

CITY OF RALEIGH

Z-22-08

**R-4 &
IND-1 CUD**

to

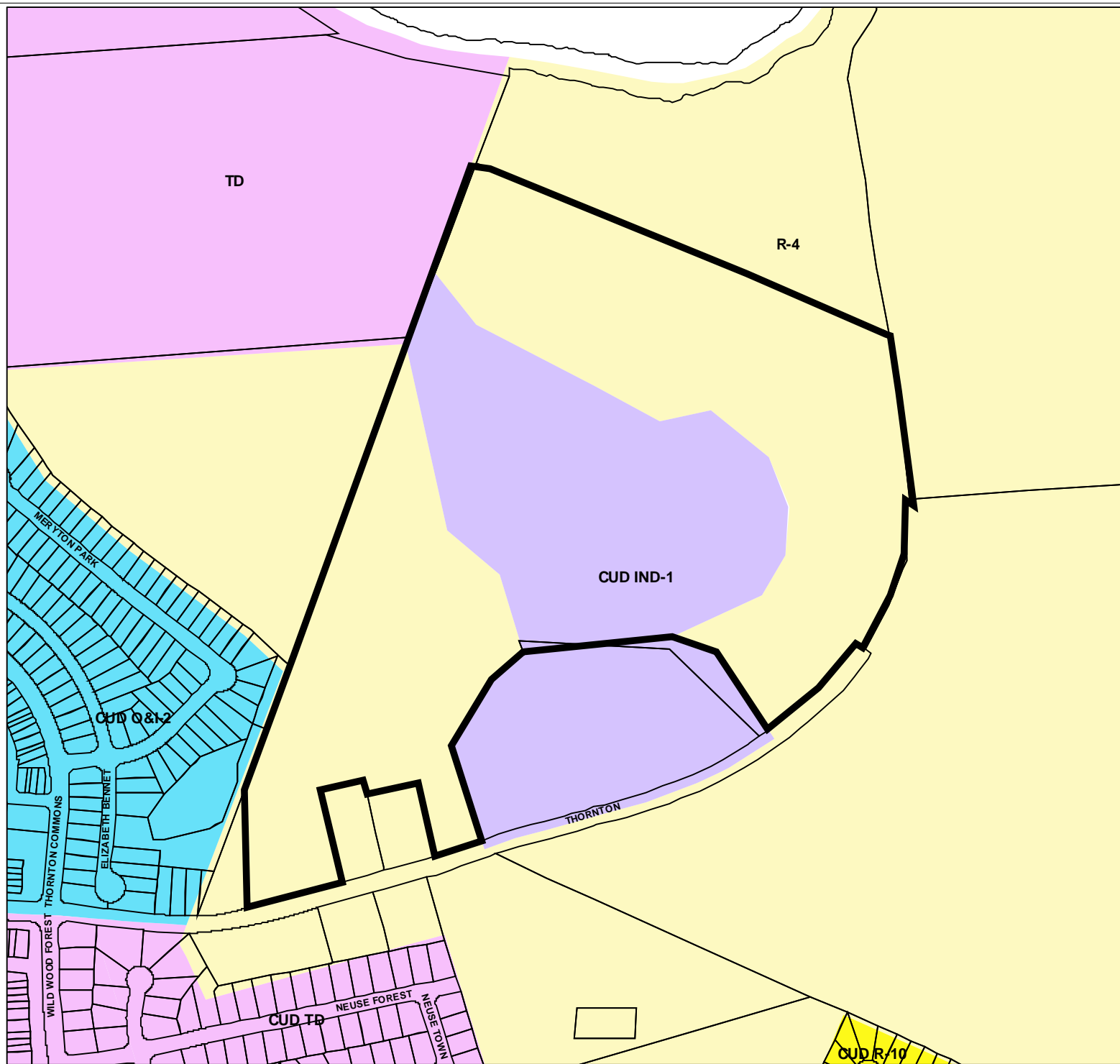
R-6 CUD

75.18 acres

**Public Hearing
April 15, 2008
(Aug 13, 2008)**

500

Feet





Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

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

Please check boxes
where appropriate

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

Signature(s)

Date:

Dynasty Holdings, LLC and Prodev VIII LLC

A handwritten signature in black ink, appearing to read "Mack Paul".

1.07.08

By: Mack Paul, Attorney

EXHIBIT B. Request for Zoning Change

Office Use Only	2-22-08
Petition No.	
Date Filed:	10/24/08 12-21-07
Filing Fee:	pa 1000 ck# 136169

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

See instructions, page 6

	Name(s)	Address	Telephone / E-Mail
1) Petitioner(s) and Property Owner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	<u>Dynasty Holdings, LLC</u>	<u>5501 Thornton Road</u> <u>Raleigh, NC 27615</u>	
2) Contact Person(s):	<u>Mack Paul and Jason L. Barron</u>	<u>KENNEDY COVINGTON</u> <u>4350 Lassiter at North</u> <u>Hills Avenue, Suite 300</u> <u>Raleigh, NC 27609</u>	<u>919.743.7326 and</u> <u>919.743.7343</u> <u>mpaul@kennedycovingt</u> <u>on.com and</u> <u>jbarron@kennedycoving</u> <u>ton.com</u>
3) Property Description: Please provide surveys if proposed zoning boundary lines do not follow property lines.	Wake County Property Identification Number(s) (PIN): <u>1738-43-9369</u>		
	General Street Location (nearest street intersections): <u>on the North side of</u> <u>Thornton Road, east of the Wildwood Forest Drive intersection</u>		
4) Area of Subject Property (acres):	<u>A total of +/- 64.63 acres</u>		
5) Current Zoning District(s) Classification: Include Overlay District(s), if Applicable	<u>R-4 General Use and I-1 CUD</u>		
6) Proposed Zoning District Classification: Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.	<u>R-6 CUD</u>		

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

[illegible]

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

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

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

Required items of discussion:

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

Recommended items of discussion (where applicable):

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

PETITIONER'S STATEMENT:

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

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

The subject property lies within the Northeast District Plan. Under the Recommended Urban Form Map for the Northeast District, the recommended land use for the subject property is suburban residential. The district plan also notes that the area in which the subject property lies is attractive for development and that such area should be reserved for residential uses. Moreover, the district plan recommends that this area be developed primarily residential in order to protect the Neuse River and adjoining wetlands and creeks.

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

The subject property lies within the Capital Boulevard Corridor Plan. According to the Urban Form Map and Land Use Map for section two of the Capital Boulevard Corridor Plan, the subject property lies within a development, residential, and conservation area. The corridor plan expressly

(continued)

states that large developments could be accommodated in the area in which the subject property is located.

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

The petitioner maintains that the proposed map amendment for Residential-6 CUD is consistent with the Comprehensive Plan and its desire for residential development on the subject property.

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

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

The subject property is surrounded by residential uses and vacant land. To the immediate north and northeast of the subject property is a 17.12 acre vacant tract abutting the Neuse River. To the northeast of the subject property, across Thornton Road, is a 66.5 acre tract that is vacant except for one manufactured home. To the east and southeast of the subject property, across Thornton Road, is a 65.34 acre vacant tract owned by the City of Raleigh. Two single family homes and two vacant lots are located immediately south of the subject property. Single family subdivisions are located generally south and southwest of the subject property. To the immediate west of the subject property is a 18.63 acre vacant tract owned by the City of Raleigh, a single family residential neighborhood, and town home and apartment communities. To the northwest of the subject property is a 99.4 acre parcel on which a pharmaceutical plant is located. However, the building is located on the opposite end of the parcel from the subject property, fronting Capital Boulevard. The Neuse River is located generally north and east of the subject property.

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

The zoning pattern within this area moves from intense, non-residential zoning districts (TD, SC) near Capital Boulevard to less intense non-residential districts (O&I-2) along Thornton Road, to low intensity residential districts (R-4) near the Neuse River. A portion of the subject property is currently zoned Industrial-1 CUD. Although much of the surrounding area is zoned for non-residential uses, most of this land is currently developed for low- to medium-density residential uses. The land zoned Office & Institution-2 is developed as a single family subdivision and a townhouse and apartment community. Much of the land zoned Thoroughfare District, to the south and southwest of the subject property, is developed as single family subdivisions. The vacant land surrounding the subject property is zoned Residential-4.

(continued)

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

The proposed zoning map amendment is compatible with the suitability of the property for residential uses because much of the subject property is currently zoned for residential use and is mostly undeveloped. Moreover, the subject property lies in close proximity to the Neuse River and residential uses would serve as a buffer for the river from the more intense residential and non-residential uses located near Capital Boulevard. The proposed zoning map amendment is compatible with the character of the surrounding area because much of the area is currently developed for residential use as single family neighborhoods and town-home and apartment communities.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment benefits the landowner by permitting it to utilize the property to its highest and best use, consistent with the adjacent residential uses along Thornton Road.

B. For the immediate neighbors:

The proposed map amendment benefits the immediate neighbors by permitting the subject property to be developed in a fashion that is in harmony with the uses of the properties adjacent to the subject property. Also, the proposed map amendment benefits the immediate neighbors by permitting residential uses that will protect the Neuse River and adjoining wetlands and creeks.

There are no known detriments to the immediate neighbors.

C. For the surrounding community:

The proposed map amendment benefits the surrounding community by providing low-density single family dwellings for citizens who may work in the expansive employment area north of Durant Road, for the existing businesses located along Capital Boulevard, and in the Community Focus Area located in the area surrounding the intersection of Capital Boulevard and Durant Road. The property's convenience to these centers and North Raleigh makes it ideal for the type of low density residential development proposed by this rezoning.

There are no known detriments to the surrounding community.

(continued)

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

No. The rezoning of the property does not provide a significant benefit to the subject property which is not available to the surrounding properties. In fact, the rezoning of this property provides the subject property with similar benefits currently afforded to the surrounding parcels, which are developed as low- to medium- density residential uses. The proposed rezoning affords the subject property the same development opportunities enjoyed by the surrounding parcels.

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

The proposed map amendment is reasonable and in the public interest because it permits the subject property to be developed in a manner consistent with the surrounding properties. Also, the proposed map amendment permits low density residential development that will serve as a buffer for the Neuse River from the more intense residential and non-residential uses located near Capital Boulevard.

V. Recommended items of discussion (where applicable).

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

Not applicable.

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

Not applicable.

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

Because the subject property is convenient to employment areas and community focus areas, there is a public need for this type of low density residential development.

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

To the best of the petitioner's knowledge, existing infrastructure is sufficient to meet the demands of development resulting from the proposed rezoning. Also, to the best of the petitioner's knowledge, no significant impacts on fire and safety, parks and recreation, topography, or access to light and air are anticipated due to the proposed rezoning.

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Petition No.	
Date Filed:	

(continued)

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

There are no additional arguments on behalf of the requested map amendment at this time.

2-22-08

Adjacent Property List - Thornton Road

<u>PROPERTY OWNERS</u>	<u>PIN</u>
City of Raleigh City Real Estate Office P.O. Box 590 Raleigh, NC 27602-0590	1738-33-7537
Cardinal Health PTS LLC 7000 Cardinal Place Dublin, OH 43017-1091	1738-13-7922
Michelle E. Steed 5512 Thornton Road Raleigh, NC 27616-5728	1738-54-4591
Elaine A. Raynor Heirs c/o Lisa Mims Schaut 5909 Shady View Court Wendell, NC 27591-6828	1738-64-7227
City of Raleigh P.O. Box 590 Raleigh, NC 27602-0590	1738-62-3451
Rosabelle Thornton Wilson Thornton Thornton, Jr. 5514 Thornton Road Raleigh, NC 27616-5728	1738-41-9889
W. Reginald Brooks Catherine Edmonds Brooks 5501 Thornton Road Raleigh, NC 27616-5727	1738-42-3077
Tassie T. Brooks 2004 Forestville Road Wake Forest, NC 27587-8130	1738-41-2909

2-22-08

<u>PROPERTY OWNERS</u>	<u>PIN</u>
Mary T. & William E. Kemp c/o Mary Kemp 2910 Magnus Lane Richmond, VA 23223-2031	1738-31-9913
Bich V. & Annie Lam Tran 5253 Thornton Road Raleigh, NC 27616-5721	1738-32-6182
Lemuel H. & Hazel R. Thornton 5325 Thornton Road Raleigh, NC 27616-5723	1738-32-7114
City of Raleigh P.O. Box 590 Raleigh, NC 27602-0590	1738-32-6265
Lemuel H. Thornton 5325 Thornton Road Raleigh, NC 27616-5723	1738-32-7292
Meryton Homeowners Association Inc. Tillett Development Company Inc. 6729 Falls of Neuse Rd. Raleigh, NC 27615-5287	1738-32-6494
City of Raleigh P.O. Box 590 Raleigh, NC 27602-0590	1738-32-9737
Karen M. Nyreen 5234 Meryton Park Way Raleigh, NC 27616	1738-32-7614
David & Jody L. Hartman 5230 Meryton Park Way Raleigh, NC 27616	1738-32-6681
Charles B. & Jamila A. Petite 5226 Meryton Park Way Raleigh, NC 27616	1738-32-6548

Z-22-08

<u>PROPERTY OWNERS</u>	<u>PIN</u>
Jason Lefflear 5238 Meryton Park Way Raleigh, NC 27616	1738-32-7656
William E. & Sylvia P. Hack 5242 Meryton Park Way Raleigh, NC 27616	1738-32-8609
Elizabeth S. & Russell W. Patton 5246 Meryton Park Way Raleigh, NC 27616	1738-32-8724
Margarita T. Bean 5250 Meryton Park Way Raleigh, NC 27616	1738-32-8768
Evelyn D. Whitley 5254 Meryton Park Way Raleigh, NC 27616	1738-32-8874
Sergei Volkov 5415 Thornton Road Raleigh, NC 27616-5725	1738-42-2302
Tassie Thornton Brooks 2004 Forestville Road Wake Forest, NC 27587-8130	1738-42-3363
Jerry W. Carter 5300 Meryton Park Way Raleigh, NC 27616	1738-32-8889
Dynasty Holdings LLC 4070 Barrett Drive Raleigh, NC 27609-6604	1738-42-9684



Certified Recommendation of the City of Raleigh Planning Commission

Case File: **Z-22-08 Conditional Use; Thornton Road**

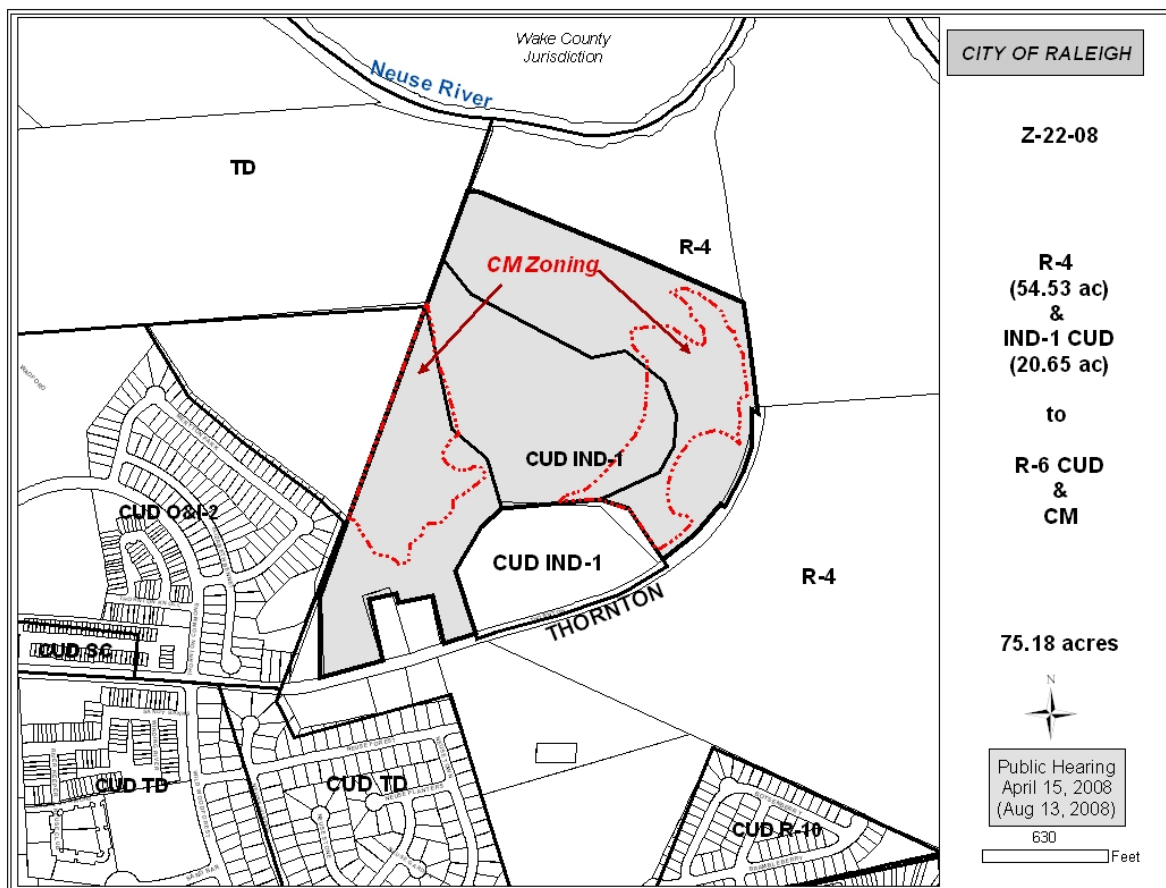
General Location: This site is located on the north side of Thornton Road, east of its intersection with Thornton Commons.

Request: Petition for Rezoning from **Residential-4 & Industrial-1 Conditional Use** to **Residential-6 Conditional Use & Conservation Management**.

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

Valid Protest Petition (VSPP): NO

Recommendation: The Planning Commission finds that this request is inconsistent with the Comprehensive Plan. However, based on the findings and reasons stated herein, that this request be approved in accordance with zoning conditions dated July 8, 2008.



CASE FILE: Z-22-08 Conditional Use

LOCATION: This site is located on the north side of Thornton Road, east of its intersection with Thornton Commons.

REQUEST: This request is to rezone approximately 64.88 acres, currently zoned Residential-4 & Industrial-1 Conditional Use. The proposal is to rezone the property to Residential-6 Conditional Use and Conservation Management.

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

RECOMMENDATION: The Planning Commission finds that this request is inconsistent with the Comprehensive Plan. However, based on the findings and reasons stated herein, that this request be approved in accordance with zoning conditions dated July 8, 2008.

**FINDINGS
AND REASONS:**

- (1) That this request is inconsistent with the land use recommendation of the Comprehensive Plan. The Capital Boulevard Corridor Plan designates the Neuse River Floodplain as a Conservation Area. Greater than 90% of this site is located within the Neuse River Floodplain.
 - (2) Although the request is inconsistent with the land use recommendations of the Comprehensive Plan, the CM and R-6 CUD zoning proposed to replace the R-4 and Industrial-1 CUD zoning advances the intent of the Comp Plan recommendation. The CM zoning will ensure the protection of the designated wetlands and the potential for commercial land uses, permitted under the existing Industrial-1 CUD zoning, are being removed. The net effect of the proposed rezoning reduces the potential development intensity that could occur under the existing zoning.
 - (3) The zoning conditions associated with this request limits development to single family detached dwellings only, limits density to a maximum of 180 units (this equates to an average overall density of 2.8 units per acre), requires clean-up on the property from the overflow of junk associated with the adjacent junk yard, and requires that a 5-foot berm and transitional protective yard be provided along the boundary with the adjacent junk yard.
-

To PC: 4/22/08
Case History: 4/22/08, referred to Committee of the Whole. 6/3/08, 7/1/08 reviewed by the Committee of the Whole. 7/1/08, committee recommends approval following an amendment to the petition to designate 19.3 acres as Conservation Management and subject to the revised conditions.

To CC: 7/15/08 **City Council Status:** _____
Staff Coordinator: Stan Wingo

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

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

Signatures: (Planning Dir.) (PC Chair)

date: _____ date: 7/10/08



Zoning Staff Report: Z-22-08 Conditional Use

LOCATION: This site is located on the north side of Thornton Road, east of its intersection with Thornton Commons.

AREA OF REQUEST: 64.88 acres

PROPERTY OWNER: Dynasty Holdings LLC

CONTACT PERSON: Mack Paul 743-7326

**PLANNING COMMISSION
RECOMMENDATION
DEADLINE:** August 13, 2008

ZONING: **Current Zoning**

Residential-4 (44.23 ac)
Industrial-1 CUD (20.65 ac)

Proposed Zoning

Residential-6 Conditional Use
(45.58 ac)
Conservation Management
(19.3 ac)

Current Overlay District

N/A

Proposed Overlay District

N/A

**ALLOWABLE
DWELLING UNITS:**

Current Zoning

R-4: 178 dwelling units
IND-1 CUD: 0 dwelling units

Proposed Zoning

180 dwelling units (per zoning conditions). No dwellings may locate within the CM zoning.

**ALLOWABLE OFFICE
SQUARE FOOTAGE:**

Current Zoning

IND-1 CUD: No maximum limitation
R-4: Office uses not permitted.

Proposed Zoning

Office uses not permitted.

**ALLOWABLE RETAIL
SQUARE FOOTAGE:**

Current Zoning

IND-1 CUD: 134,927 sq. ft. (0.15 FAR per zoning conditions)

R-4: Retail uses not permitted.

Proposed Zoning

Retail uses not permitted.

**ALLOWABLE
GROUND SIGNS:**

Current Zoning

Proposed Zoning

IND-1 CUD: High Profile (15 ft in height, 100 sq ft in area)

Tract ID Sign

R-4: Tract ID Sign

ZONING HISTORY:

This property has been zoned Residential-4 since being brought into the city's jurisdiction, and Industrial-1 CUD since 1989(Z-59-89).

Z-59-89 Thornton Road

Conditions

- A. Off premise signs (billboards) will not be permitted.
- B. A transitional protective yard (type A) minimum forty (40) feet in width shall be maintained adjacent to Residential-4 properties.
- C. Right-of-way (100 feet and 20 feet at slope easement on both sides) for future Neuse River drive shall remain at Residential-4 value.
- D. Upon development the rate of stormwater runoff will comply with CR 7107.
- E. The maximum floor area ratio for retail uses shall not exceed 0.15.
- F. If in the future, any other type industrial use, (other than the present landfill type of use) is proposed the owners will submit a site plan for Planning Commission review and City Council approval.
- G. The existing landfill and any future expansion of the landfill will accept only stumps, brush, trees, wood products, blocks, bricks, concrete or metal. Paper, tires, hazardous or toxic waste, oil, batteries or any noxious material will not be accepted.

**SURROUNDING
ZONING:**

NORTH: R-4, TD
SOUTH: R-4, IND-1 CUD (Z-59-89)
EAST: R-4
WEST: R-4, TD, O&I-1 CUD (Z-30-99)

LAND USE:

Single Family homes on two frontage lots, with a landscape debris landfill also along the frontage. Majority of property is an expansive low lying wetlands area in the floodplain well below the established fill-line that is built up to the frontage uses and subdivision to the west.

**SURROUNDING
LAND USE:**

NORTH: Low lying wetlands, Neuse River
SOUTH: Vacant land, single family, landscape debris landfill
EAST: Low lying wetlands, vacant wooded land
WEST: Low lying wetlands, single family subdivision

**DESIGNATED
HISTORIC
RESOURCES:**

There are no designated historic resources on the subject property or within close proximity.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
PLAN SUMMARY**

TABLE:

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City's adopted Comprehensive Plan;

the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	Northeast
Urban Form	Residential/Conservation Area
Specific Area Plan	Capital Blvd Corridor Plan
Guidelines	N/A

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

This proposal is inconsistent with the Comprehensive Plan. The subject property is located in an area designated as conservation area by the Capital Boulevard Corridor Plan. A small portion of the site fronting on Thornton Road is designated as appropriate for residential. The vast majority of the site is within the 100 year floodplain of the Neuse River, which mirrors the area designated as a conservation area.

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

Applicant states that the proposed zoning map amendment is compatible with the suitability of the property for residential uses because much of the subject property is currently zoned for residential use and is mostly undeveloped. Moreover, the subject property lies in close proximity to the Neuse River and residential uses would serve as a buffer for the river from the more intense residential and non-residential uses located near Capital Boulevard. The proposed zoning map amendment is compatible with the character of the surrounding area because much of the area is currently developed for residential use as single family neighborhoods and townhome and apartment communities.

Staff disagrees with this assessment. While the proposed zoning may be compatible with surrounding land uses, the vast majority of the subject property is located within the 100 year floodplain and is currently low-lying wetlands. The site is designated in the Comprehensive Plan as a conservation area due to its current environmental state. The subject property is not suitable for residential development and should not be graded or filled for development. The filling of up to 50% of the floodplain as currently permitted by Code may cause flooding issues, personal hardships for future residents during flood conditions and may have a negative environmental impact. Conservation Management zoning to match the current 100 year floodplain on this site would be a more appropriate zoning amendment.

3. Public benefits of the proposed rezoning

Applicant states that the proposal will provide needed additional low density housing in an area convenient to North Raleigh on a site ideal for residential development. Staff maintains that this site is not appropriate for residential development, and that the surrounding area is adequately served with low to medium density housing. There is very little public benefit associated with this request. The site is located in an area specifically designated as a conservation area. The development and fill of this site may cause impacts to the surrounding community in terms of stormwater quantity and water quality.

4. Detriments of the proposed rezoning

There are a number of environmental issues involved with this proposal. All of which should be considered detrimental to the surrounding community and downstream property owners. The current environmental state of the property should not be disturbed as development of this site will require

massive amounts of grading and fill. Filling of 50% of the floodplain area as permitted by Code would equate to nearly 35 acres of fill within the 100 year floodplain. The current low-lying wetlands and floodplain serve as a natural habitat as well as a natural filtration system for aquatic pollutants and should be conserved.

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

TRANSPORTATION: Thornton Road is designated as a collector street and exists as a two lane shoulder section within a 60 foot right of way. City standards call for Thornton Road to be constructed as a 41 foot back-to-back curb and gutter section within the 60 foot right-of-way with sidewalk on at least one side.

TRANSIT: The site is not within close proximity of current or future bus routes or a proposed regional rail transit station. No transit easement is needed.

HYDROLOGY: FLOODPLAIN: Most of the property is within the FEMA floodplain.
DRAINAGE BASIN: Neuse
STORMWATER MANAGEMENT: There are wetlands and Neuse River Buffers located on this property. Part 10 Chapter 9 Stormwater Regulations would apply.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>367,185</u> gpd	Approx. <u>263,130</u> gpd
Waste Water	Approx. <u>367,185</u> gpd	Approx. <u>263,130</u> gpd

The proposed zoning would not impact the City's wastewater collection and water distribution systems. There are currently existing public sanitary sewer mains, but no water mains to serve the proposed zoning property. The petitioner would be required to install the internal sanitary sewer and water mains required for the proposed development and extend the water main to the property.

PARKS AND

RECREATION: This property is adjacent to the Neuse River. The Capital Area Greenway Plan requires that an area of 150 measured from the top of bank be dedicated to the City.

WAKE COUNTY

PUBLIC SCHOOLS: There would be very little additional impact to area schools associated with this request. The applicant has conditioned residential density to 180 dwelling units which would not increase potential density on this site significantly.

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Wildwood Forest	1,025	119.2%	1,026	119.3%
East Millbrook	1,116	95.3%	1,116	95.3%
Wakefield	2,626	93.4%	2,626	93.4%

IMPACTS SUMMARY: This proposal could potentially involve grading and fill of up to nearly 35 acres within the 100 year floodplain. The property is currently covered primarily with low lying wetlands that adjoin the Neuse River. The development and fill of this site and at the magnitude proposed could cause flooding issues, and could potentially result in issues for prospective property owners on this site as well.

APPEARANCE

COMMISSION: This request is not subject to Appearance Commission review.

CITIZEN'S

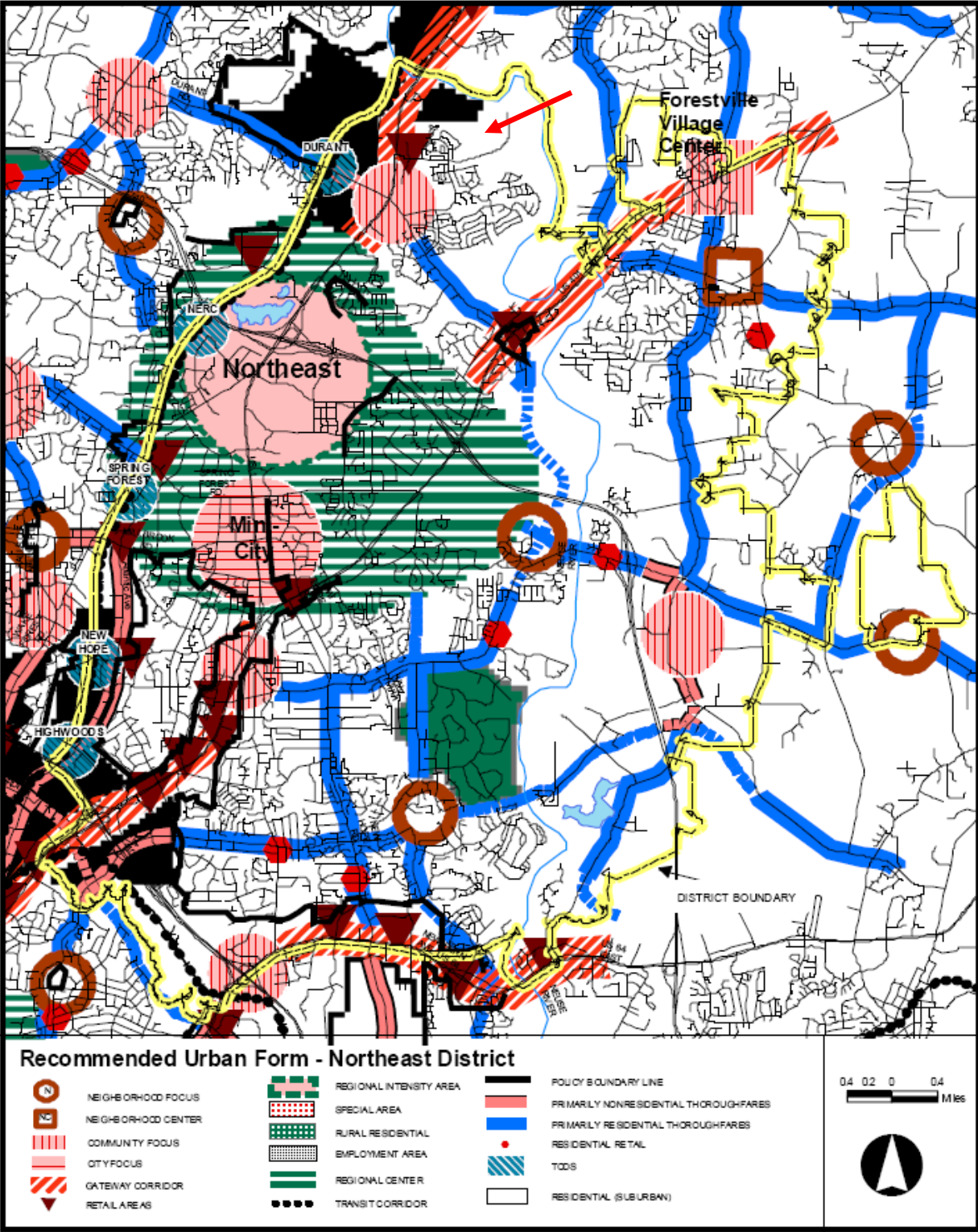
ADVISORY COUNCIL: DISTRICT: Northeast
CAC CONTACT PERSON: Paul Brandt 875-1114

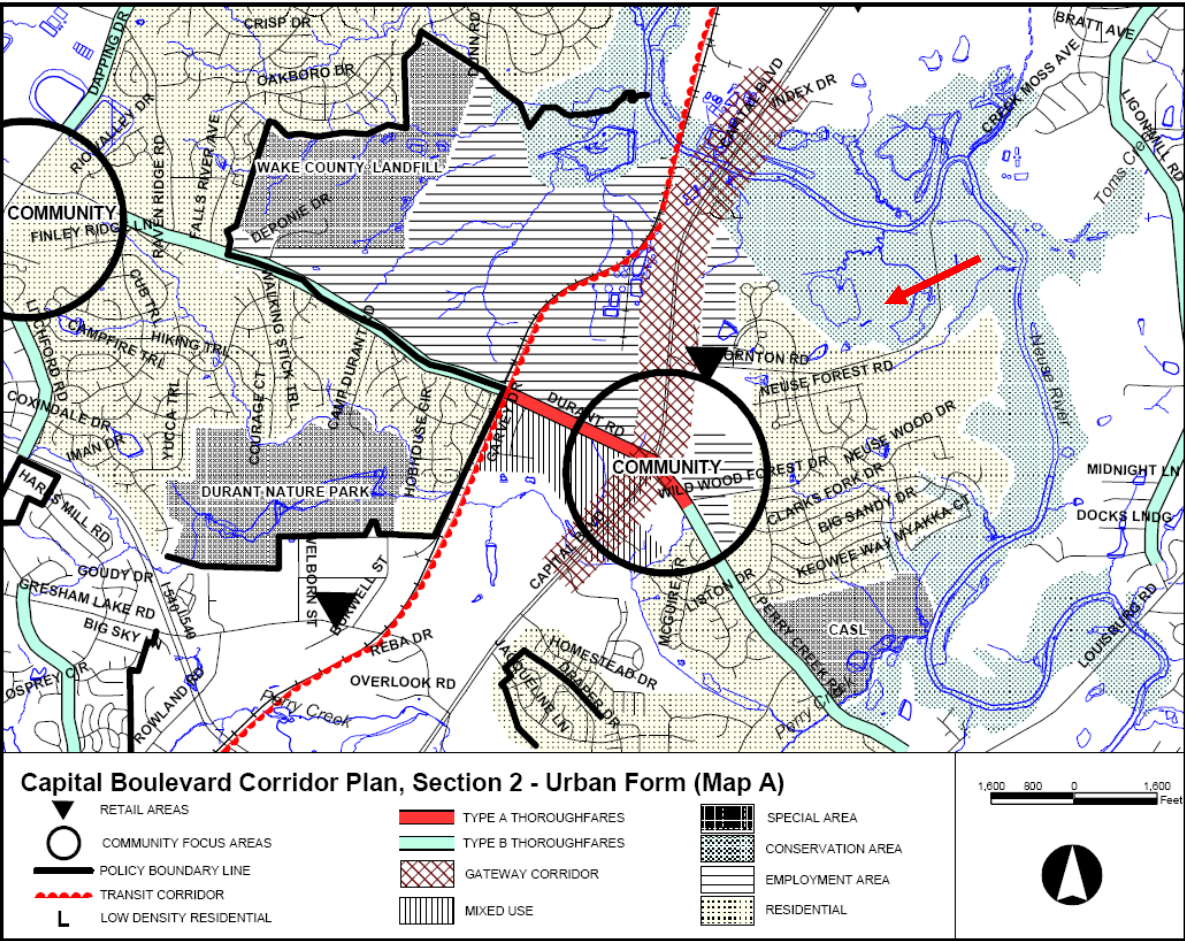
SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

1. Outstanding issues

- This proposal is inconsistent with the Comprehensive Plan.
- This proposal may have an adverse environmental impact related to the future grading, fill and development of the Neuse River floodplain.





Raleigh Comprehensive Plan 10/02

Capital Boulevard Corridor Plan 7-2.16