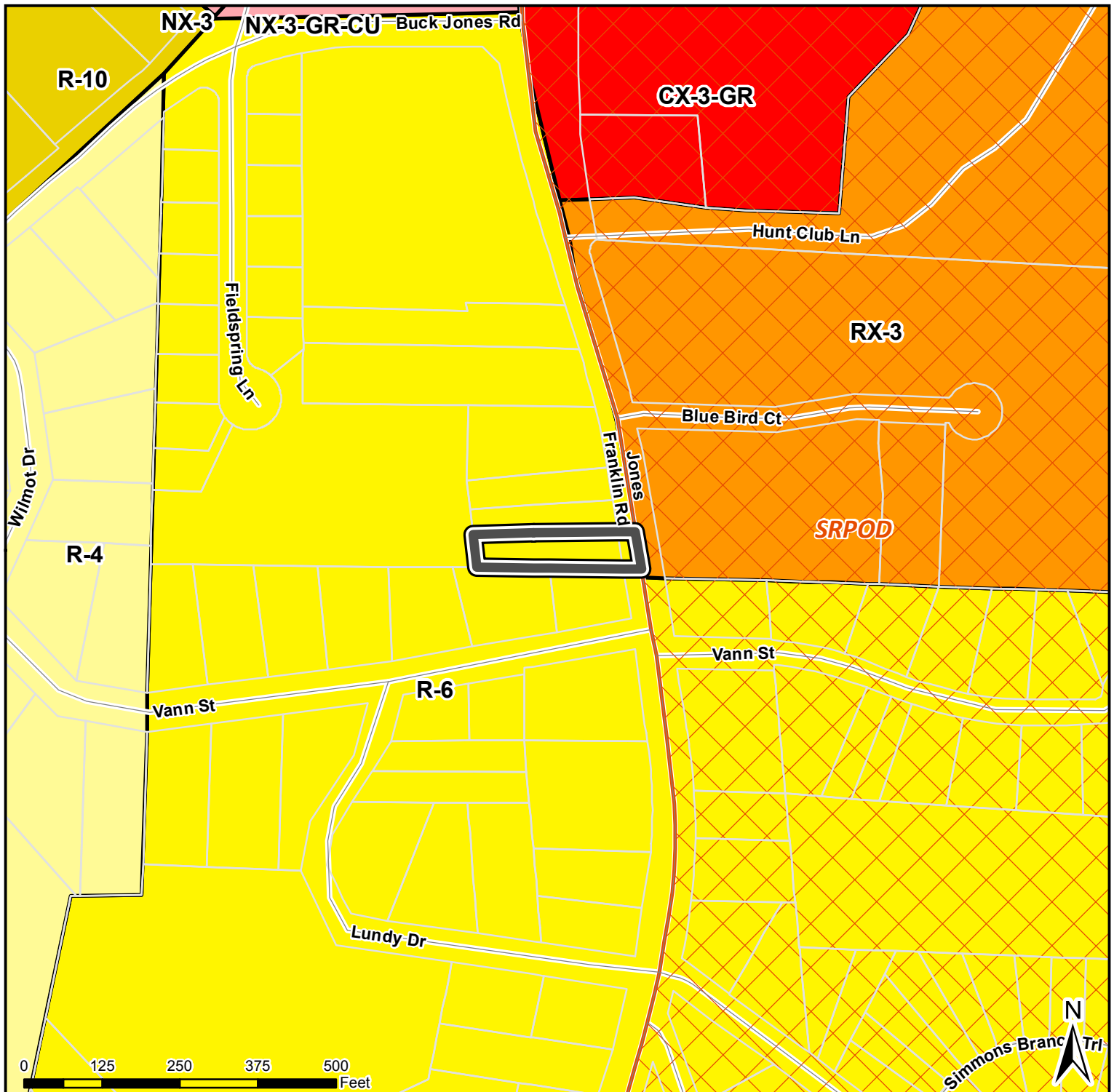
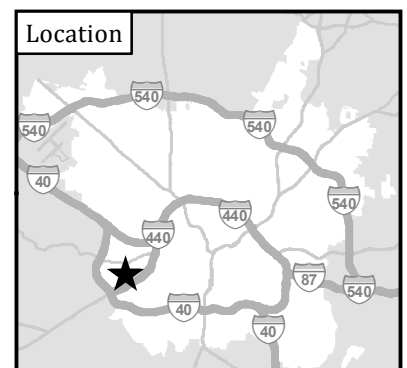


Existing Zoning

Z-29-2017



Property	152 Jones Franklin Rd
Size	0.31 acres
Existing Zoning	R-6
Requested Zoning	RX-3-CU





To: Ruffin L. Hall, City Manager

From: Matthew Klem, Planner II
Ken Bowers AICP, Director, Department of City Planning

Copy: City Clerk

Date: April 2, 2018

Re: City Council agenda item for April 17, 2018 – Public Hearing Rezoning Z-29-17

On March 20, 2018, this item was scheduled for a public hearing.

Z-29-17 152 Jones Franklin Rd, west side of Jones Franklin Road, being Wake County PIN 0783295465. Approx. 0.31 acres are requested by Paval Rentals LLC to be rezoned from Residential-6 (R-6) to Residential Mixed Use-3 stories-Conditional Use (RX-3-CU). Proposed conditions restrict the site to a maximum of two dwelling units, limit impervious surface limits to 60 percent, restrict height to 35 feet, and require an increased understory tree planting as a part of any required neighborhood transition. (Staff Contact: Matt Klem, Matthew.Klem@raleighnc.gov; 919-996-4637)

The Planning Commission recommends approval in a vote 7 to 0.

The West CAC recommends approval in a vote 11 to 3.

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



CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR# 11831

CASE INFORMATION Z-29-17

Location	152 Jones Franklin Road, northwest of the Jones Franklin and Vann Street intersection on the west side.
PIN	0783295465
Request	Rezone property from R-6 to RX-3-CU
Area of Request	.31 acres
Corporate Limits	The subject site is located within the corporate limits and is surrounded by properties also within corporate limits
Property Owner	Paval Rentals LLC
Applicant	Aneta Paval
Citizens Advisory Council (CAC)	West CAC
PC Recommendation Deadline	April 27, 2018

COMPREHENSIVE PLAN CONSISTENCY

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

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN GUIDANCE

FUTURE LAND USE	Moderate Density Residential
URBAN FORM	None
CONSISTENT Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 5.4 Density Transitions Policy LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods Policy LU 4.7 Capitalizing on Transit Access Policy LU 5.1 Reinforcing the Urban Pattern Policy LU 7.3 Single Family Lots on Major Streets Policy H 1.8 Zoning for Housing
INCONSISTENT Policies	None identified

SUMMARY OF PROPOSED CONDITIONS

1. Maximum of two units on site.
2. Impervious surfaces limited to 60%.
3. Maximum height of 35 feet.
4. Increased understory tree planting as part of required Neighborhood Transitions.

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
10/20/2017	11/21/2017 1/16/2018	11/28/2017 2/13/2018 2/27/2018	12/5/2017 3/6/2018

PLANNING COMMISSION RECOMMENDATION

[The motion shall select one of the following and include details specific to the case.]

☒ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.

☐ The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.

☐ The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.

☐ The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

Reasonableness and Public Interest	The Planning Commission found the request consistent with the Comprehensive Plan and that the request to increase the permitted density of the subject site from 6 to approximately 6.5 units per acre is reasonable and in the public interest and can be established without adversely impacting the character of the surrounding area.
Change(s) in Circumstances [if applicable]	N/A
Amendments to the Comprehensive Plan [if applicable]	N/A
<i>Recommendation</i>	Approval
<i>Motion and Vote</i>	Motion: Fluhrer; Second: Lyle; In favor: Alcine, Braun, Fluhrer, Hicks, Jeffreys, Lyle, Novak, and Swink.

ATTACHMENTS

1. Staff report

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

_____ 2/27/2018

_____ 2/27/2018

Ken Bowers, Planning Director Date Eric Braun, Planning Commission Chairperson Date

Staff Coordinator: Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT – CASE Z-29-17

GENERAL USE

OVERVIEW

The request is to rezone .31 acres from Residential-6 (R-6) to Residential Mixed-Use-3 stories-Conditional Use (RX-3-CU). The applicant has made this request so that they may renovate the existing structure to convert the building type of the existing detached house to an attached house and create an additional dwelling unit. A combination of the .31-acre lot size and R-6 zoning currently restrict the site to a single dwelling unit. The proposed conditional use zoning district would provide for a maximum of two dwelling units.

The property to the north of the site is developed with a detached house. Across Jones Franklin Road to the east is a two-story apartment complex. This site is just over two acres in size and houses 40 dwelling units, resulting in a density of around 20 units per acre. There are two properties to the south of the subject site. One is a single family detached house and the other is a duplex. East of the subject site is the Meadow Springs apartments. This 33-unit apartment complex sits on a 2.75-acre parcel, which equates to 12 units per acre. Meadow Springs is an affordable housing community and receives funding through the Low-Income Housing Tax Credit (LIHTC) program. Residents must be 55 years old or older.

More broadly, the site is approximately a tenth of a mile from the commercial node centered on the intersection of Jones Franklin Road and Western Boulevard. The area to the north of the subject site is characterized by higher-density residential uses and commercial uses, while the area to the south is generally composed of a mix of detached and attached houses and small apartment buildings at lower densities (R-6 and R-4).

The property is currently zoned R-6, as are properties to the north, west, and south. The property to the east across Jones Franklin Road is zoned Residential Mixed Use-3 Stories (RX-3). The request could be considered a spot zone; North Carolina law permits spot zoning, if it can be established as reasonable. The criteria for consideration are: 1) the size and nature of the tract, 2) compatibility with existing plans, 3) the impact of the zoning decision on the landowner, the immediate neighbors, and the surrounding community, and 4) the relationship between the newly allowed uses in a spot rezoning and the previously allowed uses.

The property is designated as Moderate Density Residential on the Future Land Map (FLUM) as are the properties to the west, north, and east. The properties to the south are designated as Low Density Residential.

In terms of urban form, the property is located 200' south of a Transit-Oriented District on the Urban Form Map. It is within a Transit Stop Half-Mile Buffer, although future station locations under the new Wake Transit Plan have not been finalized. For any new structure, the setback from Jones Franklin Road would be governed by infill compatibility standards. That would result in a similar setback to adjacent structures, which are approximately 30' to 40' from the street.

UPDATE FOR FEBRUARY 13, 2018 PLANNING COMMISSION

Conditions were submitted on December 4, 2017 that restrict the number of dwelling units on site, building height, impervious surface limits, and provide for understory tree plantings along the northern property line. The request remains consistent with the Comprehensive Plan and the Future Land Use Map. Changes have been made throughout the staff report to reflect the proposed conditions.

UPDATE FOR FEBRUARY 27, 2018 PLANNING COMMISSION

At the February 13, 2018 Planning Commission meeting the applicant requested a two-week deferral for the purposes of amending the request. The amended petition has changed the requested base zoning district from Residential-10 (R-10) to Residential Mixed-Use (RX). The applicant's intent with the amendment is to avoid restrictions in UDO Section 2.6.2. Detached House Additions. Among other restrictions, Sec. 2.6.2 limits the size of an addition used to convert an existing detached house to an attached house. The section states that the building addition shall not cumulatively exceed fifty percent of the floor area of the existing structure. The existing structure at 152 Jones Franklin Road is approximately 900 square feet. Sec. 2.6.2 would limit an addition used to convert the existing detached house to an attached house to 450 square feet. The applicant intends to exceed 450 square feet with the potential conversion.

The change to RX triggers the provision of a Zone A: Protective Yard in accordance with UDO Section 3.5 Neighborhood Transitions. The newly required protective yard will provide screening to adjacent properties with a combination of shade and understory trees, shrubs, and a fence or wall.

OUTSTANDING ISSUES

Outstanding Issues	1. None.	Suggested Mitigation	1. None
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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, themes, and policies in the Comprehensive Plan.

The request is consistent with the **Expanding Housing Choices** vision theme which encourages expanding the supply and diversity of housing opportunities for all segments of the population. The requested conditional use rezoning would permit the up to two dwelling units on the subject site and additional housing types.

The request is consistent with the **Growing Successful Neighborhoods and Communities** vision theme which encourages careful infill that complements the existing character of the area. If approved, the subject site could accommodate up to two dwelling units. Multifamily structures on small lots are common in the immediate area, including two-, three-, and four-unit structures. The request to rezone the .31-acre property from R-6 to RX-3-CU would provide the potential for an attached house, which is generally in keeping with the character and development pattern of the area.

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

The request is consistent with the recommendations of the Future Land Use Map. The subject site is identified as Moderate Density Residential which supports up to 14 units per acre. The proposed conditional use district limits development of the site to two dwelling units which results in a density of approximately 6.5 units per acre.

- 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 use is specifically designated on the Future Land Use Map on the subject site and can also be established without altering the character of the area. The request to rezone the property would entitle the owner to develop the site with a total of two units.

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

Community facilities and streets appear to be sufficient to serve the proposed use.

Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

The request to rezoning the property to RX-3-CU is consistent with the Future Land Use Map guidance of Moderate Density Residential which recommends up to 14 units per acre. The proposed conditional use zoning district limits development of the site to a total of two units resulting in an approximate density of 6.5 units per acre.

Urban Form

Urban Form designation: Transit Stop Half-Mile Buffer

The rezoning request is:

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

☐ **Inconsistent**

The site is within a Transit Stop Half-Mile Buffer, although future station locations under the new Wake Transit Plan have not been finalized. Property-specific guidance in this area does not exist.

As no specific Urban Form guidance exists, and as the rezoning would permit only residential structures, policies encouraging contextual infill development provide guidance. In this case, for any new structure, the setback from Jones Franklin Road would be governed by infill compatibility standards. That would result in a similar setback to adjacent structures, which are approximately 30' to 40' from the street.

Compatibility

The proposed rezoning is:

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

☐ **Incompatible.**

The request is compatible with the property and the surrounding area. The rezoning would permit up to two dwelling units on the subject site. This density is compatible with the area because the area is already developed in a similar, and in some cases more intense, pattern. While the area farther south is generally characterized by somewhat lower densities (R-6), similar building types (attached houses and small apartment buildings) are common.

Public Benefits of the Proposed Rezoning

The increased diversity of housing choices and additional dwelling units on the site provide a public benefit for the City.

Detriments of the Proposed Rezoning

There are no public detriments of the proposed rezoning. The most intense residential land use would be a two-unit structure, which is a common land use/building type in the area.

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. See Text Box: Evaluating Zoning Proposals and Consistency with the Comprehensive Plan.

- The request is consistent with the recommendations of the Future Land Use Map of Moderate Density Residential which supports up to 14 units per acre. The proposed conditional use zoning district limits the site to a total of two dwelling units resulting in a density of approximately 6.5 units per acre.

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.

- Existing infrastructure can accommodate the increase of density on the site.

Policy LU 4.7 Capitalizing on Transit Access

Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure.

- The site is within a half mile of Western Boulevard which is planned for Bus Rapid Transit (BRT) on the Wake County Transit Plan- BRT is a high frequency bus route with dedicated lanes which is considered a fixed-guideway. While specific stop locations have not yet been identified, the subject site is in close proximity to the identified corridor.

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.

- The request to rezone the property from R-6 to RX-3-CU can be implemented without adversely impacting the character of the area because the potential two-unit dwelling is a common in the immediate vicinity.

Policy LU 7.3 Single Family Lots on Major Streets

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

- The subject property is on Jones Franklin Road, which is designated as an Avenue 2-Lane Divided, and is not conducive for single family homes. The increase in density would allow the single curb-cut on Jones Franklin Road to serve multiple dwelling units.

Policy H 1.8 Zoning for Housing

Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.

- The proposed will provide for increased housing choice and variety.

Impact Analysis***Transportation***

1. The Z-29-2017 site is located on the west side of Jones Franklin Road between Vann Street and Buck Jones Road. Jones Franklin Road (SR 1319) is maintained by the NCDOT and currently has a two-lane, ribbon-paved cross section. There is no curbing on the west side; there is a sidewalk remnant along the Z-29-2017 street frontage but it does not meet the City's current standard for sidewalk width. This segment of Jones Franklin Road is classified as a mixed-use street in the Raleigh Street Plan (Avenue, 2-Lane, Divided). There are no exclusive bike lanes in the vicinity of the Z-29-2017 parcels.

Limited transit service is available during peak hours from Monday to Friday on GoTriangle route 305.

2. There are no NCDOT projects or City of Raleigh CIP projects planned for Jones Franklin Road in the vicinity of the Z-29-2017 site. The BikeRaleigh Plan Update calls for a separated bicycle lane along Jones Franklin Road in the Long-Term Bikeway Plan but there is no timetable for construction. This segment of Jones Franklin Road ranked 46 out of 213 major street projects in the City's 2015 Pedestrian Project Priority List.
3. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. Jones Franklin Road is the only current means of public street access to the Z-29-2017 site. There are no street stubs abutting the Z-29-2017 parcel.
4. In accordance with UDO section 8.3.2, the maximum block perimeter for RX zoning is 3,000 feet. The block perimeter for Z-29-2017, as defined by public rights-of-way for Jones Franklin Road, Vann Street, Wilmot Drive and Buck Jones Road is 3,550 feet. The surrounding parcels are developed as single family residential and as multifamily senior housing.
5. Approval of case Z-29-2017 would increase average peak hour trip volumes by 2 veh/hr in the AM peak and by 2 veh/hr in the PM peak; daily trip volume will increase by 20 veh/day. A traffic study is not required for case Z-29-2017.

Impact Identified: None.

Transit

The site is served by GoTriangle Route 305, which offers hourly service. The Wake County Transit Plan envisions Bus Rapid Transit (BRT) along Western Boulevard which is approximately a third of a mile from the subject site.

Impact Identified: None.

Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None.

Impact Identified: None.

Public Utilities

1. The proposed rezoning would add approximately 1,250 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.

3. 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.
4. 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) Maximum Demand (proposed)

<i>Water</i>	625 gpd	1,875 gpd
<i>Waste Water</i>	625 gpd	1,875 gpd

Impact Identified: None.

Parks and Recreation

1. This site is not impacted by any existing or proposed greenway trails or greenway corridors.
2. Nearest existing park access is provided by Lake Johnson Park (1.1 miles) and Powell Drive Park (1.3miles).
3. Nearest existing greenway access is provided by the Walnut Creek Trail at Lake Johnson (1.1miles).
4. Park access level of service in this vicinity is considered average to above average. This area is not considered a high priority for park land acquisition.

Impact Identified: None.

Urban Forestry

Impact Identified: None.

Designated Historic Resources

Impact Identified: None.

Impacts Summary

The increase in density on the subject site has a minimal impact on the infrastructure in the area. The subject property has average or above average parks service and is planned for a high level of transit service.

Mitigation of Impacts

None.

Conclusion

The request for a rezoning from R-6 to RX-3-CU on the .31-acre lot can be considered consistent with the Future Land Use Map (FLUM) and Comprehensive Plan overall. The FLUM recommends up to 14 units per acre on the subject site. The requested conditional use zoning district would restrict development of the site to a maximum of two dwelling units resulting in a density of approximately 6.5 units per acre. This type of development is common in the area and can be established without adversely affecting the community.

The Comprehensive Plan theme of Growing Successful Neighborhoods and Communities supports the request by encouraging growth and development while respecting the existing character of the area. At full build out, the site can accommodate two dwelling units, which is in keeping with the character of the area. The Expanding Housing Choices theme also supports the request, as it would increase housing choice and variety in the City.

Case Timeline

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
10/25/17	Submitted	
12/4/17	Conditions submitted	
2/13/18	Request deferred for amendments	

Appendix

Surrounding Area Land Use/ Zoning Summary

	<i>SUBJECT PROPERTY</i>	<i>NORTH</i>	<i>SOUTH</i>	<i>EAST</i>	<i>WEST</i>
Existing Zoning	R-6	R-6	R-6	RX-3	R-6
Additional Overlay	-	-	-	SRPOD	-
Future Land Use	Moderate Density Residential	Moderate Density Residential	Low Density Residential	Moderate Density Residential	Moderate Density Residential
Current Land Use	Single Family Residential	Single Family Residential	Single Family Residential and Duplex	Multifamily	Multifamily
Urban Form (if applicable)	-	-	-	-	-

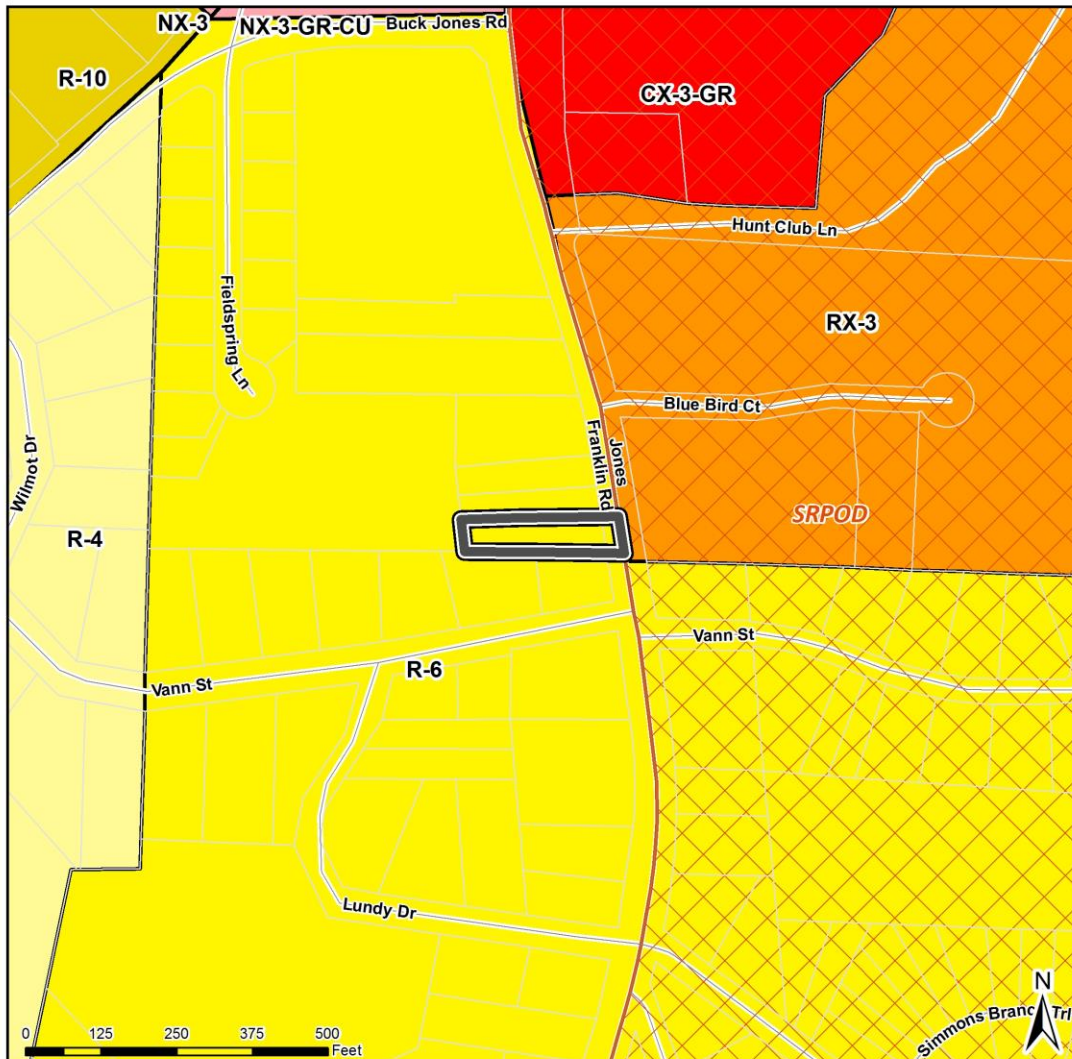
Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Zoning	R-6	RX-3-CU
Total Acreage	.31	.31
Setbacks: Front: Side: Rear:	10' 5' to 10' 20'	10' 5' to 10' 20'
Residential Density:	6 units/acre	6.5 units/acre
Max. # of Residential Units	1	2
Max. Gross Building SF (if applicable)	1,200	2,400
Max. Gross Office SF	-	-
Max. Gross Retail SF	-	-
Max. Gross Industrial SF	-	-
Potential F.A.R	.09	.18

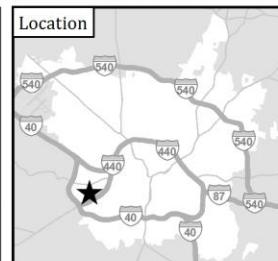
*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

Existing Zoning

Z-29-2017



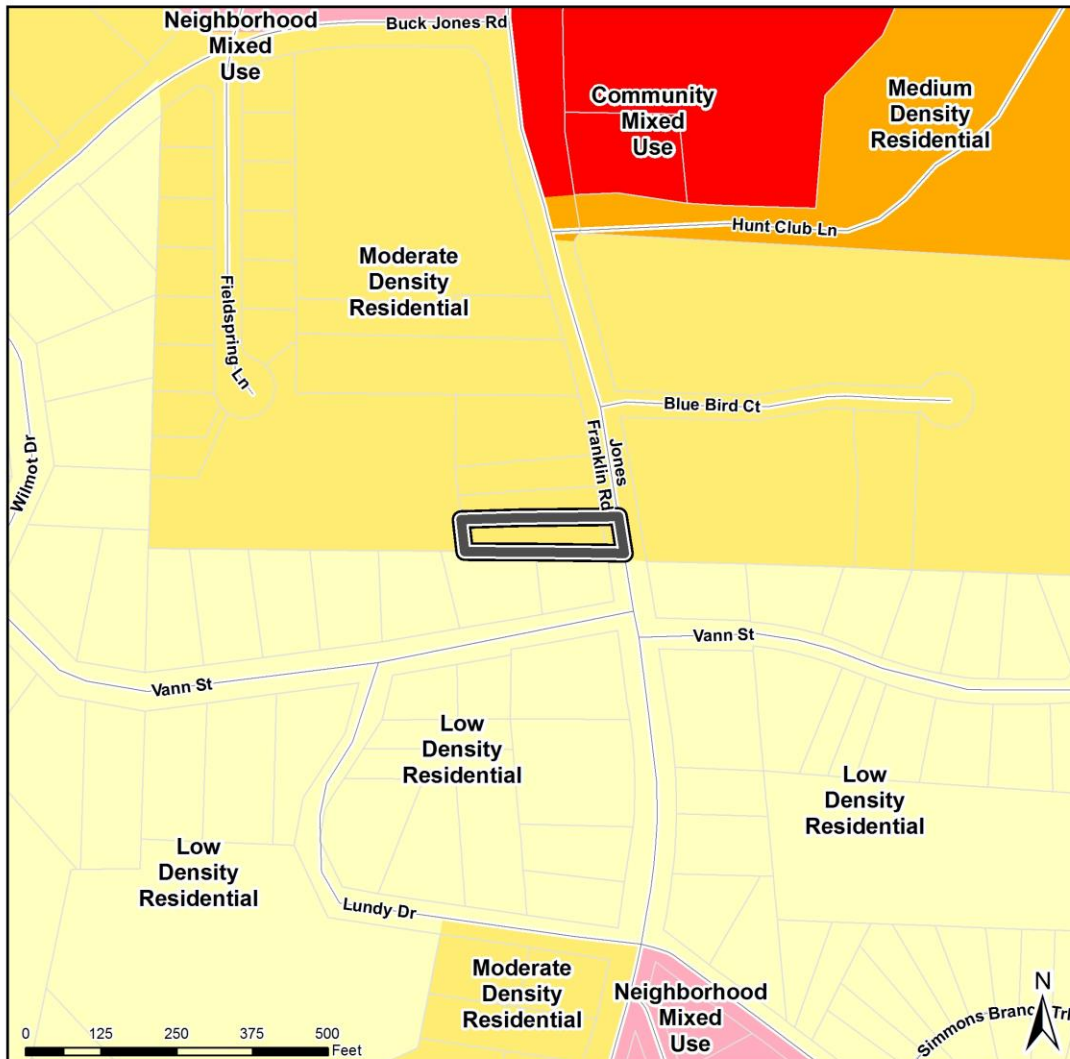
Property	152 Jones Franklin Rd
Size	0.31 acres
Existing Zoning	R-6
Requested Zoning	RX-3-CU



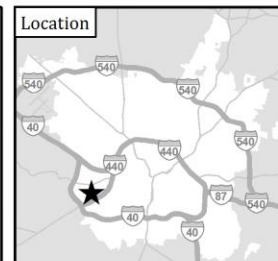
Map by Raleigh Department of City Planning (reckhowh): 2/19/2018

Future Land Use

Z-29-2017



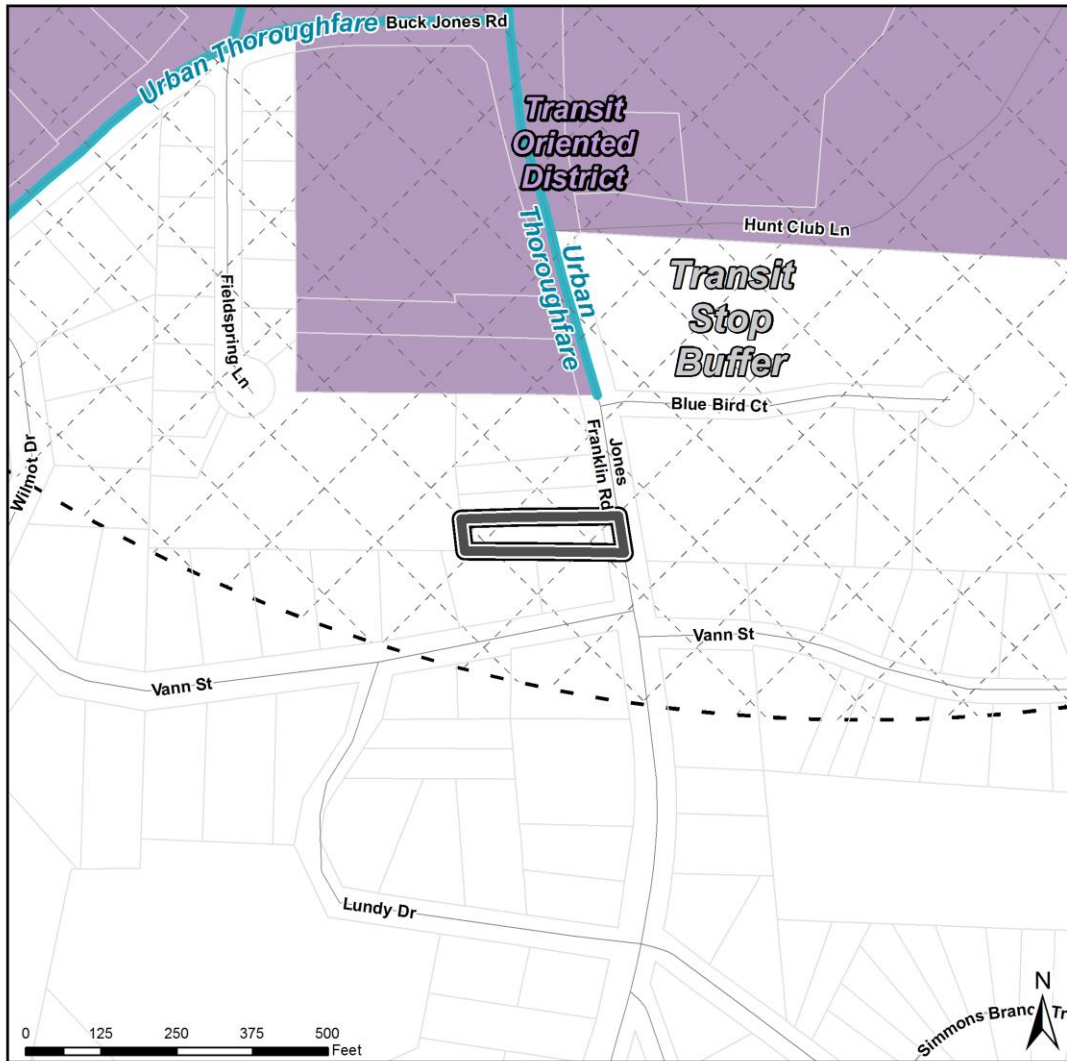
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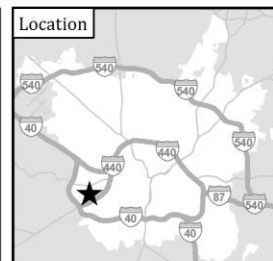
Map by Raleigh Department of City Planning (reckhowh): 2/19/2018

Urban Form

Z-29-2017



Property	152 Jones Franklin Rd
Size	0.31 acres
Existing Zoning	R-6
Requested Zoning	RX-3-CU



Map by Raleigh Department of City Planning (reckhowh): 2/19/2018

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FEB 15 2018

REZONING REQUEST BY:

<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Base District <u>R-6</u> Height _____ Frontage _____ Overlay(s) _____ Proposed Zoning Base District <u>RX-3CU</u> Height _____ 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:

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

<u>Z-29-17</u>			
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GENERAL INFORMATION

Date <u>02/15/2018</u>	Date Amended (1) _____	Date Amended (2) _____
Property Address <u>152 Jones Franklin Rd. Raleigh NC 27606</u>		
Property PIN <u>0783295551</u>	Deed Reference (book/page) <u>Book 16865 / Page 1494</u>	
Nearest Intersection <u>Vann Street and Jones Franklin Rd.</u>		
Property Size (acres) <u>0.31</u>	(For PD Applications Only) Total Units _____	Total Square Feet _____
Property Owner/Address <u>7404 Chapel Hill Rd.</u> <u>Ste. M</u> <u>Raleigh NC 27607</u>	Phone <u>919-696-0684</u>	Fax <u>866-737-9857</u>
	Email <u>apaval@pavallaw.com</u>	
Project Contact Person/Address <u>Aneta Paval</u> <u>7404 Chapel Hill Rd.</u> <u>Ste. M</u> <u>Raleigh NC 27607</u>	Phone <u>919-696-0684</u>	Fax <u>866-737-9857</u>
	Email <u>apaval@pavallaw.com</u>	
Owner/Agent Signature <u>[Signature]</u>	Email <u>apaval@pavallaw.com</u>	

Rezoning Application



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

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number **Z-29-17**

Date Submitted **02/13/2018**

Existing Zoning **R-6**

Proposed Zoning **RX-3-CU**

OFFICE USE ONLY

Transaction #

Rezoning Case #

Narrative of Zoning Conditions Offered

1. There shall be no more than 2 (two) dwelling units on the property.

2. Impervious surfaces shall not exceed 60% of the lot.

3. For any Protective Yard installed to meet Neighborhood Transitions requirements as defined in UDO Section 3.5, a minimum of five understory trees shall be planted per 100 lineal feet.

4. The height of any structure shall not exceed 35 ft.

5.

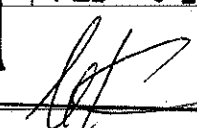
6.

7.

8.

9.

10.

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FEB 16 2018
BY: 

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 _____

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</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">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>1. It is consistent with the 2030 Comprehensive Plan because the Future Land Use Map for the area where the lot is located shows Medium Density Residential Use with a proposed zoning of RX-3 which is up to 14 units per acre and I am requesting R-10 which is 10 units per acre.</p>	
<p>2. The Medium Density Residential Use applies to garden apartments, townhomes, condominiums, and suburban style apartment complexes. R-10 zoning allows apartments and townhomes and that is why it is consistent with the 2030 Comprehensive Plan.</p>	
<p>3. The Medium Density Residential Use applies also to older neighborhoods with a mix of single and multi-family housing and R-10 would allow the building of a duplex or triplex which is consistent with the Future Land Use Map. The area where the lot is located is exactly an older neighborhood with a mixture of single family houses and duplexes.</p>	
<p>4. R-10 zoning is consistent with the theme and vision of the city of Raleigh to become a model "sustainable" city by promoting more compact development.</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. R-10 zoning will allow a duplex or triplex to be built which will create more housing with compact development.</p>	
<p>2. The lot has access to Jones Franklin Rd which is in close proximity with a shopping center which will allow a walkable neighborhood and transit accessible corridor to use the land efficiently.</p>	
<p>3. The increased housing created by the rezoning request will increase the connectivity, lower the vehicle miles traveled and improve the air quality.</p>	
<p>4. The new development will promote a healthy community and active lifestyles by encouraging enhanced bicycle and pedestrian circulation.</p>	

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources**

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.

OFFICE USE ONLY**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.

N/A

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

N/A

URBAN DESIGN GUIDELINES

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

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
 - b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"
- as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: N/A

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

1. *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.*

Response:

N/A

2. *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.*

Response:

N/A

3. *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.*

Response:

N/A

4. *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.*

Response:

N/A

5. *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.*

Response:

N/A

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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: N/A</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: N/A</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: N/A</p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>Response: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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: N/A</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 within 100 feet of property to be rezoned	<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 type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
9. Completed and signed zoning conditions	<input type="checkbox"/>	<input type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input type="checkbox"/>			

*The notice to all neighbors within 100 ft. was e-mailed to Mr. Kyle Little on Oct. 9, 2017 for approval and after he approved it, I brought the letters to the neighbors with the prestamped envelopes to him to mail them. I also brought the list of all property owners within 100 ft. of the lot at 152 Jones Franklin Rd. Raleigh NC 27606.

MASTER PLAN SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan 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 type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; Include electronic version via cd or flash drive	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

Date: 10/09/2017

Re: (site location) 152 Jones Franklin Rd. Raleigh NC 27606

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on 10/20/2017 (date) _____. The meeting will be held at _____ (location) _____ and will begin at 6 PM (time) _____.

7404 Chapel Hill Rd. Ste M Raleigh NC 27607
Raleigh NC 27606
The purpose of this meeting is to discuss a potential rezoning of the property located at 152 Jones Franklin Rd (site address) _____. This site is current zoned R-6 (zoning) _____ and is proposed to be rezoned to R-10.
(Please provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning.

If you have any concerns or questions I (we) can be reached at: 919-696-0684

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

(919) 996-2626
rezoning@raleighnc.gov

Thank you,

Aneta Paval

At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning & Development prior to the aforementioned 10 day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning & Development at time of application submittal.

SUBMITTED DATE: _____

Neighboring Property Owners:

You are invited to attend a neighboring meeting on October 20, 2017. The meeting will be held at 7404 Chapel Hill Rd Ste M Raleigh NC 27607 and it will begin at 6pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 152 Jones Franklin Rd Raleigh NC 27606. This site is currently zoned R-6 and it is proposed to be rezoned to R-10.

The city of Raleigh requires that prior to the submitting of any rezoning application, a neighboring meeting involving the property owners within 100 feet of the are requested for rezoning is conducted.

If you have any concerns or questions, I can be reached at 919-696-0684.

For more information for rezoning, you may visit www.raleighnc.gov or contact the Raleigh city planning Department at 919-996-2626, rezoning@raleighnc.gov.

Thank you, Aneta Paval

0783295465
PAVAL RENTALS LLC
152 JONES FRANKLIN RD
RALEIGH NC 27606-1514

0783294347
T&B VENTURES LLC
3505 CANTER LN
RALEIGH NC 27604-5913

0783295556
BARBER, AILEEN W
140 JONES FRANKLIN RD
RALEIGH NC 27606-1514

0783298573
CARDINAL APARTMENTS LLC
5862 FARINGDON PL STE 1
RALEIGH NC 27609-4582

0783291536
MEADOW SPRING HOUSING ASSOC LLC
7706 SIX FORKS RD
RALEIGH NC 27615-5067

0783295388
MEDLIN, GARY E
156 JONES FRANKLIN RD
RALEIGH NC 27606-1514

0783295654
DP BERRY, LLC
RICHARD J BERRY REG AGENT
1025 WASHINGTON ST
CARY NC 27511-3919

0783293325
VON, NARDROFF ELLEN
5210 VANN ST
RALEIGH NC 27606-1532

0783295551
MCLEAN, BETSY RENEE
148 JONES FRANKLIN RD
RALEIGH NC 27606-1514

0783297396
KRUEGER, RICHARD C KIRKS-KRUEGER,
WANDA JOY
2429 KIRKS RIDGE DR
RALEIGH NC 27606-2579

SUMMARY OF ISSUES

A neighborhood meeting was held on 10/01/2017 & 10/20/2017 (date) to discuss a potential rezoning located at 152 Jones Franklin Rd Raleigh NC 27606 (property address).

The neighborhood meeting was held at 152 Jones Franklin Rd Raleigh NC 27606 and 7404 Chapel Hill Rd Ste M Raleigh 27607 (location).

There were approximately 5 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

The meeting on October 1, 2017 started at 6pm at 152 Jones Franklin Rd Raleigh NC 27606. I explained that I am planning on requesting a rezoning from R-6 to R-10 with the intention of building a duplex or triplex on the lot by building another unit/s) to the back of the existing house.

I explained to the neighbors that the units will be rentals and they asked me about my experience in property management. I responded that I have three years of experience in renting out residential and commercial units and that I have a strict pre-qualification process of all tenants.

The neighbors asked me in what color I was planning to paint the house. I responded that it would be painted white. Then, they asked if I was going to make a lot of improvements to the property and I explained to them that I am currently in the process of making those improvements.

The neighbors asked me for my contact information and I gave my business card to each one of them in order to be able to contact me with any questions or concerns they might have.

Five people were present at the meeting on October 1, 2017, namely Betsy Renee McLean, Aileen Barber, Ellen Von Nardroff, Richard Krueger and Wanda Joy Kirks-Krueger. The duration of the meeting was from 6pm until 7pm.

The meeting on October 20, 2017 started at 6pm at my office at 7404 Chapel Hill Rd and two people were present at that meeting, namely Richard Krueger and Wanda Joy Kirks-Krueger. They asked me why I have bought that house. I explained that it is very close to my office which will allow me to supervise the work closely.

The neighbors asked me again what was my experience in rentals and what kind of rent I was going to charge for the house after it is completely renovated. I explained again about my experience in property management and added that I will determine the rent after the house is finished.

ATTENDANCE ROSTER

[illegible]

Pre-Application Conference

(this form must be provided at the time of formal submittal)



DEVELOPMENT SERVICES DEPARTMENT

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831
Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review*
- ☐ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

* Optional conference

GENERAL INFORMATION

Date Submitted 09/21/2017

Applicant(s) Name Aneta Paval

Applicant's Mailing Address 302 Bergen Ave. Apex NC 27502

Phone 919-696-0684

Email apaval@pavallaw.com

Property PIN # 0783295465

Site Address / Location 152 Jones Franklin Rd. Raleigh NC 27606

Current Zoning R-6

Additional Information (if needed): I want to change the zoning from R-6 to R-10 Conditional Use. The conditions would be that only a duplex can be built on the lot. The height of the buildings cannot exceed 30', and apartments and townhouses would not be allowed.

OFFICE USE ONLY

Transaction #: 530083

Date of Pre-Application Conference: 10/6/17

Staff Signature

Hannah. Reckhow @ Raleigh NC.gov



Pre-Application Conference

Meeting Record

Transaction #: 530083 Meeting Date & Time: 10:00 AM 10/6/17

Location: 3rd Floor OEP

Attendees: John anagnost, Jason Hardin, Matt Klem,
Hannah Reckhow, Kyle Little, Appaual

Parcels discussed (address and/or PIN): 152 Jones Franklin Rd

Current Zoning: R-6

Potential Re-Zoning: R-10-CU

CAC Chair/Contact Information: West CAC Benson Kirkman benson.kirkman@att.net

General Notes: R-10 has the same height limit as R-6.

The case can be submitted as general use which would
not require conditions and would allow the use by-right.

Future land use map would be consistent with R-10 zoning
Moderate density residential. Another neighborhood meeting is
Required because the letters were not checked and mailed by
the city, per code requirements, should contact West CAC chair

Department & Staff	Notes
Development Services ____Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 ____Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 ____Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517	<p>to be on the agenda for the next meeting.</p> <p>there are typically 2 CAC meetings, one where they hear the proposal and then one where the proposal is voted on. Jonathan Edwards - community specialist</p> <p>UDO Sections: 919-996-5712</p> <p>Statement of Consistency - consistent with Future use</p>