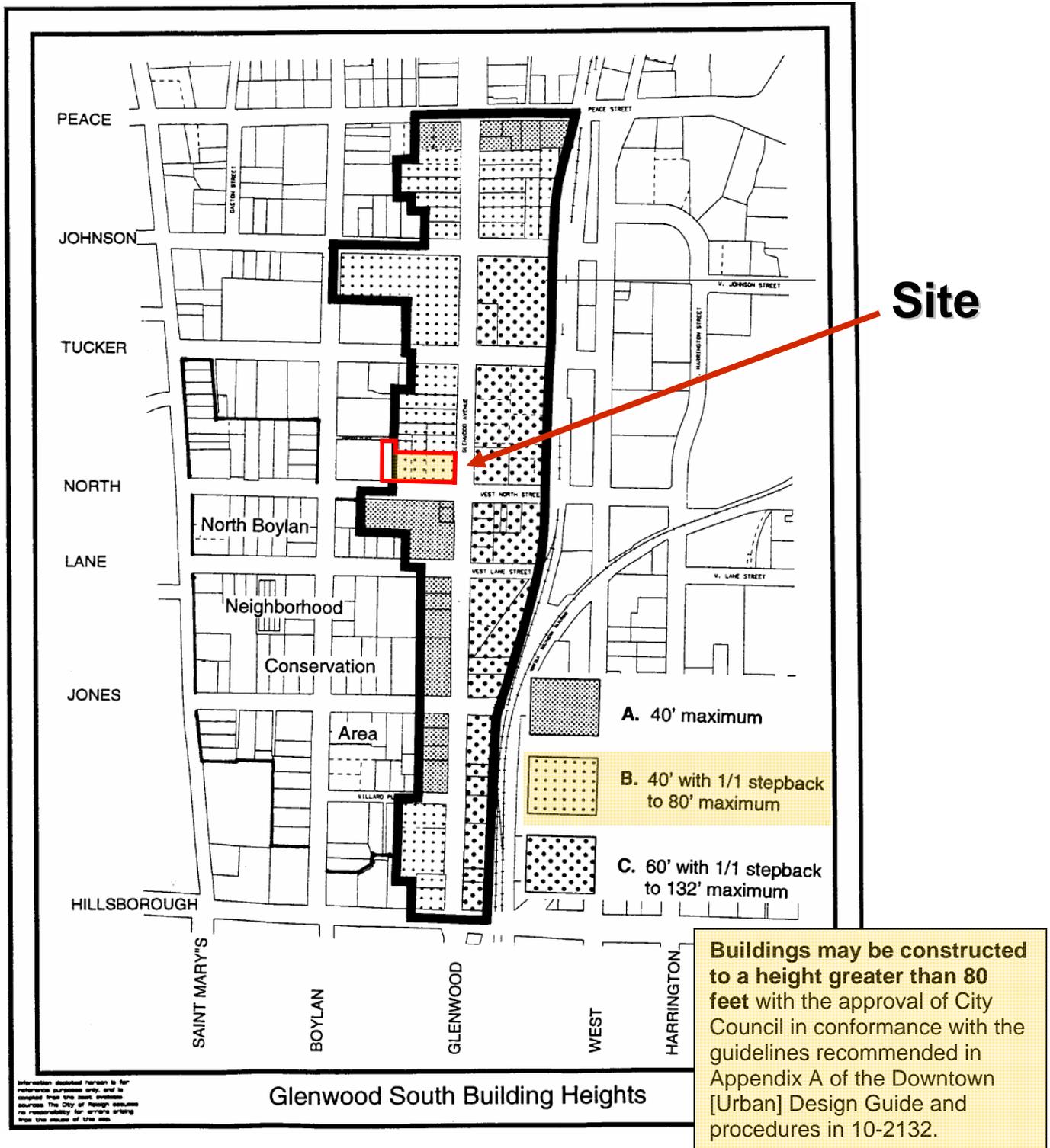
Urban Form— University District Plan



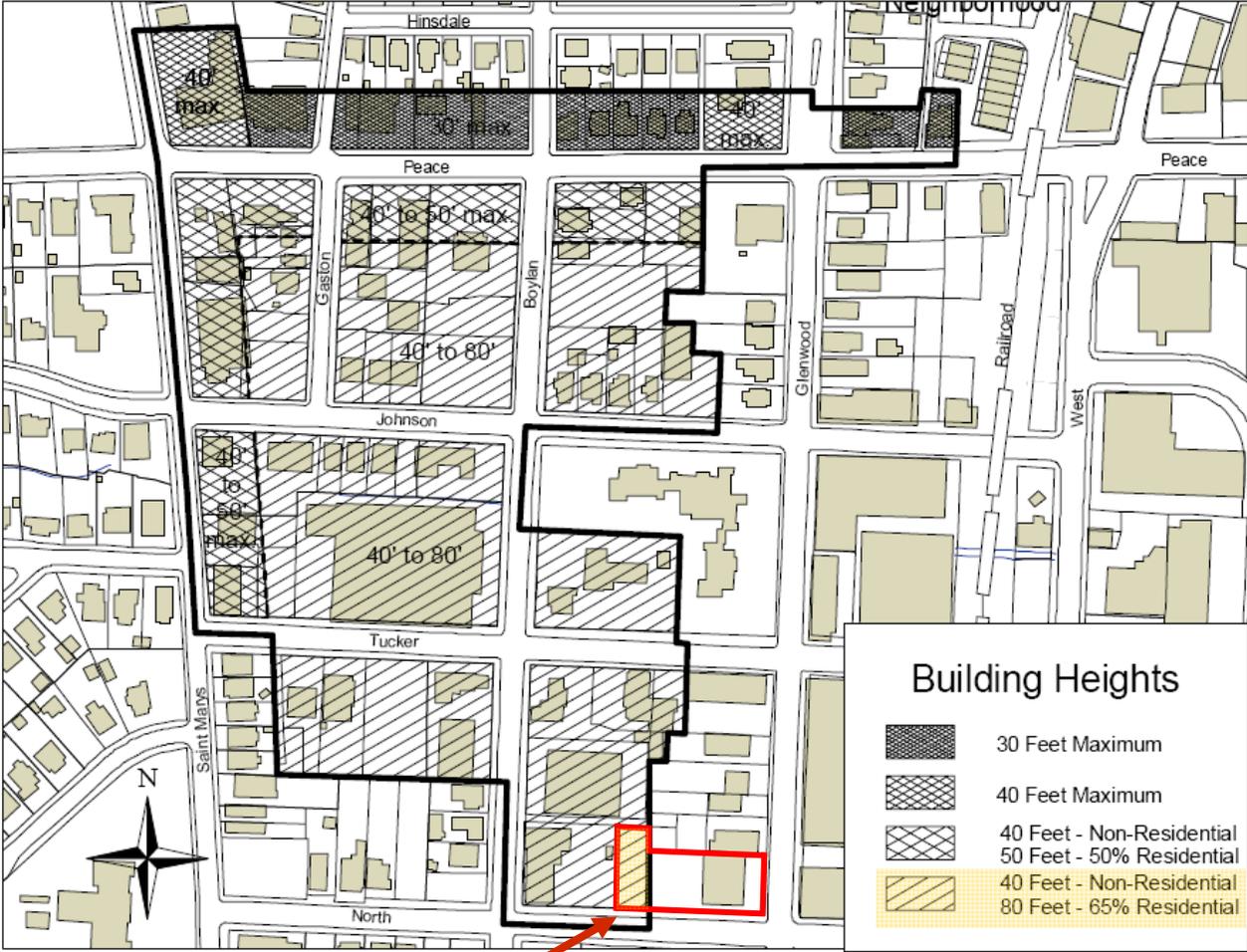
Urban Form— Glenwood South Small Area Plan



Height Guidelines— Glenwood South Streetscape Plan



Height Guidelines— Peace Street Streetscape Plan



Site

Additional height to a **maximum of 120 feet** may be considered by City Council when the site and building design is found to conform to the guidelines in Appendix A of the Downtown Urban Design Guide and the procedures described in 102132.2(d). The additional height must include a one foot building stepback for every two feet in height above 60 feet. This stepback may be inclusive of any setback from the building setback line and must include a minimum stepback of at least 10 feet.