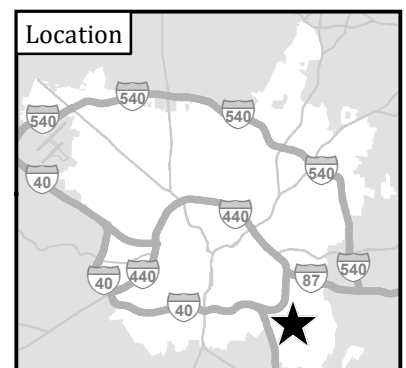


Property	2230 & 2260 S New Hope Rd
Size	43.51 acres
Existing Zoning	PD
Requested Zoning	CX-5-CU





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

THRU: Ken Bowers AICP, Director

FROM: Ira Mabel, Planner II

DEPARTMENT: City Planning

DATE: November 19, 2019

SUBJECT: City Council agenda item for January 7, 2019 – Z-22-19

On December 3, 2019, City Council authorized the public hearing for the following item:

Z-22-19: 2230 & 2260 S New Hope Road, approximately 43.51 acres located [at the northern corner of the intersection of New Hope Road and Rock Quarry Road.](#)

Current Zoning: Planned Development (PD).

Requested Zoning: Commercial Mixed Use-5 Stories-Conditional Use (CX-5-CU).

Signed zoning conditions provided on November 15, 2019 prohibit a number of uses otherwise allowed in CX districts, including residential; limit the number of commercial lots fronting on New Hope Road to six; cap office and medical uses to 110,000 square feet; limit all other commercial uses to 75,000 square feet; require a 10-foot multi-use path along S. New Hope Road; require greenway easements to be dedicated to the city; and limit lot coverage within the floodway fringe to 40%.

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

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

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

The Southeast CAC voted in favor of the case (17-4-1).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)



RALEIGH PLANNING COMMISSION

CERTIFIED RECOMMENDATION

CR# 11964

CASE INFORMATION: Z-22-19 OLDE TOWNE WEST VILLAGE

Location	S. New Hope Road, at the northern corner of its intersection with Rock Quarry Road Address: 2230 & 2260 S New Hope Road PINs: 1722853577, 1722867012 iMaps , Google Maps , Directions from City Hall	
Current Zoning	PD	
Requested Zoning	CX-5-CU	
Area of Request	43.51 acres	
Corporate Limits	The subject site is within the city's ETJ and contiguous to corporate limits. Annexation is not required for rezoning but is likely required to achieve the requested entitlement.	
Property Owner	Brocar Two, LLC 226 Kelso Court Cary, NC 27511	Robert Brown 5609 Poole Road Raleigh, NC 27610
Applicant	Charles R. Walker III, PLA Entitlement Preservation Group	
Citizens Advisory Council (CAC)	Southeast CAC Ulysses Lane	
PC Recommendation Deadline	January 20, 2020	

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited: residential of any type; adult establishment; outdoor sports or entertainment facility of any size; passenger terminal; vehicular sales; detention center, jail, prison; light manufacturing; bed and breakfast; research and development; light industrial; day care; golf course; cemetery.
2. No more than six lots with non-residential primary uses shall front along S. New Hope Road.
3. No more than 110,000 square feet of all medical and office uses. No more than 75,000 square feet of all other commercial uses, not including medical and office uses.
4. There will be a 10-foot multi-use path along S. New Hope Road rather than the required 6-foot sidewalk.
5. Greenway easements as shown on the Capital Area Greenway Corridor Master Plan shall be deeded to the city.

6. Lot coverage (i.e. obstruction restricting or displacing the flow of water) shall be limited to 40% of the site.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Community Mixed Use; Office & Residential Mixed Use; Public Parks & Open Space; Private Open Space
Urban Form	N/A
Consistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3—Conditional Use District Consistency Policy LU 8.10—Infill Development Policy LU 8.11—Development of Vacant Sites Policy PR 3.8—Pedestrian Links to Greenways
Inconsistent Policies	Policy EP 2.5—Protection of Water Features Policy EP 3.2—Neuse River Protection

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

Neighborhood Meeting	CAC	Planning Commission	City Council
3/14/19 10 attendees	7/11/19 17 (Y) – 4 (N) –1 (A) 13 (Y) – 2 (N) –7 (A) * <i>*with conditions</i>	10/22/19 11/12/2019 11/26/2019	12/3/19

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request is reasonable and in the public interest because it will provide much needed services for a larger development.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: Tomasulo; Second: Geary In Favor: Geary, Hicks, Lampman, Mann, McIntosh, Novak, Tomasulo and Winters
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

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

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

Planning Director 11/26/2019

Planning Commission Chair 11/26/2019

Staff Coordinator: Ira Mabel: (919) 996-2652; Ira.Mabel@raleighnc.gov

AGENDA ITEM (D) 2: Z-22-19 – S. New Hope Road

This case is located at the northern corner of the intersection of New Hope Road and Rock Quarry Road.

This is a request to rezone from PD to CX-5-CU.

Planner Mabel gave a brief overview of the case.

There was brief discussion regarding the flood fringe; amount of watershed

Mr. Tomasulo made a motion to approve. Mr. Geary seconded the motion. The vote is unanimous 8-0.



ZONING STAFF REPORT – CASE Z-22-19

Conditional Use District

OVERVIEW

The rezoning site is 43.51 acres of undeveloped land located at the northern corner of the intersection of S. New Hope Road and Rock Quarry Road. New Hope Road turns into Jones Sausage Road south of this intersection. The site is composed of two parcels, one completely surrounding the other on all sides but for the frontage on New Hope Road. The site as a whole is bounded to the west and north by Big Branch Creek and Walnut Creek. The site generally slopes from east to west, away from New Hope Road and toward the creeks. A significant portion of the site is within the floodway (which is unbuildable), 100-year floodplain (which is limited to 50% lot coverage), or 500-year floodplain. The site is primarily wooded, but does contain a sanitary sewer pump station maintained by the Public Utilities Department that will remain.

The existing zoning is a Planned Development (PD) called Olde Towne that was approved in 2004. It covered this rezoning site, as well as 488 acres on the east side of New Hope Road. It allowed 2,405 dwelling units, 368,000 square feet of retail space, and 128,000 square feet of office space on a total of 532 acres. The master plan for the PD allows commercial and medium density residential uses along S. New Hope Road, with moderate- and low-density residential development forming the remainder of the development. The master plan required that a golf course be constructed on the site, generally following the stream system. The master plan also allowed tree conservation and stormwater requirements for commercial developments to be provided within the residential, golf course, and open space components of the project. A condition offered with the PD zoning required nine acres of the site to be dedicated to the City of Raleigh for a park.

This rezoning request is for one of the commercial areas of the master plan. The residential areas were removed from the PD when they were rezoned to Residential-10-Conditional Use (R-10-CU) in 2018 (Z-7-18). The zoning conditions in that case limit development to 1,700 dwelling units; limit apartment development to 300 units; require apartments to be age restricted to 55 years and older; prohibit apartments except within 2,500 feet of Rock Quarry Road; require 25 acres to be set aside for a park; require construction of greenway trails; require 25% of the site to be set aside for open space; and require a build-to for most of the site's frontage along Rock Quarry Road.

Approval of Z-7-18 rendered the remainder of the PD, which includes this request and an additional 41.5 acres on the eastern side of New Hope Road, effectively undevelopable unless rezoned. This is because the requirement in the PD to construct a golf course remained in effect, even though the land dedicated for the golf course was removed from the district. In the original Olde Towne master plan, these two lots were designated up to 33,000 square feet of two-story retail uses, up to 67,900 square feet of four-story office uses, and open space. A rezoning request has also been submitted for the remnant of the PD on the east side of New Hope Road (Z-21-19).

This request is to rezone the two-lot site from PD to Commercial Mixed Use–5 Stories–Conditional Use (CX-5-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in CX districts, including residential; limit the number of commercial lots fronting on New Hope Road to six; cap office and medical uses to 110,000 square feet; limit all other commercial uses to 75,000 square feet; require a 10-foot multi-use path along S. New Hope Road; require greenway easements to be dedicated to the city; and limit lot coverage within the floodway fringe to 40%.

The nearby vicinity of the site is largely low density residential or vacant. Jones Sausage Road between Rock Quarry Road and I-40 has the nearest commercial development, mostly in IX zoning. Barwell Road Elementary School and Barwell Road Park are located approximately one mile southeast of the site. The Walnut Creek Amphitheatre is just under a mile north on Rock Quarry Road. The Walnut Creek greenway is only a few hundred feet north of the site and follows the northern boundary of the former PD district.

The subject site is designated as Community Mixed Use (14.8 acres), Office & Residential Mixed Use (6.3 acres), and both Public Parks & Open Space and Private Open Space (22.4 acres) on the Future Land Use Map. The Public Parks & Open Space designation follows the Big Branch and Walnut creeks; the Private Open Space designation is on the northern part of the site and is take up mostly by floodway and floodplain. The Urban Form Map shows Rock Quarry Road as a Transit Emphasis Corridor, but this designation does not affect the rezoning property.

The Southeast CAC voted in favor of the request (17-4-1) on August 19, in combination with the Z-21-19 case. The CAC also took a second vote (13-2-7) requesting the following conditions: a “grocery store-based” shopping center; a maximum of 300,000 square feet of office; landscaping of a higher quality than the minimum code standard; a sit-down restaurant, a bank, and a gas station required.

Update for November 26, 2019

This case was deferred on November 12 so that the applicant could address issues of development within the floodway fringe of Walnut Creek. The applicant has added one new zoning condition that reduces the amount of permitted lot coverage within the floodway fringe from 50% to 40%.

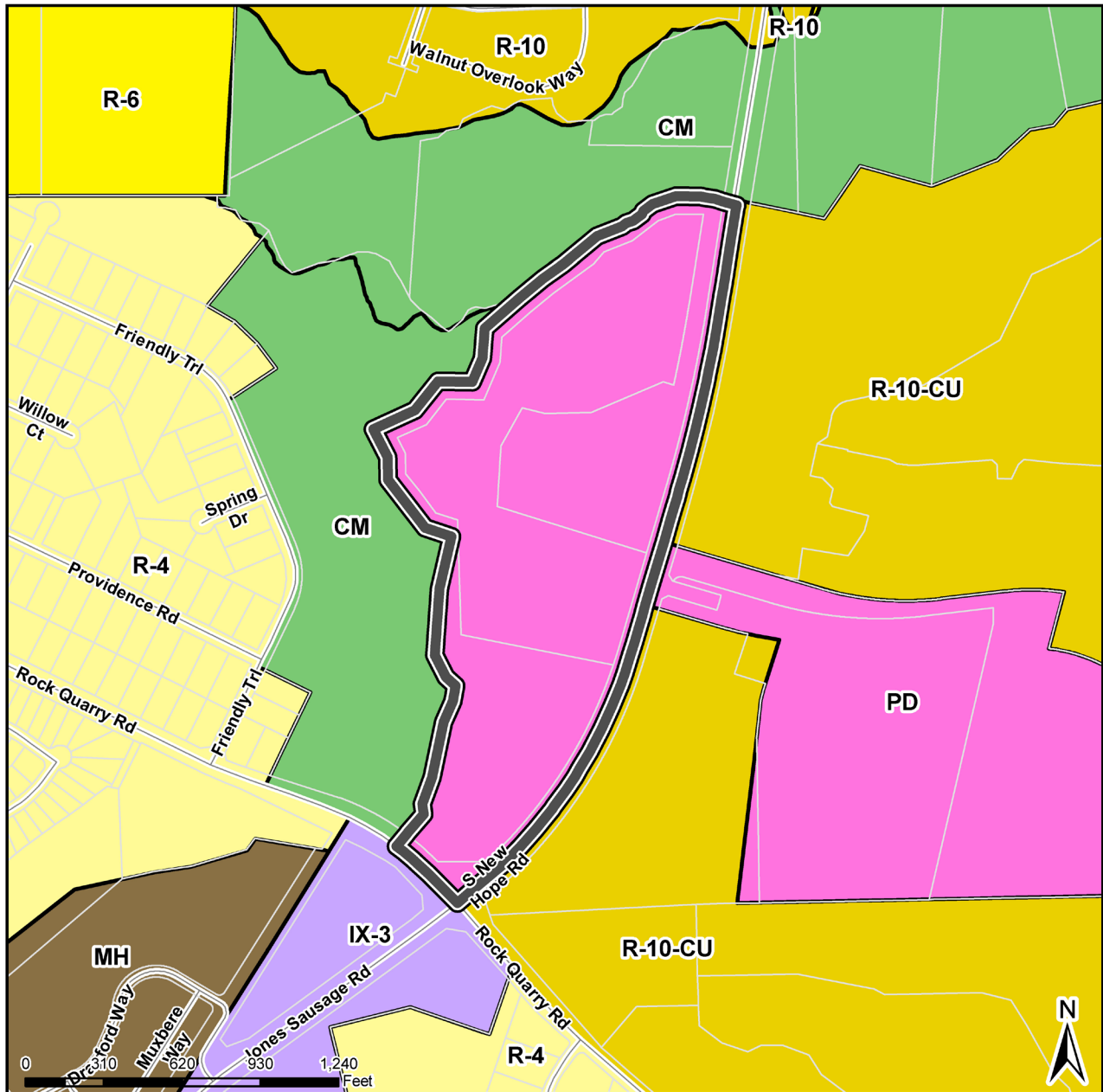
No other changes have been made to the staff report.

OUTSTANDING ISSUES

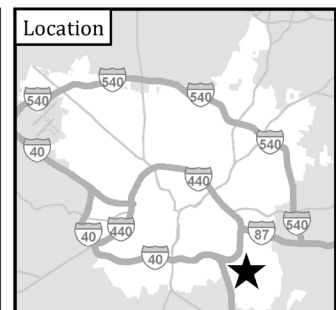
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
---------------------------	-----------------	-----------------------------	-----------------

Zoning

Z-22-2019



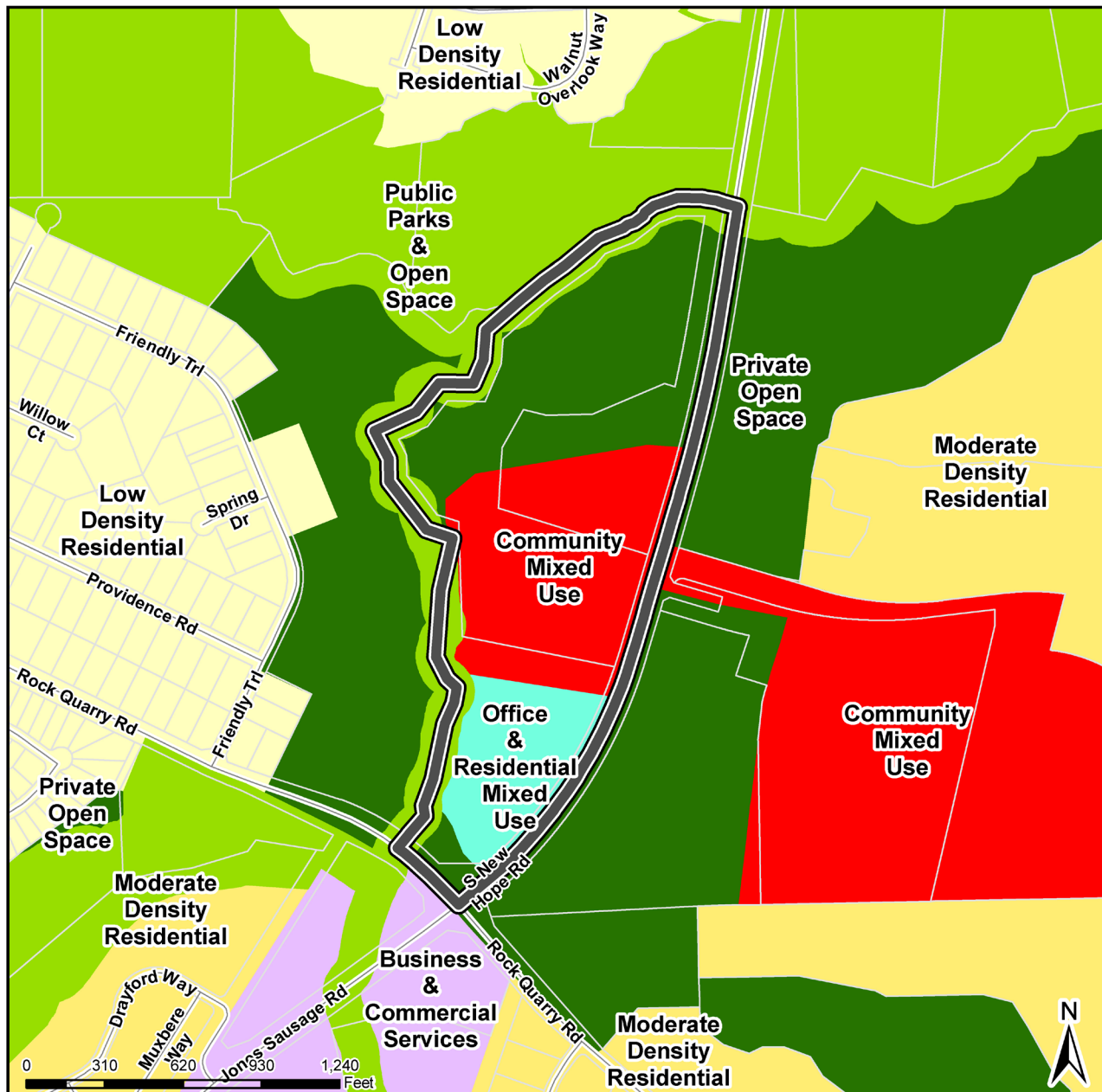
Property	2230 & 2260 S New Hope Rd
Size	43.51 acres
Existing Zoning	PD
Requested Zoning	CX-5-CU



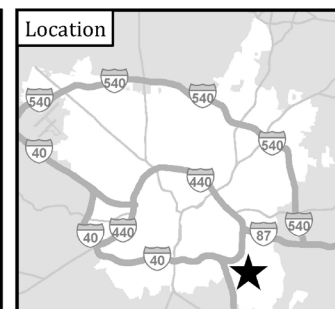
Map by Raleigh Department of City Planning (reckhowh): 7/23/2019

Future Land Use

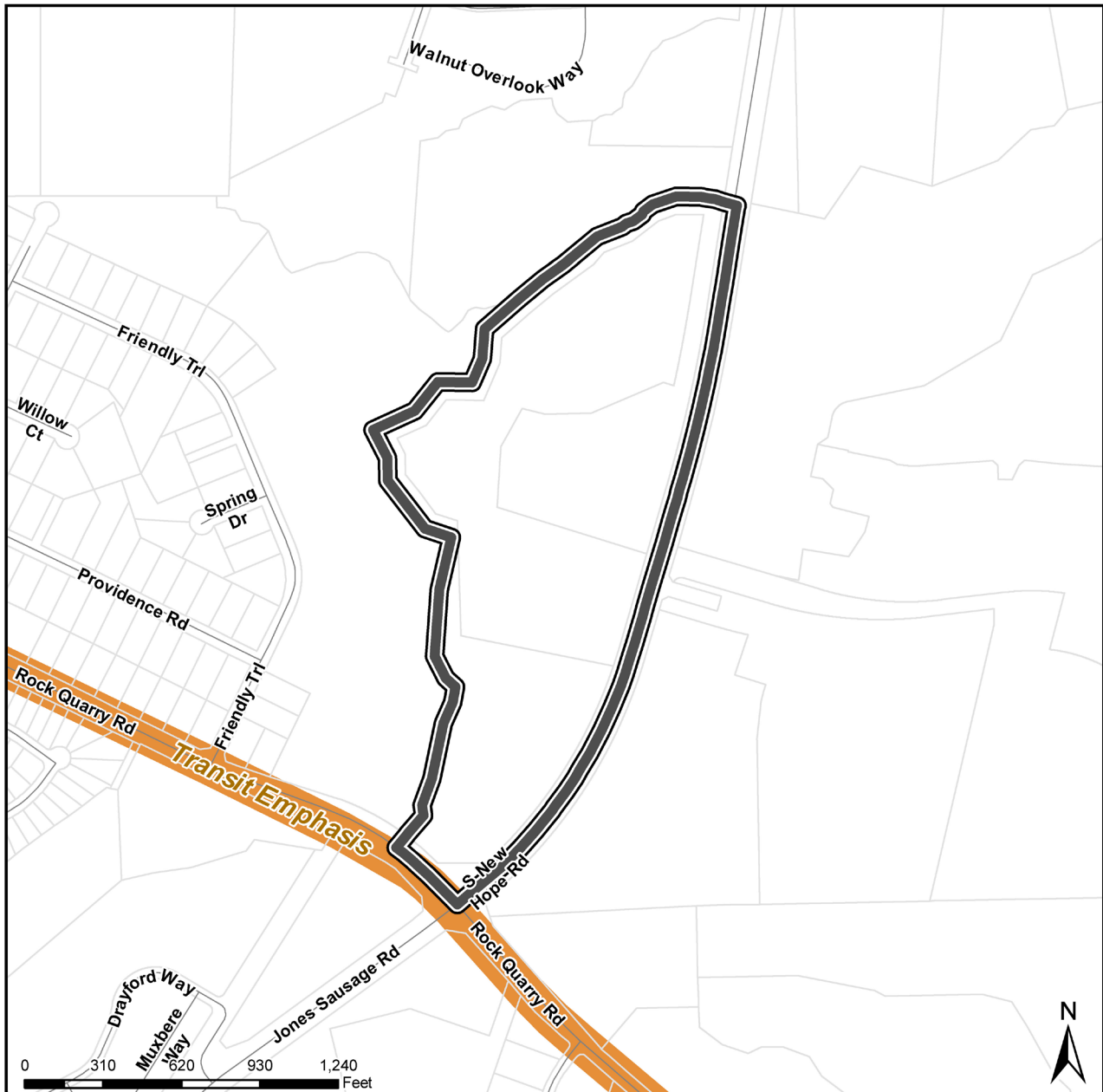
Z-22-2019



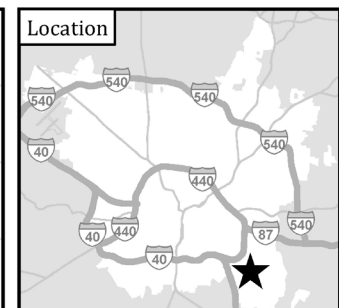
Property	2230 & 2260 S New Hope Rd
Size	43.51 acres
Existing Zoning	PD
Requested Zoning	CX-5-CU



Map by Raleigh Department of City Planning (reckhowh): 7/23/2019



Property	2230 & 2260 S New Hope Rd
Size	43.51 acres
Existing Zoning	PD
Requested Zoning	CX-5-CU



Map by Raleigh Department of City Planning (reckhowh): 7/23/2019

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?

The request is consistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Managing Our Growth** vision theme. This theme encourages integrated land uses and providing desirable spaces and places to live, work, and play. The request would permit employment and retail proximate to extensive potential residential uses and other synergistic commercial uses, such as restaurants and a grocery store.

The request is not inconsistent with the Plan's other Vision Themes.

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

Partially. A portion of the subject site is classified as Community Mixed Use on the Future Land Use Map, which recommends the Commercial Mixed Use zoning district. However, the site is also designated as Office & Residential Mixed Use, which recommends a less intense Office & Residential Mixed Use district. The Public Parks & Open Space designation is within the floodway and Neuse River buffer zone, effectively protecting it from development. Finally, the site is also designated as Private Open Space; although there is no commensurate open space dedication, the floodway and 100-year floodplain account for a majority of this area.

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

The case includes conditions prohibiting some (though not all) of the more intense commercial uses permitted in CX that are not permitted in OX, as well as a general cap on non-office commercial uses. Further regulating uses with greater externalities such as noise or traffic would improve compatibility between the two FLUM designations.

Although the development potential of land with Private Open Space designation is limited due to floodway and floodplain, the applicant could strengthen consistency with the Future Land Use Map by explicitly prohibiting development on all or some of this part of the site.

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

Unknown. The floodway eliminates any potential access points to the site from the north and west. A traffic study will be required for this development at the time of site plan. A traffic study is currently being completed for the former PD on the east side of New Hope Road now zoned R-10-CU, which will indicate street improvements needed to serve that development. The results of both of these studies will also have to incorporate the projected impact of the development scenarios possible from the approval the Z-21-19 case.

Future Land Use

Future Land Use designation: Community Mixed Use, Office & Residential Mixed Use, Public Parks & Open Space, and Private Open Space

The rezoning request is

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

☐ **Inconsistent**

The request is for Commercial Mixed Use zoning. Approximately 1/3 of the subject site is classified as Community Mixed Use on the Future Land Use Map, which recommends the Commercial Mixed Use zoning district. Another 15% is Office & Residential Mixed Use, which suggests the Commercial Mixed Use zoning district. However, the case includes conditions prohibiting some of the more intense commercial uses permitted in CX that are not permitted in OX, as well as a general cap on non-office commercial uses.

The remainder of the site is Private Open Space and Public Parks & Open Space. Although there is no commensurate open space dedication commensurate with these designations, the development potential of this land with designations is limited due to the floodway and floodplain.

Urban Form

Urban Form designation: None.

The rezoning request is

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

☐ **Inconsistent**

☒ **Other** (no Urban Form designation)

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The site is essentially isolated, bound on all sides by either public right-of-way or jurisdictional streams. Given this, the proposed conditions restricting entitlement make the request compatible with the moderate density residential zoning and potential across New Hope Road.

Public Benefits of the Proposed Rezoning

- The request would add to a planned mixed-use area, providing employment and retail proximate to potential extensive residential uses and other synergistic commercial uses, such as restaurants and a grocery store.

Detriments of the Proposed Rezoning

- The timing of development on this rezoning site, the Z-21-19 site across S New Hope Road, and the nearby R-10-CU zoned land may result in some development occurring before sufficient transportation infrastructure is in place.

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.

Policy LU 3.1— Zoning of Annexed Lands

The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.

- The request is consistent with the Future Land Use Map designation of Community Mixed Use, which applies to medium-sized shopping centers and larger pedestrian-oriented retail districts.
- The applicant could strengthen consistency with the Office & Residential Mixed Use designation by further regulating CX uses with greater externalities such as noise or traffic.
- The applicant could also strengthen consistency with the Private Open Space designation by explicitly prohibiting development on all or some of the northern part of the site.

Policy LU 8.10—Infill Development

Encourage infill development on vacant land within the City, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

Policy LU 8.11—Development of Vacant Sites

Facilitate the development of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures that would address these.

- The subject site has never been developed, even though the previously-approved PD and master plan was approved 15 years ago. The proposed rezoning would seek to renew site development activity by being more in-line with current market conditions.

Policy PR 3.8—Pedestrian Links to Greenways

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

- Zoning conditions included in the request that dedicate greenway easements along Walnut Creek and that provide a full multi-use path along S. New Hope Road will improve the flexibility for greenway expansion in the area.

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

Policy EP 2.5—Protection of Water Features

Lakes, ponds, rivers, streams, and wetlands should be protected and preserved. These water bodies provide valuable stormwater management and ecological, visual, and recreational benefits.

Policy EP 3.2—Neuse River Protection

Protect and preserve the Neuse River watershed, primary channel, major tributaries, intermittent headwaters streams, floodplains, and topography to improve overall water quality for drinking, fish and wildlife habitat, and fishing, boating, and other recreational uses.

- In the Olde Towne master plan, the northern portion of the site corresponding to the Private Open Space FLUM designation was intended to be constructed wetlands. Under this request, the applicant could develop up to 40% of the floodway fringe, plus any other area outside the floodway. This could result in significantly less protected land adjacent to the Neuse River.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	18	GoTriangle's FY2019 Annual Work Plan included new bus service in southeast Raleigh. New service along Rock Quarry Road to the Shoppes at Battle Bridge passes by the S New Hope Road/Rock Quarry Road intersection near the rezoning site.
Walk Score	30	2	This site and much of the surrounding area is currently undeveloped. However, future development plans for the entirety of the Olde Towne PD will significantly improve pedestrian infrastructure.

Source: Walk Score is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

Summary: According to Walk Score, this part of Raleigh has below average walkability. However, increasing the commercial entitlement in this location, and therefore potential destinations, could improve the walk score for surrounding properties.

Carbon/Energy Footprint: Housing

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

Larger Apartment	34.0	No
------------------	------	----

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

Summary: The proposed rezoning will not permit residential uses.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Neither	Neither the current nor the proposed zoning permits residential uses.
Does it include any subsidized units?	N/A	
Does it permit a variety of housing types?	N/A	
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	There is transit service on Rock Quarry Road at New Hope Road, approximately 1/4 of a mile (5 minutes walking) from the site.

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

Summary: The proposed rezoning will not permit residential uses.

IMPACT ANALYSIS

Historic Resources

1. The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None.

Parks and Recreation

1. Current park access level of service in this area is graded a C letter grade.
2. Nearest existing greenway trail access if provided by Walnut Creek Greenway Trail (0.4 mile).
3. Nearest existing park access is provided by Walnut Creek Athletic Complex (2.3 miles) and Barwell Rd. Park (1.1 miles).
4. Please consider addressing bicycle & pedestrian connectivity to the Walnut Creek Greenway Trail & the park proposed in zoning conditions Z-7-2018.
5. This site contains the Walnut Creek greenway corridor, which would require a 100-foot buffer from top of bank.
6. This site contains the Walnut Creek Big Branch Creek greenway corridor, which would require a 75-foot buffer from top of bank.

Impact Identified: No pedestrian and bicycle access to the greenway or proposed park is included in this request.

Public Utilities

1. The proposed rezoning would add approximately 652,988 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.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of a building permit and constructed prior to release of a Certificate of Occupancy.

3. Verification of water available for fire flow is required as part of the building permit process. any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the developer.

	Maximum Demand (current use)	Maximum Demand (current zoning) (gpd)	Maximum Demand (proposed zoning) (gpd)
Water	0	23,262	676,250
Waste Water	0	23,262	676,250

Impact Identified: None.

Stormwater

1. Subject to stormwater regulations under Article 9 of UDO.

Floodplain	FEMA
Drainage Basin	Walnut and Big Branch - S
Stormwater Management	Subject to stormwater regulations under Article 9 of UDO.
Overlay District	None

Impact Identified: None.

Transportation

Z-22-19

Site Location and Context

Location

The Z-22-19 site is located in southeast Raleigh and is on the west side of New Hope Road, between Rock Quarry Road on the south and Walnut Creek on the north. The Z-22-19 parcels were the commercial component of the former Olde Towne development.

Area Plans

The Z-22-19 site not located within or adjacent to an area plan.

Other Projects in the Area

The City of Raleigh has two nearby major street improvement projects. One is on Poole Road, from Maybrook Drive to Barwell Road. This project is planned to be complete in 2022.

The other is on Barwell and Pearl Roads, from south of Rock Quarry Road to Berkeley Lake Drive. This project is scheduled to be complete in 2023.

Existing and Planned Infrastructure

Streets

The site is located along New Hope Road. It is designated as a 4-lane divided avenue on map T-1 of the comprehensive plan; it is maintained by NCDOT. It currently has two travel lanes and curb and gutter on the west side. Development of the nearby Z-21-19 parcels will require construction of the median and the two northbound lanes. At that time the existing lanes will be converted for southbound travel.

In accordance with UDO section 8.3.2, the maximum block perimeter for a CX-5 zoning district is 2,500 feet. The existing block perimeter is very large and will be constrained by the wetlands and floodplain of Walnut Creek as well as a tributary that form the western border of the site.

Pedestrian Facilities

There are not sidewalks currently along New Hope Road.

Bicycle Facilities

There are no existing bicycle facilities surrounding the Z-22-19 site. Non-motorized access to the existing Walnut Creek Greenway Trail is an important consideration with development of this site. Pedestrian safety in crossing New Hope Road is also an important consideration.

Transit

GoRaleigh Route 17 stops every 60 min on Rock Quarry Road.

Access

Access to the subject property may be via New Hope Road.

TIA Determination

Approval of case Z-22-19 may increase trip generation, but below the levels necessary to trigger the requirement of a Traffic Impact Analysis at rezoning. Due to site context, a traffic study for the subject property is required at site plan.

Urban Forestry

1. This rezoning doesn't affect the requirements of Urban Forestry.

Impact Identified: None.

Impacts Summary

- Although the area designated as high priority for park development, there is no requirement to connect to nearby planned greenways or new parks.
- Strong coordination between the developers of this site, the other remaining portion of the PD on the east side of New Hope Road (Z-21-19), and the nearby R-10-CU land (Z-7-18, TCZ-4-19) would result in the most efficient and safe transportation network in the area. This is particularly important for pedestrian crossings on New Hope Road.

Mitigation of Impacts

- The applicant could add a condition requiring the internal pedestrian network of the site connect to adjacent planned park facilities.
- The applicant is encouraged to work closely with developers of nearby properties to coordinate transportation investments.

CONCLUSION

This request is to rezone approximately 43.51 acres from Planned Development (PD) to Commercial Mixed Use–5 Stories–Conditional Use (CX-5-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in CX districts, including residential; limit the number of commercial lots fronting on New Hope Road to six; cap office and medical uses to 110,000 square feet; limit all other commercial uses to 75,000 square feet; require a 10-foot multi-use path along S. New Hope Road; require greenway easements to be dedicated to the city; and limit lot coverage within the floodway fringe to 40%.

The request is **consistent** with the Future Land Use Map and **consistent** with Comprehensive Plan overall.

The request is **consistent** with Comprehensive Plan policies regarding infill development. The request is **inconsistent** with policies regarding environmental protection and linking to greenways.

The request would support the Vision Themes of *Managing Our Growth*.

CASE TIMELINE

Date	Action	Notes
7/19/19	Submitted application	TIA required
10/1/19	Submitted revised conditions	TIA no longer required
10/22/19	Planning Commission review	
11/1/19	Submitted revised conditions	
11/12/19	Planning Commission review	
11/15/19	Submitted revised conditions	
11/26/19	Planning Commission review	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	PD	CM	IX-3	R-10-CU; CM	CM
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Community Mixed Use; Office & Residential Mixed Use; Public Parks & Open Space; Private Open Space	Public Parks & Open Space	Business & Commercial Services	Community Mixed Use; Private Open Space	Private Open Space
Current Land Use	Open space; Utilities	Open space	Open space	Open space	Open space
Urban Form	N/A	N/A	Transit Emphasis Corridor	N/A	N/A

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	PD	CX-5-CU
Total Acreage	43.51	43.51
Setbacks:		
Front	Set by master plan	5'
Side	Set by master plan	0' or 6'
Rear	Set by master plan	0' or 6'
Max. # of Residential Units	0	0
Max. Gross Building SF	90,900	185,000
Max. Gross Office SF	67,900	110,000
Max. Gross Retail SF	23,000	75,000
Max. Gross Industrial SF	0	0
Potential F.A.R	0.05	0.10

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

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-22-19****OFFICE USE ONLY**Date Submitted **revised 11/15/19**

Transaction #

Existing Zoning **PD**Proposed Zoning **CX-5-CU**

Rezoning Case #

Narrative of Zoning Conditions Offered

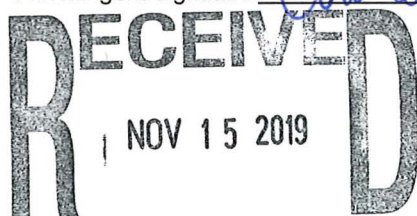
Enter a numbered list of conditions below. Each page of conditions must list the case number and submittal date.

1. The following uses shall be prohibited in this CX zoning district: residential of any type; adult establishment; outdoor sports or entertainment facility of any size; passenger terminal; vehicular sales; detention center, jail, prison; light manufacturing; bed and breakfast; research and development; light industrial; day care; golf course; cemetery.
2. No more than six lots with non-residential primary uses shall front along S New Hope Road.
3. The total gross floor area of all medical and office uses shall not exceed 110,000 square feet. The total gross floor area of all other commercial uses, not including medical and office uses, shall not exceed 75,000 square feet.
4. The 6-foot sidewalk required by Street Design Manual section 3.2.4.B along S. New Hope Road shall be replaced with a 10-foot multi-use path. If the path is not placed within the right-of-way, the path and maintenance strip required by Street Design Manual section 3.2.4.B shall be within a public access easement adjacent to the right-of-way.
5. Prior to the issuance of the first Certificate of Occupancy, greenway easements as shown on the Capital Area Greenway Corridor Master Plan shall be deeded to the city and recorded in the Wake County Registry.
6. The placement of fill material and lot coverage as defined by UDO Section 9.3.5.C shall not exceed 40%.

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

Charles R. Walker III, Agent

Rezoning Checklist



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

TO BE COMPLETED BY APPLICANT	YES	N/A
PRE-SUBMITTAL REQUIREMENTS		
1. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Neighborhood meeting with property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Completed Rezoning Intake Requirements sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONDITIONAL USE CONSIDERATIONS		
1. Prior to submitting zoning conditions, a draft, unsigned version must be submitted to staff for review. If the conditions are in preparation for a public meeting, the conditions must be submitted to staff at least 10 days before the public meeting date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. All submitted conditions must be signed by the property owner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Conditions may contain electronic signatures provided the original document is submitted to staff at least 24 hours before the final City Council action	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Conditions proposed must be more restrictive than UDO requirements and may not duplicate UDO requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. If conditions are limited to certain portions of the property to be rezoned, those areas must be identifiable	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Zoning conditions that reference specific properties must include the property identification number (PIN) and deed book and page number from the Book of Maps	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Conditions may not be offered that specify the ownership status, race, religion or character of occupant or minimum value of the improvements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Conditions may not be offered that restrict cross access or street connections, specify right-of-way reimbursement values, or defer a traffic analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Conditions may not be offered that restrict the sale of alcoholic beverages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Graphic exhibits may only be submitted if all elements are replicated in the written conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Conditions regarding tree conservation areas must preserve 100% of the critical root zone of the protected trees	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Conditions must specify the use(s) prohibited OR the use(s) permitted. The uses should be listed as shown in the "Allowed Principle Use Table" in Section 6.1.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TIMING OF SUBMITTAL OF CONDITIONS		
1. Zoning conditions may be submitted at time of the initial application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Zoning conditions may be altered through the staff review process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Prior to any Planning Commission or City Council meeting, a draft unsigned set of conditions must be submitted to staff at least ten days before the meeting date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Conditions may not be altered after a Planning Commission recommendation and prior to the City Council's receipt of that recommendation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Conditions may be altered up to 30 days following the public hearing date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. After the public hearing, conditions may only be made more restrictive	<input checked="" type="checkbox"/>	<input type="checkbox"/>

July 9, 2019

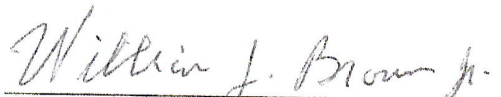
City of Raleigh
Development Services Department
Raleigh NC

To Whom It May Concern,

Charles R. Walker III PLA, with Entitlement Preservation Group, is representing the Owners of the Property listed below for the purposes of the attached Rezoning Petition.

2230 South New Hope Road
Raleigh, NC 27610

PIN 1722867012



William J. Brown, Jr., Manager

July 9, 2019

City of Raleigh
Development Services Department
Raleigh NC

To Whom It May Concern,

Charles R. Walker III PLA, with Entitlement Preservation Group, is representing the Owners of the Property listed below for the purposes of the attached Rezoning Petition.

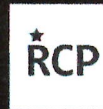
2260 South New Hope Road
Raleigh, NC 27610

PIN1722853577



Robert Brown

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **PD** Height Frontage Overlay(s) _____

Proposed Zoning Base District **CX** Height **5** 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.

OFFICE USE ONLY

Transaction #

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number: **MP-1-03**

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

Pre-App. Mtg #587967 Sketch Plan Review #590776

GENERAL INFORMATION

Date Date Amended (1) Date Amended (2)

Property Address **2260,2230 South New Hope Rd Raleigh NC 27610**

Property PIN **1722853577, 1722867012** Deed Reference (book/page) DB14916 PG 53, DB 16647 PG2247

Nearest Intersection **Rock Quarry and South New Hope Roads**

Property Size (acres) **20.53 AC**
22.98 AC

For Planned
Development
Applications Only:

Total Units

Total Square Footage

Total Parcels

Total Buildings

Property Owner/Address

Robert Brown
5609 Poole Road, Raleigh NC 27610

BroCar Two LLC
226 Kelso Ct. Cary NC 27511

Phone 919-231-7841(Brown), 919-602-2622 BroCar Fax

Email **wbjb@earthlink.net**

Project Contact Person/Address

Charles R. Walker III, PLA
275 North Pea Ridge Rd
Pittsboro, NC 27312

Phone **919-625-9760** Fax

Email **cwalker@epgrouponline.com**

Owner/Registered 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.

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Transaction # Rezoning Case #
<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>	
STATEMENT OF CONSISTENCY	
<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 City's Future Land Use Map designates the Properties for Community Mixed Use and Private Open Space</p> <p>1. based on the Olde Towne PDD document. The PDD requirements for most of the surrounding area was removed last year as part of a rezoning of the residential portion of that Plan.</p>	
<p>This proposal will have all the same uses, office and commercial, as in the previous PDD designation.</p> <p>2. The boundaries and sizes of the uses will be reconfigured within the two tracts under consideration.</p>	
<p>Please see attached Exhibit for additional Comprehensive Plan policies with which the Project will</p> <p>3. be consistent.</p>	
<p>4.</p>	
PUBLIC BENEFITS	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>The rezoning request will provide a Public benefit by Rezoning the Property and allowing for its</p> <p>1. development consistent with many elements of the Comprehensive Plan.</p>	
<p>The rezoning request will provide a Public benefit by allowing the Property to be developed for a</p> <p>2. mixture of commercial and office uses to support the substantial growth of the surrounding area.</p>	
<p>The rezoning request will provide a Public benefit because it will be part of a larger Mixed Use</p> <p>3. Community that will bring many needed services to the area.</p>	
<p>4.</p>	

OLDE TOWNE WEST VILLAGE EXHIBIT
CONSISTENT COMPREHENSIVE PLAN POLICIES

IN ADDITION TO CONSISTENCY WITH THE FUTURE LAND USE MAP DESIGNATION, THE PROPOSED REZONING IS CONSISTENT WITH THE FOLLOWING GENERAL COMPREHENSIVE PLAN POLICIES:

- POLICY LU 2.1- PLACEMAKING- THE PROPOSAL IS A PART OF BROADER MIXED-USE COMMUNITY THAT WILL BE ATTRACTIVE, SAFE, ACCESSIBLE, FUNCTIONAL, INCLUSIVE, AND HAVE THEIR OWN DISTINCTIVE IDENTITY AND MAINTAIN AND IMPROVE LOCAL CHARACTER.
- POLICY LU 3.2- LOCATION OF GROWTH- THE SUBJECT PROPERTY IS LOCATED WITHIN RALEIGH'S CORPORATE LIMITS, WHERE DEVELOPMENT OF VACANT PARCELS SHOULD FIRST OCCUR.
- POLICY LU 4.3- DIRECTING TRANSPORTATION INVESTMENT AND POLICY LU 4.4 REDUCING VMT THROUGH MIXED USE- THIS PROPOSAL, WHICH IS PART OF LARGER MIXED-USE PROJECT, IS SUPPORTED BY THE COMPREHENSIVE PLAN AND INCLUDES A PEDESTRIAN, VEHICULAR AND TRANSIT TRANSPORTATION OPPORTUNITIES.
- POLICY LU 4.5- CONNECTIVITY- PEDESTRIAN AND VEHICULAR CONNECTIVITY IS PROVIDED THROUGHOUT THIS PROPOSAL.
- POLICY LU 4.9 CORRIDOR DEVELOPMENT- THE PROPOSAL IS PART OF A BROADER MIXED-USE COMMUNITY THAT WILL BE AN ASSET TO THE TRANSIT EMPHASIS CORRIDOR ON ROCK QUARRY ROAD.
- POLICY LU 5.1- REINFORCING THE URBAN PATTERN AND POLICY LU 5.4- DENSITY TRANSITIONS- THE PROJECT WILL BE INTEGRATED INTO THE SURROUNDING COMMUNITY. OPEN SPACE WILL SOFTEN THE TRANSITION FROM THE OFFICE USES TO THE SURROUNDING AREAS.
- POLICY 6.1- COMPOSITION OF MIXED-USE CENTERS- THIS PROPERTY TOGETHER WITH THE LARGER AREA WILL PROVIDE WELL-MIXED AND INTEGRATED DEVELOPMENT THAT AVOIDS SEGREGATED USES AND INCLUDES WELL-PLANNED PUBLIC PLACES.
- POLICY 6.3- MIXED USE AND MULTI-MODAL TRANSPORTATION- THE PROPOSAL PROMOTES THE DEVELOPMENT OF A MIXED-USE CENTER IN AREA THAT PROVIDES TRANSPORTATION AND CONVENIENT AND ACCESSIBLE RESIDENTIAL AND EMPLOYMENT USES.
- POLICY 7.40 SCALE AND DESIGN OF NEW COMMERCIAL USES- THE PROPOSAL LIMITS OFFICE BUILDINGS HEIGHT TO FIVE (5) STORIES TO CREATE A BETTER TRANSITION TO THE PLANNED RESIDENTIAL USES ON ADJACENT PARCELS.
- POLICY 8.1 HOUSING VARIETY- THIS PROJECT WILL PROVIDE THE OFFICE USES AND SUPPORTIVE COMMERCIAL OUTPARCELS THAT WILL COMPLEMENT THE SF HOMES, TOWNHOMES, SHOPPING CENTER RETAIL AND SUBURBAN STYLE APARTMENT THAT ARE PLANNED ON THE ADJACENT PROPERTY.
- POLICY LU 8.10- INFILL DEVELOPMENT- THE PROPERTY REMAINS THE LARGEST INFILL PIECE OF PROPERTY IN THE TRIANGLE. ALLOWING DEVELOPMENT TO MOVE FORWARD WILL CREATE A MORE COHESIVE REGION.

- POLICY LU 10.1-MIXED-USE RETAIL- COMMERCIAL AND OFFICE USES WILL BE HORIZONTALLY MIXED TO INCREASE THE VIABILITY OF PEDESTRIAN MOVEMENT THROUGHOUT THE SITE.
- POLICY T 1.1- COORDINATION WITH LAND USE MAP-THE PROPOSAL COMPLIES WITH THE FUTURE LAND USE MAP WHICH DESIGNATES THE MAJORITY OF THIS SITE FOR COMMUNITY MIXED USE.
- POLICY T 1.3- MULTI-MODAL TRANSPORTATION DESIGN- THE PROPOSAL OFFERS RESIDENTS AND OFFICE WORKERS SIDEWALKS, GREENWAYS, A TRANSIT STOP AND ROADWAYS AS TRANSPORTATION OPTIONS.
- POLICY T 4.1- PROMOTING TRANSIT- THE PROPOSAL PROVIDES TRANSIT STOP, SIDEWALK, GREENWAYS.
- POLICY T 4.9- SIDEWALK IMPROVEMENTS NEAR TRANSIT- PROJECT PROVIDES SIDEWALK THROUGHOUT.
- POLICY T 5.1- ENHANCING BIKE/ PEDESTRIAN CIRCULATION; POLICY T 5.3- BICYCLE AND PEDESTRIAN MOBILITY; POLICY T 5.9 PEDESTRIAN NETWORKS- PROJECT PROVIDE SIDEWALK THROUGHOUT AND EXTEND A PRIVATE GREENWAY CLOSER TO THE PUBLIC GREENWAY CONNECTION TO LARGER CITY TRAIL NETWORK.
- POLICY EP 2.6- GREENWAY SYSTEM- PROPOSAL OFFERS AND EXTENSION CONNECTION TO THE PLANNED PUBLIC PARK.
- POLICY EP 3.12- MITIGATING STORMWATER IMPACTS- THE PROPOSAL ADDRESSES STORMWATER IMPACTS.
- POLICY H2.13- TRANSIT ACCESSIBILITY- TRANSIT IS ACCESSIBLE TO WORKFORCE HOUSING.
- POLICY PU 1.1-LINKING GROWTH AND INFRASTRUCTURE- PROPOSAL IS WITH AN AREA WELL SERVED BY UTILITIES.

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources	OFFICE USE ONLY
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.	Transaction # Rezoning Case #
INVENTORY OF HISTORIC RESOURCES	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
No historical resources are located on this Property.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
Not applicable.	

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 Mixed Use Center

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>Response:</p> <p>This property will provide retail outparcels and office uses planned as a part of the larger area, which include parcels designated for retail and office 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>Response:</p> <p>The proposed development will be adjoining planned mixed-use and residential development in terms of scale, transitions and landscaping. There will be substantial open space. The height limit proposed here will be a maximum of five stories.</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>Response:</p> <p>Vehicular and pedestrian cross-access between the proposed residential and planned commercial by sidewalks and at least two direct vehicular connections to the surrounding development. Further, a private greenway will be extended to the property boundary connecting to the larger city greenway system in the future.</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>Response:</p> <p>Multiple interconnections and access points are planned as part of this development.</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>Response:</p> <p>Block layouts will be designed to meet UDO standards.</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>Response:</p> <p>Street accesses are planned to be aesthetically pleasing with attractive landscaping and sidewalks.</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>Response:</p> <p>Buildings will be appropriately positioned with respect to the street.</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>Response:</p> <p>At the intersection of S New Hope and Rock Quarry Rds, the buildings will be placed close to the public street frontage of S New Hope.</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>Response:</p> <p>It is anticipated there will be substantial open space and will be identified at site plan.</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>Response:</p> <p>Multiple streets, sidewalks, and greenway, for future connection to the Walnut Creek Greenway will provide acces to the site.</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>Response:</p> <p>A variety of use will border open space. Commercial and Office uses will be provided on this site and will be part of the larger overall urban space.</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>Response:</p> <p>The site will be designed so as to create open space in a way that is comfortable to users.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> <p>It is anticipate that public spaces will include seating opportunities.</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>Response:</p> <p>Parking lots will be designed to meet UDO requirements.</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>Response:</p> <p>Parking lots will be identified at site plan in accordance with the UDO and sited to be shielded from perimeter view where ever possible.</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 cane make a significant improvement.</i></p> <p>Response:</p> <p>It is anticipated that if parking structures are used, they will contain the same architectural finishes as buildings on the site.</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>Response:</p> <p>It is anticipated that the subject property will be within walking distance of a bus stop along Rock Quarry Road.</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>Response:</p> <p>Sidewalks will be provided to connect the transit stop,neighborhoods and the sidewalks within this proposal.</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>Response:</p> <p>There is substantial and various floodplains and floodways on this site. No more than 50% of floodplain will be developed.</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>Response:</p> <p>Streets will meet UDO standards.</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>Response:</p> <p>Sidewalks will meet UDO standards.</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>Response:</p> <p>Street trees will be planted 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>Response:</p> <p>Buildings and street trees will be installed to achieve appropriate street edges, including a reasonable ratio between height and width.</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>Response:</p> <p>Entrances for office development will meet 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>Response:</p> <p>It is anticipated that office buildings will include windows, entrances and other architectural detail on the ground level.</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>Response:</p> <p>Pedestrians will be able to move through the Project on sidewalks and a greenway trail to access the surrounding development and transit.</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned (all applications)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input type="checkbox"/>			
14. Copy of ballot and mailing list (for properties requesting Accessory Dwelling Unit Overlay)	<input type="checkbox"/>	<input type="checkbox"/>			



Elizabeth C. Trahos
T 919.329.3884
beth.trahos@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

4146 Parklake Avenue
GlenLake One | Second Floor
Raleigh, NC 27612
T 919.329.3800 F 919.329.3799
nelsonmullins.com

March 1, 2019

Olde Towne Neighbors

Dear Sir or Madam:

You are invited to attend a neighborhood meeting on Thursday, March 14, 2019 at 7 p.m. at Worthdale Park, 1001 Cooper Road, Raleigh, North Carolina, in the gymnasium. The purpose of this meeting is to provide an update on the Olde Towne community, located at the intersection of Rock Quarry and S. New Hope Roads, and to discuss the zoning.

Olde Towne was planned as mixed use communities with homes and commercial uses located in close proximity to one another. It was originally zoned under the Planned Development District ("PDD") zoning district with a master plan designating areas primarily for residential uses and mixed use areas, where retail, office and residential would all be permitted.

The primarily residential property, a 515± acre parcel on the east side of S. New Hope Road further identified by Wake County PIN 1732 15 7457 (the "Residential Property"), was rezoned to Residential-10 Conditional Use District last year. The Residential Property was purchased by an entity related to The Halle Companies, and development is planned to break ground this year.

The Residential Property would like to revise the conditions on the recently approved R-10 CU zoning to allow the 300 approved apartments to be increased to 350 and to be occupied by families in addition to seniors. We propose no change as to the total number of dwelling units permitted on the Residential Property. This change may be done in the form of a text change or by rezoning to R-10 CU.

The mixed use areas, 102± acres on both the east and west sides of S. New Hope Road further identified by the following Wake County PINs: 1722 95 7498, 1722 94 4878, 1722 84 9976, 1722 85 3577, and 1722 86 7012 (the "Mixed Use Property"), retains the original PDD zoning with the exception of about 17 acres which was zoned R-10 CU as a part of the recent rezoning.

Olde Towne Neighbors
March 1, 2019
Page 2

Since the Residential Property in Olde Towne was removed from the PDD, the remaining land in the PDD needs rezoning as well to remove the requirements of the PDD and conform to existing requirements of the UDO. The Mixed Use Property would like to be zoned to permit the type of retail, office and residential uses originally envisioned by the master plan. They will propose to rezone the Mixed Use Property for CX-5-CU. Chuck Walker of Entitlement Preservation Group is representing the Mixed Use Property owners. He can be reached by email at cwalker@epgrouponline.com or by telephone at 919.625.9760.

For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at: 919.996.2626 or by email at: rezoning@raleighnc.gov.

Please join us to discuss the proposal in more detail on March 14th at 7 p.m. In the interim, please do not hesitate to contact me with questions at 919.329.3884.

Thank you in advance for your time!

Very truly yours,



Elizabeth C. Trahos

ECT:bt

SUMMARY OF ISSUES

A neighborhood meeting was held on March 14, 2019 (date) to discuss a potential rezoning located at 2211, 2231 and 2221 South New Hope Rd (property address).

The neighborhood meeting was held at Worthdale Park (location).

There were approximately 10 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Planned Traffic improvements to South New Hope and Rock Quarry Roads

Cost of Housing, rental or purchase?

Schedule to start work and an estimate about how long it will take.

What type of uses and how many are anticipated for the commercial outparcels?

How tall could the office buildings be?

[illegible]

ATTENDANCE ROSTER

[illegible]