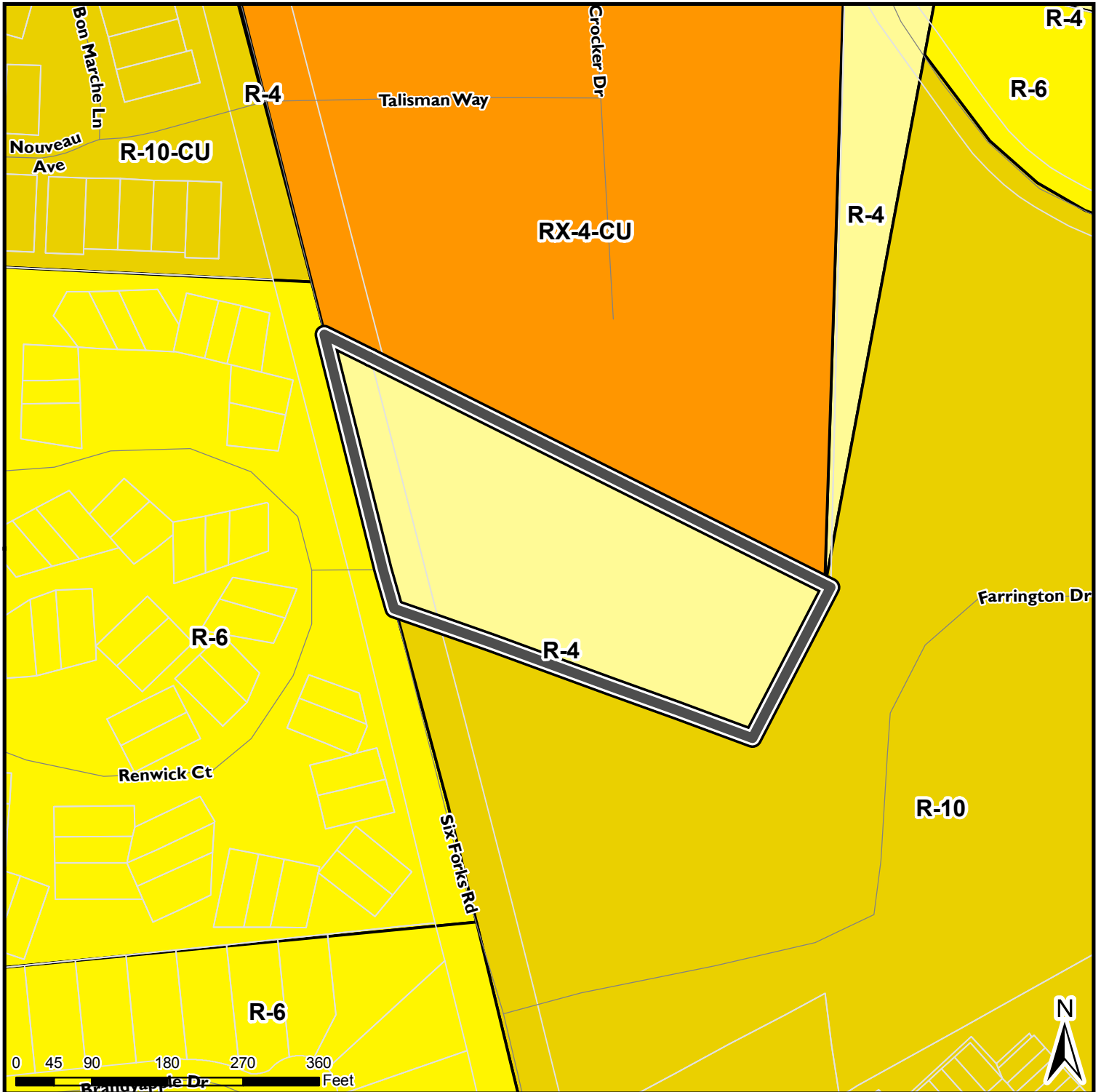


# Existing Zoning Map

# Z-22-16



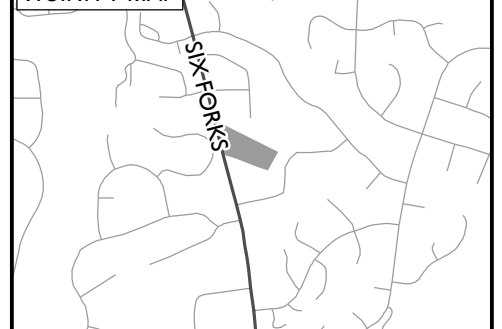
**Submittal Date**

7/1/2016

**Request:**

**2.6 acres from  
R-4  
to CX-3-PL**

VICINITY MAP





# Certified Recommendation

Raleigh Planning Commission

CR#

## Case Information: Z-22-16 – Six Forks Road

<i>Location</i>	Six Forks Road, east side, north of Farrington Drive Address: 7930 Six Forks Road PIN: 1707485597
<i>Request</i>	Rezone property from Residential-4 (R-4) to Commercial Mixed Use-3 stories-Conditional Use-Parking Limited (CX-3-CU-PL)
<i>Area of Request</i>	2.6 acres
<i>Property Owner</i>	Caplan Investments LLC 404 Seasons Drive Raleigh, NC 27614
<i>Applicant</i>	Michael Birch, Morningstar Law Group: (919) 590-0388, <a href="mailto:mbirch@morningstarlawgroup.com">mbirch@morningstarlawgroup.com</a>
<i>Citizens Advisory Council (CAC)</i>	North: Michael O'Sullivan, Chairperson; (919) 302-7557, <a href="mailto:mjo78@nc.rr.com">mjo78@nc.rr.com</a>
<i>PC Recommendation Deadline</i>	March 13, 2017

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Office & Residential Mixed Use
<b><i>URBAN FORM</i></b>	Center: (n/a) Corridor: Transit Emphasis (Six Forks Road) Within ½-Mile Transit Buffer: (n/a)
<b><i>CONSISTENT Policies</i></b>	Policy LU 2.6 - Zoning and Infrastructure Impacts Policy LU 5.2 - Managing Commercial Development Impacts Policy LU 6.4 - Bus Stop Dedication Policy T 4.15 - Enhanced Rider Amenities
<b><i>INCONSISTENT Policies</i></b>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU - 4.9 Corridor Development

### Summary of Proposed Conditions

1. Uses limited to R-4 plus Self-Service Storage.
2. Pole-mounted light fixtures will be full cutoff and no more than 15' high.
3. For self-storage units, no electrical outlets or plumbing permitted.
4. Transit easement, pad, and shelter provided.
5. Setbacks from adjoining lots will be 20'.





# Zoning Staff Report – Z-22-16

## Conditional Use District

### Case Summary

#### Overview

The proposal seeks to rezone a 2.6-acre site on Six Forks Road to allow nonresidential development, specifically Self-Service Storage. The request is for Commercial Mixed Use-3 stories-Conditional Use-Parking Limited (CX-3-CU-PL). Conditions would restrict uses to those in the current zoning category of Residential-4 plus Self-Service Storage. The parcel currently is undeveloped and fully wooded.

Surrounding properties are also zoned and used for residential use, but represent a variety of building forms, site designs, and zoning districts. To the north is the 266-unit Bainbridge apartment complex, a grouping of three- and four-story buildings and associated surface parking on 10.65 acres. Zoning is RX-4-CU. To the east and south are the 174-unit Sterling Forest apartments, consisting of thirty two-story buildings on 17.4 acres, mainly zoned R-10 but with a 1-acre wedge of R-4 between that tract and the Bainbridge parcel. To the west, across Six Forks Road from the site, are townhouses in an R-6 zone.

In terms of the Future Land Use Map, the eastern side of Six Forks Road (including the subject property and adjacent properties to the north and south) is designated for Office and Residential Mixed Use. The western side of this portion of Six Forks Road is designated as Moderate Density Residential.

The property is adjacent to a Transit Emphasis Corridor (Six Forks Road) designated on the Urban Form Map; there are no other Urban Form Map designations relevant to the request. The requested zoning includes Parking Limited frontage, which is consistent with that designation.

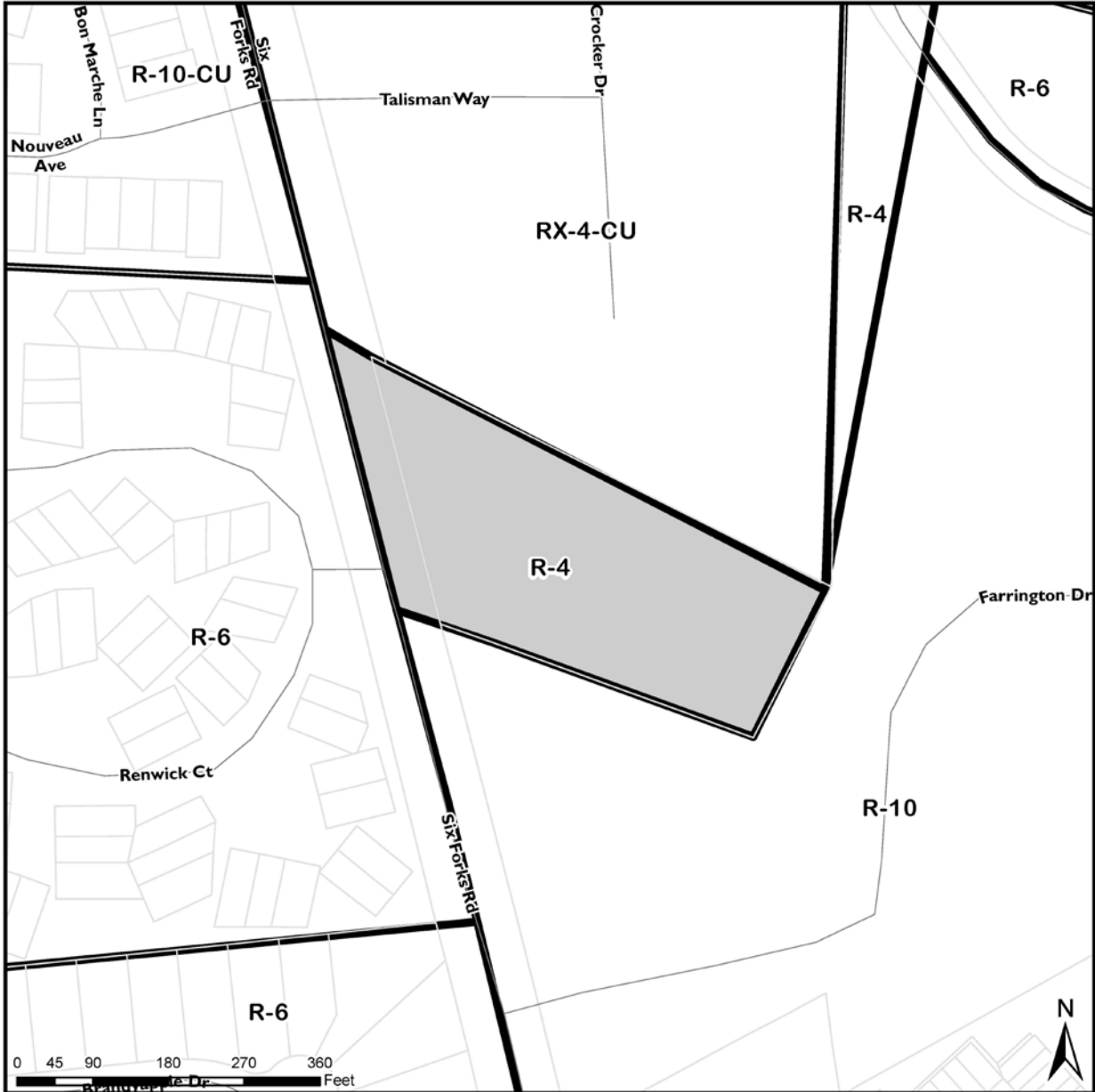
In addition to limiting uses, conditions include: limiting the height of light poles to 15' and requiring fixtures be full cutoff; providing a transit easement, pad, and shelter; restricting hours of operation; specify building materials; prohibiting parking between the principal building and Six Forks Road.

#### Outstanding Issues

<i>Outstanding Issues</i>	1. The request is inconsistent with the Future Land Use Map.	<i>Suggested Mitigation</i>	1. Revise the request to prohibit the Self-Service Storage use and include uses consistent with the FLUM.
---------------------------	--	-----------------------------	---

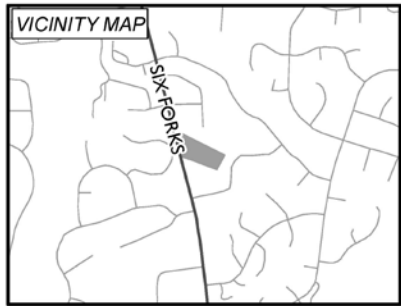
# Existing Zoning Map

# Z-22-16



**Submittal Date**  
7/1/2016

**Request:**  
2.6 acres from  
**R-4**  
to **CX-3-PL-CU**



Map Date: 7/5/2016

# 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-4	Residential Mixed Use-4 stories- Conditional Use	Residential-10	Residential-10	Residential-6
<i>Additional Overlay</i>	(n/a)	(n/a)	(n/a)	(n/a)	(n/a)
<i>Future Land Use</i>	Office & Residential Mixed Use	Office & Residential Mixed Use	Office & Residential Mixed Use	Office & Residential Mixed Use	Moderate Density Residential
<i>Current Land Use</i>	Vacant (wooded)	Multi-Unit Living	Multi-Unit Living	Multi-Unit Living	Townhouses
<i>Urban Form (if applicable)</i>	Center: (n/a) Corridor: Transit Emphasis	Center: (n/a) Corridor: Transit Emphasis	Center: (n/a) Corridor: Transit Emphasis	Center: (n/a) Corridor: (n/a)	Center: (n/a) Corridor: Transit Emphasis

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	4 DUs/ acre (max. 10)	4 DUs/ acre (max. 10)
<i>Setbacks:</i>		<i>Parking Limited frontage:</i> 50% of bldg. w/n 0' to 100'
<i>Front:</i>	20	<i>General Building build-to:</i> 20'
<i>Side:</i>	10'	20'
<i>Rear:</i>	30'	20'
<i>Retail Intensity Permitted:</i>	(not permitted)	(not permitted)
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted)

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	2.6	2.6
<i>Zoning</i>	R-4	CX-3-CU-PL
<i>Max. Gross Building SF</i>	(n/a)	198,866
<i>Max. # of Residential Units</i>	10	10
<i>Max. Gross Office SF</i>	(not permitted)	(not permitted)
<i>Max. Gross Retail SF</i>	(not permitted)	(not permitted)

<i>Max. Gross Industrial SF</i>	<i>(not permitted)</i>	198,866**
<i>Potential F.A.R.</i>	<i>(n/a)</i>	1.76

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

*\*\*Self-storage uses only.*

The proposed rezoning is:

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


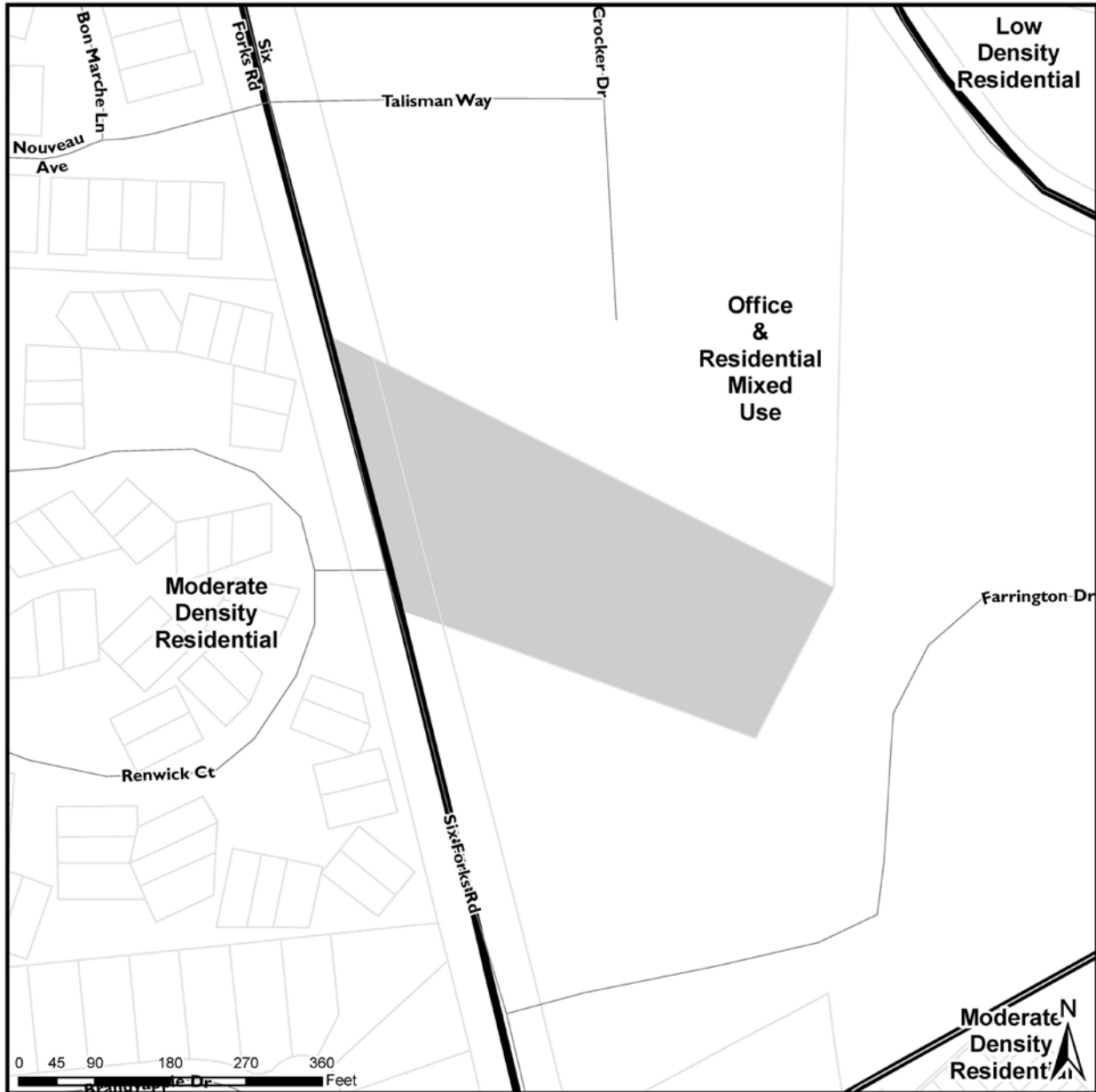
**Incompatible.**

Analysis of Incompatibility:

The proposal would limit allowed uses to those in R-4, plus Self-Service Storage. The surrounding area is entirely residential. Self-Service Storage is allowed in only a handful of zoning districts (CX, DX, IX, IH) due to how it relates to adjoining areas. While several proposed conditions do address impacts on adjacent residential areas, they do not fully establish compatibility with adjacent residential properties.

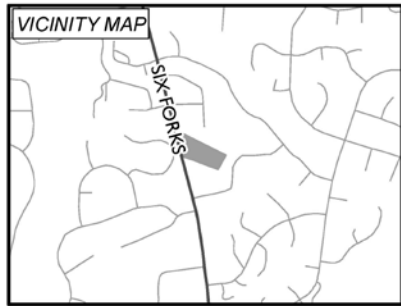
# Future Land Use Map

# Z-22-16



**Submittal Date**  
7/1/2016

**Request:**  
2.6 acres from  
R-4  
to CX-3-PL-CU

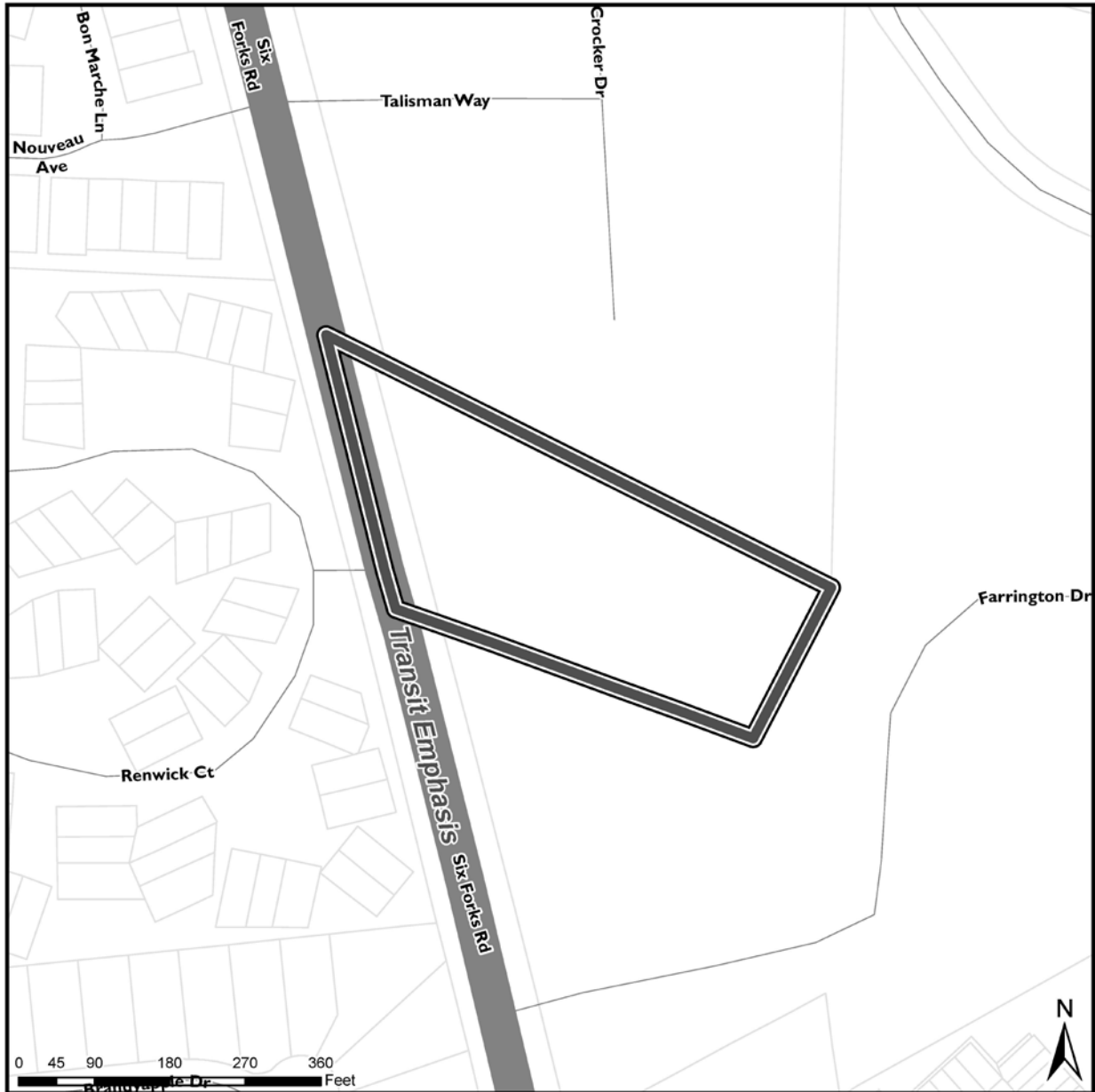


Map Date: 7/5/2016



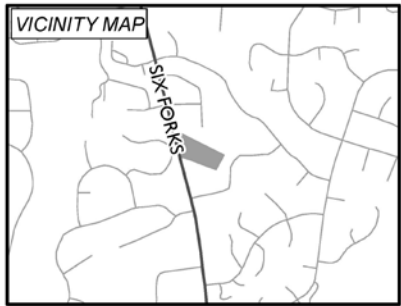
# Urban Form Map

# Z-22-16



**Submittal Date**  
7/1/2016

**Request:**  
2.6 acres from  
R-4  
to CX-3-PL-CU



Map Date: 7/5/2016

## 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. Overall the proposal is inconsistent with the Comprehensive Plan. The proposed Self-Service Storage use is not envisioned on the Future Land Use Map. The establishment of a low-activity use along a Transit Emphasis Corridor is counter to the theme of Coordinating Land Use and Transportation. However, the Parking Limited frontage is consistent with the Transit Emphasis Corridor designation of Six Forks Road.
- B. The proposed zoning of CX, even with conditions, would allow a use, Self-Service Storage, not envisioned by the Future Land Use Map in this area. The FLUM designates the area as Office and Residential Mixed Use, while Self-Service Storage is not permitted in the equivalent zoning district.
- C. Self-Service Storage could service residential and office uses, but it need not be located in a residential or office area to do so. It is not clear that self-service storage could be established without adversely altering recommended land use for the area. To the extent the property is developed with Self-Service Storage, the opportunity to add residences or office uses along a Transit Emphasis Corridor is removed.
- D. As Self-Service Storage creates minimal impact on infrastructure, existing facilities and streets are sufficient.

### 2.2 Future Land Use

**Future Land Use designation:** Office & Residential Mixed Use

**The rezoning request is:**

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

**Inconsistent**

Analysis of Inconsistency:

The site is in an area designated as Office and Residential Mixed Use, with Office Mixed Use (OX) being the closest zoning category. The proposed Commercial Mixed Use (CX) zoning, even with conditions, would allow a use (Self-Service Storage) not contemplated in that category.

## **2.3 Urban Form**

**Urban Form designation:** Center: (none)  
Corridor: Transit Emphasis

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

**The rezoning request is:**

**Consistent** with the Urban Form Map.

**Inconsistent**  
Analysis of Inconsistency:

(N/A)

## **2.4 Policy Guidance**

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

Policy LU 2.6 – Zoning and Infrastructure Impacts. Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

The rezoning would not create burdens on transportation or other infrastructure.

Policy LU 5.2 – Managing Commercial Development Impacts. Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.

Conditions limiting hours of operation and the height of light poles, as well as restricting parking between Six Forks Road and a principal building, help achieve consistency with this policy.

Policy LU 6.4 – Bus Stop Dedication. The City shall coordinate the dedication of land for the construction of bus stop facilities within mixed-use centers on bus lines as part of the development review and zoning process.

Policy T 4.15 – Enhanced Rider Amenities Promote the use of transit facilities and services through enhanced pedestrian access and provisions for seating, shelter, and amenities.

A transit easement and shelter are offered among the proposed conditions.

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

Policy LU 1.2 – Future Land Use Map and Zoning Consistency. The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The request is not consistent with the Comprehensive Plan's Future Land Use Map, which envisions the area as Office and Residential Mixed Use.

Policy LU 4.9 Corridor Development. Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for "transit intensive" investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

Six Forks Road is designated as a multi-modal corridor on the Growth Framework Map. By allowing an Industrial use, Self-Service Storage, that generates relatively low activity, though it has impacts in other ways, and restricting development otherwise to R-4, the request does not promote a transit-supportive development pattern along a multi-modal corridor.

### **2.5 Area Plan Policy Guidance**

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

N/A. No Area Plan exists in this area.

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

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

- The rezoning could provide additional storage space for residents and business owners.

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

- The proposed rezoning includes uses not envisioned by the Future Land Use Map. These uses may shape future development in a way not envisioned by the Map and Plan.

## **4. Impact Analysis**

### **4.1 Transportation**

The site is located on the east side of Six Forks Road, approximately 1/2 mile north of Sawmill Road. Six Forks Road (SR 1005) is maintained by the NCDOT. Six Forks Road is classified as a major street in the UDO Street Plan Map (Avenue, 6-Lane, Divided). This segment of Six Forks Road currently has a five-lane cross section with curbs and sidewalks on both sides.

There are no City of Raleigh CIP projects or state STIP projects planned for Six Forks Road in the vicinity of the Z-22-2016 site. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. There are no public street stubs abutting the northern, eastern or southern boundaries of the Z-22-2016 parcel.

Site access will be limited to Six Forks Road. The number and arrangement of driveways shall be in accordance with “Policy on Street and Driveway Access to North Carolina Highways,” as adopted and amended by NCDOT.

In accordance with UDO section 8.3.2, the maximum block perimeter for CX-3 zoning is 3,000 feet. The block perimeter for Z-22-2016, as defined by public rights-of-way for Six Forks, Featherstone Drive, Mourning Dove Road and Crown Oaks Drive is 7,125 feet.

The existing parcel is vacant and generates no traffic. Conditions have been submitted that effectively limit the potential land uses to residential apartments or a self-storage facility. Approval of case Z-22-2016 would increase average peak hour trip volumes by approximately 40 vehicles per hour in the PM peak; daily trip volume will increase by less than 400 veh/day. The nearby intersections of Six Forks/Featherstone and Six Forks/Nouveau both have a severity index equal to exactly 8.40. There were three (3) recorded crashes at Six Forks/Featherstone between July 1, 2011 and June 30, 2016. There was one (1) recorded crash at Six Forks/Nouveau during this same period. There were no fatal crashes. Given the number of crashes and the relatively small change in daily and peak hour trips, Transportation Planning staff waives the required traffic study for case Z-22-2016.

Z-22-2016 Existing Land Use (Vacant)	Daily	AM	PM
	0	0	0
Z-22-2016 Current Zoning Entitlements (Residential SF Detached)	Daily	AM	PM
	126	17	13
Z-22-2016 Proposed Zoning Maximums (Mini-Warehouse/ Self Storage)	Daily	AM	PM
	497	28	52
Z-22-2016 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>371</b>	<b>11</b>	<b>39</b>

**Impact Identified:** Block perimeter exceeds maximum allowed for CX-3 zoning.

#### 4.2 Transit

This property is located along Six Forks Road, which is a Transit Emphasis Corridor. Currently, this area is served by GoRaleigh Route 8 Six Forks. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Plan anticipate increased service in this corridor.

The offer of a transit easement and shelter installation is acceptable and supports several transit-related Comprehensive Plan policies.

**Impact Identified:** Greater demand for transit. This is addressed by the provision of a transit easement.

#### 4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Mine
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	None

**Impact Identified:** No impacts identified. No floodplain or buffers on site.

#### 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>	0 gpd	5,200 gpd	36,875 gpd
<i>Waste Water</i>	0 gpd	5,200 gpd	36,875 gpd

The proposed rezoning would add approximately 36,875 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.

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

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

#### 4.5 Parks and Recreation

There are no existing or proposed greenway corridors, trails, or connectors on or adjacent to this site. Nearest trail access is Mine Creek Trail, 0.8 miles. Recreation services are provided by Baileywick Park, 2.5 miles.

**Impact Identified:** None.

#### 4.6 Urban Forestry

This property is 2.6 acres in size, is completely wooded, and is therefore subject to the City of Raleigh's tree conservation laws found in UDO Article 9.1. The proposed Parking Limited frontage would prevent the designation of a primary tree conservation area along Six Forks Road.

**Impact Identified:** The proposed Parking Limited frontage would eliminate the potential of a Tree Conservation area along Six Forks Road. Required Tree Conservation areas will need to be met elsewhere on site.

#### 4.7 Designated Historic Resources

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

**Impact Identified:** None.

#### **4.8 Community Development**

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

#### **4.9 Impacts Summary**

Located on a corridor with growing demand for transit.

A Tree Conservation area may be unable to be met along Six Forks Road due to the inclusion of the Parking Limited frontage.

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

A transit easement and shelter are offered.

Meet Tree Conservation requirements elsewhere on site if necessary

## **5. Conclusions**

The request is consistent with the Urban Form Map and policies that encourage the provision of transit amenities and address impacts of commercial development.

However, the request is inconsistent with the Future Land Use Map, which envisions the area as Office and Residential Mixed Use; the request would allow a use, Self-Service Storage, that is allowed only in CX, DX, IX, and IH districts. Additionally, the request, by restricting development only to Self-Service Storage and R-4 uses, does not promote a transit-supportive development pattern along a multi-modal corridor.

E-22-16

# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



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

## REZONING REQUEST

General Use     Conditional Use     Master Plan

Existing Zoning Classification: Residential-4

Proposed Zoning Classification Base District: CX    Height: -3    Frontage: -PL

OFFICE  
USE ONLY

Transaction #  
462264

JUL 1 2016 PM 3:45

If the property has been previously rezoned, provide the rezoning case number: Not Applicable

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

462264

## GENERAL INFORMATION

Property Address: 7930 Six Forks Road

Date: June 28, 2016

Property PIN: 1707-48-5597

Deed Reference (book/page): DB 6750, PG 813

Nearest Intersection: Six Forks Road, between Crown Oaks Dr. and Featherstone Dr.

Property Size (acres): 2.6 acres

Property Owner/Address:  
Caplan Investments LLC  
404 Seasons Drive  
Raleigh, NC 27614

Phone

Fax

Email

Project Contact Person/Address:  
Michael Birch, Morningstar Law Group  
1330 St. Mary's Street, Suite 460  
Raleigh, NC 27605

Phone: 919.590.0388

Fax

Email: mbirch@morningstarlawgroup.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.



<b>REZONING APPLICATION ADDENDUM</b>	
<b>Comprehensive Plan Analysis</b>	<b>OFFICE USE ONLY</b>
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.	<b>Transaction #</b> 462264 <b>Rezoning Case #</b>
<b>STATEMENT OF CONSISTENCY</b>	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
1. The property is designated "Office & Residential Mixed Use" on the Future Land Use Map (FLUM). Although the FLUM notes the general recommended future use for a property, the Comprehensive Plan emphasizes that other types of uses may be compatible with the FLUM guidance even though such use is not expressly listed in the FLUM category description. Additionally, the Comprehensive Plan notes that the FLUM categories should not be interpreted to preclude a use without consideration of the policies and intent of the Comprehensive Plan. The rezoning request for CX, subject to the proposed conditions, would allow uses permitted in the OX district and a self storage use. The self storage use functions similar to an office use but with substantially less impact on surrounding properties and the transportation infrastructure. Based on the foregoing, and the rezoning request's consistency with key Comprehensive Plan policies noted below, the rezoning request is consistent with the FLUM.	
2. The property fronts along Six Forks Road, which is designated a Transit Emphasis Corridor on the Urban Form Map. Based on the FLUM designation and the designation of Six Forks Road, the property is within a Core/Transit area for purposes of determining the appropriate height. Table LU-2 "Recommended Height Designations" provides that a maximum building height of seven stories is appropriate on the property. The rezoning request is consistent with the Comprehensive Plan height guidance.	
3. The rezoning request is consistent with the following policies: LU 3.2, LU 5.2, LU 5.4, LU 5.5, LU 5.6, LU 7.3 and LU 7.4. First, the rezoning will facilitate development of a vacant lot within the City limits, consistent with LU 3.2. Second, the rezoning request would facilitate development of a lot along a major street that is not appropriate for single-family use, consistent with the FLUM guidance and policy LU 7.3. Third, the rezoning request parameters provide for an appropriate use and height transition to adjoining properties, consistent with policies LU 5.2, 5.4, 5.5, 5.6 and 7.4.	
4. The property fronts along Six Forks Road, which is designated a Transit Emphasis Corridor on the Urban Form Map. This guidance encourages the application of a hybrid frontage type. The rezoning request proposes to apply the Parking Limited frontage standard, consistent with this guidance.	
<b>PUBLIC BENEFITS</b>	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1. The rezoning request benefits the public by facilitating development of a property for a use that is consistent with the Future Land Use Map, adjacent to properties similarly designated on the Future Land Use Map.	
2. The rezoning request benefits the public by permitting uses that serve the needs and demands of nearby residents, thereby reducing the potential for vehicle-miles-traveled to access such uses permitted by the rezoning.	

## URBAN DESIGN GUIDELINES

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

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p><b>Response: The rezoning request permits residential and office uses, consistent with this guideline.</b></p>
2.	<p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p><b>Response: The property is not adjacent to lower density neighborhoods.</b></p>
3.	<p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p><b>Response: There are no public streets other than Six Forks Road with which the property can connect.</b></p>
4.	<p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p><b>Response: Redevelopment of the property will be subject to the UDO block perimeter and connectivity standards, which are consistent with this guideline.</b></p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p><b>Response: Redevelopment of the property will be subject to the UDO block perimeter standards, which are consistent with this guideline.</b></p>
6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p><b>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</b></p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p><b>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</b></p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p><b>Response: The property is not located at a street intersection.</b></p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p><b>Response: An outdoor amenity area will be provided in accordance with the UDO.</b></p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p><b>Response: An outdoor amenity area will be provided in accordance with the UDO.</b></p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p><b>Response: An outdoor amenity area will be provided in accordance with the UDO.</b></p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Response: An outdoor amenity area will be provided in accordance with the UDO.</b></p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p><b>Response: An outdoor amenity area will be provided in accordance with the UDO.</b></p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p><b>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</b></p>

15.	<p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i></p> <p><b>Response:</b> The rezoning applies the Parking Limited frontage standards.</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> No parking structures are contemplated as part of this development.</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> The property is within walking distance to the transit stops at Six Forks Road and Renwick Court (southbound) and Six Forks Road and Farrington Drive (northbound), which are part of the Six Forks (Route 8) line, consistent with this guideline.</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> The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</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> There are no known sensitive environmental areas on the 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> Streets and sidewalks will be provided in accordance with the UDO.</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> Streets and sidewalks will be provided in accordance with the UDO.</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> Street trees and streetscape elements will be provided in accordance with the UDO.</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> The rezoning applies the Parking Limited frontage standards, which imposes a coverage within the build-to standard that is consistent with 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> The rezoning applies the Parking Limited frontage standards, which requires primary building entrances facing the public street with pedestrian connections between the building entrances and public sidewalk, all consistent with this guideline.</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> The future buildings will comply with the applicable building and frontage standards, consistent with 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> Sidewalks will be provided in accordance with the UDO.</p>

**Conditional Use District Zoning Conditions**

Zoning Case Number: Z-22-16	<b>OFFICE USE ONLY</b>  Transaction #
Date Submitted: February 10, 2017	
Existing Zoning: <u>R-4</u> Proposed Zoning: <u>CX-3-PL-CU</u>	

**NARRATIVE OF ZONING CONDITIONS OFFERED**

1. The uses permitted on the property shall be limited to the following principal uses as listed in the Allowed Principal Use Table: (i) those uses permitted in the R-4 district that are also permitted in the CX district, provided, that when a use is allowed as a permitted use, as a limited use or as a special use in the R-4 district and that use is allowed with a different approval process in the CX district, the more restrictive approval process shall apply; and (ii) self-service storage use.
2. Poles for free-standing lighting shall not exceed fifteen (15) feet in height, and all pole-mounted light fixtures shall be full cutoff design.
3. Prior to recordation of a subdivision plat or issuance of a building permit for new development, whichever event first occurs, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of each transit easement, the dimensions (not to exceed 15 feet in depth or 20 feet in width) and location of the easement shall be approved by the Transportation Department and the easement document approved by the City Attorney's Office. If, prior to issuance of the first building permit for new development, the Transportation Department requests one or more of the following improvements to be constructed within the transit easement, then such shall be constructed prior to the first certificate of occupancy, with construction plans approved by the Transportation Department: (i) a cement pad measuring no greater than 15'x20', (ii) a cement landing zone parallel to the street between the sidewalk and back-of-curb measuring no more than 30', (iii) a sleeve for installation of a 2"x2' post, and (iv) an ADA-accessible shelter and litter container.
4. For a self-service storage use, individual storage units shall not be serviced by electrical outlets or plumbing, but this shall not prevent the installation of overhead lighting within individual storage units.
5. Unless a more stringent standard is required by the UDO, a Type C2 street protective yard shall be provided along Six Forks Road.
6. Unless a more stringent standard is required by the UDO, the following minimum setbacks shall apply: (i) a minimum building and vehicular surface area setback of thirty (30) feet shall be provided from the property's common boundary line with that located to the north, identified as Lot 1 on plat recorded in Book of Maps 2012, Page 1126, Wake County Registry (PIN 1707-49-5136); (ii) a minimum building and vehicular surface area setback of thirty (30) feet shall be provided from the property's southern property line, adjacent to that parcel described in deed recorded in Book 16227, Page 204, Wake County Registry (PIN 1707-58-2462); and (iii) a minimum one hundred (100) feet building and vehicular surface area setback from the property's eastern property line, adjacent to that parcel described in deed recorded in Book 16227, Page 204, Wake County Registry (PIN 1707-58-2462). In addition to the plantings required as part of a transitional protective yard, an additional three (3) shade trees and three (3) understory trees per 100 linear feet shall be planted along the northern property line and southern property line for the length of the building, between the building and the property line.
7. For a self-service storage use, the hours of operation for the facility shall be from no earlier than 7:00 AM until no later than 9:00 PM on Monday through Saturday, and no earlier than 10:00 AM until no later than 7:00 PM on Sunday.

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

Owner/Agent Signature \_\_\_\_\_ Print Name \_\_\_\_\_

**Conditional Use District Zoning Conditions**

Zoning Case Number: Z-22-16	<b>OFFICE USE ONLY</b>  <b>Transaction #</b>
Date Submitted: February 10, 2017	
Existing Zoning: <u>R-4</u> Proposed Zoning: <u>CX-3-PL-CU</u>	

**NARRATIVE OF ZONING CONDITIONS OFFERED**

8. Any principal building containing a non-residential use shall be a minimum of two (2) stories in height. The maximum height of a principal building containing a non-residential use shall be forty (40) feet in height, as measured in accordance with UDO section 1.5.7.
9. There shall be no vehicular parking located between the Six Forks Road right-of-way and the front façade of a principal building constructed within the build-to area.
10. For all non-residential uses permitted on the property, no trash and/or recycling facility service area shall be located within seventy-five (75) feet of the property’s boundary lines, and the servicing of the trash and/or recycling facility shall occur only between the hours of 7:00 AM to 7:00 PM, Monday through Friday.
11. Outdoor construction activity on the property shall be limited to between the hours of 7:00 AM and 5:00 PM, Monday through Saturday, except for concrete pours. No outdoor construction activity shall occur on the property on Sunday.
12. The maximum amount of gross floor area for a self-service storage use shall be 105,000 square feet.
13. For the building elevation fronting along Six Forks Road, at least eighty percent (80%) of the wall area shall be brick, stone or glass, exclusive of roof or trim. For the building elevations fronting along the northern, eastern and southern property lines, at least forty percent (40%) of the wall area of each such elevation shall be brick, stone or glass.
14. An awning or canopy shall be provided above each of the ground floor windows and doors.
15. No door to a storage unit shall be visible from outside the building.
16. Interior building lighting visible from Six Forks Road, except required emergency lighting, shall be turned off between the hours of 9:00 PM and 7:00 AM.
17. Any window on the building elevations fronting along the northern, eastern or southern property lines, except for any window located within forty (40) feet of building elevation fronting along Six Forks Road, shall be opaque and shall not emit light visible from outside the building.

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

Owner/Agent Signature \_\_\_\_\_ Print Name \_\_\_\_\_

462264

Z-22-16

Manoochehr Ahmadi Moosavi  
Caplan Investments, LLC  
404 Seasons Drive  
Raleigh, NC 27614

June 23, 2016

Doug Hill  
Department of City Planning  
One Exchange Plaza, 3rd Floor  
Raleigh, NC 27602

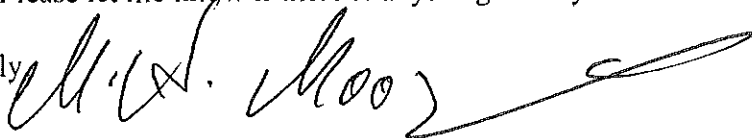
RE: Withdrawal of Z-20-15 (7930 Six Forks Road)

Doug,

On behalf of Caplan Investments, LLC, the owner of that 2.6-acre parcel of land with an address of 7930 Six Forks Road, I am writing to notify the City that Caplan Investments, LLC hereby withdraws zoning case Z-20-15.

Please let me know if there is anything more you need to effectuate withdrawal.

Sincerely



Manoochehr Ahmadi Moosavi  
Managing Member of Caplan Investments, LLC

462264  
7-22-16

REZONING OF PROPERTY CONSISTING OF +/- 2.6 ACRES  
LOCATED ON THE EAST SIDE OF SIX FORKS ROAD, SOUTH OF THE INTERSECTION  
WITH FEATHERSTONE WAY, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS  
ON JUNE 23, 2016

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Thursday, June 23, 2016, at 6:30 p.m. The property considered for this potential rezoning totals approximately 2.6 acres, located on the east side of Six Forks Road, south of the intersection with Featherstone Way, in the City of Raleigh, having Wake County Parcel Identification Number 1707-48-5597. This meeting was held at the Anne Gordon Center for Active Adults at Millbrook Exchange Park, which is located at 1901 Spring Forest Road, Raleigh, NC 27615. 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  
1330 St. Mary's Street, Suite 460  
Raleigh, NC 27605

919-590-0388  
mbirch@morningstarlawgroup.com  
www.morningstarlawgroup.com

To: Neighboring Property Owner  
From: Michael Birch  
Date: June 13, 2016  
Re: Notice of meeting to discuss potential rezoning of parcel located on the east side of Six Forks Road, south of the intersection with Featherstone Way, containing approximately 2.6 acres, with the address of 7930 Six Forks Road and having Wake County PIN 1707-48-5597 (the "Property").

We are counsel for a developer that is considering rezoning the Property. The Property is currently zoned Residential-4, and the proposed rezoning is for Commercial Mixed Use with a three-story building height limit (CX-3).

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Thursday, June 23, 2016 at 6:30 p.m. This meeting will be held at the Anne Gordon Center for Active Adults, which is located at 1901 Spring Forest Road, Raleigh, NC 27615, near the Millbrook Exchange park.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the applicant to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. 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](mailto:mbirch@morningstarlawgroup.com).



## EXHIBIT B

### LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

CHADWICK TOWNHOMES  
ASSOCIATION INC  
PO BOX 97427  
RALEIGH NC 27624-7427

DODD RENTAL PROPERTIES LLC  
8811 CYPRESS LAKES DR # B310  
RALEIGH NC 27615-2127

CAPLAN INVESTMENTS LLC  
404 SEASONS DR  
RALEIGH NC 27614-9507

NP SIX FORKS LLC  
MARVIN F POER & COMP  
3520 PIEDMONT RD NE STE 410  
ATLANTA GA 30305-1512

STERLING FOREST ASSOCIATES LLC  
LINCOLN PROPERTY COMPANY  
200 FAIRBROOK DR STE 101  
HERNDON VA 20170-5283

MCMILLAN, NANCY  
51 RENWICK CT  
RALEIGH NC 27615-2990

ANDERSON, DORIS W  
49 RENWICK CT  
RALEIGH NC 27615-2990

LYNCH, PHOEBE P  
105 RENWICK CT  
RALEIGH NC 27615-2946

STELL, BARBARA ANN  
103 RENWICK CT  
RALEIGH NC 27615-2946

EPPS, BARBARA E  
101 RENWICK CT  
RALEIGH NC 27615-2946

THE PEARSON TRUST  
PHILLIP & ELIZABETH PEARSON  
100 RENWICK CT  
RALEIGH NC 27615-2978

RICH, LISA J  
110 RENWICK CT  
RALEIGH NC 27615-2978

BAKER, WELDON LEE II  
BAKER, IRMA H  
2013 BOYCE BRIDGE RD  
CREEDMOOR NC 27522-8023

MILTON, MARY N  
106 RENWICK CT  
RALEIGH NC 27615-2978

CONNELL, MURIEL  
66 RENWICK CT  
RALEIGH NC 27615-2989

SMITH, MICHAEL PAUL  
SMITH, KIM STUART  
68 RENWICK CT  
RALEIGH NC 27615-2989

## **EXHIBIT C**

### **SUMMARY OF DISCUSSION ITEMS**

On Thursday, June 23, 2016, at 6:30 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. No one attended the meeting, so no items were discussed.

**EXHIBIT D**

**NEIGHBORHOOD MEETING ATTENDEES**

No one attended the meeting.