

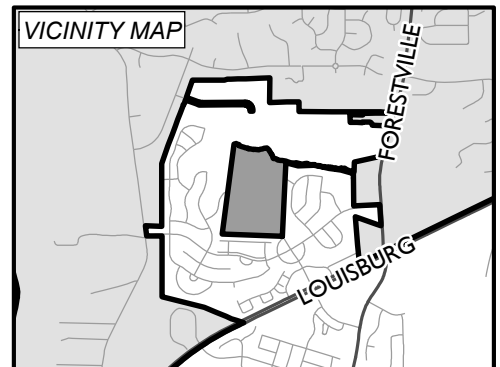
**Submittal
Date**

6/29/2017

Request:

**50.28 acres from
R-30 (Wake County)
to R-10-CU
w/**

VICINITY MAP



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Jason Hardin, AICP
Department	Planning and Development
Date	April 21, 2021
Subject	City Council agenda item for May 4, 2021 – Z-18-17

On April 6, 2021, City Council authorized the public hearing for the following item:

Z-18-17 0 Cashlin Drive, approximately 49.44 acres located approximately 300' north of the intersection of [Leland Drive and Hartham Park Avenue](#).

Signed zoning conditions provided on March 31, 2021 specify that:

- Maximum number of residential units will be 179.
- Apartment and Townhouse building types are prohibited.
- If the property is developed as a Conventional Subdivision, at least 20 percent of the area will be set aside as open space.
- A 30-foot planted or undisturbed area will be provided along the southern edge of the property, with at least the southernmost 10' remaining undisturbed except where utility easements or similar areas exist.

Current zoning: Wake County Residential-30

Requested zoning: Residential-10-Conditional Use (R-10-CU)

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

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

The Urban Form Map does not have a designation for the subject property.

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

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR #12098

CASE INFORMATION: Z-18-17 CASHLIN DRIVE

Location	Approximately 300' north of the intersection of Leland Drive and Hartham Park Avenue Address: 0 Cashlin Drive PINs: 1748323666 iMaps , Google Maps , Driving Directions from City Hall
Current Zoning	R-30 (Wake County zoning, 30,000 sf minimum lot size)
Requested Zoning	R-10-CU
Area of Request	49.44 acres
Corporate Limits	The site is outside of Raleigh's corporate limits and ETJ. Approval of this rezoning would require the site to be annexed into the City of Raleigh.
Property Owner	A2C3 GROUP LLC
Applicant	A2C3 GROUP LLC, represented by Longleaf Law Partners
Council District	Currently not in city limits; adjacent to District B
PC Deadline	June 7, 2021

SUMMARY OF PROPOSED CONDITIONS

1. Maximum number of residential units will be 179.
2. Apartment and Townhouse building types are prohibited.
3. If the property is developed as a Conventional Subdivision, at least 20 percent of the area will be set aside as open space.
4. A 30-foot planted or undisturbed area will be provided along the southern edge of the property, with at least the southernmost 10' remaining undisturbed except where utility easements or similar areas exist.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Low Density Residential
Urban Form	None
Consistent Policies	LU 1.2 Future Land Use Map and Zoning Consistency LU 3.1 Zoning of Annexed Lands LU 3.2 Location of Growth LU 3.4 Infrastructure Concurrency H 1.8 Zoning for Housing

Inconsistent Policies	None
-----------------------	------

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
June 7, 2017 (52 attendees)	Not required. However, applicant held second meeting on January 26, 2021 (20 attendees)	March 9, 2021 (consent for deferral); March 23	April 6, 2021 (report of Planning Commission)

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The proposal is reasonable and in the public interest. The request is consistent with several Comprehensive Plan policies, including those that support consistency with the Future Land Use Map, that guide where annexation and development should occur, and that support increasing housing supply.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	N/A
Recommendation	Approve (8-0)
Motion and Vote	Motion: O'Haver; Second: McIntosh In Favor: Bennett, Fox, Lampman, McIntosh, Miller, O'Haver, Rains, Winters

Reason for Opposed Vote(s)	N/A
-------------------------------	-----

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions

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:

Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov



ZONING STAFF REPORT – CASE Z-18-17

Conditional Use

OVERVIEW

The proposal seeks to rezone a 49-acre parcel in northeast Raleigh less than a quarter-mile north of Louisburg Road. The property is currently undeveloped and is outside the city limits and extraterritorial jurisdiction. However, it is bordered on all sides by developed properties within the City.

The request originally was filed in 2017. However, the request remained incomplete due to a requirement of a traffic impact analysis (TIA), and the property was sold to a new owner. In 2020, the applicant resumed the request, completed the TIA, and held a new neighborhood meeting.

Although the property's address is 0 Cashlin Drive, it is located at the northern stub of Leland Drive, a few hundred feet north of Hartham Park Avenue. Adjacent properties on all sides are developed with residential uses, and street stubs exist on multiple side of the subject property. Farther south, a shopping center with retail and other commercial uses is at the intersection of Louisburg Road and Leland Drive.

The subject property is currently zoned R-30 in Wake County. That zoning district allows residential uses with minimum lot sizes of 30,000 feet, equating to a density of roughly 1.5 units per acre. The request is for Residential-10-Conditional Use (R-10-CU). Conditions would limit units to 179, or 3.6 units per acre, and prohibit the Apartment and Townhouse building types, which otherwise would be allowed in R-10. Conditions also require that at least 20 percent of the property be set aside as open space and that the southern 30 feet of the property will remain as either a planted or undisturbed area.

Adjacent properties all have residential zoning categories. The property to the north is zoned R-10-CU, with density limited to three units per acre. Properties to the west, south, and east are zoned R-6-CU, with density limited to 4.5 units per acre.

The Future Land Use Map designates the subject property and adjacent properties as Low Density Residential, which envisions residential uses at up to six units per acre. The site has no designation on the Urban Form Map.

The site also includes a Street Plan designation that would require a new neighborhood street to connect Leland Drive on the south with Princess Tree Drive on the north. The new street would bisect the property and help create a more connected street network, which leads to fewer vehicle miles traveled and makes it easier to walk or bike to destinations.

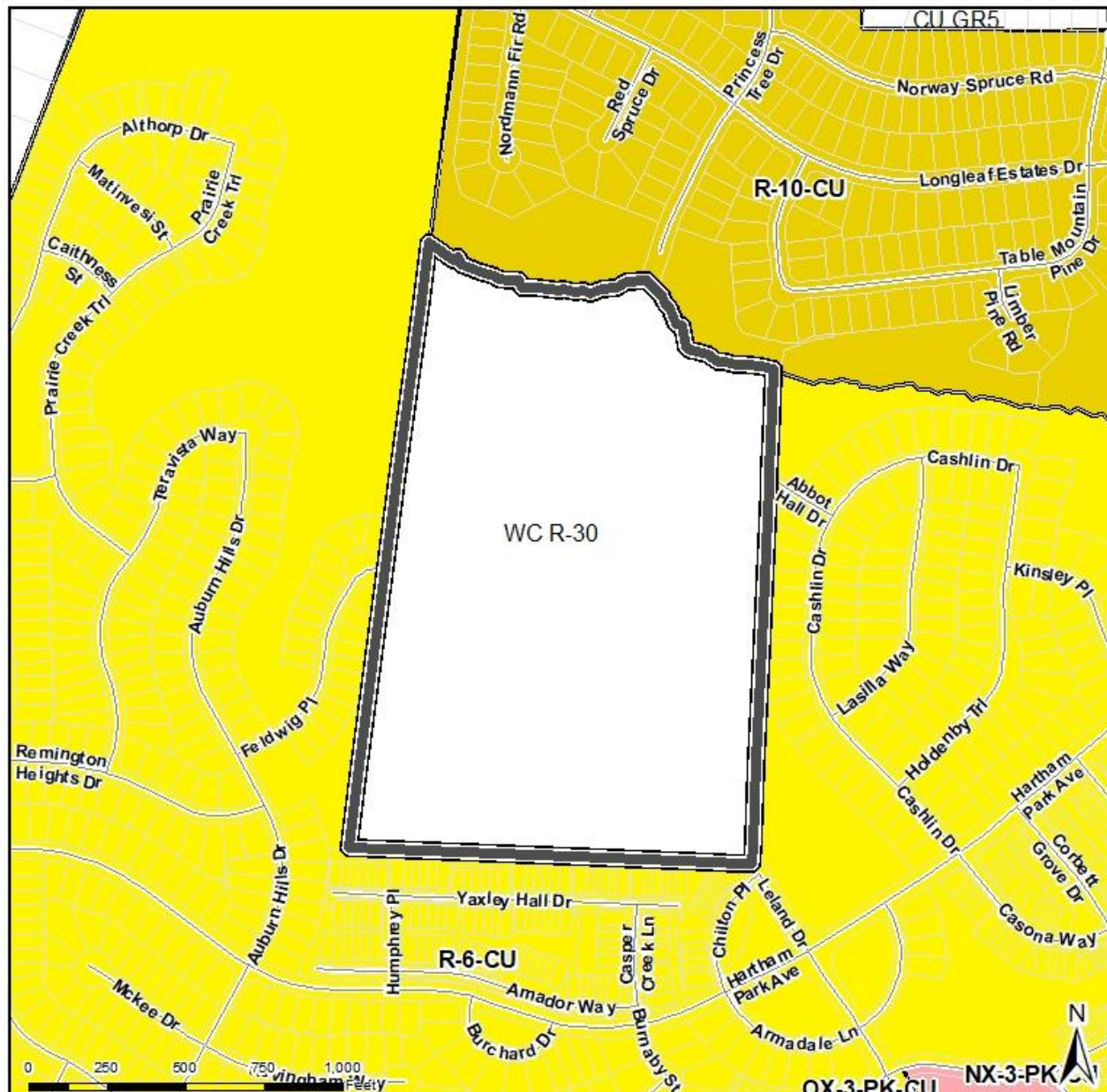
If approved, the rezoning would allow additional housing supply on the property at a density consistent with the Future Land Use Map. The request is filed simultaneously with an annexation request, A1585, that would bring the property into the city of Raleigh.

OUTSTANDING ISSUES

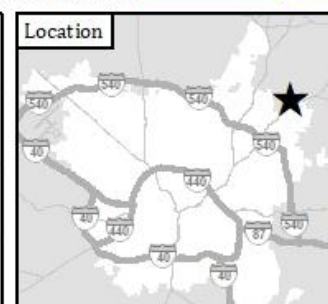
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
--------------------	---------	----------------------	--------

Existing Zoning

Z-18-2017



Property	0 Canyon Dr (PIN: 1748323666)
Size	49.44 acres
Existing Zoning	R-30 (Wake County)
Requested Zoning	R-10-CU

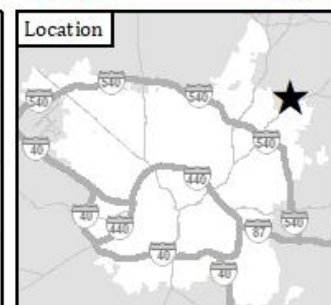


Future Land Use

Z-18-2017

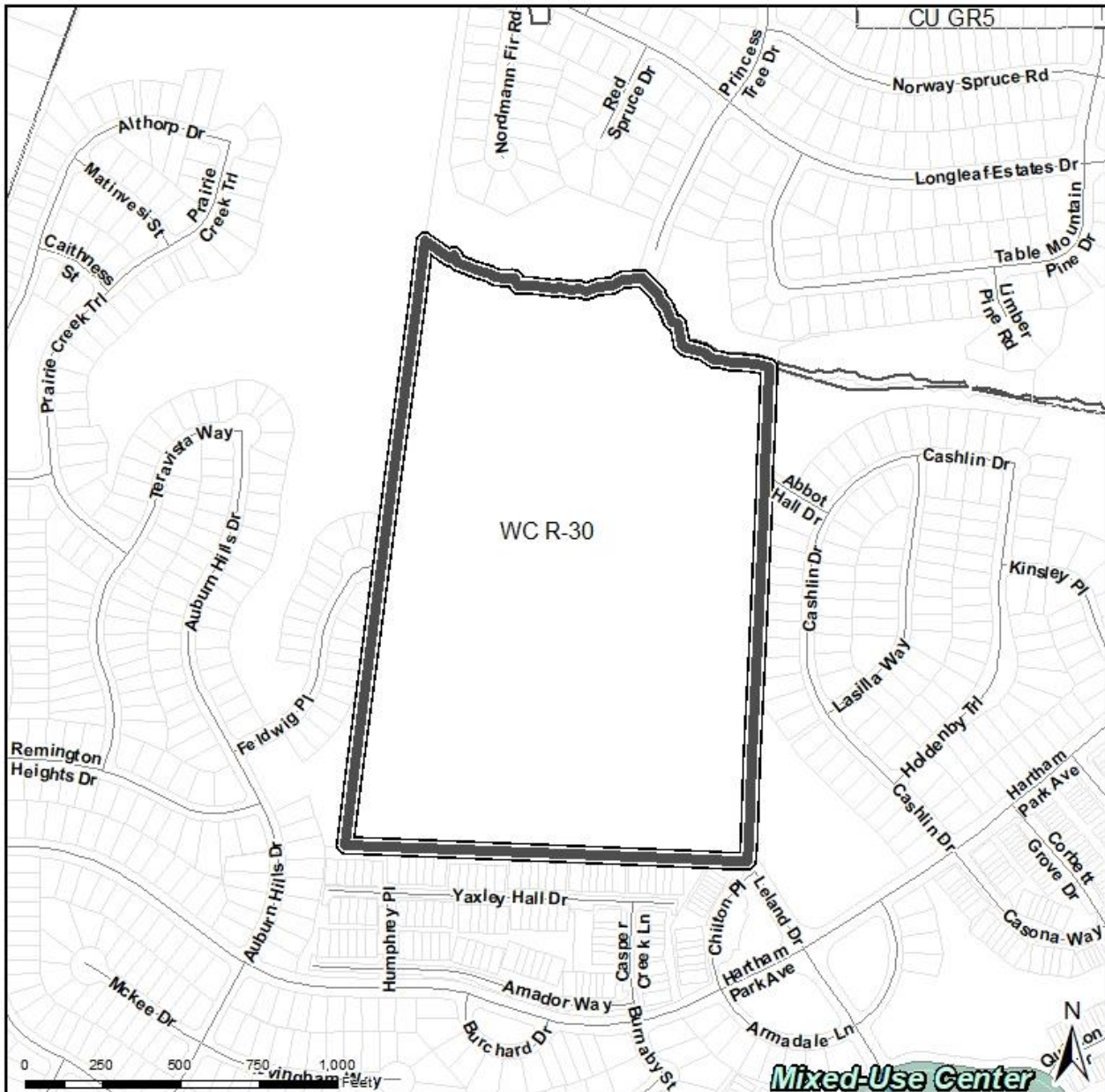


Property	0 Canyon Dr (PIN: 1748323666)
Size	49.44 acres
Existing Zoning	R-30 (Wake County)
Requested Zoning	R-10-CU

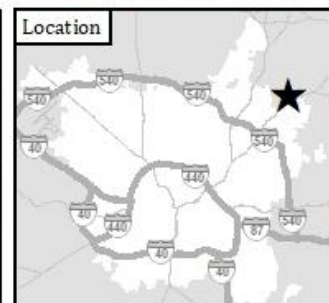


Urban Form

Z-18-2017



Property	0 Canyon Dr (PIN: 1748323666)
Size	49.44 acres
Existing Zoning	R-30 (Wake County)
Requested Zoning	R-10-CU



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?

Yes, the proposal is consistent with the vision, themes, and policies of the Plan, particularly the theme of Growing Successful Neighborhoods and Communities and policies that encourage consistency with the Future Land Use Map and allowing more housing supply.

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

Yes, the residential use being proposed is consistent with the Future Land Use Map designation of Low Density Residential.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

The use is consistent with the Future Land Use Map.

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

The development will include the construction of new streets and street connections required by code. Infrastructure will be sufficient to serve the proposed use.

Future Land Use

Future Land Use designation: Low Density Residential

The rezoning request is

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

☐ **Inconsistent**

The requested zoning of Residential-10 with conditions that limit density to fewer than four units per acre is consistent with Low Density Residential.

Urban Form

Urban Form designation: None

The rezoning request is

- ☐ **Consistent** with the Urban Form Map.
- ☐ **Inconsistent**
- ☒ **Other** (no Urban Form designation)

Compatibility

The proposed rezoning is

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

The request would permit housing in a residential area at a scale comparable to adjacent neighborhoods.

Public Benefits of the Proposed Rezoning

- It will allow additional housing supply.
- It will allow additional housing in a place within walking distance to retail and employment opportunities.
- It will allow development in an area already served by utilities and other infrastructure, as it is bordered on all sides by neighborhoods within the city.

Detriments of the Proposed Rezoning

- None

Policy Guidance

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

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.

LU 3.1 Zoning of Annexed Lands

The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special

study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.

- The requested zoning category, which allows detached houses at less than four units per acre, is consistent with the Low Density Residential category.

LU 3.2 Location of Growth

The development of vacant properties should occur first 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.

- Although the site is not within the city's ETJ, it is surrounded on all sides by property within Raleigh's corporate limits,

LU 3.4 Infrastructure Concurrency

The City of Raleigh should only approve development within newly annexed areas or Raleigh's ETJ when the appropriate transportation, water, stormwater, and wastewater infrastructure is programmed to be in place concurrent with the development.

- Nearby infrastructure appears to be sufficient for the proposed development. The Traffic Impact Analysis recommends only minor modifications to traffic signals in the vicinity.

H 1.8 Zoning for Housing

Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.

- The request would allow additional housing at greater density than current Wake County zoning, adding to housing supply and accordingly improving affordability. The density permitted is relatively low for an urban area, making the request only moderately consistent with this policy, but the request would increase supply.

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

None

Area Plan Policy Guidance

The request is not within an area plan boundary. It is less than a quarter-mile from the Forestville Village area plan, which aims to create a walkable area, with a commercial center along the south side of Louisburg Road. The request would allow more housing within walking distance of that center.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	0	The area is currently not served by transit
Walk Score	31	34	Slightly higher than average
Bike Score	41	23	Lower than 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 area is not served by transit, but is slightly more walkable than the city average. This suggests that transportation here will have a roughly similar carbon footprint to that in other locations of the city and will not raise or lower the city's per capital carbon emissions.

Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	No
Small Apartment (2-4 units)	42.1	No
Larger Apartment	34.0	No

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

Summary: The request would only allow detached houses, the least energy-efficient housing type.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	No	
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	It would permit lots of 4,000 square feet or slightly less than a tenth of an acre. This is similar to other lots nearby but substantially smaller than the city average. This translates into more affordable housing than would be the case with much larger lots.
Is it within walking distance of transit?	No	No transit currently serves the area

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

Summary: The request does permit attached houses (duplexes), but does not permit townhouses or apartments, which tend to be less expensive than detached houses. However, it does permit significantly smaller lots than the city's average, which results in relatively more affordable homes than would otherwise be the case.

IMPACT ANALYSIS

Historic Resources

No historic resources are present on the site or in the area.

Impact Identified: None

Parks and Recreation

1. There are no proposed greenway corridors associated with this site.
2. Nearest greenway access is provided at Horseshoe Farm Nature Preserve, approximately 2.5 miles away.
3. Nearest park access is provided at Horseshoe Farm Nature Preserve, approximately 2.5 miles away.
4. Currently, overall park access level of service in this area is considered average to below average.
5. The addition of a maximum number of 179 residential units under the proposed zoning would add significant demand to the parks and greenways system in this area.

Impact Identified: None requiring additional mitigation beyond code.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0 gpd	45,000 gpd	125,625 gpd
Waste Water	0 gpd	45,000 gpd	125,625 gpd

1. The proposed rezoning would add approximately 125,625 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. An off-site easement may be required for sewer outfall at northwest corner of property.
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	No FEMA floodplain present
Drainage Basin	Toms Creek
Stormwater Management	Subject to stormwater regulations under Article 9 of UDO.
Overlay District	None

The parcel is subject to stormwater regulations under Article 9.2 of the UDO. Neuse buffers and flood-prone soils exist on the site.

Impact Identified: None requiring additional mitigation beyond code.

Transportation

The Z-18-17 site is in Northeast Raleigh near the intersection of Forestville Road and Louisburg Road.

Area Plans

The Z-18-17 site is near the Forestville Village area plan, which is on the opposite side Louisburg Road. The plan creates a framework for a pedestrian mixed-use district.

Existing and Planned Infrastructure

Streets

Forestville Road is designated at a 4-lane divided avenue, in the Street Plan (Map T-1) in the comprehensive plan. Louisburg Road designated as a 6-lane divided avenue. Both are maintained by NCDOT. There are four public street stubs to the Z-18-17 site:

1. Leland Drive connects to the southeastern corner of the site and provides direct access to Louisburg Road. It is a 2-lane undivided avenue where existing and is proposed to be extended as a neighborhood street in the Street Plan. It is maintained by the City of Raleigh.
2. Abbot Hall Drive connects to the eastern boundary of the site and provides interconnectivity among the many neighborhoods in the area. It is not designated in the street plan; it is maintained by the City of Raleigh.
3. Feldwig Place connects to the western boundary of the site and provides interconnectivity among the many neighborhoods in the area. It is not designated in the street plan; it will be maintained by the City of Raleigh after the conclusion of a warranty period.
4. Princess Tree Drive connects to the northern boundary of the site and provides interconnectivity among the many neighborhoods in the area. It is designated as a neighborhood street in the street plan; it will be maintained by the City of Raleigh after the conclusion of a warranty period.

The site is bisected by a proposed neighborhood street in the street plan.

In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning districts is 2,500 feet, and the maximum dead-end street length is 300 feet. The existing block perimeter is approximately 17,000 feet. Connection of new subdivision streets to existing street stubs will greatly improve block perimeter.

Comprehensive Plan Policies T 2.3, T 2.4, T 2.5, and T 2.6 concern interconnected streets. These policies and standards reduce per-capita vehicle miles traveled, increase the efficiency of providing city services such as solid waste collection, and equalize neighborhood traffic throughout each individual neighborhood, so that the portions of neighborhoods closest to major streets do not bear a disproportionate level of the traffic within a neighborhood. They also support non-motorized travel.

Pedestrian Facilities

There are existing stubs to the site boundary on all four streets along the site perimeter. New streets must meet the standards of UDO Section 8.4.

Bicycle Facilities

There are no existing bikeways within a half mile of the Z-18-17 site. Hartham Park Avenue and Forestville Road are designated for bicycle lanes in the Long-Term Bike Plan (Map T-3 of the Comprehensive Plan); Louisburg Road is designated for a separated bikeway.

Transit

There is no existing transit service in this location. Louisburg Road is designated in Map T-2 (Planned Transit Facilities) as a Regional Bus Connection. GoRaleigh Route 401X passes the subject site without stopping. This service provides limited express service from Triangle Town Center to a park and ride lot in Rolesville.

Access

Vehicle access to the subject site is via new or existing public streets.

Other Projects

NCDOT plans to add capacity to the intersection of Louisburg Road, Ligon Mill Road, and Mitchell Mill Road. This project is listed as Project U-5748 in the N.C. Department of Transportation's State Transportation Improvement Program (STIP). It is expected to begin construction in 2022.

TIA Review

Transportation staff have reviewed a TIA prepared by A. Morton Thomas and Associates, Inc. The analysis indicates that the proposed development will have impacts to the surrounding roadway network and intersections but can be mitigated with the study's recommended improvements:

- Louisburg Road at Mitchell Mill Road
 - Signal timing modifications during the PM peak hour to provide additional green time for the significantly heavy northbound through movement along Louisburg Road.
 - Cycle length remains unchanged.
- Louisburg Road at Forestville Road

- Signal timing modifications during the PM peak hour to provide additional green time for the eastbound left (Louisburg Road)/southbound right (Leland Avenue) permitted overlap turn movements, as well as additional green time for the northbound/southbound Leland Avenue approaches.
- Cycle length remains unchanged.
- Hartham Park Avenue at Ligon Mill Road
 - Monitoring of the westbound queues during the AM and PM peak hours for potential traffic signal installation. Analysis should include a study of all MUTCD signal warrants

City Staff has confirmed that the proposed signal timing modifications are viable and agrees with the overall analysis performed in the TIA. See the attached technical review memo for additional details regarding the TIA.

Impact Identified: Additional transportation demand that can be mitigated by the required and proposed improvements.

Urban Forestry

This site is wooded and greater than 2 acres. The site must with UDO Article 9.1. Tree Conservation requirements.

Impact Identified: None requiring additional mitigation beyond code.

Impacts Summary

Additional demand for parks, transportation, and utilities.

Mitigation of Impacts

None needed beyond code requirements.

CONCLUSION

The request would permit additional housing in an area adjacent to other residential uses in the city of Raleigh. The request is consistent with the Future Land Use Map and other relevant policies. The request is paired with an annexation petition that would bring the property into city limits.

Overall, the request is consistent with the Comprehensive Plan.

CASE TIMELINE

Date	Action	Notes
6/7/17	Neighborhood meeting	52 attendees
6/29/17	Petition filed	Request for R-10, limited to 4 units/acre
7/21/17	Initial review	TIA required
1/26/2021	Neighborhood meeting	18 attendees
1/27/2021	TIA completed and accepted	
2/24/2021	Conditions revised	Units reduced to 179, matching TIA. Request ready to go to Planning Commission

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-30 (County)	R-10-CU	R-6-CU	R-6-CU	R-6-CU
Additional Overlay	-	-	-	-	-
Future Land Use	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential; Private Open Space	Low Density Residential
Current Land Use	Vacant	Residential	Residential	Residential; open space	Residential
Urban Form	-	-	-	-	-

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	R-30 (Wake County)	R-10-CU
Total Acreage	49.44	49.44
Setbacks:		
Front	30'	10'
Side	10'	5'
Rear	30'	20'
Residential Density:	1.5 units/acre	3.6 units/acre
Max. # of Residential Units	72	179
Max. Commercial SF	-	-

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

Relevant Minutes from March 23, 2021 Planning Commission Meeting

AGENDA ITEM (F): NEW BUSINESS

AGENDA ITEM (F) 1: Z-18-17 – Cashlin Drive

This case is located 0 Cashlin Drive. Approximately 300' north of the intersection of Leland Drive and Hartham Park Avenue.

Approximately 49.44 acres are requested by A2C3 Group LLC to be rezoned. Conditions provided on March 12, 2021 limit the number of units to 179; prohibit the Apartment and Townhouse building types; require at least 20 percent of the area to remain as open space; and specify a 30-foot-wide planted or undisturbed area along the southern property line, with the southern 10 feet undisturbed.

The request was originally filed in 2017. The application was never completed, lacking a required traffic impact analysis. The property was later sold. In 2020, the new owner restarted the process and completed the TIA, allowing the request to move forward to Planning Commission review. Although not required, a new neighborhood meeting took place in early 2021. Meeting materials are included in the attachment.

The request is consistent with the 2030 Comprehensive Plan.

The request is consistent with the Future Land Use Map.

The deadline for Planning Commission Action is June 7, 2021.

Planner Hardin presented the case.

Michael Birch, representing the applicant gave a brief overview of the case.

Joanne Braman representing the public spoke regarding neighborhood meeting and the promise of 50 feet buffer not 30 and states that needs to be changed. She also spoke regarding all the traffic coming from other subdivisions all coming through their neighborhood is not acceptable. Her concerns are regarding Wrong on the deadline; buffer change and their being way too much traffic.

There was discussion regarding the 50 ft buffer promise and whether that is something that can be done; connections; stubs and traffic in the area.

Transportation Planner Burruss spoke regarding the inter connection and the future street stubs from the transportation standpoints.

Mr. Birch responded that was no promise of a 50 ft buffer promised on their side. The applicant stated they had said they could do a 20 or 30 ft buffer. He stated that the 50 feet may have been a reference to the combined width of an existing buffer on property to the south and the proposed buffer on this property.

Mr. O'Haver made a motion to approve the case. Ms. McIntosh seconded the motion.

Commissioners how do you vote?

Bennett (Aye), Fox (Aye), Lampman (Aye), McIntosh (Aye), Miller (Aye), O'Haver (Aye) Rains (Aye) and Winters (Aye). The vote was unanimous 8-0.

Rezoning Application



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	R-30	Height N/A Frontage N/A Overlay(s) None	
Proposed Zoning Base District	R-10	Height N/A Frontage N/A Overlay(s) None	
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number: N/A			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
515870			

GENERAL INFORMATION			
Date	6/23/17	Date Amended (1)	Date Amended (2)
Property Address 0 Canyon Drive			
Property PIN 1748-32-3666		Deed Reference (book/page) Tract II in Book 16292, Page 275	
Nearest Intersection Leland Drive and Chilton Place			
Property Size (acres)	50.28	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address See attached.		Phone	Fax
		Email	
Project Contact Person/Address Michael Birch, Morningstar Law Group 421 Fayetteville Street, Suite 530 Raleigh, NC 27601		Phone 919.590.0388	Fax
		Email mbirch@morningstarlawgroup.com	
Owner/Agent Signature	DocuSigned by: Md Murchison for First Try SPE, LLC 38765D4C0368462...		
	Email nmurchison@localfirstbank.com		

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

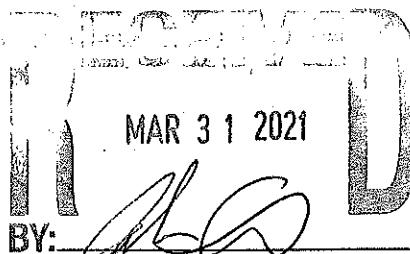
Conditional Use District Zoning Conditions		
Zoning case #: Z-18-17	Date submitted: March 12, 2021	OFFICE USE ONLY Rezoning case #
Existing zoning: R-30 (Wake County)	Proposed zoning: R-10-CU	

Narrative of Zoning Conditions Offered
<p>1. The maximum number of dwelling units permitted on the property is 179.</p> <p>2. The Apartment and Townhouse building type shall be prohibited.</p> <p>3. If the property is developed with a conventional subdivision, a minimum twenty percent (20%) of the net site area shall be set aside as open space.</p> <p>4. Property owner shall provide a minimum thirty-feet (30') wide buffer along the shared boundary line with those parcels identified as "Lot 1221 Townhouse Common Area" and "Lot 1250 – Townhouse Common Area" on that plat recorded in Book of Maps 2010, Page 674 (the "Townhouse Property").</p> <p>The first ten (10) of the buffer adjacent to the Townhouse Property shall be undisturbed, except for tree removal associated with any existing or proposed public rights-of-way, access easements, slope easements, utility easements, or any easements required by a governmental entity.</p> <p>For the outer twenty (20) feet of the buffer area adjacent to the Townhouse Property, if five (5) feet or more of the width of the buffer area is impacted by tree removal (except for tree removal associated with any existing or proposed public rights-of-way, access easements, slope easements, utility easements, or any easements required by a governmental entity), those disturbed portions of the buffer area shall be replanted at a rate of at least four (4) shade trees and three (3) understory trees per 100 linear feet.</p>

The property owner(s) hereby offers, consents to, and agrees to abide, 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: _____

Printed Name: THOMAS J. ANHUT AS MANAGING MEMBER OF AZC3 GROUP, LLC.



REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	
<p align="center">STATEMENT OF CONSISTENCY</p>	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>1. The property is designated Low Density Residential on the Future Land Use Map. This category recommends residential development with a density between one to six units per acre. A proposed zoning condition limits density to four units per acre, consistent with this guidance.</p>	
<p>2. The Low Density Residential category suggests that smaller lots and townhouses are appropriate if part of a subdivision that provides significant open space. A proposed zoning condition requires a set aside of open space, consistent with this guidance. Also, the proposed rezoning is compatible with the adjacent Highland Creek subdivision, which includes single-family and townhouses and is similarly designated Low Density Residential on the Future Land Use Map.</p>	
<p>3. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.2, LU 1.3, LU 2.2, LU 3.2, LU 4.5, LU 8.1, and LU 8.9.</p>	
<p>4.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. The proposed rezoning benefits the public by providing a mix of lot sizes and building types in a growing area of the City and in close proximity to a mixed-use center located at the intersection of Leland Drive and Louisburg Road.</p>	
<p>2. The proposed rezoning benefits the public by rezoning land consistent with the Future Land Use Map and key Comprehensive Plan policies, and compatible with surrounding development.</p>	
<p>3. The proposed rezoning benefits the public by facilitating development of property that will provide key street connections to adjacent development and enhance the surrounding street network.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

OFFICE USE ONLY**Transaction #****Rezoning Case #****INVENTORY OF HISTORIC RESOURCES**

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

There are no known historic resources located on the property.

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

Not applicable.

REZONING OF PROPERTY CONSISTING OF +/- 50.28 ACRES
LOCATED AT THE TERMINUS OF LELAND DRIVE NORTH OF ITS INTERSECTION WITH CHILTON
PLACE, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON JUNE 7, 2017

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, June 7, 2017, at 6:00 p.m. The property considered for these potential rezoning totals approximately 50.28 acres, located at the terminus of Leland Drive just north of its intersection with Chilton Place, in the City of Raleigh, having Wake County Parcel Identification Number 1748-32-3666. This meeting was held in the Highland Creek Clubhouse located at 8503 Hartham Park Avenue in Raleigh, NC 27616. All owners of property within 100 feet of the subject properties were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



Michael Birch | Partner
421 Fayetteville Street, Suite 530
Raleigh, NC 27601
919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Michael Birch

Date: May 26, 2017

Re: Notice of meeting to discuss potential rezoning of a parcel located at the terminus of Leland Drive just north of its intersection with Chilton Place, containing approximately 50.28 acres, with address of 0 Canyon Drive, and having Wake County Parcel Identification Number 1748-32-3666 (the "Property").

We are counsel for a developer that is considering rezoning the Property. Currently, the Property is not within the City limits and has County zoning of Residential-30 (R-30). The developer is considering annexing the Property into the City and rezoning the property to Residential-10 with conditions. This would allow the developer to build a mix of single-family homes and townhomes on the Property.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, June 7, 2017 at 6:00 p.m. This meeting will be held in the Highland Creek Clubhouse located at 8503 Hartham Park Avenue in Raleigh, NC 27616.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 100 feet of the site prior to filing a rezoning application. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at 919.590.0388 or mbirch@morningstarlawgroup.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at (919) 996-2626 or rezoning@raleighnc.gov.

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Wednesday, June 7, 2017, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. After a presentation by the applicant, the following items were discussed:

1. Location and width of buffer adjacent to Highland Creek properties
2. Extension of Leland Road and other Highland Creek streets
3. Anticipated mix of single-family homes and townhomes
4. Size of lots and homes, and comparison to Highland Creek
5. Cost of the homes
6. Whether proposed development would have separate amenities
7. Amount of open space
8. Blasting notice to nearby homeowners
9. Connection with Longleaf Estates
10. Cut-through traffic and speeding along private portion of Chilton Place
11. Home style that would back-up to homes on Cashlin Drive
12. Status of the capacities of nearby schools
13. Ability to alter timing of signal at Leland Drive and Louisburg Road
14. Ability to widen intersection of Leland Drive and Louisburg Road
15. What happens if property is not annexed and zoned by City of Raleigh
16. Concern regarding amount of additional traffic on Leland Drive
17. Confirm that the development will have no commercial uses
18. Proposed density limit of 4 units per acre, and description of how that is calculated
19. Timing of zoning process and timing of land development process
20. Identify access points to the development
21. Discussion of traffic impact analysis, the timing of that analysis, and the ability of neighbors to comment on the analysis
22. Likely route for construction traffic
23. Location of creeks and other natural features
24. Description of the zoning process and opportunities for public input and comment
25. Discussion of possible transportation improvements and the obligation of paying for those improvements
26. The operation of zoning conditions, that they apply to the property irrespective of ownership, and they can only be changed by another rezoning
27. Discussion of meeting notification process
28. Additional meetings with Highland Creek owners and residents to discuss results of traffic impact analysis and buffers adjacent to Highland Creek

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. John Pates
2. Ray McLaughlin
3. Elijah Windsor
4. Christine Cueto
5. Louis Buonpane
6. Amy Ryan
7. Eunice Torres-Browder
8. Jim Beedenbender
9. Esther Brooks
10. Debbie McClellan
11. Vickie Christos
12. Megan Rudolph
13. Alma Roberts
14. Wendy Bonano
15. Miguel Bonano
16. Jennifer Givens
17. Thelma Kilby
18. Rena Lamarch
19. Sandra Wawrzynek
20. Denise Piediscalzo
21. Rosemarie Flaim
22. Brian Owen
23. Keri Owen
24. Melissa Seate
25. David Wakefield
26. Pat Dixon
27. Beverly Baucom
28. Anne McFeeley
29. Janice McFeeley
30. Joanne Braman
31. Barbara Staffieri
32. Amy Freeman
33. Michele Jones
34. Michele Hirsch
35. Marcos Gonzalez
36. Michelle Gonzalez
37. Adele Zeno
38. Tommy Zeno
39. Chad Ryzoff
40. Tamera B.
41. Brenda Bennett
42. Wieslaw Ciosek
43. Tim D.
44. Lisa Uhlemann
45. Gail Fuller
46. Debbie Wilson
47. Adrienne Rigo

48. Sylvester Moltisanti
49. Rose Moltisanti
50. Sheri Knight
51. Diane Greer
52. Bob DeBellis

REZONING OF PROPERTY CONSISTING OF +/- 49.44 ACRES,
LOCATED NORTH OF LOUISBURG ROAD, EAST OF LIGON MILL ROAD, IN THE COUNTY
OF WAKE

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
JANUARY 26, 2021

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Tuesday, January 26, at 5:00 p.m. The property considered for this potential rezoning totals approximately 49.44 acres, and is located north of Louisburg Road, east of Ligon Mill Road, in the County of Wake, having Wake County Parcel Identification Number 1748-32-3666. This meeting was held virtually on Zoom with an option to call in by telephone. All owners of property within 1,000 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE



NEIGHBORHOOD MEETING NOTICE

January 13, 2021

NEIGHBORHOOD MEETING NOTICE

Dear Property Owner:

You are invited to attend a neighborhood meeting on January 26, 2021 from 5:00pm–7:00pm. The purpose of the meeting is to discuss an upcoming application to rezone a parcel of land located at 0 Cashlin Drive (PIN 1748323666). The site is roughly 49.5 acres currently zoned R-30 and is proposed to be rezoned to R-10-CU with additional zoning conditions. The applicant will describe the nature of this rezoning request and field any questions from the public. Enclosed are: (1) a vicinity map outlining the location of the parcel; (2) a zoning map of the subject area; and (3) draft conditions for the rezoning.

Due to the current circumstances of COVID-19, we will be hosting a virtual neighborhood meeting via Zoom (see instruction sheet for details). Any landowner who is interested in learning more about this project is invited to attend. Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf
Raleigh Planning & Development
(919)996-2180
JP.Mansolf@raleighnc.gov

If you have questions about this rezoning or cannot attend the meeting but would like further information, please feel free to call me at (919) 610-7377 or contact me via e-mail at holloman@mcadamsco.com.

Sincerely,
MCADAMS

A handwritten signature in black ink, appearing to read 'Laura Holloman'.

Laura Holloman, AICP
Sr. Planner, Planning + Design Group

January 13, 2021

RE: Virtual Neighborhood Meeting – Zoom Instructions

Dear Property Owner,

Due to the current circumstances of COVID-19, we will be hosting a virtual neighborhood meeting via Zoom Webinar. The meeting will be held on January 26th and begin at 5:00 PM Eastern Time.

- > To attend the meeting via computer, type in the following link in your internet browser:
<https://mcadamsco.zoom.us/j/91879445493?pwd=bTVJSGRGTEpOGQ1M3dNMXUuRVp4UT09>

Passcode: **982777**

- > To attend the meeting via phone, you may dial in by your location:
US: +1 301 715 8592 or
+1 312 626 6799 or
+1 646 876 9923 or
+1 669 900 6833 or
+1 253 215 8782 or
+1 346 248 7799 or
+1 408 638 0968 or
888 788 0099 (Toll Free) or
877 853 5247 (Toll Free)

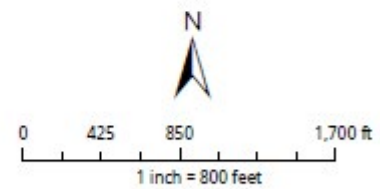
Meeting ID: **918 7944 5493**

International numbers available: <https://mcadamsco.zoom.us/u/abCudLTLzM>

Sincerely,
MCADAMS



Vicinity Map

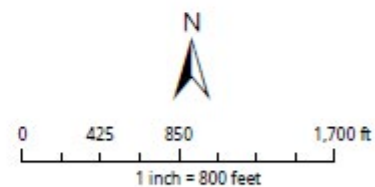


Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



Zoning Map



Disclaimer

*IMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*

CONDITIONAL USE DISTRICT ZONING CONDITIONS			
Zoning Case Number	Z-18-17	OFFICE USE ONLY Rezoning Case #	
Date Submitted	November 9, 2020		
Existing Zoning	R-30 (Wake County)		Proposed Zoning
Narrative of Zoning Conditions Offered			
<ol style="list-style-type: none"> 1. The maximum residential density shall be four (4) units per acre. 2. The townhome and apartment building types are prohibited on the property. 3. If the property is developed with a conventional subdivision, a minimum twenty percent (20%) of the net site area shall be set aside as open space. 			

EXHIBIT C – ITEMS DISCUSSED

1. Planned road connections within the development
2. Possibility of including perimeter buffer conditions
3. Potential traffic calming measures along Leland Drive
4. Possible environmental impacts from developing site
5. The expected amount of trees to be saved and those cleared for single-family homes
6. The developer's vision for the property, including the construction timeline
7. Planned NCDOT 401 improvements

EXHIBIT D – MEETING ATTENDEES

1. Joanne Braman
2. Jennifer Mealey
3. Tina Sekula
4. Yvonne Rodriguez
5. Gail Parquette
6. Phyllis Moore
7. Laura Yeates
8. Rosemarie Flaim
9. Ben Poston
10. Bev Baucom
11. Tom and Denise Picdiscalzo
12. Eleanor Sekula
13. Melissa James
14. Linda and Mark Eliasof
15. John Pates
16. Sonya Prear
17. Jeremy Schwartz
18. Carole Vilar