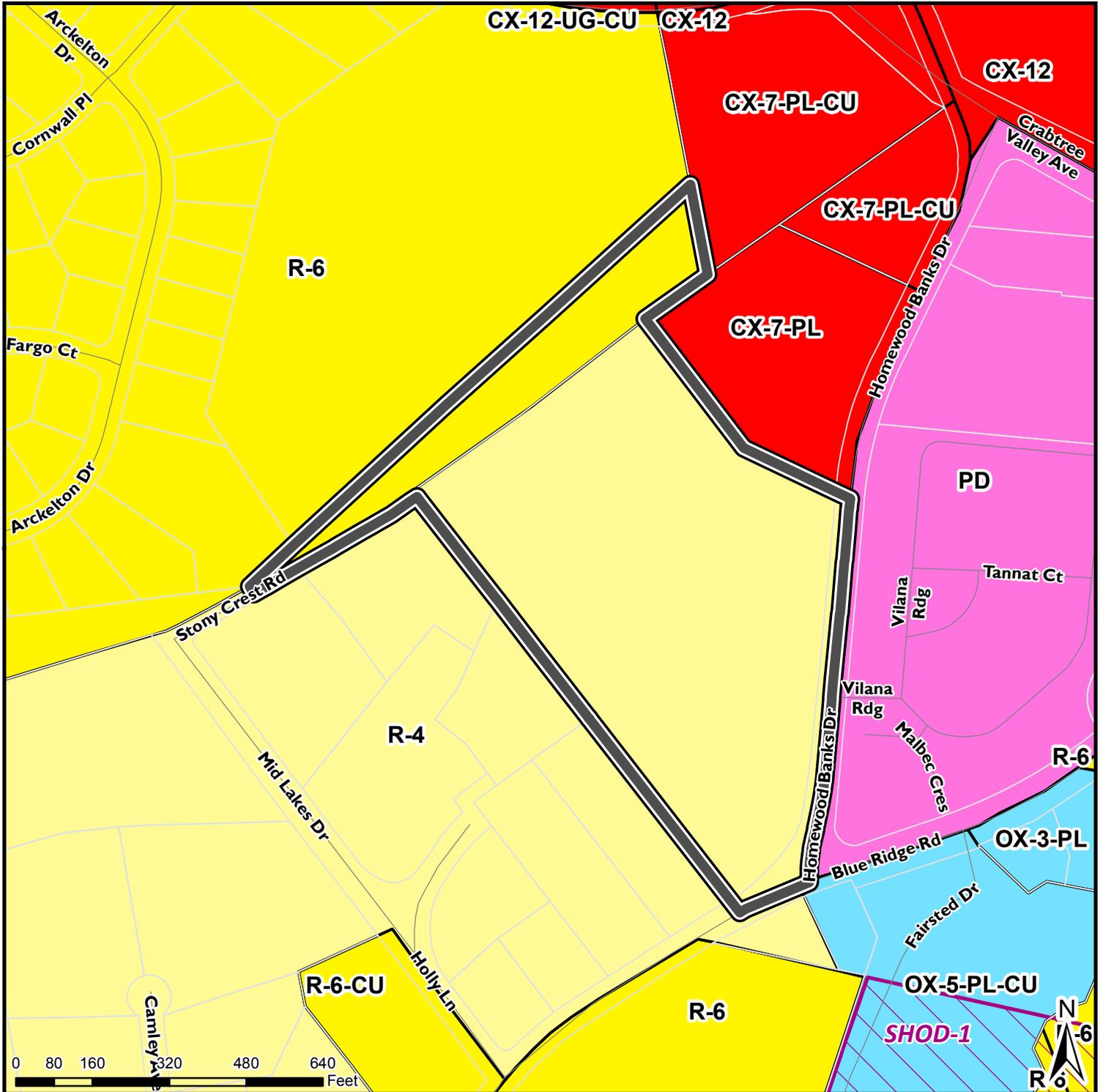


# Existing Zoning Map

# Z-18-2016

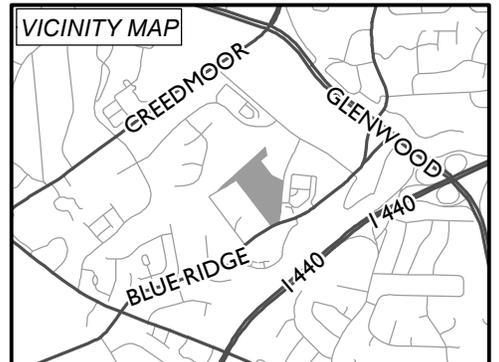


**Submittal Date**

6/24/2016

## Request:

**16.02 acres from  
R-4 & R-6  
to RX-3-PL-CU**





# Certified Recommendation

Raleigh Planning Commission

CR#

## Case Information: Z-18-16 – Homewood Banks Drive

<i>Location</i>	Homewood Banks Drive, west side, at its intersection with Blue Ridge Road Addresses: 5510 Homewood Banks Drive & 3921 Stony Crest Road PINs: 0795484971 & 0795491345
<i>Request</i>	Rezone property from Residential-4 & Residential-6 (R-4 & R-6) to Residential Mixed Use-3 stories-Parking Limited-Conditional Use (RX-3-PL-CU)
<i>Area of Request</i>	16.02 acres
<i>Property Owners</i>	Dorothy R. Kerr Revocable Trust PDS Tax Service P.O. Box 13519 Arlington, TX 76094-0519  Kerr Properties LLC c/o Chris Woody 2321 Blue Ridge Road, Suite 101 Raleigh, NC 27607-6453
<i>Applicant</i>	David L. York Smith Moore Leatherwood LLP 434 Fayetteville Street, Suite 2800 Raleigh, NC 27601
<i>Citizens Advisory Council (CAC)</i>	Northwest-- Jay Gudeman, Chair: (919) 789-9884; <a href="mailto:jay@kilpatrickguteman.com">jay@kilpatrickguteman.com</a>
<i>PC Recommendation Deadline</i>	January 9, 2017

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b>FUTURE LAND USE</b>	Moderate Density Residential ( <i>southern parcel</i> ); Regional Mixed Use ( <i>northern parcel</i> ); Public Parks & Open Space ( <i>future greenway across site</i> )
<b>URBAN FORM</b>	Center: City Growth Corridor: Urban Thoroughfare ( <i>Homewood Banks Drive &amp; Blue Ridge Road</i> ) Within ½-Mile Transit Buffer: <i>No</i>
<b>CONSISTENT Policies</b>	Policy LU 2.6 - Zoning and Infrastructure Impacts Policy LU 4.5 - Connectivity Policy LU 5.4 - Density Transitions Policy LU 5.6 - Buffering Requirements Policy LU 6.4 - Bus Stop Dedication

	Policy T 4.8 - Bus Waiting Areas Policy T 4.15 - Enhanced Rider Amenities Policy T 5.9 - Pedestrian Networks Policy EP 4.2 - Floodplain Conservation Policy PR 3.7 - Flood Plain and Upland Protection Policy PR 3.8 - Pedestrian Links to Greenways Policy UD 2.4 - Transitions in Building Density Policy UD 7.3 - Design Guidelines Policy AP-C 1 - Crabtree Parking Structures Policy AP-C2 - Crabtree Area Hillside Policy AP-C3 - Crabtree Creek
<b>INCONSISTENT Policies</b>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU 1.3 - Conditional Use District Consistency Policy EP 3.15 - Grading Controls

### Summary of Proposed Conditions

1. Maximum dwelling units per acre set.
2. Transit easement offered.
3. Certain uses prohibited.
4. Parking structure setbacks specified.
5. Greenway easement & internal site connection to be provided.
6. **New improvements** in floodplain restricted.
7. Buildings to step down with grade along Homewood Banks Drive and Blue Ridge Road.
8. Average & minimum setbacks from pond to buildings and retaining walls **specified**.

### Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
5/9/16	8/9/16; 9/13/16 (vote deferred); 10/11/16: Y- 6, N- 4	10/11/16 (deferred); 10/25/16 (deferred); 11/8/16		

#### Attachments

1. Staff report
2. Staff Comments (on 11/2/16 amendments)
3. Traffic Study Worksheet

### Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings &amp; Reasons</i>	
<i>Motion and Vote</i>	

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.

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Planning Director	Date	Planning Commission Chairperson	Date
Staff Coordinator:	Doug Hill: (919) 996-2622;	<a href="mailto:Doug.Hill@raleighnc.gov">Doug.Hill@raleighnc.gov</a>	



## Zoning Staff Report – Z-18-16

### Conditional Use District

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## Case Summary

### Overview

The proposal seeks to rezone the site to allow higher-density residential development. The current R-4 and R-6 zoning permits detached or attached residential development; the proposal would additionally allow townhouse and apartment construction.

During the past decade, the nearby area has been subject to significant development and redevelopment, ranging from commercial expansion centered on the Crabtree Valley Mall to construction of several multi-story mixed-use and apartment complexes, the latter including properties immediately east and southeast of the site. Current build-out of the site reflects its rural residential origins, and today is one of the larger parcels of such low density so close to the I-440/ Glenwood Avenue interchange.

Area zoning reflects those trends. Multi-unit living structures predominate; properties north of the site are zoned R-6, and consist of a quadraplex to the northwest and the 90-unit Pinnacle Apartments complex adjoins on the north. On the northeast, fronting Homewood Banks Drive, is a hotel zoned CX-7-PL, and a vacant wooded parcel zoned CX-7-PL-CU. The 293-unit, 6-building Marq at Crabtree apartment complex, zoned PD, stands directly across Homewood Banks Drive. The 360-unit Marshall Park Apartments, zoned OX-5-PL-CU, are just south across Blue Ridge Road. However, a single R-4 property faces the site from across Blue Ridge Road, and all properties adjoining the site on the west are single-family, likewise zoned R-4.

The site is characterized by varied topography. From the site's high point at the intersection of Homewood Banks Drive and Blue Ridge Road, it descends some 34 feet heading north, along the Homewood Banks right-of-way. The site's lowest point, at its far northeast corner, lies some 90 feet lower than the street intersection, and within the 100-year floodplain of a tributary to Crabtree Creek. Just above the floodplain is a two-acre impoundment, part of which extends off-site to the west. The pond is the lowest of four water bodies within a narrow vale that reaches westward toward Laurel Hills Park; a future greenway is planned beside them. On the subject site, steep slopes rise above either side of the pond; that above the south bank rises nearly 40 feet within the first 120 horizontal feet. Slopes elsewhere are less pronounced, but frequently range from 10 to 20 percent. The grade is least in the east-central portion of the site, which is also relatively open. Otherwise, the majority of the site is wooded.

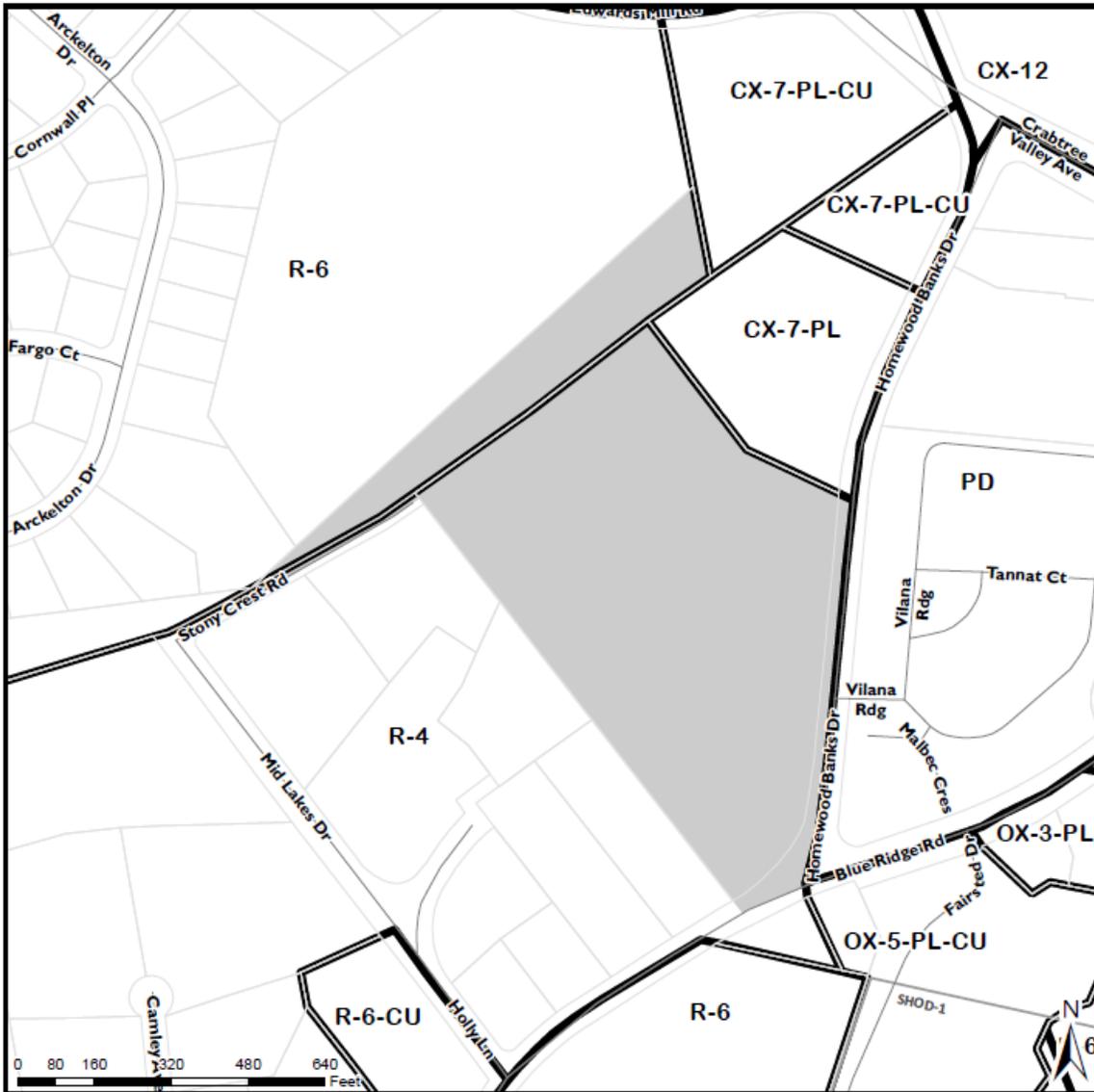
The Urban Form Map of the Comprehensive Plan supports greater intensity of development on the site. The two parcels are included in the City Growth Area focused on the Crabtree Valley Mall; Homewood Banks Drive and the adjacent section of Blue Ridge Road are both labeled Urban Thoroughfare corridors. While the requested maximum density--17 dwelling units per acre--exceeds the maximum 14 suggested by the Future Land Use Map for the larger parcel, the category recommended for the smaller northern parcel is Regional Mixed Use, the FLUM's second most-intense category. (Street access to that parcel is platted, but not yet built.) The FLUM also acknowledges a future greenway crossing the site in designating a swath along the pond as Public Parks and Open Space.

## Outstanding Issues

<p><i>Outstanding Issues</i></p>	<ol style="list-style-type: none"> <li>1. Staff Comments on 10/14/16 amendments.</li> <li>2. Block perimeter exceeds maximum.</li> <li>3. Sewer and fire flow matters may need to be addressed upon development.</li> <li>4. Reduction of area available to Tree Conservation, due to PL Frontage.</li> </ol>	<p><i>Suggested Mitigation</i></p>	<ol style="list-style-type: none"> <li>1. Address Staff Comments.</li> <li>2. Address block perimeter at site plan stage.</li> <li>3. Address sewer and fire flow capacities at the site plan stage.</li> <li>4. Address Tree Conservation at site plan stage.</li> </ol>
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# Existing Zoning Map

# Z-18-2016



Submittal  
Date

6/24/2016

## Request:

16.02 acres from  
R-4 & R-6  
to RX-3-PL-CU

### VICINITY MAP



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	Residential-6; Residential-4	Residential-6	Residential-4	Commercial Mixed Use-7 stories-Parking Limited; Commercial Mixed Use-7 stories-Parking Limited-Conditional Use; Planned Development	Residential-4
<i>Additional Overlay</i>	(n/a)	(n/a)	(n/a)	(n/a)	(n/a)
<i>Future Land Use</i>	Regional Mixed Use: Moderate Density Residential; Public Parks & Open Space	Medium Density Residential; Regional Mixed Use	Moderate Density Residential	Regional Mixed Use; Public Parks & Open Space	Low Density Residential
<i>Current Land Use</i>	Single-unit Living; Vacant	Multi-unit Living	Single-unit Living	Vacant; Overnight Lodging; Multi-unit Living	Vacant; Single-unit Living
<i>Urban Form (if applicable)</i>	City Growth Center; Urban Thoroughfare	City Growth Center; Main Street	Urban Thoroughfare	City Growth Center; Urban Thoroughfare	(n/a)

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	4.31 DUs/ acre (Max. 69 Dwellings)	17 DUs/ acre (Max. 272 Dwellings)
<i>Setbacks:</i>	<u>R-4:</u> <u>R-6:</u>	<i>Parking Limited frontage:</i>
<i>Front:</i>	20'      10'	50% of bldg. w/n 0' to 100'
<i>Side:</i>	10'      5'	25% of bldg. w/n 0' to 100'
<i>Rear:</i>	30'      20'	Per Transition Zone A: 10' w/ wall to 20' w/ fence
<i>Retail Intensity Permitted:</i>	(not permitted)	4,000
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted)

### **1.3 Estimated Development Intensities**

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Total Acreage</i>	16.02	16.02
<i>Zoning</i>	R-4 & R-6	RX-3-PL-CU
<i>Max. Gross Building SF</i>	<b>n/a</b>	<b>264,032*</b>
<i>Max. # of Residential Units</i>	69	272
<i>Max. Gross Office SF</i>	<i>(not permitted)</i>	<i>(not permitted)</i>
<i>Max. Gross Retail SF</i>	<i>(not permitted)</i>	4,000
<i>Max. Gross Industrial SF</i>	<i>(not permitted)</i>	<i>(not permitted)</i>
<i>Potential F.A.R.</i>	<i>(n/a)</i>	0.38

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

The proposed rezoning is:

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

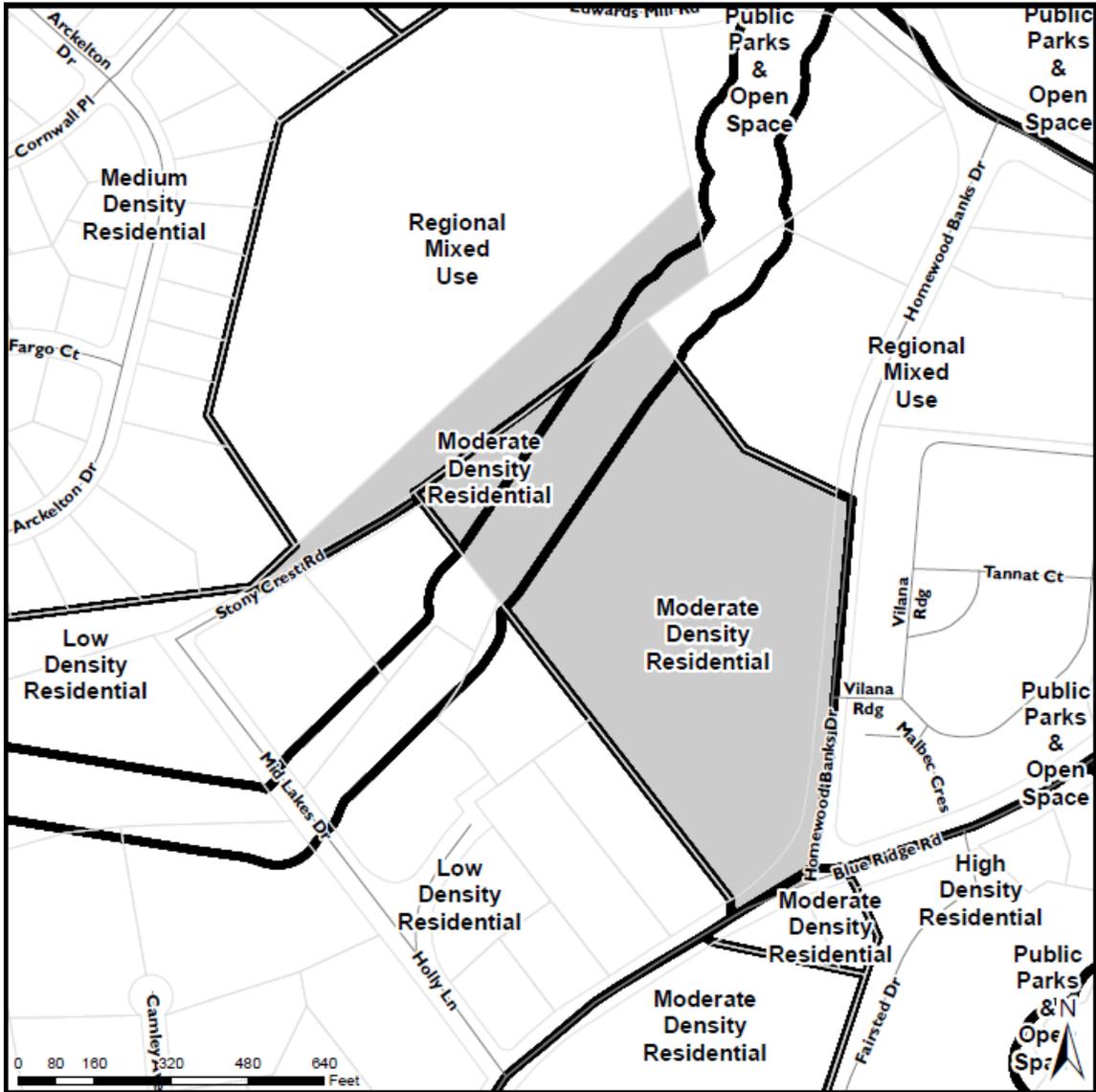
**Incompatible.**

Analysis of Incompatibility:

Land uses and urban form possible under the rezoning transition between the more intensive build-out to the northeast, east, and southeast of the site, and the low-density properties on the west. The 3-story height cap, zoning Frontage, and conditioned building step-down along the primary streets promote compatible building scale and placement. The conditioned transit stop, required sidewalk, and streetscape improvements will serve to support multi-modal access and movement. The potential visibility of retaining walls and structured parking from adjacent low-density parcels on the west, though, remains to be considered.

# Future Land Use Map

# Z-18-2016

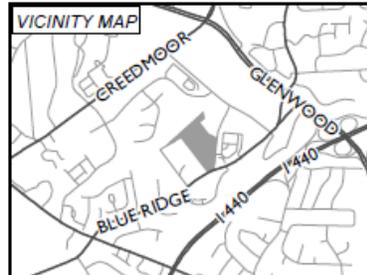


Submittal  
Date

6/24/2016

## Request:

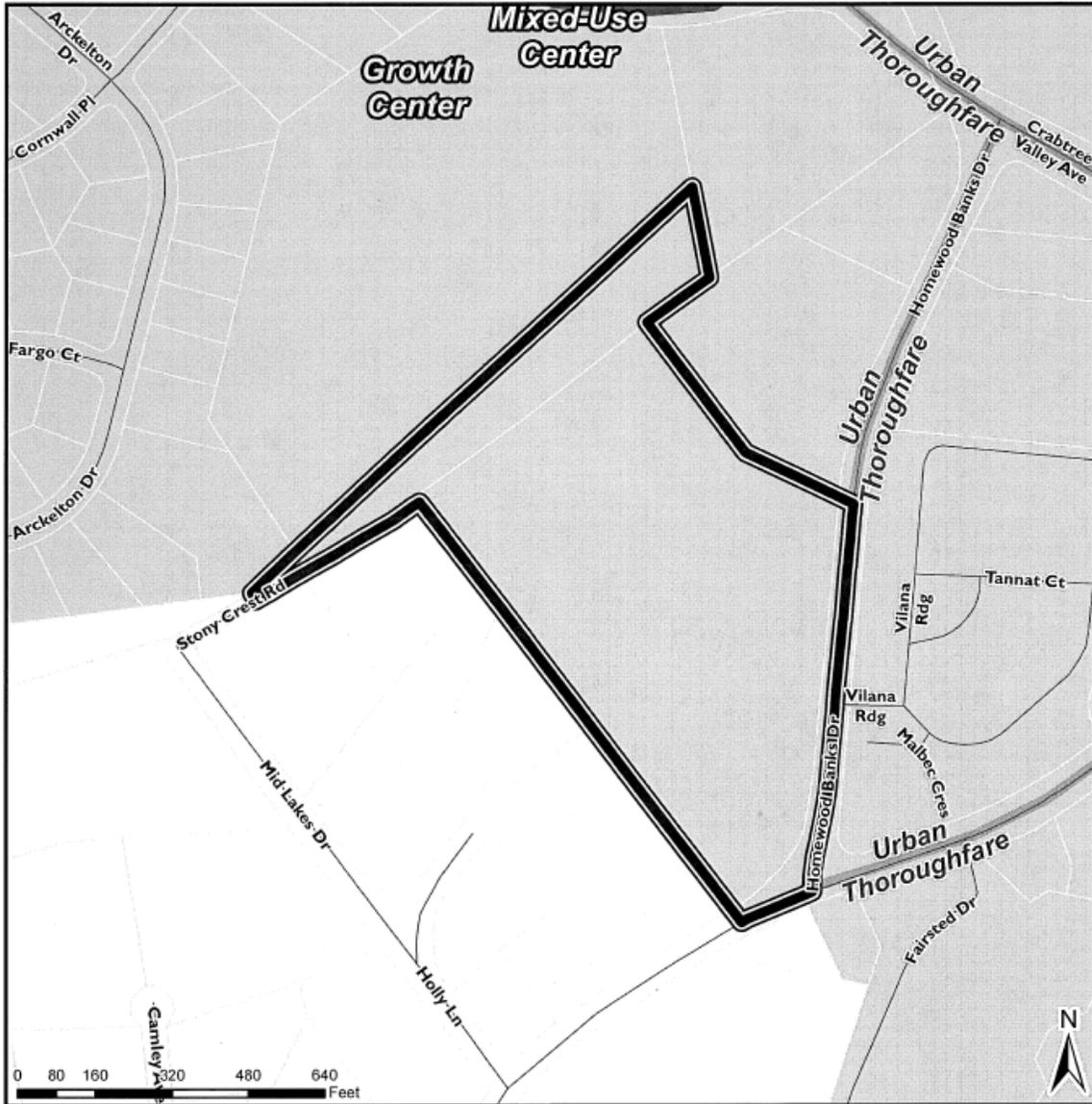
16.02 acres from  
R-4 & R-6  
to RX-3-PL-CU



Map Date: 6/27/2016

# Urban Form

# Z-18-2016



**Submittal Date**

6/24/2016

## Request:

16.02 acres from  
R-4 & R-6  
to RX-3-PL-CU



## 2. Comprehensive Plan Consistency Analysis

### 2.1 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?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. The proposal is primarily consistent with the Comprehensive Plan. The Urban Form Map supports the increased density possible under the request, per the site's location in a City Growth Center; the proposed Parking Limited Frontage is consistent with the Map's designation of the adjacent sections of Homewood Banks Drive and Blue Ridge Road as Urban Thoroughfare. The proposal also may be considered consistent with Vision Themes "Expanding Housing Choices," and "Managing Our Growth."
- B. The provision of multi-family housing possible under the proposed rezoning is supported by the Future Land Use Map.
- C. While the proposed density of 17 units per acre exceeds that recommended for the larger parcel (per Moderate Density Residential designation: 14 units/ acre), given Future Land Use designation of the northern parcel as Regional Mixed Use, environmental constraints on site buildable area (pond and floodplain), building height cap, and long frontage on Homewood Banks Drive, the proposed density may be considered reasonable.
- D. Community facilities and streets appear sufficient to accommodate the redevelopment possible under the proposed rezoning.

### 2.2 Future Land Use

**Future Land Use designations:** Regional Mixed Use, Moderate Density Residential, Public Parks & Open Space

**The rezoning request is:**

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

**Inconsistent**

Analysis of Inconsistency:

The proposal is mostly inconsistent with the Future Land Use Map in that it would permit density on the larger, southern parcel greater than that supported by its Moderate Density Residential designation. The latter calls for a maximum of 14 dwelling units per acre; the proposal requests up to 17. However, the potential density is consistent with the Regional Mixed Use land use designation of the northern property. In addition, the Map foresees Public Park and Open Space extending across the site along the pond; the proposal conditions a greenway easement there.

## **2.3 Urban Form**

**Urban Form designation:** City Growth Center; Urban Thoroughfare (Homewood Banks Drive, and adjacent portion of Blue Ridge Road)

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

**The rezoning request is:**

**Consistent** with the Urban Form Map.

**Inconsistent**

Analysis of Inconsistency:

(N/A)

## **2.4 Policy Guidance**

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

### ***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.

Staff analysis finds that existing infrastructure will be able to accommodate projected development impacts.

### ***Policy LU 4.5 - Connectivity***

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

### ***Policy T 5.9 - Pedestrian Networks***

New subdivisions and large-scale developments should include safe pedestrian walkways or multi-use paths that provide direct links between roadways and major destinations such as transit stops, schools, parks, and shopping centers.

### ***Policy PR 3.8 - Pedestrian Links to Greenways***

Improve pedestrian linkages to existing and proposed greenway corridors. Development adjacent to a greenway trail should link their internal pedestrian network to the greenway trail where appropriate.

New sidewalks will be required around and within the site as part of site development. A connection to the future greenway crossing the site is provided by case conditions.

### ***Policy LU 5.4 - Density Transitions***

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

***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 zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

***Policy UD 2.4 - Transitions in Building Density***

Establish gradual transitions between largescale and small-scale development. The relationship can be improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

Site construction is capped at a maximum height of 3 stories/ 50 feet; adjoining low-density residential areas share the same height limit. The any buildings along Homewood Banks Drive and Blue Ridge Road are conditioned to step down with the grade. Zone A transition zones (vegetative buffer, with wall or fence) will be required. Density is capped at 17 units per acre, commensurate with medium-density development. Non-residential uses are highly restricted.

***Policy LU 6.4 - Bus Stop Dedication***

The City shall coordinate the dedication of land for the construction of bus stop facilities within mixed-use centers on bus lines as part of the development review and zoning process.

***Policy T 4.8 - Bus Waiting Areas***

Developments located within existing and planned bus transit corridors should coordinate with CAT to provide a stop facility that is lit and includes a shelter, bench, and other amenities (such as a waste receptacle) as appropriate.

***Policy T 4.15 - Enhanced Rider Amenities***

Promote the use of transit facilities and services through enhanced pedestrian access and provisions for seating, shelter, and amenities.

A transit easement and bus stop amenities are required, per case conditions.

***Policy EP 4.2 - Floodplain Conservation***

Development should be directed away from the 100-year floodplain.

***Policy PR 3.7 - Flood Plain and Upland Protection***

Protect floodplain property or upland connections for greenways or public open space through the site development process of residential and non-residential sites.

No development is allowed within the floodplain. No buildings or retaining walls are allowed within 50 feet of the existing pond.

***Policy UD 7.3 - Design Guidelines***

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed use developments; or rezoning petitions and development applications along Main Street and Transit emphasis corridors or in City Growth, TOD and Mixed-Use centers, including preliminary site plans and development plans, petitions for the application of the Pedestrian Business or Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The zoning request and case conditions support development commensurate with the Design Guidelines, including those for Elements of Mixed-use Developments (e.g., residential uses within walking distance of office and retail), Mixed-use Areas/ Transition to Surrounding Neighborhoods (e.g., comparable height to adjacent lower density), and Site Design (e.g., provision of transit stop).

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

***Policy LU 1.2 - Future Land Use Map and Zoning Consistency***

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

***Policy LU 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 Future Land Use designations support Moderate Density Residential development—a maximum of 14 dwellings per acre—on the majority of the site. The proposal would allow up to 17 dwellings per acre. However, the northern parcel is designated Regional Mixed Use; the requested density would be consistent on that property. Also, crossing the site near the existing pond is an area designated Public Parks and Open Space, the proposal conditions a greenway easement there.

***Policy EP 3.15 - Grading Controls***

Pursue a risk-based analysis approach to prevent soil erosion by limiting the amount of disturbed areas allowed and restricting mass grading as much as practicable.

The proposal provides for stepping buildings with the grade along Homewood Banks Drive and Blue Ridge Road, and restricts building near the pond, but does not address steep slopes elsewhere on site. One approach would be conserving slopes of lesser grade or fewer contiguous square feet than required by the UDO (those which are <25% grade and/or 5,000 square feet respectively, per Sec. 2.5.2.A).

## **2.5 Area Plan Policy Guidance**

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

***Policy AP-C 1 - Crabtree Parking Structures***

New parking structures in the Crabtree area should be designed with careful attention given to their street faces.

The proposal is conditioned to prohibit parking structures within 150 feet of Blue Ridge Road and Homewood Banks Drive. Visibility would be further limited by the fact that most of the interior parts of the site are below the grade of frontage streets.

***Policy AP-C2 - Crabtree Area Hillside***

Hillside in the Crabtree area should be retained and not graded down for incongruous, large-footprint buildings. New structures on hillside and hilltop should fit into the terrain.

**Policy AP-C3 - Crabtree Creek**

Crabtree Creek and its tributaries should be left in a natural state with floodways, water quality, and steep slopes protected from further environmental degradation.

The proposal is conditioned to step site buildings down with the grade along Blue Ridge Road and Homewood Banks Drive. No development is allowed within the floodplain. No buildings or retaining walls are allowed within 50 feet of the existing pond.

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

*(None identified.)*

### **3. Public Benefit and Reasonableness Analysis**

#### **3.1 Public Benefits of the Proposed Rezoning**

- Permitting multi-unit residential uses in walkable distance to existing retail sales and services.
- Improving transit access.

#### **3.2 Detriments of the Proposed Rezoning**

- Possible visual impacts of retaining walls and/ or structured parking on adjacent low-density residential properties.

### **4. Impact Analysis**

#### **4.1 Transportation**

The site is located at the intersection of Homewood Banks Drive and Blue Ridge Road. Both Homewood Banks Drive (SR 1669) and Blue Ridge Road (SR 1670) are maintained by the NCDOT. This segment of Homewood Banks Drive currently has a two-lane, ribbon-paved cross section without curbs or sidewalks. Blue Ridge Road is classified as a mixed-use street in the UDO Street Plan Map (Avenue, 2-Lane, Divided). Homewood Banks Drive is a local street.

There are no City of Raleigh CIP projects or state STIP projects planned for either street in the vicinity of the Z-18-16 site. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. There is a public street stub (Stony Crest Road) abutting the western boundary of the Z-18-16 parcels.

In accordance with UDO Section 8.3.2, the maximum block perimeter for RX-3 zoning is 3,000 feet. The block perimeter for Z-18-16, as defined by public rights-of-way for Homewood Banks, Crabtree Valley Avenue, Edwards Mill Road, Parklake Avenue, Glen Eden Drive and Blue Ridge Road exceeds 12,000 feet.

The existing land use is a single-family dwelling which generates virtually no traffic. Case conditions effectively prohibit retail use. Approval of Z-18-16 would increase average peak hour trip volumes by 79 veh/hr in the AM peak and by 93 veh/hr in the PM peak; daily trip

volume will increase by 1,026 veh/day. A traffic impact analysis report is not required for Z-18-16.

**Impact Identified:** Block perimeter exceeds maximum.

**4.2 Transit**

Homewood Banks Drive is currently served by GoRaleigh Route 16 Oberlin. The City of Raleigh Short Range Transit Plan and the Wake County Transit Plan anticipate continued service. There is a current unimproved stop on Homewood Banks Drive, at the Homewood Suites hotel. The offer of a transit easement is accepted and will advance Policy LU 6.4. The offer of a transit shelter with amenities will advance policies T 4.8, T 4.15 and T 5.9.

**Impact Identified:** None. Increasing development will increase demand for transit but it is not expected to exceed the current capacity. The offer of a transit easement and shelter will mitigate this impact.

**4.3 Hydrology**

<i>Floodplain</i>	FEMA Floodplain exists on site
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	None

The site is subject to Stormwater Regulations under Article 9.2 of the UDO. There is a Neuse Buffered pond located on the site. Any impacts to the buffer will require NC DEQ approval. There is also FEMA floodplain on the site. Floodplain regulations will apply.

**Impact Identified:** None.

**4.4 Public Utilities**

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	625 gpd	32,040 gpd	170,000 gpd
<i>Waste Water</i>	625 gpd	32,040 gpd	170,000 gpd

The proposed rezoning would add approximately 169,375 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area. A sanitary sewer easement crosses the length of the northern parcel, southwest to northeast.

**Impact Identified:** At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.

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

**4.5 Parks and Recreation**

This site is located on a greenway corridor, Crabtree Creek Tributary D. The corridor requires a 75' greenway easement dedication with residential site plan and/or subdivision

submittal. Nearest trail access point is Crabtree Creek Trail, 0.2 mile from the site. Recreation services are provided by Laurel Hills Park, 1.0 mile away.

**Impact Identified:** None. Dedication of a greenway easement is conditioned.

#### **4.6 Urban Forestry**

The impact only occurs if the parcel fronting Homewood Banks Drive is developed separately from the other, northern parcel. This site is not completely wooded and adding PL frontage would eliminate the 40,000 square feet of secondary tree conservation area along Homewood Banks Drive (which would be required up to 10% of the site, but could have been placed anywhere on the site under the current zoning).

**Impact Identified:** The trees along the street being precluded by the PL frontage may reduce the amount of required tree conservation area on the larger site to below 10%.

#### **4.7 Designated Historic Resources**

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District or include or adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

**Impact Identified:** None.

#### **4.8 Community Development**

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

#### **4.9 Impacts Summary**

1. Block perimeter exceeds maximum.
2. Sewer and fire flow matters may need to be addressed upon development.
3. Reduction of area available to Tree Conservation, due to PL Frontage.

#### **4.10 Mitigation of Impacts**

1. Address block perimeter at site plan stage.
2. Address sewer and fire flow capacities at the site plan stage.
3. Address Tree Conservation at site plan stage.

## **5. Conclusions**

The proposal is consistent with the Urban Form Map and most pertinent policies of the Comprehensive Plan. It is inconsistent in part with the Future Land Use Map, in that the proposed density exceeds that recommended for the larger parcel (17 units/ acre proposed, vs. 14 units/ acre recommended), but the Regional Mixed Use designation of the northern parcel supports high density, and a greenway easement is conditioned for section of the site which is designated for Public Park and Open Space. Conditions offer impact mitigation and provide transit access.

## Staff Comments: Z-18-16 Conditions *(as amended 11/2/16)*

### **Condition 6**

To account for any existing improvements located within the floodplain, and to confirm the floodplain's area, please amend as follows:

Except for required installation and/or maintenance of stormwater devices (including the on-site pond), sanitary sewer or greenway (including private connecting links) facilities, no improvement made after the effective date of this rezoning ordinance (and exempting improvements, if any, made before that date, shall occur within the ~~current~~ 100-year FEMA floodplain (as mapped upon the effective date of this ordinance).



# Planning & Development

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

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan  Existing Zoning Classification R-4 (0795484971) and R-6 (0795491345) Proposed Zoning Classification Base District <u>RX</u> Height <u>3</u> Frontage <u>PL</u>  If the property has been previously rezoned, provide the rezoning case number.  Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 463466	Transaction Number  <span style="font-size: 1.5em; font-family: cursive;">463466</span>

GENERAL INFORMATION		
Property Address 5510 Homewood Banks Drive (0795484971) and 3921 Stony Crest Road (0795491345)		Date
Property PIN 0795484971 and 0795491345	Deed Reference (Book/Page) 14-E-805 (0795484971) and Book 9595, Page 250 (0795491345)	
Nearest Intersection Homewood Banks Drive and Blue Ridge Road		Property size (in acres) 16.02 Total [13.25 (0795484971) and 2.77 (0795491345)]
Property Owner/Address 0795484971 Dorothy R Kerr Rev. Trust PDS Tax Services P.O. Box 13519 Arlington, TX 76094-0519	0795491345 Kerr Properties LLC c/o Chris Woody 2321 Blue Ridge Rd, Ste 101 Raleigh, NC 27607-6453	Phone  Fax  Email
Project Contact Person/Address David L. York, Smith Moore Leatherwood LLP 434 Fayetteville Street, Suite 2800 Raleigh, NC 27601	Phone 919-755-8749  Email david.york@smithmoorelaw.com	Fax 919-838-3165
Owner/Agent Signature  Dorothy R Kerr Rev. Trust By: <i>Debra K. Woody</i> <i>co-truster</i>	Kerr Properties LLC By: <i>Chris Woody</i> <i>MANAGER</i>	Email

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



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## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan  Existing Zoning Classification R-4 (0795484971) and R-6 (0795491345) Proposed Zoning Classification Base District <u>RX</u> Height <u>3</u> Frontage <u>PL</u>  If the property has been previously rezoned, provide the rezoning case number.  Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 463466	Transaction Number

GENERAL INFORMATION		
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Nearest Intersection Homewood Banks Drive and Blue Ridge Road		Property size (in acres) 16.02 Total [13.25 (0795484971) and 2.77 (0795491345)]
Property Owner/Address 0795484971 Dorothy R Kerr Rev. Trust PDS Tax Services P.O. Box 13519 Arlington, TX 76094-0519	0795491345 Kerr Properties LLC c/o Chris Woody 2321 Blue Ridge Rd, Ste 101 Raleigh, NC 27607-6453	Phone Email Fax
Project Contact Person/Address David L. York, Smith Moore Leatherwood LLP 434 Fayetteville Street, Suite 2800 Raleigh, NC 27601	Phone 919-755-8749 Email david.york@smithmoorelaw.com	Fax 919-838-3165
Owner/Agent Signature  Dorothy R Kerr Rev. Trust By: <i>[Signature]</i>	Kerr Properties LLC By: <i>[Signature]</i> MANAGER	Email

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



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## Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction Number
	Zoning Case Number

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.	
1.	Approximately 13.25 acres of the Property is designated for "Moderate Density Residential" on the Future Land Use Map. This land use category encourages residential uses with densities of 6 to 14 dwelling units per acre. RX zoning district with conditions limiting density is suggested. Approximately 2.77 acres of the Property is designated for "Regional Mixed Use" on the Future Land Use Map. This land use category encourages a mix of retail, office and high density residential uses. The Crabtree Valley area has an adequate amount of retail given the size and scope of the mall and surrounding retail outlets. High density residential has no specified upper limit for dwelling units per acre; however, 40 dwelling units per acre would not be inconsistent with densities in a high density area. RX is the zoning designation to achieve high density residential development. (Assuming a 40 dwelling unit density on the 2.77 acre tract and 14 dwelling unit density on the 13.25 acre tract, the combined overall density for both tracts is 18 dwelling units per acre.) Accordingly, the rezoning request for RX with a condition limiting density to not more than 17 dwelling units per acre is consistent with the Future Land Use Map.
2.	The Property is designated as an Urban Growth Area and as such a street frontage is recommended. Given the existing development along Homewood Banks Drive, Parking Limited is the appropriate street frontage. Accordingly, the PL frontage is consistent with the Urban Growth designation of the Property.
3.	RX zoning is a mixed use zoning district and as such it must be accompanied with a building height element. The three (3) story building height limit is the lowest possible building height and as such is appropriate for Moderate Density Residential areas. As mentioned above a portion of the Property is designated for Regional Mixed Use which calls for substantially higher building heights. Therefore, the rezoning request for RX-3-PL is consistent with the Future Land Use Map and the Comprehensive Plan.
4.	This rezoning request is consistent with the following Comprehensive Plan Policies: LU1.2 (Future Land Use Map and Zoning Consistency), LU 1.3 (Conditional Use District Consistency), LU 3.2 (Location of Growth); and LU 6.1 (Composition of Mixed Use Centers).

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	This rezoning request provides a public benefit by rezoning the Property and allowing for its development consistent with the Future Land Use Map and Comprehensive Plan.

2.	This rezoning request provides a public benefit by allowing the Property to be developed for moderate to medium density residential use to support the substantial non-residential uses already in the Crabtree Valley area.
3.	This rezoning request provides a public benefit with a corresponding increase of the City's tax base.
4.	This rezoning request provides a public benefit because it provides for an additional transit easement to support the city's public transportation system and goals.

**URBAN DESIGN GUIDELINES**

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p><b>The request is for RX which is predominantly residential. The Crabtree Valley area has adequate retail and service uses in place. The development of the subject property will enhance the residential component of mixed uses in this compact area.</b></p>
2.	<p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p><b>There are low density residential uses adjacent to the Property. Accordingly, a building height of 3 stories is proposed.</b></p>
3.	<p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p><b>All public streets proposed for the immediate area have already been constructed and opened. As such the existing built environment suggests that pedestrian and vehicular paths of movement to and through the Property can be achieved.</b></p>
4.	<p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p><b>All public streets proposed for the immediate area have already been constructed and opened. Given the built environment, no cul-de-sacs or dead-end streets are anticipated.</b></p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p><b>All public streets proposed for the immediate area have already been constructed and opened. As such the existing built environment suggests that the block faces are existing and not likely to change.</b></p>
6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p><b>Parking Limited street frontage (PL) is proposed. Accordingly, it is anticipated that the existing public streets will be lined with buildings with only limited parking as permitted in the PL frontage.</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>The actual location of buildings and parking will be determined at the site plan process; however, PL frontage is a part of this rezoning request.</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>The actual location of buildings and parking will be determined at the site plan process; however, PL frontage is a part of this rezoning request.</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>The actual location of open space will be determined at the site plan process at which time its location will take into consideration views and sun exposure.</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>The actual location of open space will be determined at the site plan process at which time its location will take into consideration direct access from adjacent streets.</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>The actual location of open space will be determined at the site plan process; however, given the limitation on retail uses in the RX district and as further limited in the zoning conditions, it is anticipated that no retail will be developed on the Property and no retail is adjacent to the Property.</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>The actual location of open space will be determined at the site plan process at which time creating an outdoor "room" that is comfortable will be taken into consideration.</b></p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p><b>The actual location of open space will be determined at the site plan process at which time public seating will be taken into consideration.</b></p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p><b>The actual location of buildings and parking will be determined at the site plan process. PL frontage is a part of this rezoning request.</b></p>
15.	<p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i></p> <p><b>The actual location of buildings and parking will be determined at the site plan process.</b></p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p><b>It is anticipated that parking structures, if any, would be designed to take advantage of the existing topography and would likely not be visible from public streets.</b></p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p><b>The zoning conditions included with this rezoning request provides for a transit stop should one be requested by the city. Existing transit routes pass by the property.</b></p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p><b>The UDO requires convenient pedestrian access between transit stops and building entrances. The development of the Property will comply with the same should a transit stop be requested by the city.</b></p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p><b>The actual location of open space will be determined at the site plan process at which time it is anticipated that a substantial about of the property including the stream and pond will be preserved as open space.</b></p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p><b>All public streets proposed for the immediate area have already been constructed and opened.</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>It is anticipated that sidewalks will be installed along both Blue Ridge Road and Homewood Banks Drive during the development of the Property.</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>The UDO specifically prescribes street trees based upon street typology.</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>The actual location of buildings and parking will be determined at the site plan process. PL frontage is a part of this rezoning request.</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>The location and architectural features of building primary entrances will be determined at the site plan process; however, it is anticipated that same will convey their prominence on fronting facades.</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>The architectural features of building facades will be determined at the site plan process; however, it is anticipated that same will offer interest to pedestrians.</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>It is anticipated that the development of the Property will be of a design that facilitates social interaction and pedestrian movement; however, the specifics of same will be determined at the site plan process.</b></p>



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 Fax 919-516-2685

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-18-16		Transaction Number
Date Submitted 28-Oct-16		
Existing Zoning R-4 (0795484971) and R-6 (0795491345)	Proposed Zoning RX-3-PL CUD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The maximum residential density on the Property shall be seventeen (17) dwelling units per acre.
2.	Prior to issuance of a building permit for new development or recording a subdivision plat, whichever occurs first, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement shall be established during site plan or subdivision review, and the easement deed approved as to form by the City Attorney's Office. If requested by the City of Raleigh in writing, the above referenced transit easement shall be improved with the following prior to issuance of the first certificate of occupancy on the Property: (a) a 15'x20' cement pad; a cement landing zone between the back of curb and sidewalk; (b) an ADA-accessible transit waiting shelter with bench; and (c) a litter container.
3.	The following principal uses otherwise permitted in the RX zoning district shall be prohibited: Dormitory, fraternity, sorority; Telecommunication tower (any type); Medical; Office; Outdoor sports or entertainment facility of any size; Remote parking lot; Personal services permitted in the RX zoning district; Eating establishment and Retail sales.
4.	Parking structures, if any, shall setback no less than one hundred fifty feet (150') feet from the Blue Ridge Road and Homewood Banks Drive rights-of-way as established at site plan and or subdivision of the property to limit its/their visibility from same.
5.	Prior to issuance of a building permit for new development or recording a subdivision plat, whichever occurs first, a greenway easement, in a location to be determined during site plan or subdivision review, shall be deeded to the City and recorded in the Wake County Registry. The development of the Property shall link its internal pedestrian network to the proposed greenway easement.
6.	Except for required installation and/or maintenance of stormwater sewer (including the on site pond), sanitary sewer or greenway (including private connecting links) facilities, no improvement made after the effective date of this rezoning ordinance shall occur within the current 100-year FEMA floodplain.
7.	Buildings along Blue Ridge Road and Homewood Banks Drive rights-of way shall be stepped down with the grade of such rights-of-way to minimize the need for free-standing retaining walls.

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

Owner/Agent Signature Dorothy R Kerr Rev. Trust	Kerr Properties LLC	Print Name Dorothy R Kerr Rev. Trust	Kerr Properties LLC
By: _____	By: _____		



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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-18-16		Transaction Number
Date Submitted		
Existing Zoning R-4 (0795484971) and R-6 (0795491345)	Proposed Zoning RX-3-PL CUD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
8.	No building[s] and/or retaining wall[s] shall be constructed within an average sixty-foot (60') wide setback, fifty-foot (50') minimum, from the permanent pool elevation (340') of the existing pond.
9.	
10.	
11.	
12.	
13.	
17.	

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

<b>Owner/Agent Signature</b> Dorothy R Kerr Rev. Trust      Kerr Properties LLC  By: _____      By: _____	<b>Print Name</b> Dorothy R Kerr Rev. Trust      Kerr Properties LLC
--	--

April 22, 2016

Neighboring Property Owner

Re: Meeting to Discuss Rezoning of 16.02 Acres (Wake County PIN's: 0795484971 (13.25 Ac.) and 0795491345 (2.77 Ac.)) Northwest Quadrant of Intersection of Blue Ridge Road and Homewood Banks Drive in Raleigh, NC

Dear Sir or Madam:

Our firm represents Dominion Realty Partners LLC regarding a re-zoning request for property they have contracted to purchase located in the northwest quadrant of the intersection of Blue Ridge road and Homewood Banks Drive in Raleigh (the "Property"). You are receiving this letter because the public records indicate that you own property in close proximity to the Property. You are invited to attend a neighborhood meeting on May 9, 2016. The meeting will be held at the Laurel Hills Park Community Center, located at 3808 Edward Mills Road in Raleigh, and will begin at 7:00 p.m.

The purpose of this meeting is to discuss the potential rezoning of approximately 16.02 acres located at 5510 Homewood Banks Drive (PIN 0795484971) and 3921 Stony Crest Road (PIN 0795491345) in Raleigh. This Property is currently zoned Residential-4 (R-4) and Residential-6 (R-6). We anticipate a request to amend the zoning map designation from R-4 and R-6 to Residential Mixed Use, 4-story maximum height with Parking Limited frontage Conditional Use ("RX-4-PL CU"). Enclosed for your reference, please find a map highlighting the subject Property in yellow.

We find that a dialogue with the neighbors is always helpful in assuring that your concerns are being carefully considered. The City of Raleigh requires that prior to submittal of any rezoning application, a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning.

Please join us on Monday, May 9<sup>th</sup>, at 7:00 p.m. at the Laurel Hills Park Community Center, located at 3808 Edward Mills Road in Raleigh to discuss this re-zoning request.

I look forward to seeing you at the meeting. Please call or e-mail me with any questions.

Sincerely,

Smith Moore Leatherwood LLP



David L. York

Enclosure

**ADJACENT PROPERTY OWNER LIST (Transaction #463466)**

- SP Kerr Properties LLC  
c/o Chris Woody  
2321 Blue Ridge Road, Suite 101  
Raleigh, NC 27607-6453
- SP Dorothy R. Kerry Revocable Trust  
Wells Fargo Bank Trustee  
PDS Tax Services  
P.O. Box 13519  
Arlington, TX 76094-0519
- 1 Pinnacle Apartments LLC  
Drucker & Falk  
11824 Fishing Point Dr  
Newport News VA 23606-2679  
0795399646
- 2 CVM Associates  
2840 Plaza Pl Ste 100  
Raleigh NC 27612-6342  
0795497805
- 3 Terra Hospitality - Giant LLC  
Capstone Development LLC  
4445 Willard Ave Ste 800  
Chevy Chase MD 20815-3699  
0795496409
- 4 IBP TIC Owner, LLC  
PP TIC Owner, LLC  
9606 N Mopac Expy Ste 500  
Austin TX 78759-5960  
0795580885
- 5 Simpson Woodfield Marshall Park LLC  
Fellers Schewe Scott & Roberts Inc  
PO Box 450233  
Atlanta GA 31145-0233  
0795479879

- 6 The Edwin G. Brandle and  
Jacqueline Brandle Revocable Trust  
6000 Castlebrook Dr  
Raleigh NC 27604-5928  
0795488212
- 7 Schautteet, Kevin D  
3916 Blue Ridge Rd  
Raleigh NC 27612-4630  
0795486280
- 8 Hillcrest Raleigh at Crabtree LLC  
310 10th Ave N  
Safety Harbor FL 34695-3416  
0795475963
- 9 White, Hugh Glenn Jr  
2801 Glenwood Gardens Ln Unit 305  
Raleigh NC 27608-1239  
0795483460
- 10-13 Bensen, Mark V  
Bensen, Christopher V  
3801 Holly Ln  
Raleigh NC 27612-4635  
0795481606, 0795388982, 0795386748, 0795388580
- 14 Pearce, Irvin A & Ann C  
3809 Mid Lakes Dr  
Raleigh NC 27612-4647  
0795380709
- 15 BACX LLC  
999 Highlands Cir  
Los Altos CA 94024-7012  
0795394114

## SUMMARY OF ISSUES

A neighborhood meeting was held on Monday, May 9, 2016 to discuss a potential rezoning located at 5510 Homewood Banks Drive and 3921 Stony Crest Road. The neighborhood meeting was held at Laurel Hills Park Community Center. There were approximately nine (9) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

Mr. David York welcomed those attending the meeting, introduced representatives of the proposed development team and distributed the attached handout to assist with the discussion. Mr. York provided an explanation and description of the property in question. Background information was provided regarding the City of Raleigh's current zoning map and the recommendations of the Comprehensive Plan, specifically the Future Land Use map and the Urban Form Map. Zoning conditions under consideration by the applicant was discussed, followed next by brief explanation of the rezoning process.

Issues raised/discussed by/with neighbors included the following:

- a) points of vehicular access to/from the Property;
- b) traffic impacts of development;
- c) building locations in reference to public streets; and
- d) pond and open space.

Mr. York thanked those in attendance for their time and interest in the rezoning. Meeting was adjourned.

Kerr Banks Property Rezoning Pre-App Meeting

Attendance Roster:

Name

Address

David York

david.york@smithmoorelaw.com

Andy Andrews

AAndrews@drp-LLC.com

Chris Carlino

ccarlino@drp-llc.com

H. Glenn White Jr.

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H. Glenn White III

jmurray@DRP-LLC.com

Joseph C. Murray Sr.

IRVPEARCE@gmail.com

IRV PEARCE

Ron Henriks

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" carolhym1@gmail.com

MIKE GRATEK

NEIL RUDOLPH

4910 CONNELL DR  
NRUDOLPH@PLAZASSOCIATES INC.COM

Sarah Edwards

pinnacle@druckerandfask.com

MARK BENSEN

mark@bensen.net