

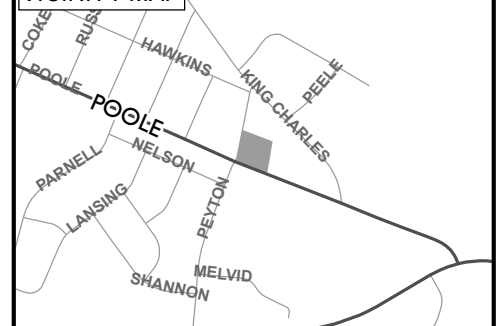
**Submittal
Date**

8/3/2016

Request:

**1.2 acres from
R-6
to CX-3-CU**

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR#

Case Information: Z-23-16 – Poole Road

<i>Location</i>	Poole Road, at its intersection with Norwood Street Address: 2405 Poole Road PIN: 1713770253
<i>Request</i>	Rezone property from Residential-6 (R-6) to Commercial Mixed Use-3 stories-Conditional Use (CX-3-CU)
<i>Area of Request</i>	1.2 acres
<i>Property Owner</i>	Longview Acre, LLC 2405 Poole Road Raleigh, NC 27610-2748
<i>Applicant</i>	Daniel Coleman Building Contractors 517 Rock Quarry Road Raleigh, NC 27610-3353 dancoleman@hotmail.com
<i>Citizens Advisory Council (CAC)</i>	East— Chairperson: Deborah Ford: 919-835-3566, dialmeupford@ymail.com
<i>PC Recommendation Deadline</i>	March 10, 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

<i>FUTURE LAND USE</i>	Low Density Residential
<i>URBAN FORM</i>	Center: (n/a) Corridor: (n/a) Within ½-Mile Transit Buffer: No
<i>CONSISTENT Policies</i>	Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 5.1 – Reinforcing the Urban Pattern Policy LU 5.4 – Density Transitions Policy LU 5.6 – Buffering Requirements Policy LU 6.4 – Bus Stop Dedication Policy LU 7.6 – Pedestrian Friendly Development Policy T 4.15 – Enhanced Rider Amenities Policy EP 8.1 – Light Pollution Policy EP 8.3 – Light and Noise Impacts Policy EP 8.9 – LED Lighting Policy UD 2.3 – Activating the Street Policy UD 2.4 – Transitions in Building Intensity Policy UD 5.1 – Contextual Design

INCONSISTENT Policies	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 10.6 – Retail Nodes
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Summary of Proposed Conditions

1. Certain uses prohibited.
2. Residential density capped (6 dwellings/ acre max.).
3. Building height capped (2 stories/ 35' max.); min. 2 stories required.
4. Building square footage capped (10,800 sf max.).
5. Second floor restricted to residential uses.
6. Roof form and pitch limited.
7. Transition yard and fence specified.
8. Retail drive-thrus prohibited.
9. Minimum one primary entrance to face Poole Road, connected via sidewalk.
10. Transit easement and shelter offered.
11. Loading areas prohibited from facing streets.
12. High- and Medium-Profile Ground signs prohibited.
13. Changeable Copy Signs prohibited.
14. Outdoor lighting type and mounting height limited.
15. Streetscape landscape easement offered at street intersection.

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
5/16/16	11/21/16; (vote pending: 1/23/17)	10/11/16 (deferred); 11/22/16 (deferred; 60-day extension request sent to Council); 1/24/17 (deferred); 2/14/17	12/6/16 (approved 60-day extension)	

Attachments

1. Staff report
2. Excerpts - Southeast Raleigh Streetscape Master Plan
3. Traffic Study Worksheet
4. CR & Staff Report for previous rezoning request: Z-24-10

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	
<i>Motion and Vote</i>	

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

Planning Director _____ Date _____ Planning Commission Chairperson _____ Date _____

Staff Coordinator: Doug Hill: (919) 996-2622; Doug.Hill@raleighnc.gov



Zoning Staff Report – Z-23-16

Conditional Use District

Case Summary

Overview

The proposal seeks to rezone the site to allow non-residential uses. The current zoning would only permit redevelopment as low-density detached or attached housing.

The property has been zoned Residential-6 since the mid-1950s (annexed 10/17/55). At that time, the west section of the present site (former address: 2401 Poole Road) was the location of a free-standing residence, with a separate store building located on the east section (2405 Poole Road). In 1995, the residence was razed; the store, however, has remained in continuous operation as a non-conforming permitted use.

While the requested CX zoning would acknowledge that long-time retail presence, it runs counter to the Future Land Use Map, which foresees Low Density Residential development prevailing over time both on the subject site and elsewhere nearby. All properties within one-eighth mile are currently zoned residential. The subject site is abutted on the north and east by the King Charles Neighborhood Conservation Overlay District, which has a base zoning of Residential-4. An institutional use, the Poe Montessori Magnet Elementary School, occupies the 12.75-acre tract across Poole Road from the site, but the majority of nearby properties are built out with single-family residences under Residential-10 zoning.

Existing zoning supportive of retail is concentrated to the north, at the Longview Shopping Center on New Bern Avenue, and some 840 feet to the west, on Poole Road. (At present, the Future Land Use Map foresees the eventual redevelopment of the closest parcels in the latter area into single-family housing, further expanding area residential uses.)

The site's present R-6 zoning requires a minimum setback of 10 feet from the adjoining streets, and a maximum building height of 3 stories/ 40 feet. The adjoining King Charles Neighborhood Conservation Overlay District provides that buildings within the district be set back a minimum of 76 feet from the street right-of-way, and be limited to two stories in height. The proposed rezoning could allow a Mixed Use building to be 5 feet from the street, but at that setback, conditioned to 2 stories/35 feet tall, and also required to have a pitched roof. UDO Transition Zones will require a minimum 50-foot setback from adjoining residential property lines, within which the proposal conditions a 20-foot average-width Type 2 Protective Yard, and a fence a minimum of 6.5 feet in height. Conditions require two-story construction, and provide that second-floor space house only residential uses. Total site redevelopment would be capped at 10,800 square feet. Conditions cap density at 6 dwelling units per acre, the same as allowed under the present zoning. CX zoning would also allow townhouse or apartment building construction, which is not allowed in the present R-6 zoning.

The Southeast Raleigh Streetscape Master Plan calls for specific landscaping improvements to be made at the street corner on Poole and Norwood. The proposal conditions a landscape easement to accommodate those improvements.

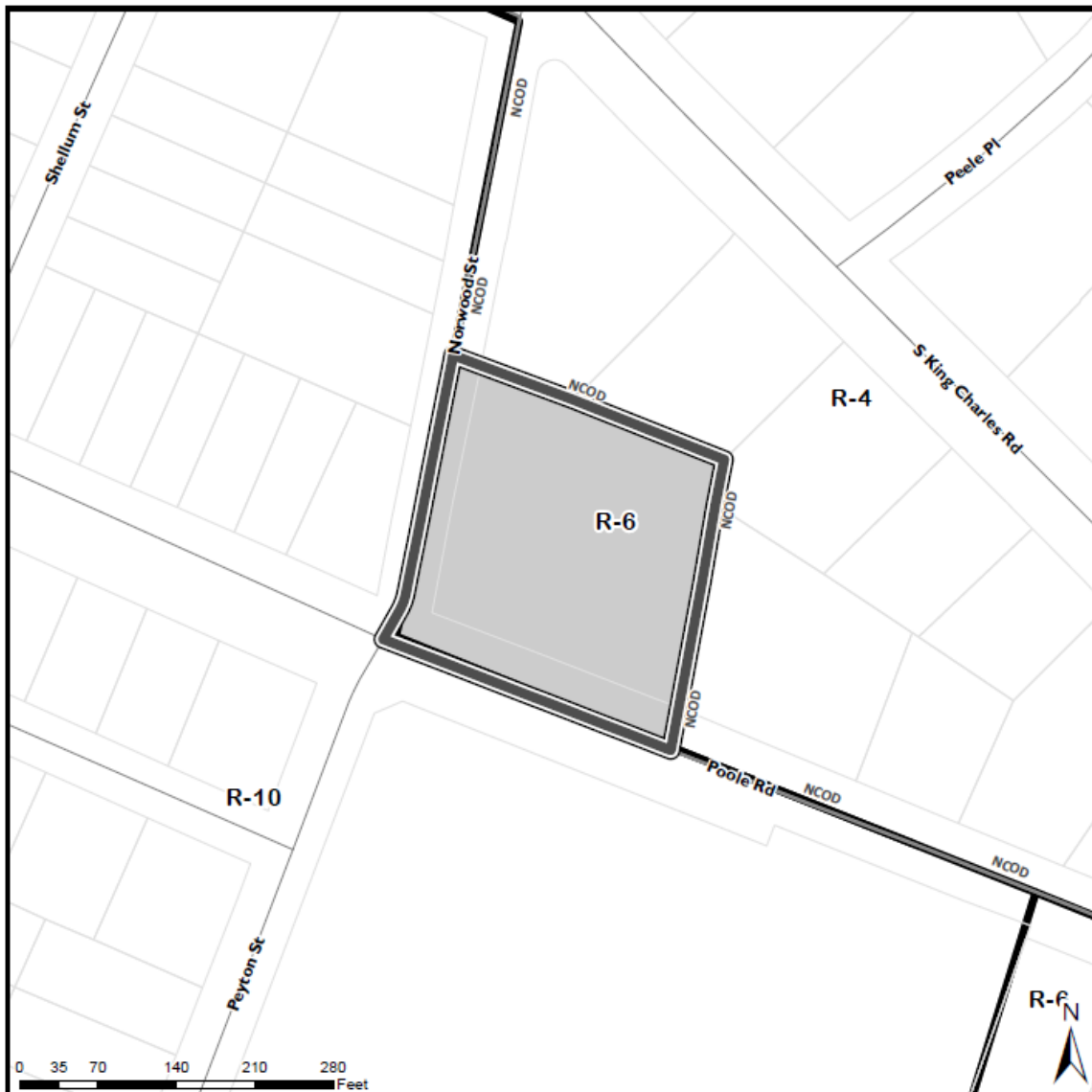
The site has been the subject of two previous rezoning proposals in recent years, both seeking to expand commercial use of the site : [Z-24-10](#), which requested Neighborhood Business Conditional Use (under the previous City Code) and [Z-18-09](#), which requested Shopping Center Conditional Use (also under the previous Code). Both requests were denied.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. The site is located opposite an elementary school campus.2. Sewer and fire flow matters may need to be addressed upon development.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. Address any traffic matters related to school proximity at the site plan stage.2. Address sewer and fire flow capacities at the site plan stage.
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Existing Zoning

Z-23-2016

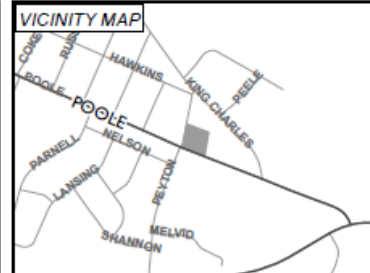


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R-6
to CX-3-CU



Map Date: 8/3/2016

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	Residential-6	Residential-4	Residential-10	Residential-4	Residential-10
<i>Additional Overlay</i>	(n/a)	Neighborhood Conservation	(n/a)	Neighborhood Conservation	(n/a)
<i>Future Land Use</i>	Low Density Residential	Low Density Residential	Public Facilities	Low Density Residential	Low Density Residential
<i>Current Land Use</i>	Convenience Retail	Single Unit Living	Elementary School	Single Unit Living	Single Unit Living
<i>Urban Form (if applicable)</i>	(n/a)	(n/a)	(n/a)	(n/a)	(n/a)

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning**
<i>Residential Density:</i>	6 DUs/ acre	6 DUs/ acre
<i>Setbacks:</i>		<i>Per Mixed Use Building:</i>
<i>Front:</i>	10'	5'
<i>Side:</i>	10' (street)/ 5' (lot line)	5' (street); 50' (lot line)**
<i>Rear:</i>	20'	50'**
<i>Retail Intensity Permitted:</i>	(not permitted)	10,800
<i>Office Intensity Permitted:</i>	(not permitted)	10,800

++Per Transition Zone A & B standards.

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning**
<i>Total Acreage</i>	1.2	1.2
<i>Zoning</i>	R-6	CX-3-CU
<i>Max. Gross Building SF</i>	10,800*	10,800
<i>Max. # of Residential Units</i>	6	6
<i>Max. Gross Office SF</i>	(not permitted)	10,800
<i>Max. Gross Retail SF</i>	(not permitted)	10,800
<i>Max. Gross Industrial SF</i>	(not permitted)	0
<i>Potential F.A.R.</i>	(n/a)	0.21*

*Development intensities estimated using an impact analysis tool, as a guide for analysis.

**Per zoning conditions.

The proposed rezoning is:

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

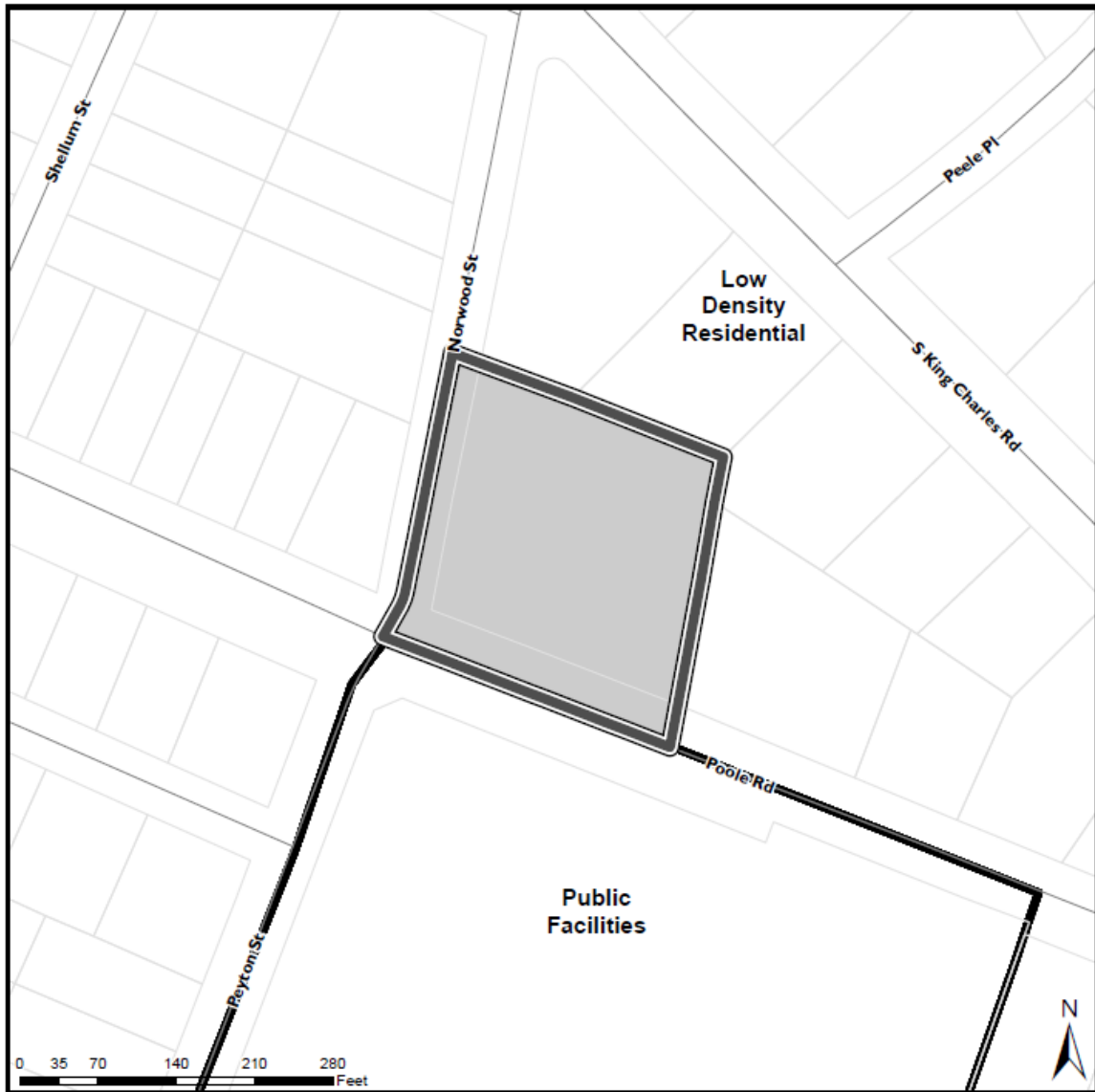
☐ **Incompatible.**

Analysis of Incompatibility:

The requested rezoning would provide building form and height compatible with nearby properties (e.g., conditioned to max. 10,800 sf of redevelopment; 2 story/ 35' maximum height, with pitched roof required). The proposal also restricts site uses and design features to reduce potential impacts on neighboring residences, prohibiting fuel sales, vehicle sales, and medium- or high-profile ground signs, while providing a 20-foot average-width buffer with fence, full cutoff LED lighting a maximum height of 20-feet, a transit stop and shelter, and corner easement for landscaping.

Future Land Use Map

Z-23-2016



**Submittal
Date**

8/3/2016

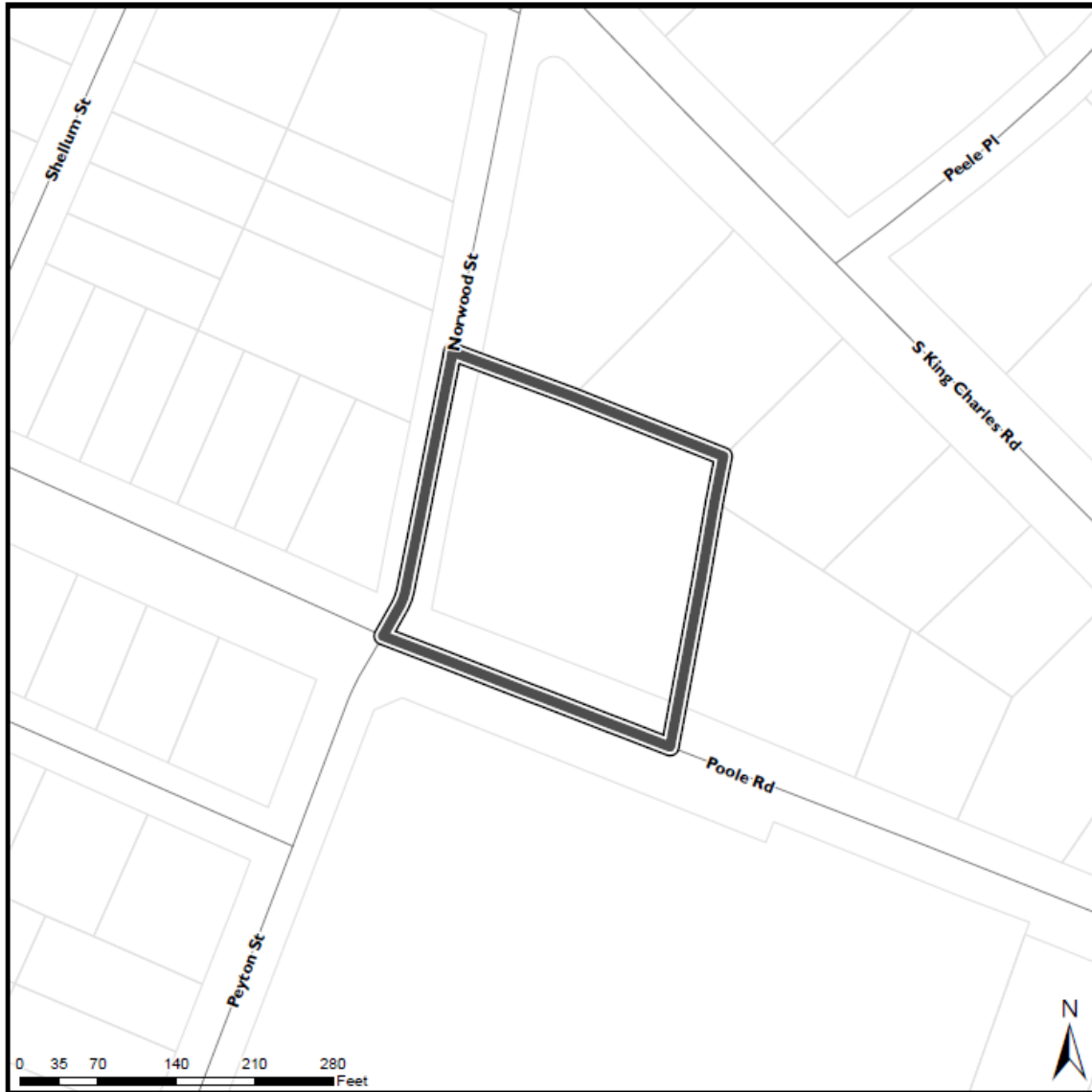
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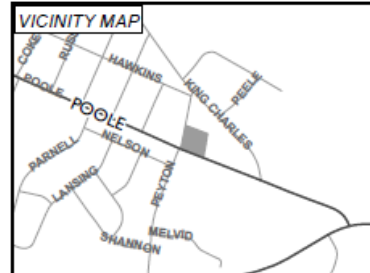


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2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. While the proposal is inconsistent with the Future Land Use Map, which envisions only low-density redevelopment of the site, the rezoning request provides multiple measures for limiting potential impacts from non-residential uses.
Conditions would serve to mitigate issues of land use (prohibiting many non-residential uses otherwise permitted in CX districts) and of form (limiting building height, roof design, and maximum square footage, and specifying a buffer and fence along residential lot lines), while encouraging transit and pedestrian access. Site square footage could be more than triple that of the existing, grandfathered store (10,800 vs. current 3,000), yet redevelopment would be two stories in height, with the second floor restricted to residential uses. Such provisions support Vision Themes “Growing Successful Neighborhoods and Communities,” “Managing Our Growth,” and, by encouraging alternative transportation modes, “Coordinating Land Use and Transportation.”
The Urban Form Map does not indicate the site as being within a designated Growth Area, or along a designated roadway Corridor.
- B. The proposal is inconsistent with the Future Land Use Map in permitting non-residential uses. The request, though, limits density to 6 dwelling units per acre, the same maximum supported by the site’s present Low-Density Residential designation, and requires residential uses (on the conditioned second story).
- C. With two existing retail areas located within 1,000 feet of the site (and a third area supported by the Future Land Use Map for future retail), the area can be considered well served by non-residential uses. The existing retail use has been grandfathered and in operation, however, for many years. Case conditions require mixed-use development on site.
- D. Community facilities and streets appear to be sufficient to accommodate the redevelopment possible under the proposed rezoning.

2.2 Future Land Use

Future Land Use designation: Low Density Residential

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The Future Land Use Map designates the site for Low Density Residential development (up to 6 dwellings per acre). The proposed zoning would permit retail and office uses. However, conditions cap density at 6 units per acre, the same as permitted under the current zoning, and require housing on the second floor of site buildings.

2.3 Urban Form

Urban Form designation:

☒ **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.

City infrastructure appears to be sufficient to accommodate the redevelopment possible under the proposed rezoning.

Policy LU 5.1 - Reinforcing the Urban Pattern

New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

Policy LU 5.4 - Density Transitions

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

Policy LU 5.6 - Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

Policy UD 2.4 - Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship can be improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

Policy UD 5.1 - Contextual Design

Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

Site construction is capped at a maximum height of 2 stories/ 35 feet; the adjoining low-density residential properties in the King Charles Neighborhood Conservation Overlay District area also limited to 2-stories. Pitched roofs—typical of neighboring residences—likewise are conditioned; since height is calculated to the roof peak, building wall height would be effectively reduced further. Type 2 Protective Yards (i.e., 20-foot vegetated buffers, with minimum 6½-foot tall fence) are conditioned adjacent to existing adjacent residential properties. Density is capped at the existing level (6 units/ acre). Multiple high-impact uses (bar/nightclub/tavern/lounge, car wash, vehicle fuel sales) which otherwise would be permitted in the requested CX district are prohibited. Medium and High-Profile ground signs are prohibited. An easement is conditioned for landscaping at the street intersection, per the Southeast Streetscape Raleigh Master Plan.

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 bus stop amenities are required, per case conditions.

Policy LU 7.6 - Pedestrian-Friendly Development

New commercial developments and redeveloped commercial areas should be pedestrian-friendly.

Policy UD 2.3 - Activating the Street

New retail and mixed-use centers should activate the pedestrian environment of the street frontage in addition to internal pedestrian networks and connections, particularly along designated Main Street corridors.

New sidewalks will be required along both street frontages as part of site development. Conditions require at least one primary building entrance on Poole Road, directly connected to the public sidewalk. That connection would also provide direct accessibility to the conditioned transit stop.

Policy EP 8.1 - Light Pollution

Reduce light pollution and promote dark skies by limiting the brightness of exterior fixtures and shielding adjacent uses from light sources, provided safety is not compromised. Minimize flood lighting and maximize low level illumination. Promote the use of efficient, full cut-off lighting fixtures wherever practical. Full cut-off fixtures emit no light above the horizontal plane.

Policy EP 8.4 - Noise and Light Impacts

Mitigate potential noise and light pollution impacts from new development on adjoining residential properties.

Policy EP 8.9 - LED Lighting

Use high-efficiency Light-Emitted Diode (LED) lighting for outdoor illumination where feasible; newer technologies should be considered as they become available.

The proposal requires outdoor lighting to be of full cut-off design, with LEDs. The maximum height of pole-mounted fixtures would be 20 feet, ten feet less than the maximum permitted under the UDO, helping to reduce light-source visibility from off site. Drive-thrus, which often include electronic audio communication, are prohibited.

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.

Policy LU 1.3 - Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

The proposal is inconsistent in permitting non-residential uses on the site, although residential development is required per conditions, capped at the same density as the existing zoning: 6 dwelling units per acre.

Policy LU 10.6 – Retail Nodes

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

While there has been a retail establishment on site for more than half a century, it has been a grandfathered, non-conforming use since the time at which the house that had shared the lot was removed. The existing store measures 3,000 square feet. The case is conditioned to allow up site redevelopment of up to 10,800 square feet, though requires second-story residential use. The Future Land Use Map foresees area retail redevelopment concentrated to the north of the site, at the Longview Shopping Center on New Bern Avenue, and to the south, east of the intersection of Peyton Street and Martin Luther King, Jr. Boulevard. The subject property is not contiguous to either area, situated instead approximately halfway between.

2.5 Area Plan Policy Guidance

The rezoning request is not within a portion of the City subject to an Area Plan (although it is contiguous to the King Charles Plan area).

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Provision of additional goods or services in the area.
- Provision of mixed use development (second-story housing, in addition to non-residential ground floor uses).
- Offer of a transit easement and shelter.

3.2 Detriments of the Proposed Rezoning

- Possible intensification of traffic.

4. Impact Analysis

4.1 Transportation

The site is located in the northeast quadrant of Poole Road and Norwood Street. It is directly across Poole Road from Poe Montessori Magnet Elementary School. Both Poole Road and Norwood Street are maintained by the City of Raleigh. Norwood Street and Poole Road currently have curbs and sidewalks. The intersection of Poole and Norwood is signalized and equipped with pedestrian signal and pedestrian push buttons on all four corners. Poole Road is classified as a mixed-use street in the UDO Street Plan Map (Avenue, 2-Lane, Divided). Norwood Street is a local street (Neighborhood Street). There are no City of Raleigh CIP projects or state STIP projects planned for either street in the vicinity of the Z-23-16 site.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO Sec. 8.3.5.D. There are no public street stubs abutting the boundary of the Z-23-16 parcel. Site access will be provided in accordance with Sec. 6.5.3 of the Raleigh Street Design Manual.

The block perimeter for Z-23-16, as defined by public rights-of-way for Poole, King Charles Road and Norwood Street is 2,400 feet. The maximum block perimeter for CX-3-CU zoning is 3,000 feet (Raleigh UDO Sec. 8.3.2).

The existing land use is a convenience store/gas station. Approval of case Z-23-16 would increase average peak hour trip volumes by 58 veh/hr in the AM peak and by 89 veh/hr in the PM peak; daily trip volume will increase by approximately 900 veh/day compared to the existing land use.

There were a total of 13 crashes at the intersection of Poole and Norwood in the 5½ years from January 1, 2011 to June 30, 2016. This equates to an average crash frequency of slightly over two crashes per year. Two crashes resulted in major injuries. However, the injury crash rate for Poole/Norwood (35 crashes per 100M entering vehicles) is approximately half of the average rate for Wake County overall. There is no clear, recognizable pattern to the crashes at Poole/Norwood. Therefore, Transportation Planning staff waives any additional traffic study for case Z-23-16.

Impact Identified: Adjacent to an Elementary school campus.

4.2 Transit

This area is currently served by GoRaleigh Route 18 Worthdale seven days a week and serves an unimproved bus stop on Poole Rd at Norwood St. Both the City of Raleigh Short

Range Transit Plan and the Recommended Wake County Transit Plan call for continued service along Poole Road.

The offer of a 15'x20' transit easement along Poole Road will advance Policy LU 6.4 and the offer of an appropriate pad, landing zone, ADA-compliant shelter and associated amenities on the transit easement will advance Policy T 4.15.

In lieu of deeding an easement, with the consent of the Transportation Department, a transit shelter may be constructed in the public right-of-way at the sole expense of the owner of the re-zoned property in satisfaction of this condition.

Impact Identified: None.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present.
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None.

Impact Identified: No major impacts identified.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	1,860 gpd	1,500 gpd	11,060 gpd
<i>Waste Water</i>	1,860 gpd	1,500 gpd	11,060 gpd

The proposed rezoning would add approximately 9,200 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

No existing or proposed greenway trails, connectors, or corridors are located within the site. Nearest greenway access is 0.9 miles, Walnut Creek Trail. Recreation services are provided by Roberts Park, 1.4 miles.

Impact Identified: None.

4.6 Urban Forestry

There are no existing or proposed Tree Conservation Areas for this site; site plans and subdivision less than 2 acres are not subject to UDO Article 9.1 Tree Conservation.

Impact Identified: None.

4.7 Designated Historic Resources

The site is within 1,000 feet of the Longview Gardens National Register Historic District.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.10 Impacts Summary

1. The site is located opposite an elementary school campus.
2. Sewer and fire flow matters may need to be addressed upon development.

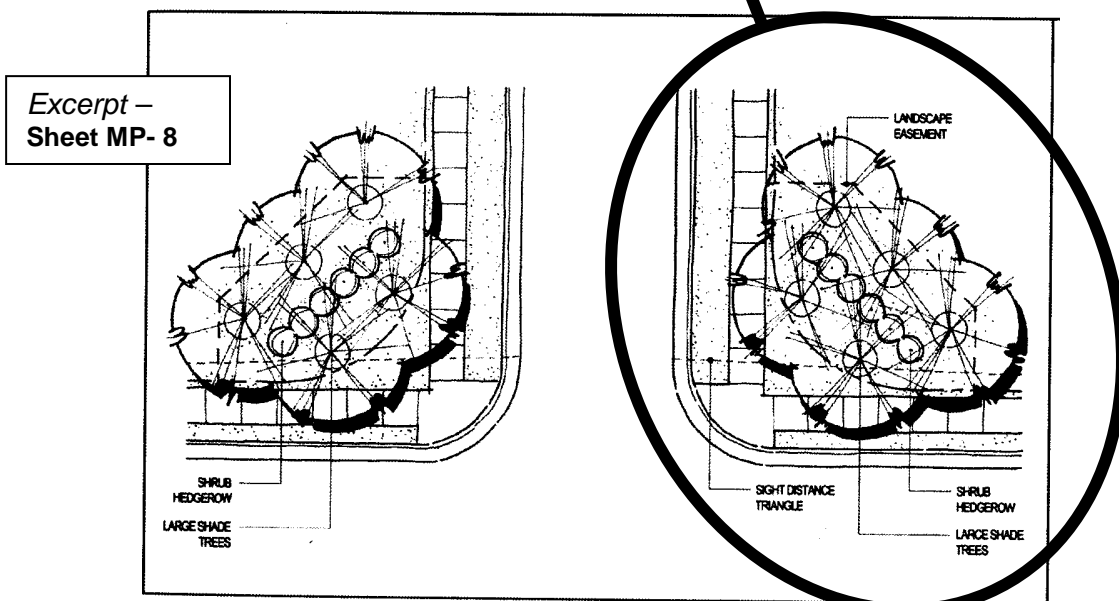
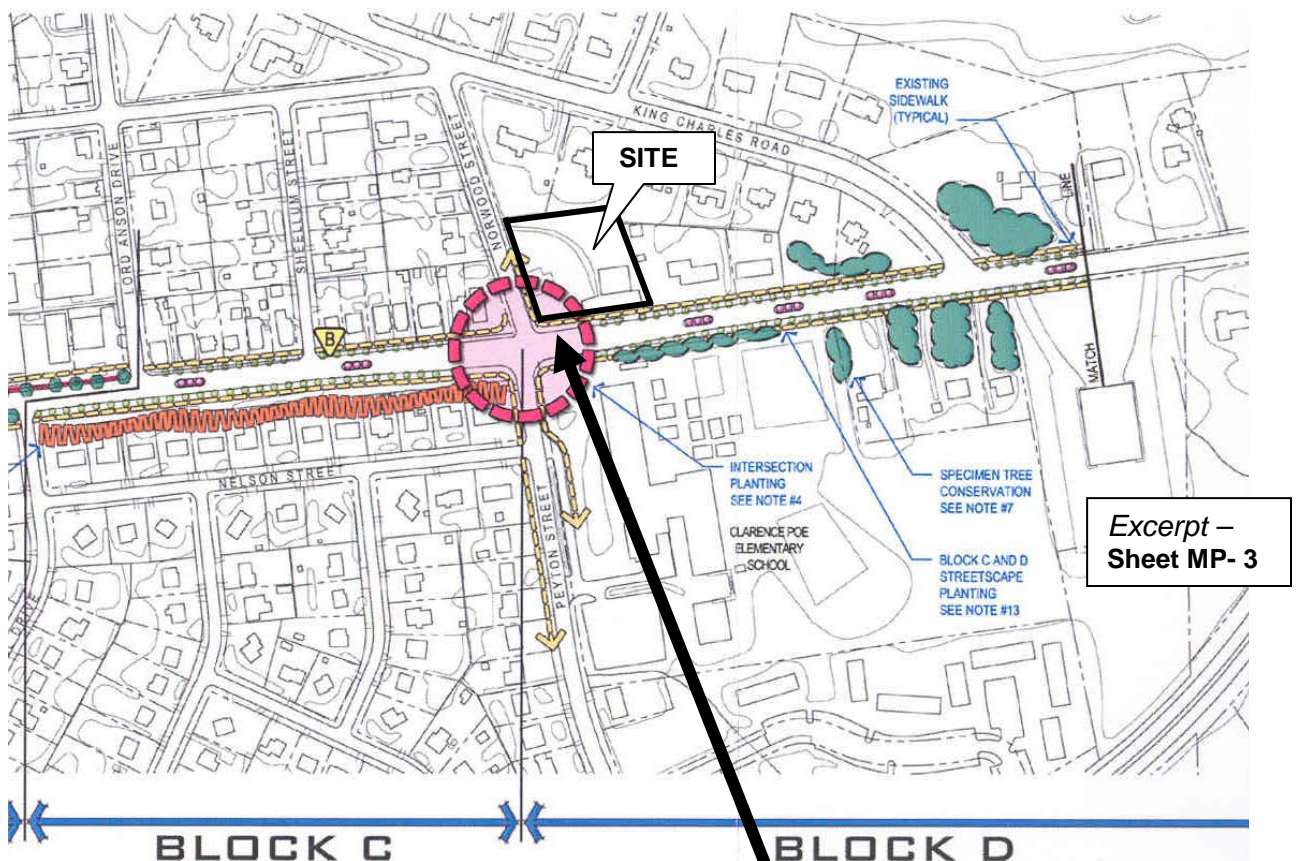
4.11 Mitigation of Impacts

1. Address any traffic matters related to school proximity at the site plan stage.
2. Address sewer and fire flow capacities at the site plan stage.

5. Conclusions

The proposed land use is inconsistent with the Future Land Use Map. However, case conditions propose multiple measures for mitigating development impacts, ranging from use and site square footage and restrictions, to building form and transition yard/ fence requirements. While the proposal would allow retail or office development, it also would require residential uses on a second floor, with density capped at 6 units per acre--the same maximum as allowed under the present zoning.

Excerpts— Southeast Raleigh Streetscape Master Plan



INTERSECTION STREETSCAPE PATTERN

Southeast Raleigh Streetscape Master Plan

Note #4 -- Intersection Planting:

#4 LANDSCAPE EASEMENT TO BE ACQUIRED AT EACH QUADRANT OF THE INTERSECTION FOR A PLANTING CONSISTING OF MEDIUM SHADE TREES AND A HEDGEROW OF SHRUBS. A SUGGESTED INTERSECTION STREETScape PATTERN IS SHOWN ON SHEET MP-8. NOTE THAT SHRUBS SHALL BE PLACED OUTSIDE OF A TRIANGULAR SIGHT DISTANCE AREA MEASURED 20 FEET ALONG EACH RIGHT-OF-WAY LINE FROM THE INTERSECTION. THE PROPOSED PLANTING PATTERN MAY BE UNFEASIBLE AT SOME QUADRANTS OF THE INTERSECTION DUE TO EXTREME NATURAL FEATURES, EXISTING UTILITIES, AND/OR OTHER IMPROVEMENTS.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY
Existing Zoning Classification <u>Residential 6</u>			Transaction #
Proposed Zoning Classification Base District <u>CX-3-CUD</u> Height <u>25'</u> Frontage _____			<u>465549</u>
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
			465549

GENERAL INFORMATION			
Property Address 2405 Poole Road		Date 8/5/2016	
Property PIN 1713770253		Deed Reference (book/page) 13290 / 1686	
Nearest Intersection Norwood St		Property Size (acres) +/- 1.2 acres	
Property Owner/Address Longview Acre, LLC 2405 Poole Road Raleigh, NC 27610-2748		Phone 919-333-1802 Fax _____	
		Email _____	
Project Contact Person/Address Daniel Coleman Building Contractors 517 Rock Quarry Road Raleigh, NC 27610-3353		Phone 919-524-1655 Fax _____	
		Email dancoleman1@hotmail.com	
Owner/Agent Signature <i>Dan Coleman</i>		Email dancoleman1@hotmail.com	

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

AUG 5 2016 PM 3:57

AUG 5 2016 PM 3:57

REZONING APPLICATION ADDENDUM	
<p align="center">Comprehensive Plan Analysis</p> <p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction # 465549 Rezoning Case # Z-23-16</p>
<p align="center">STATEMENT OF CONSISTENCY</p>	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>The most important point to make certain is that this site is not in the King Charles NCOD per the boundary map found on page 425 in the current Comprehensive Plan. Furthermore it complies with the following intent published in the Comprehensive Plan, page 30 "...since this Comprehensive Plan is based on the desire for a more compact and walkable development pattern with residential, retail, services, and jobs located more closely together, the land available for development should last longer than 22 years." . And this application meets the intent set out in the definition Neighborhood Mixed Use Comp Plan page 33.</p>	
<p>1. This application finds support in the following Comprehensive Plan Policy Statements LU 2.1, 2.2, 2.5, 7.1, 7.4, 8.2, 8.3, 8.10, 8.11 & 8.12 with a narrative attached hereto.</p>	
<p>3.</p>	
<p>4.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. Approval of this request will allow the current old country store structure to be demolished and the site developed as defined in Neighborhood Mixed Use guidelines with both retail on and residential, not unlike the development at 1000 Brookside Drive.</p>	
<p>2. Approval of this request will bring about a ripple effect throughout the neighborhood with the jobs that will be provided, the pleasant appeal of the structures constructed and the landscaping that will make this corner more consistent with the school and the beautiful homes and businesses to the east of the site.</p>	
<p>3. Approval of this request will also allow the developer to add much needed affordable housing in the community, on a dedicated transit line that will permit the residents to not be vehicular dependent, off which is consistent with the goals outlined in the Comprehensive Plan.</p>	
<p>4.</p>	

Conditional Use District Zoning Conditions		
Zoning Case Number Z-23-16		OFFICE USE ONLY Transaction #
Date Submitted December 12, 2016		
Existing Zoning Residential 6	Proposed Zoning CX-3-CUD	
NARRATIVE OF ZONING CONDITIONS OFFERED		

1. The following land uses will be prohibited:

- Boardinghouse
- Congregate care
- Dormitory, fraternity, sorority
- Life care community
- Rest home
- Emergency shelter type A
- Emergency shelter type B
- Special care facility
- Cemetery
- Telecommunication tower (<250 ft)
- Telecommunication tower (>250 ft)
- Adult establishment
- Golf course
- Outdoor sports or entertainment facility (<250 seats)
- Outdoor sports or entertainment facility (>250 seats)
- Commercial parking lot
- Remote parking lot
- Heliport, all others
- Bar, nightclub, tavern, lounge
- Food truck
- Pawnshop
- Detention center, jail, prison
- Light manufacturing
- Research & Development
- Self-Service Storage
- Car wash
- Vehicle repair (minor)
- Vehicle repair (major)
- Urban farm
- Vehicle Fuel Sales
- Vehicle Sales/Rental
- Indoor Recreation - All Types

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-23-16		OFFICE USE ONLY Transaction #
Date Submitted December 12, 2016		
Existing Zoning Residential 6	Proposed Zoning CX-3-CUD	
NARRATIVE OF ZONING CONDITIONS OFFERED		
<p>2. Residential density shall not exceed 6 dwellings per acre.</p> <p>3. Building height shall not exceed 2 stories, 35' and upon redevelopment shall contain a minimum of 2 stories above grade.</p> <p>4. Building maximum gross square footage shall be 10,800</p> <p>5. Only residential uses shall be permitted on the 2nd floor.</p> <p>6. Roof construction shall be restricted to either hip or gable form, with a minimum pitch of 3:12, and a maximum pitch of 5:12.</p> <p>7. Where a neighborhood transition is required by the UDO Article 3.5, a Type 2 Protective Yard with an average width of 20 feet and a fence meeting the requirements of UDO section 7.2.4D between 6.5 feet and 9 feet tall and shall be installed prior to the issuance of a certificate of occupancy.</p> <p>8. Commercial drive- thru activity is prohibited. 'Commercial drive-thru' is a drive-thru for any commercial use listed in the UDO Section 6.1.4 = Allowed Principal Use Table.</p> <p>9. At a minimum of one primary street facing entrance per building shall be provided toward Poole Road, with direct pedestrian access provided between the building entrance and the public sidewalk along Poole Road.</p> <p>10. Prior to issuance of a building permit for new development, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15' in depth and 20' in width) and location of the easement along Poole Road shall be approved by the Transportation Department and the easement document approved by the City attorney's Office. If, prior to issuance of the building permit, the Transportation Department requests in writing installation of a shelter, and ADA accessible shelter shall be constructed on a 15' x 20' cement pad on the easement, and a 30' long cement landing zone installed between the sidewalk and curb, paralleling the street, with all construction plans to be approved by the Transportation Department.</p> <p>11. Loading areas shall not be permitted on any side of the building facing a street.</p> <p>12. High Profile Ground Signs or Medium Profile Ground Signs shall not be permitted.</p> <p>13. Changeable Copy Signs shall not be permitted.</p> <p>14. All outdoor lighting fixtures shall be full cut-off design and be LED. The maximum height of pole-mounted fixtures shall be twenty (20) feet, unless a more restrictive height is required by the UDO for specific areas of the site.</p> <p>15. Prior to issuance of a building permit for new development, a landscape easement shall be deeded to the City and recorded in the Wake County Registry, meeting the specifications of Sheet MP-8 of the Southeast Raleigh Streetscape Master Plan.</p>		

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 _____

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Betty Parker
c/o Wake County Public Schools
1551 Rock Quarry Road
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Parker:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Jennifer Leigh Bumgarner
318 South King Charles Road
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Bumgarner:

You are cordially invited to a meeting on

**May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm**

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Mr. Russell W. Dement, Jr.
PO Box 58161
Raleigh, North Carolina 27658

April 30, 2016

Re: 2405 Poole Road

Mr. Dement:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
buildcon@bellsouth.net

Ms. Emma Jean Fort
2413 Poole Road
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Fort:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Vilma Suyapa Romero.
2313 Nelson St.
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Romero:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Lisa K. Hodge & Marcellin D. Hodge
1804 Cynthia Place
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Hodge:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Lisa K. Hodge
1804 Cynthia Place
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Hodge:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
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6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Mr. Sherron Andrew McGilberry
322 South King Charles Road
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Mr. McGilberry:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Mr. Anthony Integlia.
c/o Potenza Investments
3824 #2 New Bern Ave
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Mr. Integlia:

You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Veda Nicole Price
316 South King Charles Road
Raleigh, North Carolina 27610

April 30, 2016

Re: 2405 Poole Road

Ms. Price:

Long time no see my friend. You are cordially invited to a meeting on

May 16th
Worthdale Community Center,
1001 Cooper Road
Raleigh
6:00 pm

to discuss this rezoning of 2405 Poole Road from Residential 6 to CX2- CU, or Commercial Use, not to exceed 2 stories with Conditional Uses. Those uses can be found in the City of Raleigh Unified Development Ordinance (UDO) pages 145 through 172. We will be offering to exclude uses that would be offensive to you, a transitional yard that would protect the surrounding residential development, attention to lighting and any other issues that you may feel important.

I look forward to your attendance and participation.

Sincerely,

Dan Coleman

Building Contractors
517 Rock Quarry Road
Raleigh, North Carolina 27610
dancoleman1@hotmail.com

Ms. Robin W. Westbrook
3906 Carneigie Lane
Raleigh, North Carolina 27612

April 30, 2016

Re: 2405 Poole Road

Mr. Dement:

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6:00 pm

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I look forward to your attendance and participation.

Sincerely,

Dan Coleman

SUMMARY OF ISSUES

A neighborhood meeting was held on May 16th, 2016 (date) to discuss a potential rezoning located at 2405 Poole Road (property address).

The neighborhood meeting was held at Worthdale Community Center (location).

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

Summary of Issues:

No issues were discussed

[illegible]