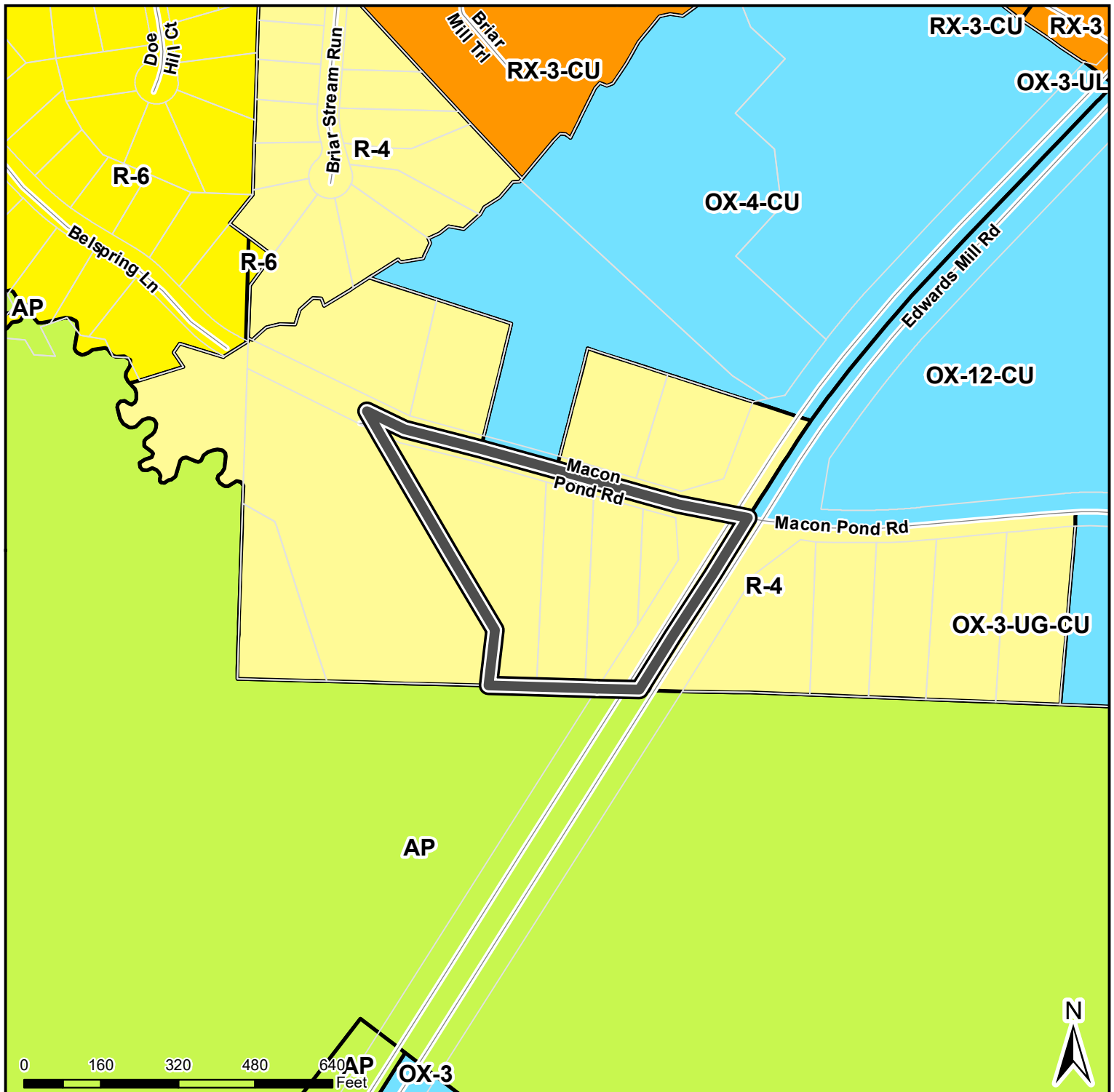
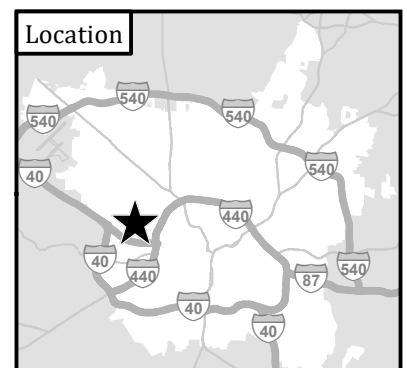


# Existing Zoning

# Z-14-2020



<b>Property</b>	4221, 4225, 4229, & 4237 Macon Pond Rd
<b>Size</b>	3.95 acres
<b>Existing Zoning</b>	R-4
<b>Requested Zoning</b>	OX-5-CU





Raleigh

## MEMO

TO: Ruffin Hall, City Manager

THRU: Ken Bowers, AICP, Deputy Director

FROM: Hannah Reckhow, Senior Planner

DEPARTMENT: Planning and Development

DATE: October 14, 2020

**SUBJECT: City Council agenda item for November 4, 2020 – Z-14-20**

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On October 6, 2020, City Council authorized the public hearing for the following item:

**Z-14-20: 0, 4225, 4229, 4237 Macon Pond Road**, approximately 4.32 acres located at [0, 4225, 4229, 4237 Macon Pond Road](#).

Signed zoning conditions provided on September 28, 2020 would prohibit dormitory, sorority, and fraternity; boardinghouse; outdoor sports or entertainment facilities; hospitality house; and bed and breakfast. Conditions would also limit office development to 130,000 square feet of gross floor area, limit retail and/or restaurant development to 5,000 square feet of gross floor area, and limit residential uses to 4 dwelling units per acre. Conditions would also offer a transit easement along Edwards Mill Road, limit height to 62 feet on a western portion of the site, specify all dumpsters shall be located at least 250 feet from the centerline of Macon Pond Road, specify additional evergreen plantings at least 12 feet in height and no more than 10 feet apart along any parking deck within 20 feet of Macon Pond Road, and specify any lighting atop a parking structure shall be full cutoff and no more than 15 feet in height.

**Current zoning:** Residential-4 (R-4)

**Requested zoning:** Office Mixed Use – 5 stories – Conditional Use (OX-5-CU)

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

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

The Planning Commission recommends approval of the request (9 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), 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)



# RALEIGH PLANNING COMMISSION

## CERTIFIED RECOMMENDATION

CR# 12036

### CASE INFORMATION: Z-14-20 MACON POND ROAD

Location	Southwest portion of the intersection of Macon Pond Road and Edwards Mill Road  Address: 0, 4225, 4229, 4237 Macon Pond Road  PINs: 0785534453, 0785533365, 0785532355, 0785531412  <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
Current Zoning	R-4
Requested Zoning	OX-5-CU
Area of Request	4.32 acres
Corporate Limits	The site is outside and adjacent to Raleigh corporate limits. The site is inside Raleigh ETJ.
Property Owner	Nick Ray Harrison Heirs, Guy M Watkins Revocable Trust, Jane and William Harrison, Lloyd Harrison
Applicant	Isabel Mattox
Council District	District D
PC Recommendation Deadline	November 23, 2020

### SUMMARY OF PROPOSED CONDITIONS

1. The following uses are prohibited: Dormitory, sorority, or fraternity living; Boardinghouse; Outdoor sports or entertainment facilities; Hospitality house; Bed and breakfast.
2. Office development shall not exceed 130,000 square feet gross floor area.
3. Residential density shall not exceed 4 dwelling units per acre.
4. Retail and/or restaurant development shall not exceed 5,000 square feet gross floor area.
5. A 15' x 20' transit easement along Edwards Mill Road shall be provided to the City. An ADA-accessible transit shelter shall be completed prior to the issuance of any certificate of occupancy for the property, including cement pad, cement landing zone, a sleeve for installation of a post, a bench, and a litter container.
6. Building height shall be limited 62 feet on the western side of the "Height Limit Line" as shown on Exhibit A. On the eastern side of the Height Limit line, building height shall be limited to 75 feet.
7. All dumpsters shall be located at least 250 feet from the centerline of Macon Pond Road.

8. In addition to required street trees along Macon Pond Road, supplemental evergreen plantings with a minimum height of 12 feet shall be installed a maximum of 10 feet apart along the face of any parking deck within 20 feet of Macon Pond Road.
9. Lighting on any parking structure shall be full cutoff and no more than 15 feet in height.

### COMPREHENSIVE PLAN GUIDANCE

<b>Future Land Use</b>	Medium Density Residential
<b>Urban Form</b>	None
<b>Consistent Policies</b>	Policy LU 2.2 Compact Development Policy LU 3.2 Location of Growth Policy LU 5.6 Buffering Requirements Policy T 4.4 Right-of-way Reservation for Transit Policy H 1.1 Zoning for Housing
<b>Inconsistent Policies</b>	Policy LU 1.2 Future Land Use Map and Zoning Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy T 2.10 Level of Service

### FUTURE LAND USE MAP CONSISTENCY

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

### COMPREHENSIVE PLAN CONSISTENCY

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



## PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
3/4/20; 6 attendees	8/13/20; 9 attendees	8/25/20; 9/22/20	10/6/20

## PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request is consistent with certain Comprehensive Plan policies, is compatible with the surrounding area, is the appropriate location for growth, and contains conditions that mitigation impacts to adjacent areas.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcels only from Medium Density Residential to Office & Residential Mixed Use.
Recommendation	The Planning Commission recommends approval of Z-14-20.
Motion and Vote	Motion: O'Haver Second: Hicks In Favor: Bennett, Fox, Hicks, Lampman, Mann, McIntosh, O'Haver, Tomasulo and Winters
Reason for Opposed Vote(s)	N/A

## ATTACHMENTS

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

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



Ken A. Bowers, AICP  
Planning and Development Deputy Director

Date: September 22, 2020

Staff Coordinator: Hannah Reckhow: (919) 996-2622; [Hannah.Reckhow@raleighnc.gov](mailto:Hannah.Reckhow@raleighnc.gov)



# ZONING STAFF REPORT – CASE Z-14-20

## Conditional Use District

### OVERVIEW

The request is to rezone approximately 4.32 acres from Residential – 4 (R-4) to Office Mixed-Use – 5 stories – Conditional Use (OX-5-CU). Proposed conditions would prohibit some uses, limit office use to 130,000 square feet, limit retail or restaurant use to 5,000 square feet, limit all residential density to 4 units per acre. The proposed conditions would also offer a transit easement to the City for a bus stop along Edwards Mill Road, limit height to 62 feet on western portion of site and 75 feet on eastern portion of site, specify dumpsters must be located at least 250 feet from the Macon Pond Road centerline, require additional evergreen plantings along any parking deck within 20 feet of Macon Pond Road, and specify lighting on any parking structure must be full cutoff and no more than 15 feet in height.

The rezoning site is four parcels – 0, 4225, 4229, 4237 Macon Pond Road – located west of the intersection of Macon Pond Road and Edwards Mill Road. A detached house is located on one of the subject parcels, and the other three parcels are undeveloped and forested. Properties to the north across Macon Pond Road and south on Edwards Mill Road are also undeveloped and forested. The property directly west of the site contains a pond. A single-family neighborhood is located farther west of the site, and is currently not accessed via Macon Pond Road, which ends at the western point of the rezoning site. Additional right-of-way for Macon Pond Road is dedicated and aligns with, but does not connect to, Belspring Lane, which serves this neighborhood.

Properties to the north, west, and east are zoned mostly R-4. Farther north and northeast across the intersection with Edwards Mill Road, properties are zoned OX-4-CU and OX-12-CU districts. Text change request TCZ-6-19 is located at the northeast corner of the intersection of Macon Pond Road and Edwards Mill Road. South of the rezoning site is a State-owned property, including the Carl Alwin Schenck Memorial Forest, which is zoned Agriculture Productive (AP).

The requested district OX-5-CU would increase the maximum building height from three stories to five stories. Under Raleigh's UDO, a five story building is limited to a maximum of 75 feet, but a proposed zoning condition would limit the height on the western portion of the site to 62 feet. This is the maximum height associated with a four story zoning district.

The requested district would allow commercial uses not permitted in R-4, including retail, if incorporated into a multitenant building, and stand-alone office. The proposed conditions would limit to these uses, specifically 130,000 square feet of office and 5,000 square feet of retail and restaurant use. The requested district would also increase the potential diversity of housing types that could be built on the site. In the current district R-4, only detached houses are permitted. The proposed conditions would limit residential uses to 4 units per acre but would permit additional housing types not permitted in R-4.

The request also includes a condition offering a transit easement along Edwards Mill Road. The UDO contains standards for provision of transit infrastructure, and development under the proposed zoning district may trigger these standards. However, it is also possible that future development will be exempt from this requirement for proximity to the stop located approximately 700 feet north of the intersection with Macon Pond Road. This condition would require a transit easement be offered regardless of trip generation of a future site plan or proximity of bus stops along Edwards Mill Road.

The rezoning site is designated as Medium Density Residential on the Future Land Use Map. This is the same designation as several properties to the north. Farther north, areas are designated Institutional. Property east of Edwards Mill Road is designated Office & Residential Mixed Use. South of the rezoning site is designated as Public Facilities.

Medium Density Residential envisions residential uses such as garden apartments, townhomes, and suburban style apartments, with only small-scale commercial in some instances. The requested district OX-5-CU would allow standalone commercial uses such as office at a height beyond what the Comprehensive Plan recommends. As a result, the request is inconsistent with the Future Land Use Map. Approval of this request would amend the Future Land Use Map from Medium Density Residential to Office & Residential Mixed Use.

There is no Urban Form guidance for the rezoning site, but properties on the east side of Edwards Mill Road are part of a large City Growth Center that extends south past Wade Avenue to Western Boulevard.

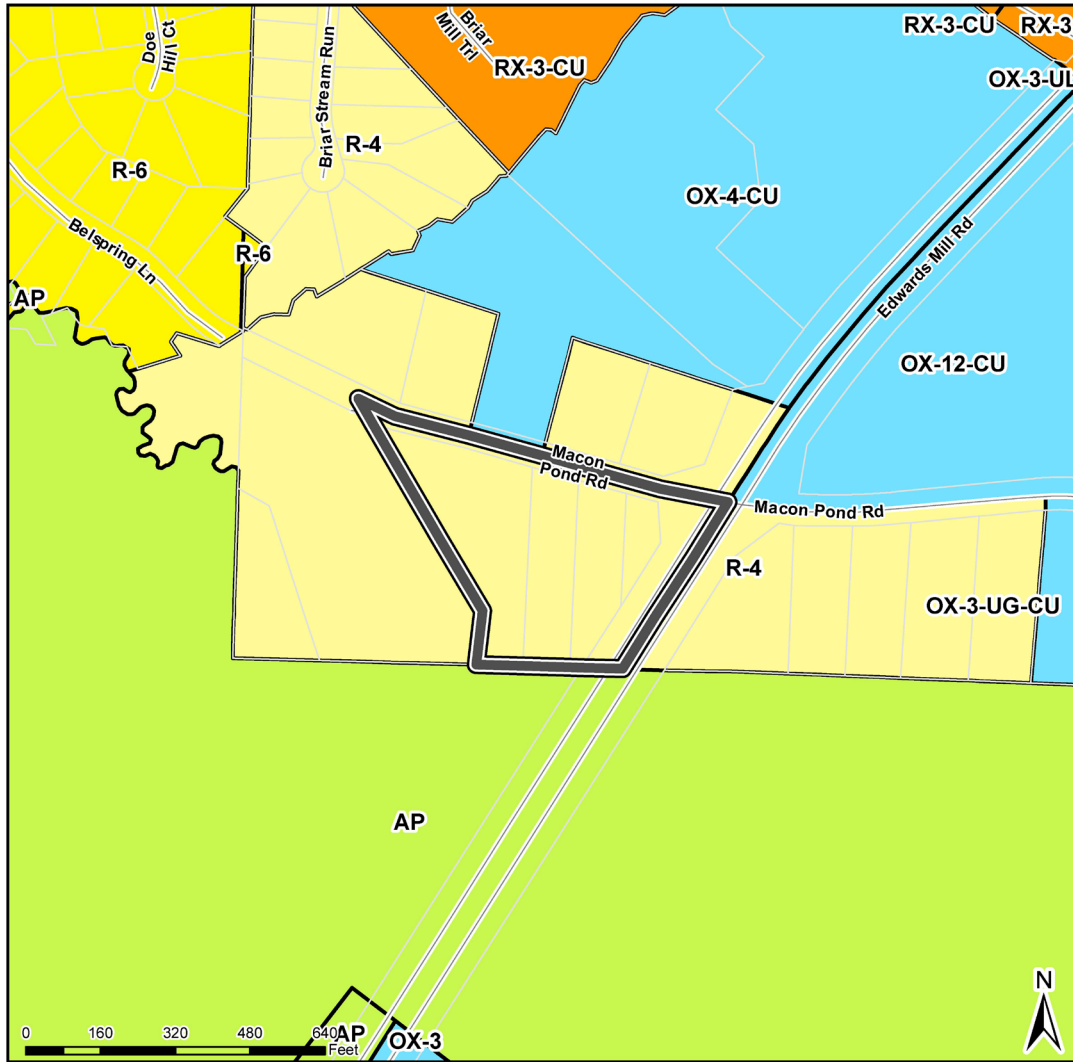
**Update for September 22, 2020:** Since Z-14-20 was last discussed on August 25, the applicant has submitted revised conditions. These include limits on building height on the western portion of the site, specifying location of dumpsters, additional evergreen plantings buffering a parking deck along Macon Pond Road, and specifying full cutoff design and maximum height of lighting on any parking structure. These policies provide additional buffering and make the request consistent with Policy LU 5.6 Buffering Requirements. However, the request is still inconsistent with the Future Land Use Map and inconsistent overall with the 2030 Comprehensive Plan.

## OUTSTANDING ISSUES

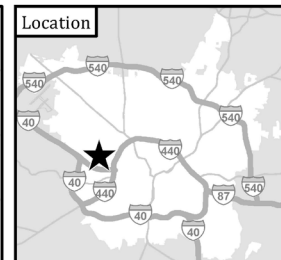
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
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# Existing Zoning

Z-14-2020



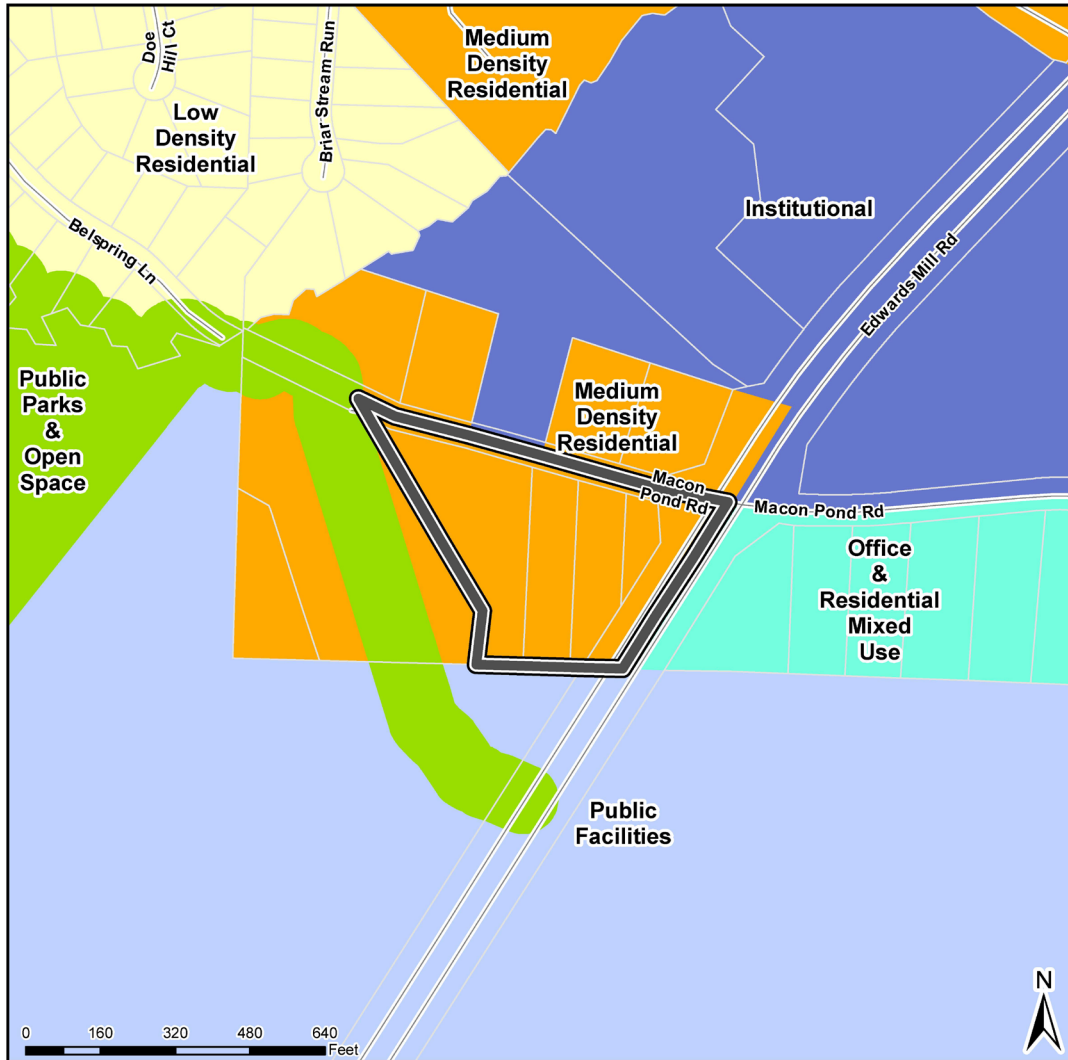
<b>Property</b>	4221, 4225, 4229, & 4237 Macon Pond Rd
<b>Size</b>	4.32 acres
<b>Existing Zoning</b>	R-4
<b>Requested Zoning</b>	OX-5-CU



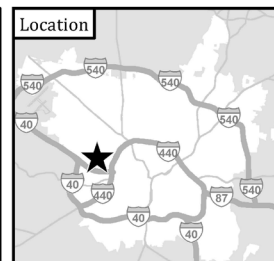
Map by Raleigh Department of City Planning (mansolf): 4/1/2020

# Future Land Use

Z-14-2020



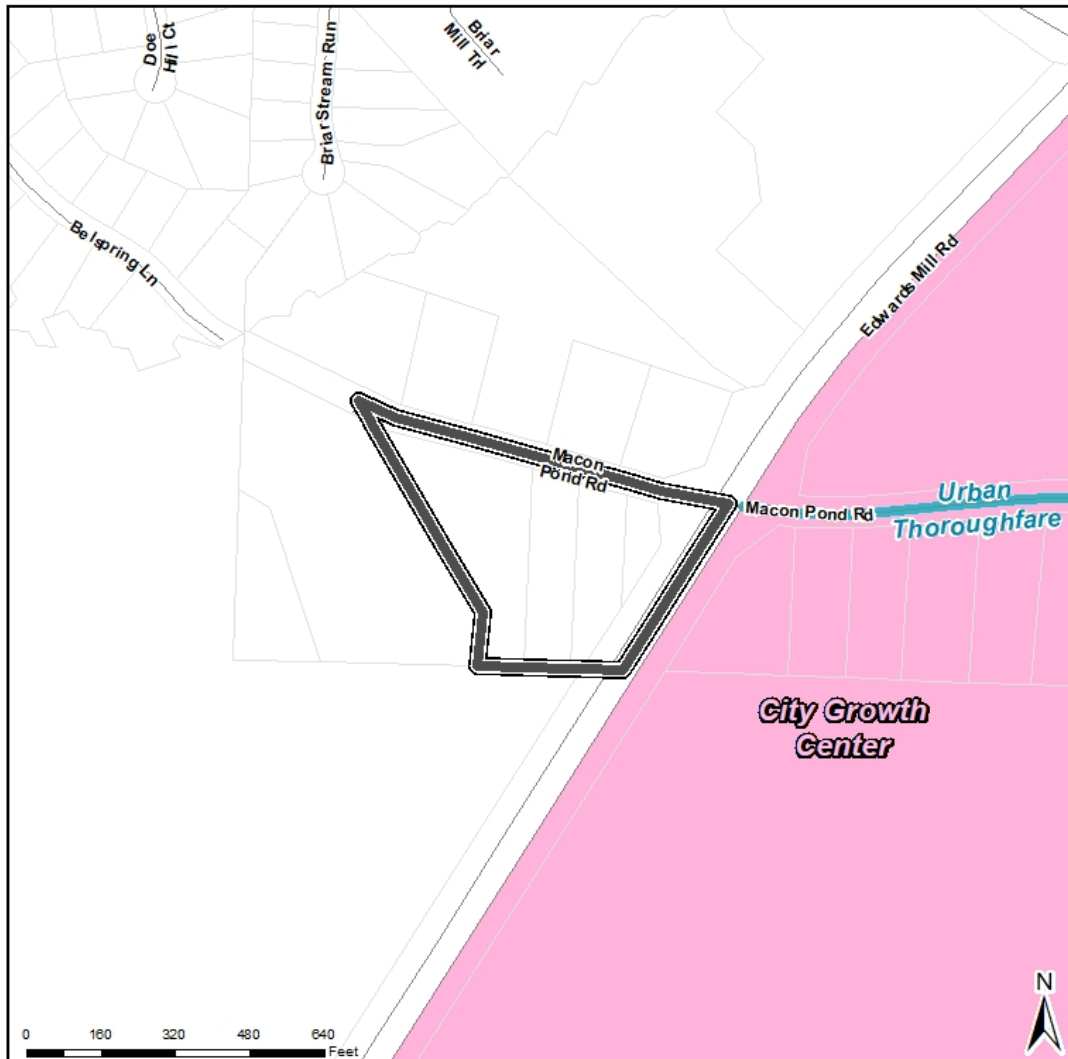
<b>Property</b>	4221, 4225, 4229, & 4237 Macon Pond Rd
<b>Size</b>	4.32 acres
<b>Existing Zoning</b>	R-4
<b>Requested Zoning</b>	OX-5-CU



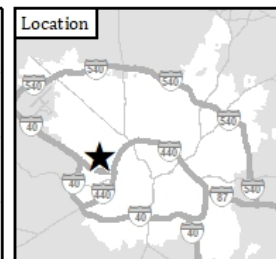
Map by Raleigh Department of City Planning (mansolf): 4/1/2020

# Urban Form

Z-14-2020



<b>Property</b>	4221, 4225, 4229, & 4237 Macon Pond Rd
<b>Size</b>	3.95 acres
<b>Existing Zoning</b>	R-4
<b>Requested Zoning</b>	OX-5-CU



Map by Raleigh Department of City Planning (mansdf): 4/1/2020

# 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 vision theme of *Managing Our Growth*, as the request would facilitate development in a 'donut hole' of unincorporated land. However, the request is inconsistent with the Future Land Use Map and relevant policies in the 2030 Comprehensive Plan. In addition, the request would increase entitlement and potentially have significant traffic impacts on a dead-end road with limited connectivity.

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

No, the uses permitted in OX- include those not designated on the Future Land Use Map. Medium Density Residential recommends only residential uses, and the requested district would permit office and other commercial uses.

- 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?

Yes, the surrounding area is largely undeveloped land and existing office and medical uses. The proposed use could be established without adversely altering the character of the area.

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

While Edwards Mill Road appears able to serve the proposed use, Macon Pond Road would need to be upgraded to meet City standards. In addition, according to the results of the TIA, street infrastructure may not be sufficient to fully build out the office entitlement for the site. In this scenario, UDO Section 8.2.2.E will be in effect, meaning that build out of the site may be limited to less than the zoning entitlement might otherwise allow, unless a traffic mitigation plan is submitted and approved by the Transportation Director.



## Future Land Use

**Future Land Use designation:** Medium Density Residential

**The rezoning request is**

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

☒ **Inconsistent**

The rezoning site designation of Medium Density Residential recommends only residential uses, and the requested district OX-5-CU would permit stand-alone commercial uses not envisioned for the area.

## Urban Form

**Urban Form designation:** None

**The rezoning request is**

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

☐ **Inconsistent**

☒ **Other**

No Urban Form guidance exists for the rezoning site.

## Compatibility

**The proposed rezoning is**

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

☐ **Incompatible.**

The larger surrounding area includes undeveloped parcels, a few single-unit residential uses, and medical and office uses. The requested district would be compatible with the surrounding area because it would permit similar office and medical uses.

## Public Benefits of the Proposed Rezoning

- The request would add office and medical entitlement near an existing medical employment center.
- The request would include residential and commercial entitlement along a major transportation corridor Edwards Mill Road.

## Detriments of the Proposed Rezoning

- The request would increase development entitlement along a currently dead-end road with limited connectivity, potentially lowering traffic level of service below UDO standards for acceptable traffic volumes.

## Policy Guidance

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

---

### **Policy LU 2.2 Compact Development**

*New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-continuous development.*

- The request would increase entitlement along a major transportation corridor (Edwards Mill Road). This would include increase height limits from 3 stories to 5 stories, permit additional residential building types beyond detached house, and permitting non-residential uses.

### **Policy LU 3.2 Location of Growth**

*The development of vacant properties should occur within the city's limits, then within the city's planning jurisdiction, and lastly within the city's USAs to provide for more compact and orderly growth, including provision of conservation areas.*

- The request would facilitate development inside Raleigh's extraterritorial jurisdiction, inside a "donut hole" of unincorporated area. Annexation and connection to City services would likely be required to support the density allowed in requested district.

### **Policy LU 5.6 Buffering Requirements**

*New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zoned, fencing, screening, height and/or density step downs, and other architectural and site planning measure that avoid potential conflicts.*

- The proposed zoning conditions include buffering to the residentially zoned areas to the west beyond what is required by the UDO. These include evergreen plantings along a parking deck near Macon Pond Road, full cutoff light fixtures, and a step down in building height away from Edwards Mill Road.

**Policy T 4.4 Right-of-way Reservation for Transit**

*Preserve right-of-way for future transit and require that new development and redevelopment provide transit easements for planned alignments, rail stations, and bus stops within existing and planned transit corridors as identified in the Wake County Transit Plan.*

- Under the UDO, the requested entitlement would trigger provision of transit infrastructure along Edwards Mill Road. However, depending on the timing of future development with the implementation of the Wake Transit Plan, the current spacing of existing stops may exempt future development from this requirement. The proposed condition offering a transit easement to the City allows flexibility and helps ensure proximity to a transit stop in this area.

**Policy H 1.1 Zoning for Housing**

*Accommodate growth in newly developing or redeveloping areas of the city through mixed-use neighborhoods with a variety of housing types.*

- The current zoning district R-4 permits only the detached housing type. While the proposed zoning conditions would not increase the total number of housing units, they would permit additional housing types.

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

---

**LU 1.2 Future Land Use Map and Zoning**

*The Future Land Use Map and associated Comprehensive Plan policies shall be used to guide zoning, ensure the efficient and predictable use of land capacity, guide growth and development, protect public and private property investments from incompatible land uses, and efficiently coordinate land use and infrastructure needs.*

- The rezoning site is designated as Medium Density Residential of the Future Land Use Map, which envisions only residential uses. The requested district would permit standalone non-residential uses such as office not envisioned in this designation.

**Policy LU 1.3 Conditional Use District Consistency**

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

- The proposed conditions include limits to nonresidential entitlement that are inconsistent with the Future Land Use Map recommendation that there be only residential uses on the site.

**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 requested district OX-5-CU would potentially increase traffic so that level of service is reduced below the UDO standard for acceptable traffic volumes. The traffic impact analysis identified additions and adjustments to site driveways and the intersection of Macon Pond Road and Edwards Mill Road that would partially mitigate increases in traffic resulting from the requested zoning.

**Policy T 2.10 Level of Service**

*Maintain level of service (LOS) "E" or better on all roadways and for overall intersection operation at all times, including peak travel times, unless maintaining this LOW would be infeasible and/or conflict with the achievement of other goals.*

- Per the Traffic Impact Analysis determination, the requested entitlement may result in a level of service below "E" at the intersection of Edwards Mill Road and Macon Pond Road. In this scenario, UDO Section 8.2.2.E will be in effect, meaning that build out of the site may be limited unless a traffic mitigation plan is provided.

**Area Plan Policy Guidance**

The is no area specific guidance for the rezoning site. The site is adjacent to the Arena Blue Ridge small area plan.

# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	27	Lower than city-wide average.
Walk Score	30	40	Higher than city-wide average.

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

**Summary:** The rezoning site has a much higher walk score than the city-wide average. This reflects the proximity to destinations at the intersection of Edwards Mill Rd and Duraleigh Rd. The transit score is just below the city-wide average. There is bus service to Edwards Mill Road, and the nearest bus stop is approximately 900 feet to the north.

## Carbon/Energy Footprint: Housing

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

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

**Summary:** The requested district would permit a variety of housing types not currently permitted in R-4, including more energy efficient multi-unit housing types.

## Housing Supply and Affordability

Does it add/subtract from the housing supply?	No	
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	

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

**Summary:** The requested district would permit a variety of housing types beyond detached houses. The site is located within walking distance of a transit stop. However, the request does not include any subsidized units and would not increase the total number of housing units.

# IMPACT ANALYSIS

## Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

**Impact Identified:** None

## Parks and Recreation

1. The site contains the Crabtree Creek Richland Creek Trib A greenway corridor. At the time of a subdivision or site plan, the corridor will require the dedication of a 75-foot wide greenway easement, measured from waterbody top of bank, along the entire length of the water body within the property boundary (UDO Sec. 8.6.1.B).
2. Nearest existing park access is provided by Laurel Hills Park (1 mile) and Glen Eden Pilot Park (1.9 miles).
3. Nearest existing greenway trail access is provided by Reedy Creek Greenway Trail (0.5 miles).
4. Current park access level of service in this area is graded a B letter grade.

**Impact Identified:** None

## Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	2,750	2,750	30,000
Waste Water	2,750	2,750	30,000

**Impact Identified:**

1. The proposed rezoning would add approximately 27,250 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.

3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

## Stormwater

Floodplain	None
Drainage Basin	Richland
Stormwater Management	UDO 9.2
Overlay District	None

**Impact Identified:** None

## Transit

The Z-14-20 site is currently served by GoRaleigh route 26. The nearest current southbound stop is approximately 900 feet north of site. This stop does not have a shelter.

Based on the Envision results, development of this site is likely to trigger the requirements of UDO Section 8.11.2.A for the provision of transit infrastructure. However, due to the distance to the existing stop, UDO Section 8.11.2.B may eliminate the code requirement to provide transit infrastructure.

Transit works best when it serves locations where it is safe and direct to cross the street. Due to this site's location at the intersection of Macon Pond Road and Edwards Mill Road, an offer of a transit easement would be beneficial to transit access and would be consistent with Comprehensive Plan policies regarding transit infrastructure.

The applicant has offered condition #5, to address this issue. However, the specific language of the condition requires modification in order to be administered at site plan review.

## Transportation

### **Location**

The Z-14-20 site is located in west Raleigh at the southwest corner of Edwards Mill Road and Macon Pond Road.

### **Area Plans**

The Z-14-20 site is directly adjacent to, but outside of, the Area-Blue Ridge Area plan. This area plan involves area between I-40 and I-440 from Western Boulevard and Hillsborough



Street on the South to Wade on the North, including portions of Blue Ridge Road and parts of Edwards Mill Road on the north. It includes a focus on developing the Blue Ridge Road corridor into a vibrant, well-connected mixed-use district.

### **Other Projects in the Area**

The Blue Ridge Road Bicycle and Pedestrian Improvement Project, located 0.9 miles southeast of the site, will add a multi-use path along Blue Ridge Road from Trinity Road the Reedy Creek Greenway Trail and a create protected intersection at the intersection of Reedy Creek Road and Blue Ridge Road. The project is estimated to be completed in Summer 2022.

The Blue Ridge Road widening project is located 0.4 miles north of the site and will widening the segment of Blue Ridge Road between Duraleigh Road to Crabtree Valley Avenue to three lanes and will also add sidewalks and a multi-use path. The project is estimated to be complete in Fall 2023.

The Lake Boone Trail Sidewalk project, located 0.5 miles east of the site, is adding 350 Feet of missing sidewalk out the south side of Lake Boone trail. This project is currently in the construction phase.

One mile south of the site, NCDOT will be widening Wade Avenue to six lanes from 1-40 to 1-440. The project is estimated to be completed in 2027.

### **Existing and Planned Infrastructure**

#### *Streets*

Edwards Mill Road is designated as a six-lane divided avenue in the Street Plan (Map T-1 of the Comprehensive Plan). The section of Macon Pond Road adjacent to the site is a local street not designated on Map T-1. Both Edwards Mill Road and Macon Pond Road are maintained by NCDOT.

In accordance with the UDO Section 8.3.2, the maximum blocker perimeter for an OX-5 zoning district is 2,500 feet and a dead-end street length of 300 feet. Existing block perimeter cannot be measured due to various barriers. The section of Macon Pond Road adjacent to the site is a dead-end road with an approximate length of 735 feet.

#### *Pedestrian Facilities*

The sidewalks are complete on the western side of Edwards Mill Road. Additionally, there are sidewalks on the eastern side of Edwards Mill Road directly north of the site. There are no existing sidewalks along the Macon Pond Road section of the Z-9-20 site frontage. Site plan or subdivision approval requires sidewalk construction in accordance to UDO Article 8.5.

### *Bicycle Facilities*

In the vicinity of the Z-14-20 Site, there are existing bike lanes on Edward Mills road and on Reedy Creek Road 0.3 miles south of the site. Access to the Reedy Creek Greenway Trail is located approximately 0.3 miles south of the site.

Edwards Mills is designated for a separated bike lane and Macon Pond Road is designated for a bike lane in the Raleigh Long Term Bike Plan (Map T-3 of the Comprehensive Plan).

The Z-14-20 site is not within the existing bikeshare service area, however, it is approximately 1.25 miles by separated bikeways and sidewalks to the nearest existing station at the North Carolina Museum of Art (NCMA). NCMA bikeshare station is connected core service area of the bikeshare system by the Capital Area Greenway System. This is also a location where frequent transit is planned. This distance between this site and the NCMA bikeshare station is within a bikeable distance. The addition of Bikeshare infrastructure may help to mitigate traffic concerns, as trips would be converted from motorized vehicles to bicycles

### *Access*

Access to the Z-14-20 site is from Edwards Mill Road and Macon Pond Road.

## **Traffic Impact Analysis (TIA)**

### *Determination*

Based on the Envision results, approval of case Z-14-20 would increase the amount of projected vehicular trips above thresholds in the Raleigh Street Design Manual.

### *TIA Review*

A TIA was performed by WSP and reviewed by City staff. The analysis shows that the development as proposed will have impacts to the surrounding roadway network but can be partially mitigated with the following recommendations:

- Macon Pond Roadway at Site Driveway 1
  - o Provide one ingress and one egress lane for the driveway
  - o Revise the pavement markings for the eastbound through lane markings on the Macon Point Road to a shared through-right markings.
  - o Revise the pavement markings for the westbound through lane markings on the Macon Point Road to a shared through-left markings.
- Macon Pond Road at Site Driveway 2
  - o Provide one ingress and one egress lane for the driveway
  - o Revise the pavement marking for the eastbound through lane on Macon Pond Road to a shared through-right movement
  - o Revise the Pavement marking for the westbound through lane on Macon Pond Road to a shared through-left movement
- Macon Pond Road at Edwards Mill Road
  - o Provide an exclusive eastbound left turn lane with a minimum of 150 feet of full storage and an appropriate taper

- Modify the future traffic signal to accommodate the eastbound left-turn lane

See the attached technical review memo for additional details regarding the TIA.

### *Infrastructure Sufficiency*

Comprehensive Plan Policy T 2.10 articulates policy related to peak hour congestion:

#### Policy T 2.10 Level of Service

Maintain level of service (LOS) "E" or better on all roadways and for overall intersection operation at all times, including peak travel times, unless maintaining this LOS would be infeasible and/or conflict with the achievement of other goals.

UDO Article 8.2 regulates infrastructure sufficiency for site plans. Where a TIA demonstrates a degradation of overall intersection LOS below E or impacts to an existing intersection operating at LOS F, build out of a site is limited and a traffic mitigation plan is required if certain site conditions are not met.

The TIA shows that overall intersection LOS for the intersection of Macon Pond Road at Edwards Mill Road cannot be maintained at E or better in the PM peak. Proposed mitigations do not result in LOS E or better. Additionally, the intersection of Edwards Mill Road and Duraleigh Road is currently not estimated to operate at a LOS E or better. Development of the Z-14-20 entitlement would increase the delay at this intersection. According to the results of the TIA, street infrastructure may not be sufficient to fully build out of the office entitlement for the site. In this scenario, UDO Section 8.2.2.E will be in effect, meaning that build out of the site may be limited unless a reasonable and adequate traffic mitigation plan is provided.

## Urban Forestry

**Impact Identified:** None

## Impacts Summary

The rezoning request may result in a traffic level of service at the intersection of Macon Pond Road and Edwards Mill Road that is lower than the UDO standard for acceptable traffic volumes.

## Mitigation of Impacts

A Traffic Impact Analysis has been conducted which identifies partial mitigations to increases in traffic. These include provision of two site driveways on Macon Pond Road with appropriate pavement markings and the addition of an exclusive eastbound left turn lane at the intersection of Macon Pond Road and Edwards Mill Road and any associated changes to a future traffic signal. These impacts could be further mitigated through a reduction in overall entitlement.

## CONCLUSION

Request Z-14-20 Macon Pond Road would rezone approximately 4.32 acres from R-4 to OX-5-CU. The proposed district would permit non-residential uses and multi-unit residential that are not current permitted on the site. The proposed conditions would retain the density of residential uses but would permit additional housing types beyond detached house. The requested district permits retail only when part of a multi-tenant building with other uses, and the conditions would limit the site to 5,000 square feet of total retail use. Other proposed conditions would prohibit some uses, limit office use to 130,000 square feet, and offer a transit easement.

The request would permit development that is similar to and compatible with the larger surrounding area and is consistent with Comprehensive Plan policies regarding compact development, reserving space for transit infrastructure, and location of growth.

However, the request is inconsistent with the Future Land Use Map, which designates the site as Medium Density Residential and does not envision non-residential uses on the site. Approval of this request would amend the Future Land Use Map designation to Office & Residential Mixed Use.

In addition, surrounding road infrastructure may not be sufficient to serve the proposed use. The increase in entitlement would potentially increase traffic so that level of service falls below the UDO standards for acceptable traffic volumes. A Traffic Impact Analysis completed in association with the request recommends improvements that would partially mitigate the anticipated impacts on level of service. Development could be constrained at time of site plan to less than the request would entitle.

Overall, the request is inconsistent with the 2030 Comprehensive Plan, including the Future Land Use Map and policies regarding infrastructure impacts and traffic level of service.

## CASE TIMELINE

Date	Action	Notes
6/9/20	Application submittal	
6/30/20	Initial staff review provided	
7/24/20	TIA analysis completed	
8/25/20	Planning Commission review begins	

# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-4	R-4; OX-4-CU	AP	R-4; OX-12-CU	R-4; AP
Additional Overlay	-	-	-	-	-
Future Land Use	Medium Density Residential	Medium Density Residential; Institutional	Public Facilities	Office & Residential Mixed Use; Institutional	Medium Density Residential; Public Parks & Open Space
Current Land Use	Residential; Undeveloped	Undeveloped	Parks and Open Space	Residential	Parks and Open Space
Urban Form	-	-	-	City Growth Center; Urban Thoroughfare	-

## CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-4	OX-5-CU
Total Acreage	4.32	4.32
Setbacks:		
Front	20'	5'
Side	10'	0' or 6'
Rear	20'	0' or 6'
Residential Density:	4 units/acre	4 units/acre
Max. # of Residential Units	11	11
Max. Gross Building SF	34,650	164,597
Max. Gross Office SF	Not Permitted	130,000
Max. Gross Retail SF	Not Permitted	5,000
Max. Gross Industrial SF	Not Permitted	Not Permitted
Potential F.A.R.	0.18	0.91

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



# COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-14-20

## OVERVIEW

Approval of this case would cause an amendment to the Future Land Use Map to a designation that recommends commercial uses.

The Future Land Use Map identifies the subject site as Medium Density Residential. The designation of Medium Density Residential envisions only residential uses of between three and five stories.

If approved, the Future Land Use Map would be updated from Medium Density Residential to Office & Residential Mixed Use. Of the Office & Residential Mixed Use designation, the 2030 Comprehensive Plan States:

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

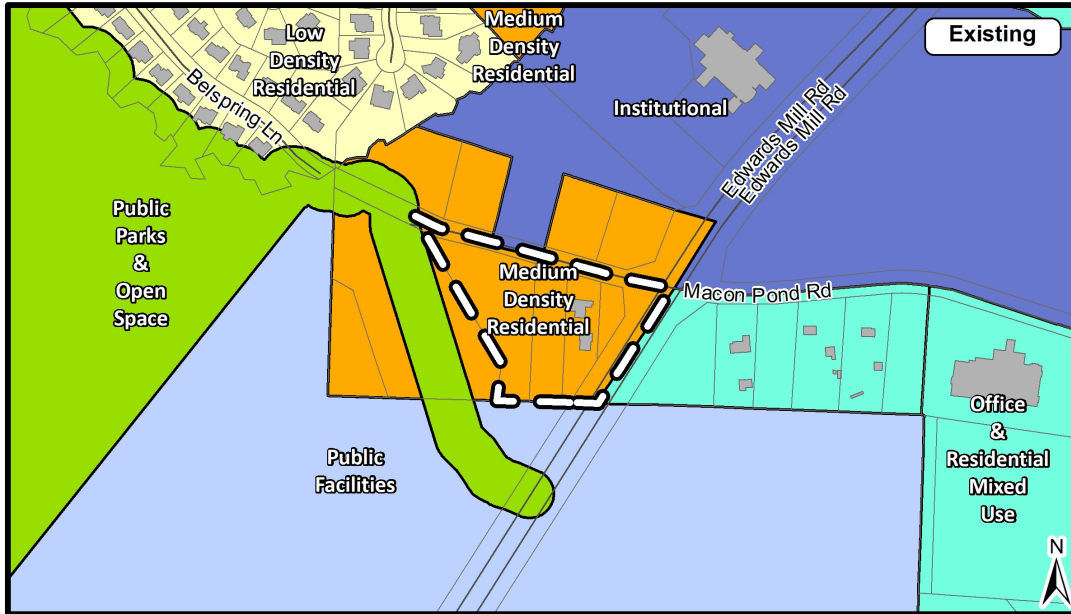
## LIST OF AMENDMENTS

1. Amend the Future Land Use map from Medium Density Residential to Office & Residential Mixed Use.

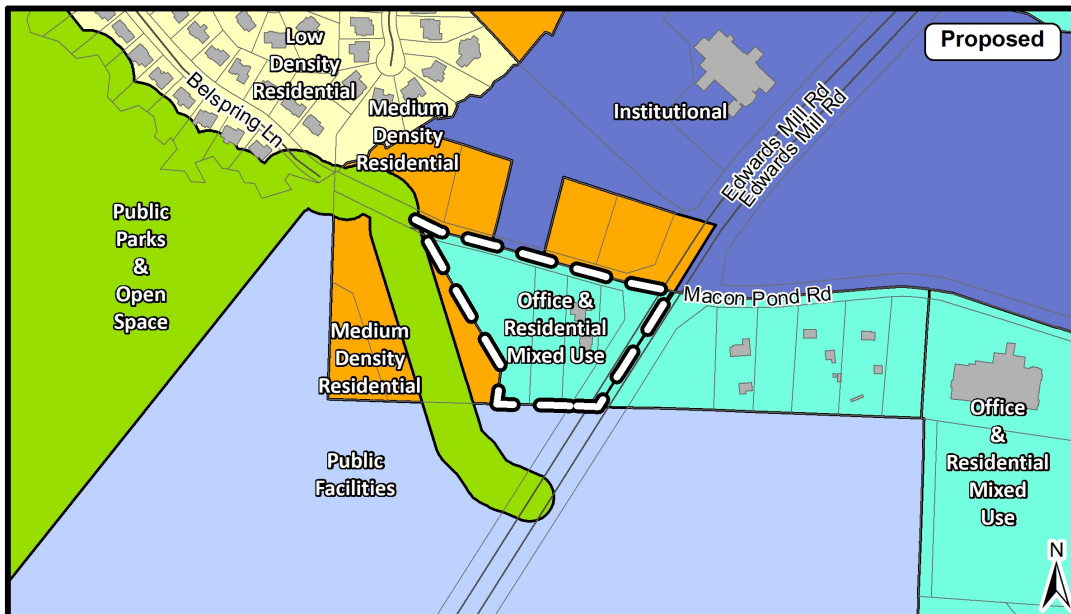
## AMENDED MAPS

### Z-14-2020: Required Amendment to the Future Land Use Map

Existing Designation: Medium Density Residential



Proposed Designation: Office & Residential Mixed Use



## **IMPACT ANALYSIS**

Amending the Future Land Use Map to Office & Residential Mixed Use for the rezoning site would give policy support to zoning such as OX and RX. These districts would allow apartments, offices, with limited amounts of retail and other commercial uses.





Raleigh

## MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE, Transportation Planning Manager

DATE: July 9, 2020

SUBJECT: Traffic Impact Analysis Review for Z-14-20

### **Macon Pond Road Development**

We have reviewed the rezoning Traffic Impact Analysis (TIA) prepared by the WSP USA, Inc. for the Macon Pond Road Development (Z-14-20). The following memorandum summarizes the most relevant information pertaining to the submitted study as well as City Staff's review of the analysis and recommendations.

### **Development Details**

<i>Site Location:</i>	East Raleigh, located in the southwest quadrant at the intersection of Edwards Mill Road and Macon Pond Road
<i>Address:</i>	4237, 4229, 4225, and 0 Macon Pond Road
<i>Property Pin:</i>	0785531412, 0785532355, 0785533365, 0785534453
<i>Current Zoning:</i>	R-4
<i>Proposed Zoning:</i>	OX-5-CU
<i>Existing Land Use:</i>	Single Family Home
<i>Allowable Land Use:</i>	Multifamily Housing – 11 units
<i>Proposed Land Use:</i>	118,993 SF of Medical Office Building and 9,648 SF of Retail
<i>Build-out Year:</i>	2022

### **Study Area & Analysis Scenarios**

The following intersections were studied as part of this TIA:

- |  |                |
|--|----------------|
| 1. Edwards Mill Road at Duraleigh Road   | (Signalized)   |
| 2. Edwards Mill Road at Macon Pond Road  | (Unsignalized) |
| 3. Edwards Mill Road at Reedy Creek Road | (Signalized)   |
| 4. Macon Pond Road at Site Drive #1      | (Unsignalized) |
| 5. Macon Pond Road at Site Drive #2      | (Unsignalized) |

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)

Due to the pandemic caused by COVID-19, existing turning movement counts were not able to be utilized. As an alternative, WSP was able to use 2018 turning movement counts from the Macon Pond Medical Office TIA for the two intersections of Edwards Mill Road at Duraleigh Road and Edwards Mill Road at Macon Pond Road. The City of Raleigh had performed a turning movement count in 2016 for the intersection of Edwards Mill Road at Reedy Creek. From these relatively recent counts, WSP grew these volumes to the current year for a baseline condition.

### Trip Generation

The WSP made the following assumptions as agreed to by City and NCDOT staff:

- 10<sup>th</sup> Edition ITE Trip Generation Manual
- A 3% growth rate was applied for projected volumes
- Background developments included the Macon Pond Medical Office (Rex Cancer Center) and the North Carolina Agricultural Sciences Center.
- The future NCDOT STIP project U-6193 is within the study area of this development. This project proposes to convert the Edwards Mill Road at Duraleigh Road intersection into a quadrant roadway intersection utilizing the Blue Ridge Road extension which is to be built as part of the Macon Pond Medical Office development. Right-of-way acquirement for U-6193 is expected to occur in 2025 and is therefore beyond the projected completion date of this TIA's subject development.

Table 1: Maximum Existing Zoning Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM			PM		
				In	Out	Total	In	Out	Total
Multi-Family Housing (Mid-Rise)	221	11 Units	58	1	3	4	3	2	5

Table 2: Maximum Proposed Zoning Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM			PM		
				In	Out	Total	In	Out	Total
Medical/Dental Office Building	720	118,993 SF	4,141	258	73	331	115	297	412
Shopping Center	820	9,648 SF	1,226	97	60	157	46	50	96
Subtotal				355	133	488	161	347	508
Internal Capture				-28	-31	-59	-2	0	-2
Multimodal Reduction				-16	-5	-21	-8	-17	-25
Pass-By				0	0	0	-17	-16	-33
<b>Total Trips</b>				<b>311</b>	<b>97</b>	<b>408</b>	<b>134</b>	<b>314</b>	<b>448</b>

## Site Traffic Distribution

Trips generated by the proposed development were distributed based on a review of surrounding land uses, existing traffic patterns, and engineering judgement.

The following percentages were used in the AM and PM peak hours for traffic:

- 20% to/from the north on Edwards Mill Road
- 30% to/from the south on Edwards Mill Road
- 20% to/from the east on Macon Pond Road
- 5% to/from the east on Reedy Creek Road
- 25% to/from the west on Duraleigh Road

## Results and Impacts

Table 3: Study Area Levels of Service

Intersection	Approach	Existing (2020)		Background (2022)		Build w/ Current Zoning (2022)		Build w Proposed Zoning (2022)		Build (2022) w/ Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Edwards Mill Road at Duraleigh Road	Overall	F	F	F	F	F	F	F	F	F	F
	EB	F	F	F	F	F	F	F	F	F	F
	WB	F	F	F	F	F	F	F	F	F	F
	NB	F	F	E	F	E	F	E	F	E	F
	SB	F	F	F	F	F	F	F	F	F	F
Edwards Mill Road at Macon Pond Road	Overall	-	-	B	E	B	E	F	F	F	F
	EB	F	F	D	D	D	D	E	F	D	E
	WB	F	F	D	E	D	E	D	E	D	F
	NB	-	-	C	F	C	F	D	F	C	F
	SB	-	-	B	B	B	B	F	D	F	C
Edwards Mill Road at Reedy Creek Road	Overall	B	C	B	C	B	C	C	D	B	C
	EB	D	D	D	E	D	E	D	E	D	E
	WB	D	D	D	D	D	D	D	D	D	D
	NB	A	C	B	C	B	C	B	D	B	D
	SB	B	B	B	B	A	B	C	C	B	B
Macon Pond Road at Site Driveway 1	WB	-	-	-	-	-	-	-	-	-	-
	NB	-	-	-	-	-	-	-	-	A	A
Macon Pond Road at Site Driveway 2	WB	-	-	-	-	-	-	-	-	-	-
	NB	-	-	-	-	-	-	-	-	A	B

The table above and analysis by WSP indicate that new trips attributable to the development will potentially increase control delays at some of the study area intersections. The intersection of Edwards Mill Road at Duraleigh Road currently operates at LOS F in both the AM and PM peak hours. This remains the case in all future scenarios. No improvements are recommended for this location by the analysis due to NCDOT STIP U-6193. This project will convert the intersection into a quadrant roadway configuration allowing for improved operations.

The intersection of Edwards Mill Road at Macon Pond Road is currently unsignalized and expectedly experiences a poor LOS for side street traffic. The Macon Pond Medical Office development (Rex Cancer Center) will be installing a traffic signal at this location which will provide better side street access but adds control delay to the mainline movements on Edwards Mill Road. With this traffic signal installed, the buildout scenario for the subject project still experiences a failing level of service during both the AM and PM peak hours. The overall levels of service are primarily affected by the southbound Edwards Mill approach in the AM peak and the northbound Edwards Mill approach in the PM peak. The PM peak also experiences considerable delay for the westbound Macon Pond approach in the

PM peak. Once completed, the NCDOT STIP U-6193 is expected to have positive effects on the operations of this traffic signal.

The intersection of Edwards Mill Road at Reedy Creek Road is expected to operate at acceptable levels across all scenarios.

### **Study Recommendations**

The analysis performed by WSP indicates that the proposed development will have impacts to the surrounding roadway network and intersections but can be partially mitigated with the study's recommended improvements listed below.

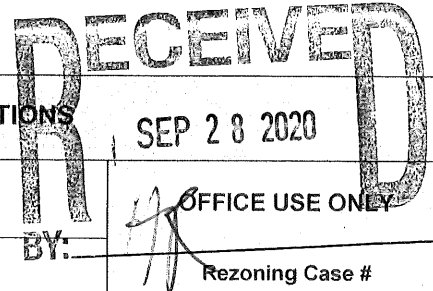
- Macon Pond Road at Site Driveway 1
  - Provide one ingress and one egress lane for the driveway
  - Revise the pavement marking for the eastbound through lane on Macon Pond Road to a shared through-right movement
  - Revise the pavement marking for the westbound through lane on Macon Pond Road to a shared through-left movement
- Macon Pond Road at Site Driveway 2
  - Provide one ingress and one egress lane for the driveway
  - Revise the pavement marking for the eastbound through lane on Macon Pond Road to a shared through-right movement
  - Revise the pavement marking for the westbound through lane on Macon Pond Road to a shared through-left movement
- Macon Pond Road at Edwards Mill Road
  - Provide an exclusive eastbound left turn lane with at least 150 feet of full storage and an appropriate taper.
  - Modify the future traffic signal to accommodate the eastbound left-turn lane.

### **Conclusions**

City staff agree with the overall analysis performed in the TIA for the Z-14-20 zoning case associated with the Macon Pond Road development and make no further recommendations at this time.

EJL / bc

# CONDITIONAL USE DISTRICT ZONING CONDITIONS



Zoning Case Number **Z-14-20**

Date Submitted

Existing Zoning **R-4**

Proposed Zoning **OX-5-CU**

Rezoning Case #

## Narrative of Zoning Conditions Offered

1. The following uses will be prohibited
  - a. Dormitory, sorority, or fraternity living
  - b. Boardinghouse
  - c. Outdoor sports or entertainment facilities
  - d. Hospitality house
  - e. Bed and breakfast
2. Office development shall not exceed 130,000 square feet, floor area gross.
3. Residential density shall not exceed 4 dwelling units per acre.
4. Retail and/or restaurant development shall not exceed 5,000 square feet floor area gross.
5. At the discretion of the City of Raleigh Department of Transportation, prior to issuance of a building permit the property owner shall dedicate a 15' x 20' transit easement along Edwards Mill Road and be responsible for constructing accompanying transit infrastructure. The transit infrastructure shall be constructed to the City of Raleigh standard details specified by the City of Raleigh Department of Transportation, and shall not exceed the following list of improvements:
  - Landing Pad
  - Transit Stop Pad
  - Sidewalk Connectivity
  - Trash Receptacle
  - Seating
  - Transit Shelter
6. Height shall be limited to 62 feet on the western side of the curved line shown on Exhibit A (the "Height Limit Line"), measured in accordance with City of Raleigh height requirements. On the eastern side of the Height Limit Line, height shall be limited to 75 feet. The Height Limit Line shall be that portion of the circumference of a circle located on the Property, such circle having the northwesternmost point of the Property as its center and the distance of four hundred eighty (480) feet as its radius.
7. All dumpster(s) shall be located at least two hundred fifty (250) feet from the centerline of Macon Pond Road.
8. In addition to required street trees along Macon Pond Road, prior to the issuance of any Certificate of Occupancy, supplemental evergreen plantings having a minimum height of 12 feet at the time of planting shall be installed a maximum of 10 feet apart along the face of any parking deck within 20 feet of Macon Pond Road.
9. Lighting atop any parking structure shall be full cutoff and such light poles shall not exceed 15 feet in height.

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature \_\_\_\_\_ Signatures below \_\_\_\_\_ Print Name \_\_\_\_\_

Heirs of Vera Ratcliffe Harrison

The Guy M. Watkins Revocable Trust

W. Lloyd Harrison

By: Nick Ray Harrison, Jr.  
Nick Ray Harrison, Jr., Executor

By: \_\_\_\_\_  
Guy M. Watkins, Trustee

William L. Harrison

Jane C. Harrison

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number <b>Z-14-20</b>		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b>  OFFICE USE ONLY  SEP 28 2020  Rezoning Case # <i>HR</i> </div>
Date Submitted		
Existing Zoning <b>R-4</b>	Proposed Zoning <b>OX-5-CU</b>	BY: <i>HR</i>
Narrative of Zoning Conditions Offered		
<p>1. The following uses will be prohibited</p> <ul style="list-style-type: none"> <li>a. Dormitory, sorority, or fraternity living</li> <li>b. Boardinghouse</li> <li>c. Outdoor sports or entertainment facilities</li> <li>d. Hospitality house</li> <li>e. Bed and breakfast</li> </ul> <p>2. Office development shall not exceed 130,000 square feet, floor area gross.</p> <p>3. Residential density shall not exceed 4 dwelling units per acre.</p> <p>4. Retail and/or restaurant development shall not exceed 5,000 square feet floor area gross.</p> <p>5. At the discretion of the City of Raleigh Department of Transportation, prior to issuance of a building permit the property owner shall dedicate a 15' x 20' transit easement along Edwards Mill Road and be responsible for constructing accompanying transit infrastructure. The transit infrastructure shall be constructed to the City of Raleigh standard details specified by the City of Raleigh Department of Transportation, and shall not exceed the following list of improvements:</p> <ul style="list-style-type: none"> <li>- Landing Pad</li> <li>- Transit Stop Pad</li> <li>- Sidewalk Connectivity</li> <li>- Trash Receptacle</li> <li>- Seating</li> <li>- Transit Shelter</li> </ul> <p>6. Height shall be limited to 62 feet on the western side of the curved line shown on Exhibit A (the "Height Limit Line"), measured in accordance with City of Raleigh height requirements. On the eastern side of the Height Limit Line, height shall be limited to 75 feet. The Height Limit Line shall be that portion of the circumference of a circle located on the Property, such circle having the northwesternmost point of the Property as its center and the distance of four hundred eighty (480) feet as its radius.</p> <p>7. All dumpster(s) shall be located at least two hundred fifty (250) feet from the centerline of Macon Pond Road.</p> <p>8. In addition to required street trees along Macon Pond Road, prior to the issuance of any Certificate of Occupancy, supplemental evergreen plantings having a minimum height of 12 feet at the time of planting shall be installed a maximum of 10 feet apart along the face of any parking deck within 20 feet of Macon Pond Road.</p> <p>9. Lighting atop any parking structure shall be full cutoff and such light poles shall not exceed 15 feet in height.</p>		

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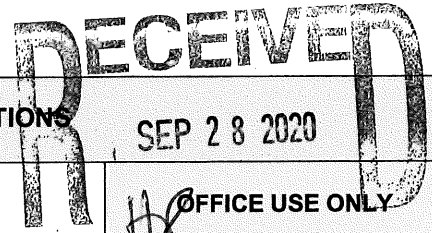
By: \_\_\_\_\_

Nick Ray Harrison, Jr., Executor

By: *Guy M. Watkins, Trustee*  
Guy M. Watkins, Trustee

William L. Harrison

# CONDITIONAL USE DISTRICT ZONING CONDITIONS



Zoning Case Number **Z-14-20**

Date Submitted

Existing Zoning **R-4**

Proposed Zoning **OX-5-CU**

BY: 

OFFICE USE ONLY

Rezoning Case #

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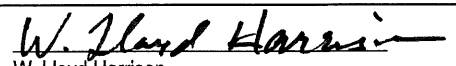
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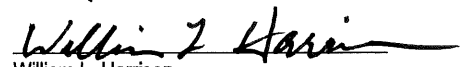
Heirs of Vera Ratcliffe Harrison

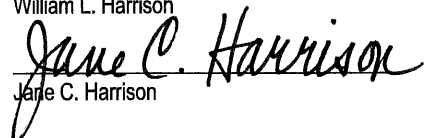
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By: \_\_\_\_\_  
Guy M. Watkins, Trustee

  
William L. Harrison

  
Jane C. Harrison





MACON POND  
EXHIBIT A: ILLUSTRATIVE PLAN VIEW

NOT TO SCALE





# Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			<b>OFFICE USE ONLY</b>  Rezoning Case #
Existing Zoning Base District <b>R-4</b> Height    Frontage    Overlay(s) _____			
Proposed Zoning Base District <b>OX</b> Height <b>5</b> Frontage    Overlay(s)			
Click <a href="#">here</a> 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:			
GENERAL INFORMATION			
Date		Date Amended (1)	Date Amended (2)
Property Address <b>4237, 4229, 4225, and 0 Macon Pond Road, Raleigh, NC 27607</b>			
Property PIN 0785531412; 0785532355; 0785533365; 0785534453		Deed Reference (book/page) 2841/559; 17476/2005; 2464/472; 12050/810	
Nearest Intersection <b>Macon Pond Road and Edwards Mill Road</b>			
Property Size (acres) <b>2.15; 1; 0.88; and 0.29</b>	For Planned Development Applications Only:	Total Units <b>N/A</b>	Total Square Footage <b>N/A</b>
		Total Parcels <b>N/A</b>	Total Buildings <b>N/A</b>
Property Owner Name/Address <small>HARRISON, NICK RAY HEIRS, 909 TWO BROTHERS RUN, RALEIGH, NC 27603-9210; WATKINS, GUY M. TRUSTEE, THE GUY M WATKINS REVOCABLE TRUST, 165 LUDWELL CT, ALPHARETTA, GA 30022-6083; HARRISON, WILLIAM L and HARRISON, JANE C, 4225 MACON POND RD, RALEIGH, NC 27607-6320; and HARRISON, W LLOYD, 4225 MACON POND RD, RALEIGH, NC 27607-6331</small>		Phone	Fax
		Email	
Applicant Name/Address <b>c/o Isabel Worthy Mattox PO Box 946 Raleigh, NC 27602</b>		Phone <b>919-828-7171</b>	Fax <b>919-831-1205</b>
		Email <b>isabel@mattoxlawfirm.com</b>	
Applicant's Signature(s): See below		Email	

Heirs of Vera Ratcliffe Harrison

The Guy M. Watkins Revocable Trust

By: Nick Ray Harrison  
Nick Ray Harrison, Jr., Executor

By: \_\_\_\_\_  
Guy M. Watkins, Trustee

\_\_\_\_\_  
W. Lloyd Harrison

\_\_\_\_\_  
William L. Harrison

\_\_\_\_\_  
Jane C. Harrison



# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

## REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) \_\_\_\_\_

Proposed Zoning Base District **OX** Height **5** Frontage Overlay(s) \_\_\_\_\_

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE  
USE ONLY

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

## GENERAL INFORMATION

Date

Date Amended (1)

Date Amended (2)

Property Address **4237, 4229, 4225, and 0 Macon Pond Road, Raleigh, NC 27607**

Property PIN 0785531412; 0785532355; 0785533365; 0785534453 Deed Reference (book/page) 2841/559; 17476/2005; 2464/472; 12050/810

Nearest Intersection **Macon Pond Road and Edwards Mill Road**

Property Size (acres) **2.15; 1; 0.88;  
and 0.29**

For Planned  
Development  
Applications Only:

Total Units **N/A**

Total Square Footage **N/A**

Total Parcels **N/A**

Total Buildings **N/A**

Property Owner Name/Address

HARRISON, NICK RAY HEIRS, 909 TWO BROTHERS RUN, RALEIGH, NC 27603-9210;  
WATKINS, GUY M, TRUSTEE, THE GUY M WATKINS REVOCABLE TRUST, 165 LUDWELL CT,  
ALPHARETTA, GA 30022-6083;  
HARRISON, WILLIAM L and HARRISON, JANE C, 4225 MACON POND RD, RALEIGH, NC  
27607-8320; and  
HARRISON, W LLOYD, 4225 MACON POND RD, RALEIGH, NC 27607-6331

Phone

Fax

Email

Applicant Name/Address

c/o Isabel Worthy Mattox  
PO Box 946  
Raleigh, NC 27602

Phone **919-828-7171**

Fax **919-831-1205**

Email **isabel@mattoxlawfirm.com**

Applicant's Signature(s): See below

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W Lloyd Harrison  
W. Lloyd Harrison

William L Harrison  
William L. Harrison

Jane C. Harrison  
Jane C. Harrison



**CONDITIONAL USE DISTRICT ZONING CONDITIONS**

Zoning Case Number

**OFFICE USE ONLY**

Date Submitted

**Rezoning Case #**Existing Zoning **R-4**Proposed Zoning **OX-5-CU****Narrative of Zoning Conditions Offered**

1. The following uses will be prohibited
  - a. Dormitory, sorority, or fraternity living
  - b. Boardinghouse
  - c. Outdoor sports or entertainment facilities
  - d. Hospitality house
  - e. Bed and breakfast
2. Office development shall not exceed 130,000 square feet floor area gross.
3. Residential density shall not exceed 28 dwelling units per acre; single unit living shall not exceed 4 dwelling units per acre.
4. Retail and/or restaurant development shall not exceed 10,000 square feet floor area gross.

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature

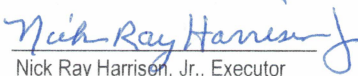
Signatures below

Heirs of Vera Ratcliffe Harrison

The Guy M. Watkins Revocable Trust

W. Lloyd Harrison

By:

  
Nick Ray Harrison, Jr., Executor

By:

Guy M. Watkins, Trustee

William L. Harrison

Jane C. Harrison

# CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

Date Submitted

Existing Zoning **R-4**

Proposed Zoning **OX-5-CU**

OFFICE USE ONLY

Rezoning Case #

## Narrative of Zoning Conditions Offered

1. The following uses will be prohibited
  - a. Dormitory, sorority, or fraternity living
  - b. Boardinghouse
  - c. Outdoor sports or entertainment facilities
  - d. Hospitality house
  - e. Bed and breakfast
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The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature

Signatures below

Heirs of Vera Ratcliffe Harrison

The Guy M. Watkins Revocable Trust

By:

Nick Ray Harrison, Jr., Executor

By:

Guy M. Watkins, Trustee  
Guy M. Watkins, Trustee

W. Lloyd Harrison  
W. Lloyd Harrison

William L. Harrison  
William L. Harrison

Jane C. Harrison  
Jane C. Harrison

REZONING APPLICATION ADDENDUM #1	
<b>Comprehensive Plan Analysis</b>  The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>
STATEMENT OF CONSISTENCY	
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.	
PUBLIC BENEFITS	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources	OFFICE USE ONLY  Rezoning Case #
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.	
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.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	



## 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

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

- |           |   |
|-----------|---|
| <b>1.</b> | <p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p><b>Response:</b></p>   |
| <b>2.</b> | <p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p><b>Response:</b></p>  |
| <b>3.</b> | <p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p><b>Response:</b></p>  |
| <b>4.</b> | <p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p><b>Response:</b></p> |
| <b>5.</b> | <p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p><b>Response:</b></p>   |
| <b>6.</b> | <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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></p>



13.	<i>New public spaces should provide seating opportunities.</i> <b>Response:</b>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> <b>Response:</b>
15.	<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> <b>Response:</b>
16.	<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> <b>Response:</b>
17.	<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> <b>Response:</b>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> <b>Response:</b>
19.	<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> <b>Response:</b>

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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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><b>Response:</b></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 <b>Rezoning Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Pre-Application Conference	<input type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see <a href="#">Fee Schedule</a> for rate)	<input type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting a conditional use district:</b>					
9. Completed zoning conditions, signed by property owner(s)	<input type="checkbox"/>	<input type="checkbox"/>			
<b>If applicable (see Page 11):</b>					
10. Proof of power of attorney or owner affidavit	<input type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting a Planned Development (PD) or Campus District (CMP):</b>					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):</b>					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input type="checkbox"/>			

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

## Who can initiate a rezoning request?

If requesting to down-zone property, the rezoning application must be signed by all of the property owners whose property is subject to the down-zoning. Down-zoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

1. the property owner;
2. an attorney acting on behalf of the property owner with an executed power of attorney; or
3. a person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purposes of initiating the request, by property owners or third-party applicants.

# 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 1/21/2020

Applicant(s) Name Isabel W. Mattox

Applicant's Mailing Address 127 W. Hargett Street, Suite 500, Raleigh, NC 27601

Phone (919) 828-7171

Email isabel@mattoxlawfirm.com

Property PIN #0785531412; 0785532355; 0785533365; 0785534453

Site Address / Location 4237, 4229, 4225, and 0 Macon Pond Road, Raleigh, NC 27607

Current Zoning R-4

Additional Information (if needed) :

### OFFICE USE ONLY

Transaction # :

Date of Pre-Application Conference : 1/31/20

Staff Signature

*San Li*



# Pre-Application Conference Meeting Record

Department of City Planning | One Exchange Plaza, Suite 300 | (919) 996-2682

<b>Meeting Date:</b> 1/31/20	
<b>Attendees:</b> Sara Ellis, John Anagnost, JP Mansolf, Isabelle Maddox	
<b>Site Address/PIN:</b> 0, 4225, 4229, 4237 Macon Pond Rd	
<b>Current Zoning/Designation:</b> R-4	
<b>Proposed Zoning/Designation:</b> OX-5	
<b>CAC Contact Information:</b> Northwest CAC, <a href="mailto:Fabian.Rodriguez@raleighnc.gov">Fabian.Rodriguez@raleighnc.gov</a> , 919-996-2439	
<b>Notes:</b> FLUM is medium density residential. Looking for medical office use. Near Rex Hospital and Raleigh Orthopedic offices. 4-5 stories. 100,000-120,000 sq ft target. TIA likely required. Expect a signalized intersection here. New Rex Cancer center developing caddy-corner to the site. There could be timing for site plan that could possibly reduce burden of traffic improvements. Trees and pond to the west could be in the interest of residents to preserve. Height is not fully consistent with comp plan height guidance (3-4 for med density residential). Lack of direct neighbors may mitigate increased height. Annexation would be required to connect to utilities. Not in Blue Ridge Corridor Plan, but adjacent. Use to consider prohibiting: retail uses. CAG layer sometimes doesn't work and you need to toggle it off and on for it to show up. Ways to get closer to consistency: limiting retail Consistent polices: existing infrastructure, close to node of similar uses. Inconsistent: height, zoning of annexed lands. Could ask for more height to preserve more natural features.	
<b>Department &amp; Staff</b>	<b>Notes</b>
<b>Transportation</b> <input type="checkbox"/> Jason Myers <a href="mailto:Jason.Myers@raleighnc.gov">Jason.Myers@raleighnc.gov</a> 919-996-2166	

## SUMMARY OF ISSUES

A neighborhood meeting was held on August 13, 2020 (date) to discuss a potential rezoning located at 4237, 4229, 4225 and 0 Macon Pond Road (property address). The neighborhood meeting was held at by Zoom video conference (location). There were approximately 9 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

Height of building and parking deck.

Transit stop on site or in adjacent right-of-way.

Screening of parking deck with trees and landscaping

Tree conservation areas.

Traffic on Edwards Mill Road.

Traffic signal at Edwards Mills and Macon Pond.

Stormwater management and size of stormwater facilities.

Height as compared to Raleigh orthopaedic building.



## ATTENDANCE ROSTER

NAME	ADDRESS
*Isabel Worthy Mattox	Mattox Law Firm, 127 W. Hargett St., Suite 500, Raleigh, NC 27601
*Matthew J. Carpenter	Mattox Law Firm, 127 W. Hargett St., Suite 500, Raleigh, NC 27601
*Whitt Cozart	Blue Heel Development, 3708 Forestview Rd., #103, Raleigh, NC 27612
*Kathryn McPherson	ESP Associates, 2200 Gateway Centre Blvd, #216, Morrisville, NC 27560
+Hannah Reckhow	City of Raleigh - Planning Dept., PO Box 590, Raleigh, NC 27601
Guy Watkins	Trustee, Guy M. Watkins Revocable Trust, 165 Ludwell Ct., Alpharetta, GA 30022
*Adam Ashbaugh	ESP Associates, 2200 Gateway Centre Blvd, #216, Morrisville, NC 27560
Alison Weinreb	3108 Briar Stream Run, Raleigh, NC 27612
Allison Irving	3119 Briar Stream Run, Raleigh, NC 27612
Donald Sigmon	3120 Briar Stream Run, Raleigh, NC 27612
*Bryan Gibson	Hager Smith Design, PA, 300 S. Dawson St., Raleigh, NC 27601
Haley Hostetler	3127 Briar Stream Run, Raleigh, NC 27612
Hesta Monday	3123 Briar Stream Run, Raleigh, NC 27612
*Janet Clayton	Avison Young, 5440 Wade Park Blvd., #200, Raleigh, NC 27607
*John Linderman	Avison Young, 5440 Wade Park Blvd., #200, Raleigh, NC 27607
Lloyd Harrison	4225 Macon Pond Rd., Raleigh, NC 27607
Morris Treadway	3100 Briar Stream Run, Raleigh, NC 27612
Nick Harrison	909 Two Brothers Run, Raleigh, NC 27603
*Sravya Suryadevara	WSP Associates, 434 Fayetteville St., #1500, Raleigh, NC 27601
*Julie Gavaghan	Blue Heel Development, 3708 Forestview Rd., #103, Raleigh, NC 27612
*development team member	
+City Planning representative	

# MATTOX LAW FIRM

Telephone (919) 828-7171

Isabel Worthy Mattox  
isabel@mattoxfirm.com

February 17, 2020

## VIA HAND DELIVERY

Ms. Hannah Reckhow  
Planner I  
Department of City Planning  
One Exchange Plaza, Suite 300  
Raleigh, NC 27601

RE: **NOTICE OF MEETING** Regarding Rezoning Petition of:

4237 Macon Pond Road, Raleigh, NC 27607 (2.15 acres) (PIN 0785531412) Deed 002427, Page 00-E-, owned by HARRISON, NICK RAY, HEIRS;

4229 Macon Pond Road, Raleigh, NC 27607 (1 acre) (PIN 0785532355) Deed 017476, Page 02005, owned by WATKINS, GUY M TRUSTEE, THE GUY M WATKINS REVOCABLE TRUST;

4225 Macon Pond Road, Raleigh, NC 27607 (.88 acre) (PIN 0785533365) Deed 002464, Page 00472, owned by HARRISON, WILLIAM L and HARRISON, JANE C

0 Macon Pond Road, Raleigh, NC 27607 (.29 acre) (PIN 0785534453) Deed 012050, Page 00810, owned by HARRISON, W LLOYD

Dear Hannah:

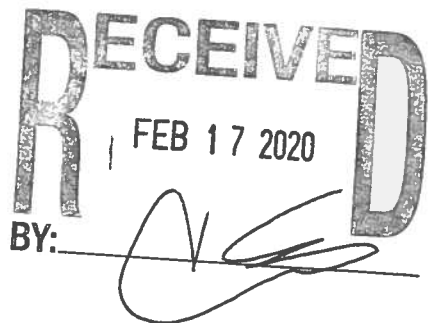
We are enclosing the following items for the proposed neighbors meeting regarding rezoning of the above-referenced property.

1. List of adjacent property owners;
2. One set of stamped envelopes addressed to all property owners within 500 feet of property to be rezoned with notice letter enclosed.
3. Copy of the Notice Neighbor letter.

Please let us know if you have any questions.

Sincerely,

Isabel Worthy Mattox



4/9 pm

# MATTOX LAW FIRM

Telephone (919) 828-7171

*Isabel Worthy Mattox*  
[Isabel@mattoxlawfirm.com](mailto:Isabel@mattoxlawfirm.com)

February 17, 2020

TO ALL ADDRESSEES:

RE: **NOTICE OF MEETING** Regarding Rezoning Petition of

4237 Macon Pond Road, Raleigh, NC 27607 (2.15 acres) (PIN 0785531412) Deed 002427, Page 00-E-, owned by HARRISON, NICK RAY, HEIRS;

4229 Macon Pond Road, Raleigh, NC 27607 (1 acre) (PIN 0785532355) Deed 017476, Page 02005, owned by WATKINS, GUY M TRUSTEE, THE GUY M WATKINS REVOCABLE TRUST;

4225 Macon Pond Road, Raleigh, NC 27607 (.88 acre) (PIN 0785533365) Deed 002464, Page 00472, owned by HARRISON, WILLIAM L and HARRISON, JANE C; and

0 Macon Pond Road, Raleigh, NC 27607 (.29 acre) (PIN 0785534453) Deed 012050, Page 00810, owned by HARRISON, W LLOYD (Collectively the "Rezoning Property").

Dear Property Owners:

You are receiving this letter because you are the owner of property located in the vicinity of the Rezoning Property for which a rezoning is now being contemplated. We anticipate that the proposed rezoning will rezone the Rezoning Property from R-4 to OX-5. We anticipate that a rezoning application will be filed in March (the "Rezoning Application").

In accordance with the requirements of the Raleigh Unified Development Ordinance, notice is hereby given to you as the owner of the Rezoning Property or the owner of property within 500 feet of the Rezoning Property (collectively, "Notice Neighbors") of a meeting to discuss the prospective rezoning to be held at **Laurel Hills Park, 3808 Edwards Mill Road, Raleigh, NC 27612, at 6:00 PM on March 4, 2020 in the Art Room.**

We would like to discuss this case with you and will be available to answer any questions which you may have regarding this Rezoning Application.

If the Rezoning Application is filed as now planned, it will be vetted by City Staff over the next few weeks and referred to the Planning Commission for review. To follow this process, please consult the City's website at [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning). In addition, you may contact the Department of City Planning at (919) 996-2682 or by email at [planning@raleighnc.gov](mailto:planning@raleighnc.gov). If you have any questions about the proposed Rezoning Application, either before our meeting of March 4, 2020, or at any time after our meeting, please contact me.

Yours very truly,

  
Isabel Worthy Mattox

## SUMMARY OF ISSUES

A neighborhood meeting was held on \_\_\_\_\_(date) to discuss a potential rezoning located at \_\_\_\_\_(property address).  
The neighborhood meeting was held at \_\_\_\_\_(location).  
There were approximately \_\_\_\_\_(number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

**Parking deck vs. surface parking -- some neighbors expressed a preference for surface parking and had concerns about the height and appearance of parking decks.**

**Stormwater drainage. Neighbors expressed concerns about stormwater drainage in the area and impacts on the adjacent pond. The civil engineer for development team indicated that we would be maintaining a significant buffer adjacent to the pond and that the development would be required to ensure that post development runoff does not exceed pre-development runoff.**

**Some neighbors expressed concerns about existing traffic on Edwards Mill Road. The developer's traffic engineers indicated a TIA would be performed and we would add improvements recommended by TIA. A signal at Macon Pond Road and Edwards Mill Road was discussed and it was confirmed that the signal is required to be installed during Phase I of the Rex Cancer Center located across the street.**

**A neighbor was asked if this project would connect to Belspring Lane and the team confirmed that it would not since there are two intervening properties between the subject property and Belspring Lane.**

**Neighbors requested that exhibits shown at the meeting be emailed to them. Those exhibits were emailed the following day.**

## MEETING SIGN-IN SHEET

<b>Project:</b>	Rezoning – 4237, 4229, 4225, and 0 Macon Pond Road	<b>Meeting Date:</b>	3/4/2020
	Raleigh	<b>Place/Room:</b>	Laurel Hills Park/Art Room

[illegible]