

**Submittal  
Date**

9/1/2017

**Request:**

**0.91 acres from  
R-6  
to NX-3-CU  
w/**

VICINITY MAP



Map Date: 9/7/2017



## Certified Recommendation

Raleigh Planning Commission

CR# 11813

### Case Information Z-21-17 Louisburg Road and James Road

<i>Location</i>	Louisburg Road, at the southeast corner of its intersection with James Road Address: 4506 Louisburg Road and 4428 James Road PINs: 1726722386 and 1726722301
<i>Request</i>	Rezone property from R-6 to NX-3-CU
<i>Area of Request</i>	0.91 acres
<i>Property Owner</i>	Danny Eason/Crocker Family Homeplace, LLC 7024 Kristi Drive Garner, NC 27529
<i>Applicant</i>	Mac McIntyre PE 4932 Windy Hill Drive Raleigh, NC 27614
<i>Citizens Advisory Council (CAC)</i>	Northeast CAC WRenia Bratts-Brown <a href="mailto:cacnortheast@gmail.com">cacnortheast@gmail.com</a>
<i>PC Recommendation Deadline</i>	January 22, 2018

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Neighborhood Mixed Use (NMU)
<b><i>URBAN FORM</i></b>	Parkway Corridor
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 2.2—Compact Development Policy LU 7.3—Single Family Lots on Major Streets Policy LU 7.4—Scale and Design of New Commercial Uses Policy T 2.9—Curb Cuts
<b><i>INCONSISTENT Policies</i></b>	Policy LU 10.6—Retail Nodes Policy T 5.2—Incorporating Bicycle and Pedestrian Improvements Policy UD 1.10—Frontage

### Summary of Proposed Conditions

1. Prohibits certain uses.
2. Requires a particular protective yard to meet Neighborhood Transitions requirements.

## Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
8/24/2017	Northeast 9/14/2017; 10/12/17 (Y-7, N-0)	10/24/2017; 11/14/2017; 11/28/2017	

### Attachments

1. Staff report

## Planning Commission Recommendation

<i>Recommendation</i>	Approve. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	The request is consistent with the Future Land Use Map and a number of other relevant policies in the 2030 Comprehensive Plan and is reasonable and in the public interest due to the offered conditions and additional employment and housing opportunities that may be created.
<i>Motion and Vote</i>	Motion: Fluhrer Second: Alcine In Favor: Alcine, Braun, Fluhrer, Hicks, Jeffreys, Swink and Terando

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.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairperson

\_\_\_\_\_  
Date

Staff Coordinator: John Anagnost: (919) 996-2638; [john.anagnost@raleighnc.gov](mailto:john.anagnost@raleighnc.gov)



## Zoning Staff Report – Z-21-17

### Conditional Use District

## Case Summary

### Overview

The rezoning site is composed of two approximately half-acre parcels at the southeast corner of the intersection of Louisburg Road and James Road. There are two single-family houses on the site. The topography is fairly level with a grade of about 5% sloping downward from Louisburg Road towards the southeast. There is significant tree cover ringing the parcel boundaries of both subject parcels and especially on the area of the site directly adjacent to Louisburg Road. Curb, gutter, and sidewalk are present on the Louisburg Road frontage. Curb and gutter are also in place on the James Road side of the site. There is one existing curb cut on Louisburg Road and two on James Road.

The subject parcels are located about one-half mile from the fork of Capital Boulevard and Louisburg Road. North New Hope Road crosses Louisburg Road about 900 feet southwest of the site. The area immediately surrounding the site is low- and moderate density residential uses with the exception of a Vehicle Service use directly to the east of the site. Additional non-residential uses, including a church and two gas stations, are clustered around the intersection of Louisburg Road and North New Hope Road. James Road runs along the west side of the site, and continues past the site in a southerly direction before turning towards North New Hope Road. Single-family homes occupy the entire length of James Road.

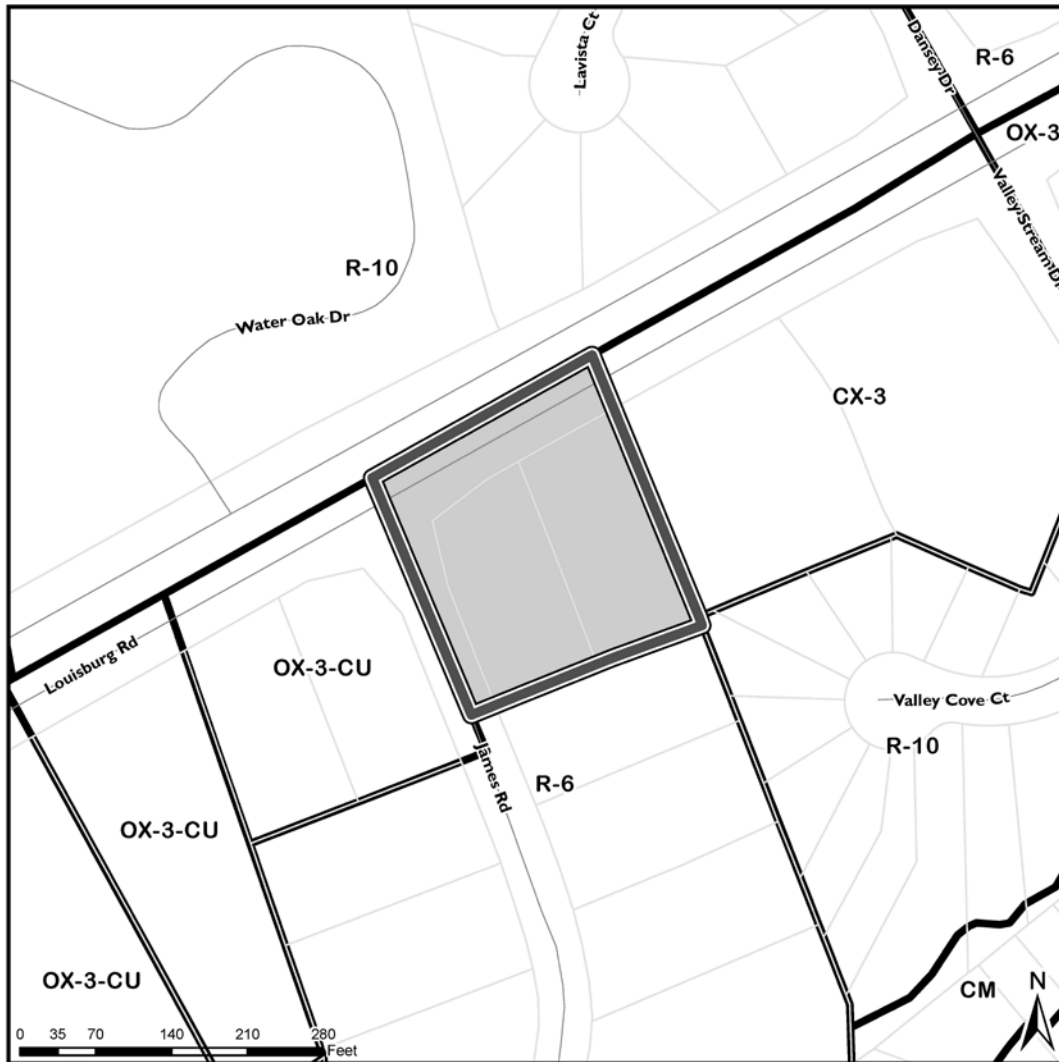
The zoning request proposes to change from Residential-6 (R-6) to Neighborhood Mixed Use-3 stories-Conditional Use (NX-3-CU). The effect of the rezoning would be to allow all residential and mixed use building types instead of the detached house, attached house, and civic building that are allowed in R-6. Residential entitlement would increase from 5 units to 28 units. Up to 27,200 square feet of non-residential uses would be allowed under the proposed zoning. The existing zoning prohibits non-residential uses other than civic uses. Offered conditions prohibit certain uses and require a particular protective yard to meet Neighborhood Transitions requirements.

### Outstanding Issues

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

**Z-21-2017**

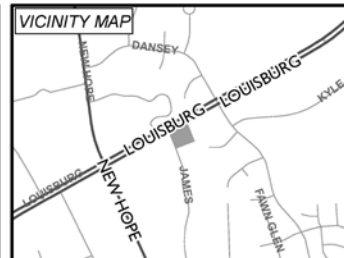


**Submittal  
Date**

9/1/2017

## Request:

**0.91 acres from  
R-6  
to NX-3-CU**



Map Date: 9/7/2017

## 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-10	Residential-6	Commercial Mixed Use-3 Stories	Office Mixed Use-3 Stories-Conditional Use
<i>Additional Overlay</i>	None	None	None	None	None
<i>Future Land Use</i>	Neighborhood Mixed Use	High Density Residential	Low Density Residential	Neighborhood Mixed Use	Neighborhood Mixed Use
<i>Current Land Use</i>	Single Family Residential	Single Family Residential, Multi-family Residential	Single Family Residential	Vehicle Service	Single Family Residential
<i>Urban Form (if applicable)</i>	Parkway Corridor	Parkway Corridor	None	Parkway Corridor	Parkway Corridor

#### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	4 dua. (5 dwelling units)	31 dua. (28 dwelling units)
<i>Setbacks:</i>		
<i>Front:</i>	10'	5'
<i>Side:</i>	5'	0' or 6'
<i>Rear:</i>	20'	0' or 6'
<i>Retail Intensity Permitted:</i>	Not permitted	15,200 sf
<i>Office Intensity Permitted:</i>	Not permitted	27,200 sf

#### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	0.91	0.91
<i>Zoning</i>	R-6	NX-3-CU
<i>Max. Gross Building SF (if applicable)</i>	Not applicable	29,900
<i>Max. # of Residential Units</i>	5	28
<i>Max. Gross Office SF</i>	Not permitted	27,200
<i>Max. Gross Retail SF</i>	Not permitted	15,200
<i>Max. Gross Industrial SF</i>	Not permitted	Not permitted
<i>Potential F.A.R</i>	Not applicable	0.92

\*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:

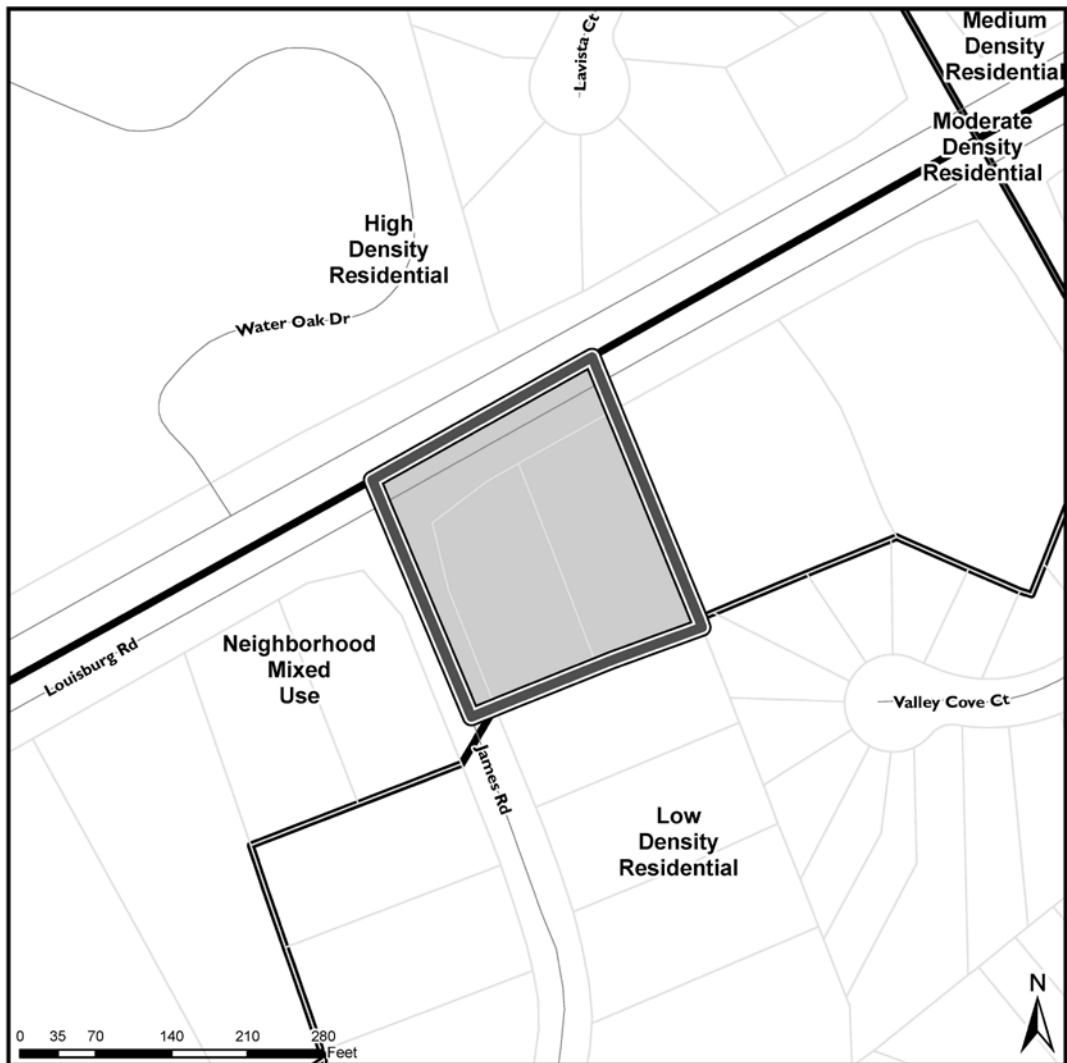
☒ **Compatible** with the property and surrounding area.



☐ **Incompatible.**

Analysis of Incompatibility:

The Neighborhood Mixed Use zoning district allows a set of uses that is designed to be compatible with residential uses. That use profile, combined with the roughly one-acre size of the rezoning site, enables future development that is generally compatible with the single family residences to the south and east. The requested height of three stories also increases assurance of compatibility of scale with neighboring uses. Neighborhood Transition requirements would apply if the zoning request is approved.

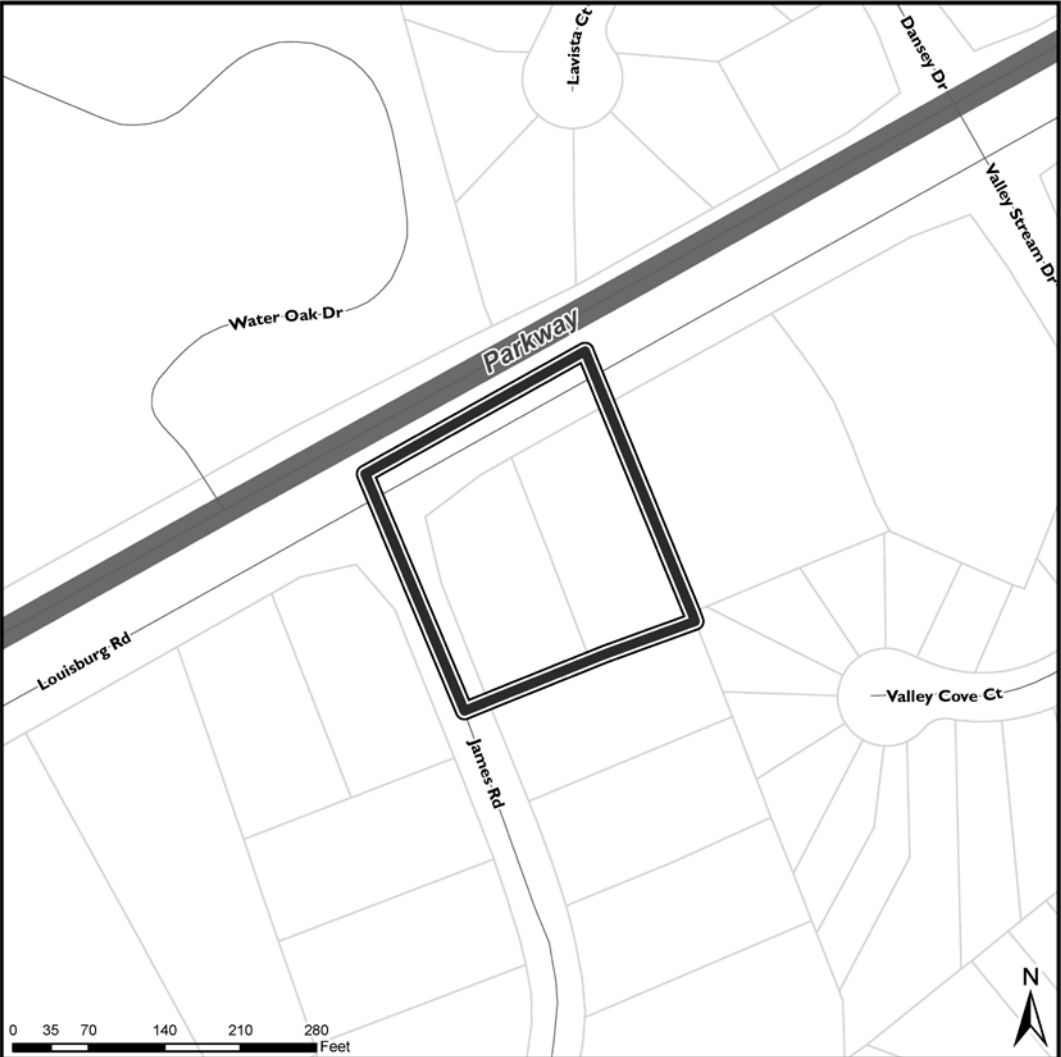
# Future Land Use Z-21-2017





 <p><b>Submittal Date</b> 9/1/2017</p>	<p><b>Request:</b></p> <p><b>0.91 acres from</b></p> <p><b>R-6</b></p> <p><b>to NX-3-CU</b></p>	<p><b>VICINITY MAP</b></p>  <p>Map Date: 9/5/2017</p>
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Urban Form
Z-21-2017



 <p><b>Request:</b></p> <p><b>0.91 acres from</b></p> <p><b>R-6</b></p> <p><b>to NX-3-CU</b></p>	<p><b>Request:</b></p> <p><b>0.91 acres from</b></p> <p><b>R-6</b></p> <p><b>to NX-3-CU</b></p>	<p><b>VICINITY MAP</b></p>  <p>Map Date: 9/7/2017</p>
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## 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. Yes, the requested zoning is consistent with the Future Land Use Map and would enable denser development in an area that is served by existing infrastructure.
- B. Yes, the Future Land Use Map designation of Neighborhood Mixed Use recommends the Neighborhood Mixed Use zoning district. The size of the rezoning site signifies that development under the proposed zoning would be of an appropriate scale, as called for by the Future Land Use Map designation.
- C. Not applicable. The uses proposed to be allowed are designated by the Future Land Use Map.
- D. The site is served by existing parks, utility, and transportation facilities. A future park site and greenway corridor is located approximately one-quarter mile to the east.

### 2.2 Future Land Use

**Future Land Use designation:** Neighborhood Mixed Use

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

The proposal is to rezone to a Neighborhood Mixed Use (NX) zoning district which is the recommended district for this Future Land Use Map designation. The site is an appropriate size for neighborhood-scale retail. The requested height of three-stories is in keeping with the Future Land Use Map recommendation for sites in proximity to low density residential uses.

### 2.3 Urban Form

**Urban Form designation:** Parkway Corridor

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

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The zoning request does not include a Frontage. The Parkway Corridor designation on the Urban Form Map recommends a suburban-style Frontage. The Parkway Frontage would be the appropriate Frontage for this recommendation. In addition, the request would allow townhouse and apartment building types, both of which have build-to requirements that supersede the primary tree conservation requirements that would otherwise apply to the Louisburg Road frontage of the site. The Parkway Frontage would add a level of regulatory protection which would increase the likelihood of tree conservation in this area.

## **2.4 Policy Guidance**

The rezoning request is **consistent** 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.

The request is to rezone to Neighborhood Mixed Use-3 Stories. The Neighborhood Mixed Use designation is recommended by the Future Land Use designation for the rezoning site. The proposed height is consistent with the recommendations of the Future Land Use designation for height. The size of the site also increases the likelihood of appropriately scaled development.

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

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

The proposed zoning would allow for higher density land uses than the existing zoning. The site is in an urbanized area with adequate existing infrastructure to serve the additional density.

### **Policy LU 7.3—Single Family Lots on Major Streets**

No new single-family residential lots should have direct vehicular access from major streets, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to major streets.

The request would enable non-residential uses and higher density residential uses that are not allowed in the existing zoning. The ability to develop uses other than single-unit living or two-unit living increases the likelihood that the site will not be occupied by single family lots.

### **Policy LU 7.4—Scale and Design of New Commercial Uses**

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

The request is to allow three-story height on the rezoning site. This is compatible with nearby residential zoning that allows building heights of up to 40 feet. It is also compatible with the three-story mixed use districts to the east and west of the site.

**Policy T 2.9—Curb Cuts**

The development of curb cuts along public streets—particularly on major streets—should be minimized to reduce vehicular conflicts, increase pedestrian safety, and improve roadway capacity.

The site currently has three curb cuts. Redevelopment of the site, especially for a single use, would likely entail a reduction in the number of curb cuts.

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

**Policy LU 10.6—Retail Nodes**

Retail uses should concentrate in mixed use centers and should not spread along major streets in a linear "strip" pattern unless ancillary to office or high-density residential use.

The proposed zoning would allow commercial uses that contribute to a strip pattern of commercial uses along Louisburg Road.

**Policy T 5.2—Incorporating Bicycle and Pedestrian Improvements**

All new developments, roadway reconstruction projects, and roadway resurfacing projects in the City of Raleigh's jurisdiction should include appropriate bicycle facilities as indicated in the Recommended Bicycle Network of the 2008 City of Raleigh Bicycle Transportation Plan.

The BikeRaleigh Long Term Bikeway Plan calls for a separated bikeway for this section of Louisburg Road. The rezoning request does not include a condition to require this improvement.

**Policy UD 1.10—Frontage**

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

The Urban Form Map designates the area of Louisburg Road along the site as a Parkway Corridor. This designation recommends a Parkway frontage. No frontage is requested as part of the proposal.

## **2.5 Area Plan Policy Guidance**

The rezoning request is not subject to an area plan.

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

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

The proposal would enable additional employment opportunities as well as new outlets for goods and services. The proposal would also allow a wider range of housing options and greater expansion of the housing supply than the existing zoning. If the site is annexed pursuant to

rezoning, it would improve the efficiency of the public utility network by adding development in an area served by existing utility infrastructure.

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

Nearby residents may be negatively impacted by additional noise, light, or traffic generated by higher intensity uses.

## **4. Impact Analysis**

### **4.1 Transportation**

The Z-21-2017 site is located in the southeast quadrant of James Road and Louisburg Road, approximately 0.2 miles east of New Hope Road. Both James Road (SR 2212) and Louisburg Road (US 401) are maintained by NCDOT. Louisburg Road has a six lane cross section with curbs and sidewalks on both sides. There is a grassed median separating the northbound and southbound travel lanes. James Road currently has curbs on both sides but lacks sidewalks. James Road is classified as a Neighborhood Yield street. There are no greenways or transit routes in the vicinity of the Z-21-2017 site.

There are no NCDOT projects or City of Raleigh CIP projects planned for either street in the vicinity of the Z-21-2017 site. While sidewalk should be built along the site frontage as a condition of development approval, there are no plans to provide sidewalks along the remainder of James Road.

The Z-21-2017 site is bounded by a single family residential lot on the south and a car repair business on the east. Site access will be determined by NCDOT. The existing median prevents lefts turns from the Z-21-2017 parcels onto Louisburg Road.

In accordance with UDO section 8.3.2, the maximum block perimeter for NX-3 zoning is 3,000 feet. The block perimeter for Z-21-2017, as defined by public rights-of-way for James Road, New Hope Road, Fawn Glen Drive, Brookvalley Drive, Valley Stream Drive and Louisburg Road is 7,500 feet. There is a public right-of-way for an unbuilt section of Brookvalley Drive. If this street were to be built, the resulting block defined by James Road, Brookvalley Drive, Woodlawn Drive, Valley Stream Drive and Louisburg Road would be approximately 3,160 feet.

The existing land use consists of two single family dwellings which generate virtually no traffic. Approval of case Z-21-2017 would increase average peak hour trip volumes by 56 veh/hr in the AM peak and by 106 veh/hr in the PM peak; daily trip volume will increase by 1,281 veh/day. While a traffic study is technically required for case Z-21-2017 due to the increase in PM peak trips, Transportation staff waives the traffic report for Z-21-2017 due to the prohibition of left turns onto Louisburg Road and the reduced potential for left turn conflicts.

**Impact Identified: Block perimeter exceeds maximum for NX-3 zoning**

Z-21-2017 Existing Land Use (2 Single Family dwellings)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	20	2	2
Z-21-2017 Current Zoning Entitlements (5 Single Family dwellings)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	58	5	6
Z-21-2017 Proposed Zoning Maximums (Daily & PM = 15,168 sf Retail) (AM = 16,787 sf Office + 8,381 sf Retail)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	1,339	61	112
Z-21-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	<b>1,281</b>	<b>56</b>	<b>106</b>

#### 4.2 Transit

There is currently no existing or planned service on this portion of Louisburg Road or James Road.

**Impact Identified:** None.

#### 4.3 Hydrology

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

**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>	1,250 gpd	3,125 gpd	17,500 gpd
<i>Waste Water</i>	1,250 gpd	3,125 gpd	17,500 gpd

**Impact Identified:**

1. The proposed rezoning would add approximately **16,250 gpd** to the wastewater collection and water distribution systems of the City.
2. There is an existing water main in Louisburg Rd but no water main in James Rd.
3. There is an existing sanitary sewer main with easement adjacent to 4506 Louisburg Rd to the southeast. A public sewer main extension may be required with possible offsite easement(s) for 4428 James Rd to be served.
4. 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.
5. 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**

1. There are no designated greenway corridors or existing trails directly associated with this site.
2. Nearest greenway access is provided by the Neuse River Trail (approximately 3 miles away).
3. Nearest park access is provided by Marsh Creek Park (approximately 1.5 miles away) and Spring Forest Road Park (approximately 1.6 miles away).
4. The undeveloped property at 4700 Kyle Drive (approximately 0.25 miles away) is owned by the City of Raleigh, designated as a future park site.

**Impact Identified:** None

#### **4.6 Urban Forestry**

Combined acreage of the subject site is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation will therefore not be required when the site is developed.

**Impact Identified:** No impacts.

#### **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. It does not include any National Register individually-listed properties and/or Raleigh Historic Landmarks.

**Impact Identified:** None.

#### **4.9 Impacts Summary**

Potential impacts fall below thresholds that would recommend additional action from the applicant. Identified impacts will be addressed by UDO requirements with the exception of possible tree removal.

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

The applicant may amend the request to include conditions requiring some amount of tree conservation.

## **5. Conclusions**

The proposal is to rezone from Residential-6 (R-6) to Neighborhood Mixed Use-3 Stories-conditional Use (NX-3-CU). The Future Land Use Map and the Comprehensive Plan support the request due to the potential for greater use of existing infrastructure and reduction of inappropriate uses on a thoroughfare. The size of the site increases the likelihood of context-compatible commercial development. Conversely, the proposed zoning does not include the Parkway Frontage that is recommended by Urban Form Map policy. The lack of the Parkway Frontage combined with the small size of the site mean that mature trees may be removed at time of development.

Z-21-2017 Existing Land Use (2 Single Family dwellings)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	20	2	2
Z-21-2017 Current Zoning Entitlements (5 Single Family dwellings)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	58	5	6
Z-21-2017 Proposed Zoning Maximums (Daily & PM = 15,168 sf Retail) (AM = 16,787 sf Office + 8,381 sf Retail)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
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Z-21-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	<b>1,281</b>	<b>56</b>	<b>106</b>

#### Z-21-2017 Traffic Study Worksheet

<b>6.23.4</b>	<b>Trip Generation</b>	<b>Meets TIA Conditions? (Y/N)</b>
A	Peak Hour Trips $\geq$ 150 veh/hr	No
B	Peak Hour Trips $\geq$ 100 veh/hr if primary access is on a 2-lane street	Yes, the change in average peak hour trip volume is 106 veh/hr. TIA report not needed due to median in US-401 & restriction on left turns.
C	More than 100 veh/hr trips in the peak direction	No
D	Daily Trips $\geq$ 3,000 veh/day	No, the change in average daily trip volume is less than 1,300 veh/day
E	Enrollment increases at public or private schools	Not Applicable
<b>6.23.5</b>	<b>Site Context</b>	<b>Meets TIA Conditions? (Y/N)</b>
A	Affects a location with a high crash history [Severity Index $\geq$ 8.4 or a fatal crash within the past three years]	No
B	Takes place at a highly congested location [volume-to-capacity ratio $\geq$ 1.0 on both major street approaches]	No
C	Creates a fourth leg at an existing signalized intersection	No
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No
E	Access is to/from a Major Street as defined by the City's Street Plan Map	No, access is also available on James Road
F	Proposed access is within 1,000 feet of an interchange	No
G	Involves an existing or proposed median crossover	No
H	Involves an active roadway construction project	No
I	Involves a break in controlled access along a corridor	No
<b>6.23.6</b>	<b>Miscellaneous Applications</b>	<b>Meets TIA Conditions? (Y/N)</b>
A	Planned Development Districts	No
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	None noted as of Sept. 15, 2017



# Rezoning Application



RALEIGH  
DEPARTMENT OF  
CITY PLANNING



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

## REZONING REQUEST

### OFFICE USE ONLY

Transaction #

Rezoning Case #

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-6** Height Frontage Overlay(s) \_\_\_\_\_

Proposed Zoning Base District **NX** Height **3 STORY** Frontage Overlay(s) \_\_\_\_\_

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

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:

**521910**

## GENERAL INFORMATION

Date **August 27, 2017** Date Amended (1) **August 27, 2017** Date Amended (2) **August 27, 2017**

Property Address **4506 LOUISBURG ROAD, 4428 JAMES ROAD**

Property PIN **1726722386, 1726722301** Deed Reference (book/page) **016163/00192, 007298/00467**

Nearest Intersection **NEW HOPE/ LOUISBURG ROAD**

Property Size (acres) **.91**

(For PD Applications Only) Total Units

Total Square Feet

Property Owner/Address

**DANNY EASON  
7024 KRISTI DRIVE  
GARNER N.C. 27529**

Phone **9192109500** Fax **N/A**

Email **dannyeason2769@yahoo.com**

Project Contact Person/Address

**MAC MCINTYRE PE  
4932 B WINDY HILL DRIVE  
RALEIGH NC 27614**

Phone **9194275227** Fax **N/A**

Email **macmcintyrepe@gmail.com**

Owner/Agent Signature

Email

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

**AUG 31 2017 PM 1:44**

REZONING APPLICATION ADDENDUM #1	
<b>Comprehensive Plan Analysis</b>	<b>OFFICE USE ONLY</b>  <b>Transaction #</b>  <b>Rezoning Case #</b>
<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>	
<b>STATEMENT OF CONSISTENCY</b>	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>THE PROPOSED REZONING IS CONSISTENT WITH THE FUTURE LAND USE PLAN</p> <p>1.</p>	
<p>WITHIN THE PAST FEW YEARS OTHER PARCELS ALONG THE FRONTAGE WITH 401</p> <p>2. HAVE BEEN REZONED TO SAME ZONING OR SIMILAR ZONINGS AS WELL</p>	
<p>3.</p>	
<p>4.</p>	
<b>PUBLIC BENEFITS</b>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>THE PROPOSED REZONING WILL PROVIDE FOR FOR ADDITIONAL NEEDED</p> <p>1. NEIGHBORHOOD RETAIL ORIENTED USES ALONG THE 401 COMMERCIAL CORRIDOR</p>	
<p>2.</p>	
<p>3.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2	
<b>Impact on Historic Resources</b>  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.	<b>OFFICE USE ONLY</b>  <b>Transaction #</b>  <b>Rezoning Case #</b>
<b>INVENTORY OF HISTORIC RESOURCES</b>  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	
<b>PROPOSED MITIGATION</b>  Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
NONE NEEDED	

## URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: N/A

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

- |    |  |
|----|--|
| 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>Response:</b></p> <p>The parcels at issue are designated in the land use plan as a mixed use district for development of neighborhood business and residential uses</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>Response:</b></p> <p>The parcels on each adjacent lot on highway 401 are zoned for mixed use development. The property to the rear of property is zoned for medium density in the future. Required transition buffers along the property lot line should provide for buffering between the zonings</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>Response:</b></p> <p>The combined area for both properties being rezoned is less than 1 acre and will not require any additions to the road network. There are public roads for safe traffic movements at the present time</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>Response:</b></p> <p>No new public streets are anticipated with the development of the subject property.</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>Response:</b></p> <p>The subject property is bordered on two sides by public streets and additional interconnectivity should not be required since subject property is less than one acre and minimum public road separations between roads cannot be met</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>Response:</b></p> <p>Within the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to road.</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p><b>Response:</b></p> <p>With the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to the road with parking behind or beside building</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p><b>Response:</b></p> <p>It is anticipated that buildings will be placed in close proximity to the two public streets abutting the subject property</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p><b>Response:</b></p> <p>Outdoor ammenity areas will be provided in compliance with the UDO which satisfies the guidelines</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p><b>Response:</b></p> <p>Outdoor ammenity areas will be provided in compliance with the UDO which satisfies the guidelines</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p><b>Response:</b></p> <p>Outdoor ammenity areas will be provided in compliance with the UDO which satisfies the guidelines</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Response:</b></p> <p>Outdoor ammenity areas will be provided in compliance with the UDO which satisfies the guidelines</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p><b>Response:</b></p> <p>Outdoor amenity areas will be provided in compliance with the UDO which satisfies the guidelines</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>Response:</b></p> <p>Within the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to road with parking behind or beside building</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>Response:</b></p> <p>Within the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to road with parking behind or beside building</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>Response:</b></p> <p>No parking structure is anticipated with the development of the subject property</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>Response:</b></p> <p>Although no transit stop request have been requested, the applicant shall provide if requested by city.</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>Response:</b></p> <p>Sidewalks will be provided from buildings to public sidewalks ( in public streets right of way)which will lead to transit stops in the mixed use district</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>Response:</b></p> <p>Any tree conservation areas as required by UDO will be provided on the subject property</p>

20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p><b>Response:</b></p> <p>No new public streets are anticipated with the development of the subject property</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p><b>Response:</b></p> <p>Sidewalks will be provided in compliance with the UDO which satisfies the guidelines</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p><b>Response:</b></p> <p>Street trees will be provided in compliance with the UDO which satisfies the guidelines</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p><b>Response:</b></p> <p>With the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to the road which along with the street trees should satisfy the special definition described in this guideline</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p><b>Response:</b></p> <p>With the street frontage requested herein, it is anticipated that buildings will be placed in close proximity to the road. Building entrances will obviously be determined at the site plan approvals in accordance with UDO standards</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p><b>Response:</b></p> <p>Pedestrian interest will be created along sidewalks as required by the UDO which satisfies this guideline</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p><b>Response:</b></p> <p>Pedestrian interest will be created along sidewalks as required by the UDO which satisfies this guideline</p>

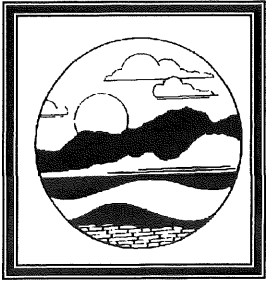
**The following conditions are being modified or added to zoning case Z 21-17**

1. The following uses will not be allowed under this rezoning: Cemetery, telecommunication towers less than 250 ft and greater than 250 ft , commercial parking lot, remote parking lot, animal care (indoor), veterinary/ hospital, detention center, jail, prison
2. Zone “A” of the Neighborhood Transition requirements of section 3.5 will be met by requiring a Type 2 Protective Yard for zone A of the neighborhood transition for parcels 1726723115

Signature\_\_\_\_\_

Danny Eason- Property owner





# McIntyre & Associates, P.L.L.C.

Engineers and Land Planners

August 2, 2017

Re: 4506 Louisburg Road, 4428 James Road

Neighboring Property Owners

You are invited to attend a neighborhood meeting . The meeting will be held at 4932B Windy Hill Drive in Raleigh and will begin at 7:30 pm on August 24, 2017 .The purpose of the meeting is to discuss a potential rezoning of the property located at 4506 Louisburg Road and 4428 James Road. This site is currently zoned R-6 and is proposed to be rezoned to NX conditional use zoning. The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting be held involving the property owners within 100 feet of the area requested for rezoning . For more information about rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planning Department at: (919)996-2626 rezoning @ raleighnc.gov. If you have any concerns or questions I can be reached at 9194275227.

Thank You

Mac McIntyre P.E.

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## SUMMARY OF ISSUES

A neighborhood meeting was held on AUGUST 24, 2017 (date) to discuss a potential rezoning located at 4506 LOOKSBURG RD, 4428 JAMES RD (property address).

The neighborhood meeting was held at 4932 B WINDY HILL DRIVE (location).  
RALEIGH N.C.

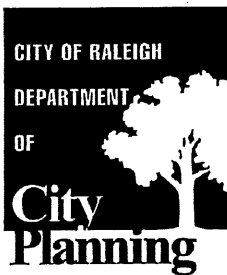
There were approximately 0 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

NO ISSUES

### ATTENDANCE ROSTER

[illegible]



## Pre-Application Conference Meeting Record

Transaction #: 521910 Meeting Date & Time: July 21 2017 10:30

Location: OEP 312

Attendees: Kyle Little, Matt Klem, Jason Hardin,  
Mac, MacIntyre

Parcels discussed (address and/or PIN): 4506 Louisburg Rd, 4428 James RT

Current Zoning: R-6

Potential Re-Zoning: NX, CX

CAC Chair/Contact Information: Northeast WRenia Bratts-Brown cacnortheast@gmail.com

General Notes: FLUM designation is for Neighborhood Mixed  
Use. NX Zoning allows Retail, Residential, and office.  
Chapter 6 in the UDO has the permitted use table. Could  
attempt CX and use conditions to limit some certain  
intense uses. site has a parkway frontage.

Department & Staff	Notes
<b>Development Services</b> ___Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 ___Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 ___Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517	UDO Sections: