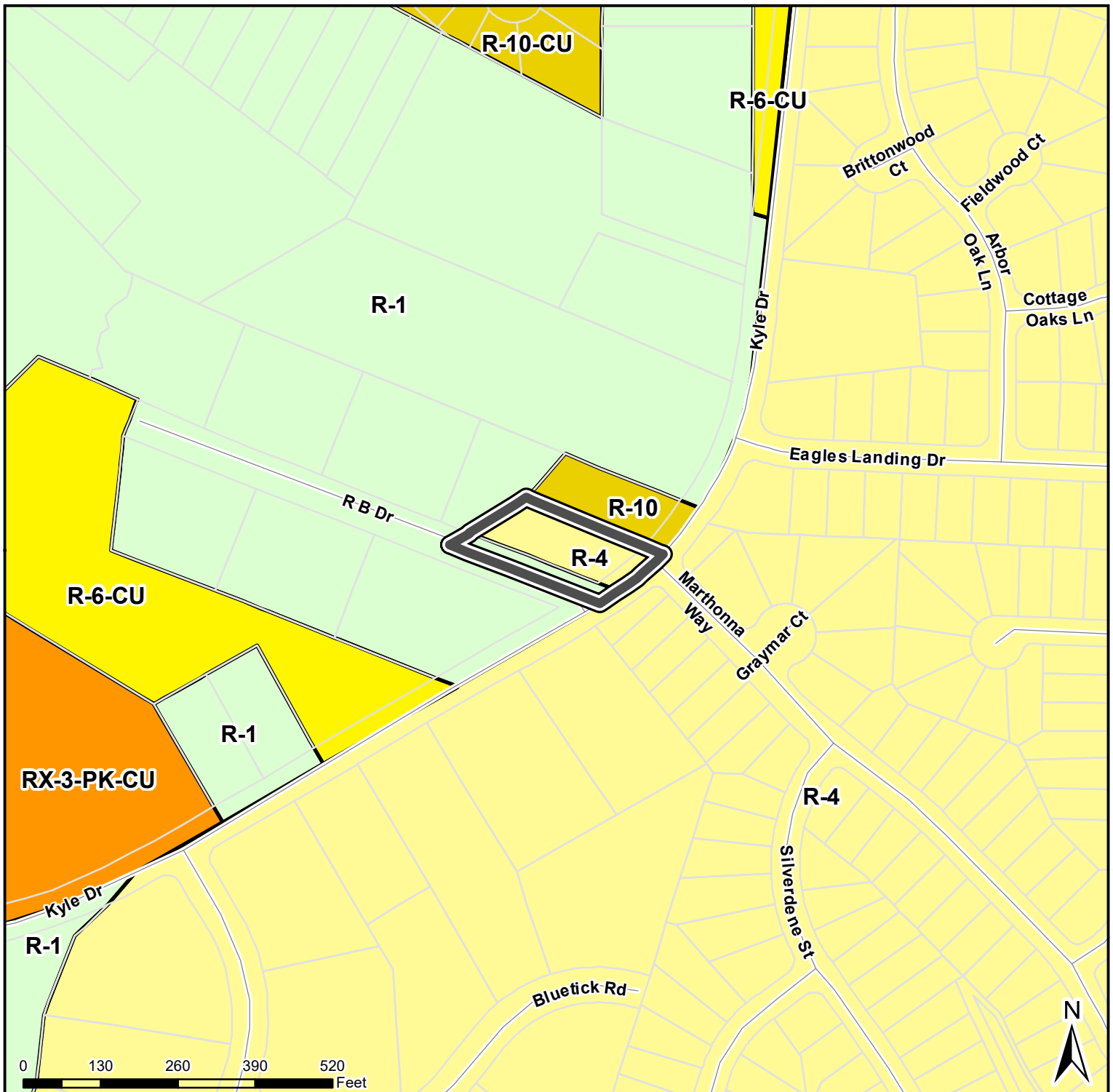
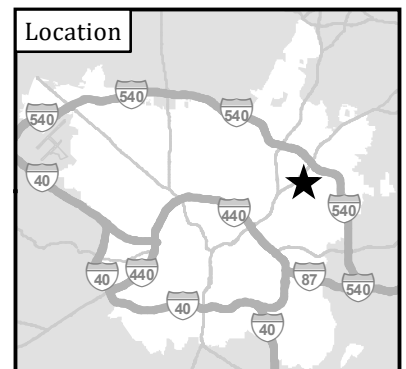


Existing Zoning

Z-29-2018



Property	5301 Kyle Dr
Size	0.46 acres
Existing Zoning	R-4
Requested Zoning	R-10





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director; Kyle Little, Planner I

DEPARTMENT: City Planning

DATE: February 19, 2019

SUBJECT: City Council agenda item for March 5, 2019 – Z-29-18

On February 19, 2019, City Council authorized the public hearing for the following item:

Z-29-18 5301 Kyle Dr, approximately .46 acres, located at 5301 Kyle Drive, on the west side of Kyle Drive, North of R B Drive.

Current zoning: Residential-4 (R-4)

Requested zoning: Residential-10 (R-10).

The case was first presented at Planning Commission on November 27, 2018. The Commission deferred the case to the first meeting in January, pending a CAC vote. The applicant attended the Northeast CAC on November 8, 2018 and a vote was held on December 13, 2018 with a result of 10 in favor, 5 opposed, and 3 abstaining. At the January 15, 2019 meeting the Planning Commission recommended approval (6-4). The adjacent parcel immediately to the north, located at 5305 Kyle Drive was rezoned from R-1 to R-10 in 2015 (Z-26-15). Both parcels are owned by the Z-29-18 applicant. The previous case received unanimous support from the Planning Commission (9-0) in 2015. Members of the Commission not in favor of recommending approval, wanted to defer the case to allow additional time for the applicant to meet with neighbors and consider offering conditions to make the request more acceptable to owners of single family detached homes on R B Drive. Neighbors' concerns include increased traffic and future maintenance of R B Drive.

- The request is **consistent** with the 2030 Comprehensive Plan, and the Future Land Use Map
- The **Planning Commission** recommends **approval** in a vote of 6 to 4.
- The **Northeast CAC** supports **approval** in a vote of 10-5-3 (December 13, 2018).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

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

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



CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR# 11884

CASE INFORMATION Z-29-18

Location	Kyle Drive, west side, north of R B Drive Address: 5301 Kyle Drive Raleigh NC 27616 PIN: 1736133929
Request	Rezone property from R-4 to R-10
Area of Request	0.46 acres
Corporate Limits	The site is located within Raleigh corporate limits
Property Owner	Cozy Homes LLC Ash Fadal 5520 Louisburg Rd Raleigh, NC 27616
Applicant	Neva Andrews 5520 Louisburg Rd Raleigh, NC 27616
Citizens Advisory Council (CAC)	Northeast CAC Chair WRenia Bratts Brown cacnortheast@gmail.com
PC Recommendation Deadline	2-25-19

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>	Moderate Density Residential (MDR)
<i>URBAN FORM</i>	No Urban Form Designation
<i>CONSISTENT Policies</i>	1. Policy LU 1.2 - Future Land Use Map and Zoning Consistency 2. Policy LU 2.6 - Zoning and Infrastructure Impacts 3. Policy LU 3.2 - Location of Growth 4. Policy LU 8.1 - Housing Variety 5. Policy LU 8.10 - Infill Development
<i>INCONSISTENT Policies</i>	1. Policy LU 8.12 - Infill Compatibility

SUMMARY OF PROPOSED CONDITIONS

1. No conditions – general use case

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
9/24/2018	11/8/18 12/13/18 Vote: 10-5-3	11/27/18 1/15/18 Vote: 6-4	1/22/18 3/5/19

PLANNING COMMISSION RECOMMENDATION

[Select one of the following and fill in 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 Request would allow for additional housing variety, and supply. The Request is consistent with the 2030 Comprehensive Plan, and Future Land Use Designation. There is prior precedent of approving a rezoning request just to the north of the site from R-1 to R-10 that was consistent with the 2030 Comprehensive Plan and Future Land Use Map.
Change(s) in Circumstances [if applicable]	N/A

Amendments to the Comprehensive Plan [if applicable]	N/A
<i>Recommendation</i>	Approve. City Council may now schedule this proposal for a public hearing or refer it to committee for further or discussion.
<i>Motion and Vote</i>	Motion: Braun Second: Queen In Favor: Braun, Queen, Swink, Hicks, Lyle, Tomasulo Opposed: Novak, McIntosh, Jeffreys, Geary

ATTACHMENTS

1. Staff report
2. Comprehensive Plan Amendment Analysis [if applicable]

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

_____ Planning Director	Date	_____ Planning Commission Chairperson	Date
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Staff Coordinator: Kyle Little: (919) 996-2180; Kyle.Little@raleighnc.gov



ZONING STAFF REPORT – CASE Z-29-18

GENERAL USE DISTRICT

OVERVIEW

The applicant is requesting to rezone one parcel totaling approximately .46 acres located on the western side of Kyle Drive, north of R B Drive. The parcel is currently vacant, and forested. The site gently slopes downward to the south west of Kyle Dr. The applicant owns the property immediately to the north of the site; that property was rezoned from R-1 to R-10 in 2015 (Z-26-15). Other recent rezoning's to higher intensities in the vicinity include: Z-19-14 Louisburg Road which rezoned 11 acres from R-1 to R-10-CU, and Z-26-00 Louisburg Road which rezoned from R-1 and R-6-CU to R-15-CU W/SHOD-3 now RX-3-PK-CU under the UDO remapping.

Properties located to the west, and south of the site are single family homes on lots that average about 1 acre in size. These surrounding properties can be characterized as rural residential. On the eastern side of Kyle Drive is single family homes that are part of the Ansleigh subdivision. A property located to the north is designated as a special care facility. The Unified Development Ordinance (UDO), defines special care facilities as those that provide psychosocial rehabilitation, skill development, and other services for individuals with severe and persistent mental illness.

The Future Land Use Map designates the site as Moderate Density Residential. Moderate Density Residential supports up to 14 units per acre. Moderate Density Residential is also designated for the properties located immediately to the south, west, and north of the property. Properties to the east of the request are designated as Low Density Residential which supports up to 6 units per acre. There is no Urban Form Map designation for the site or the surrounding area.

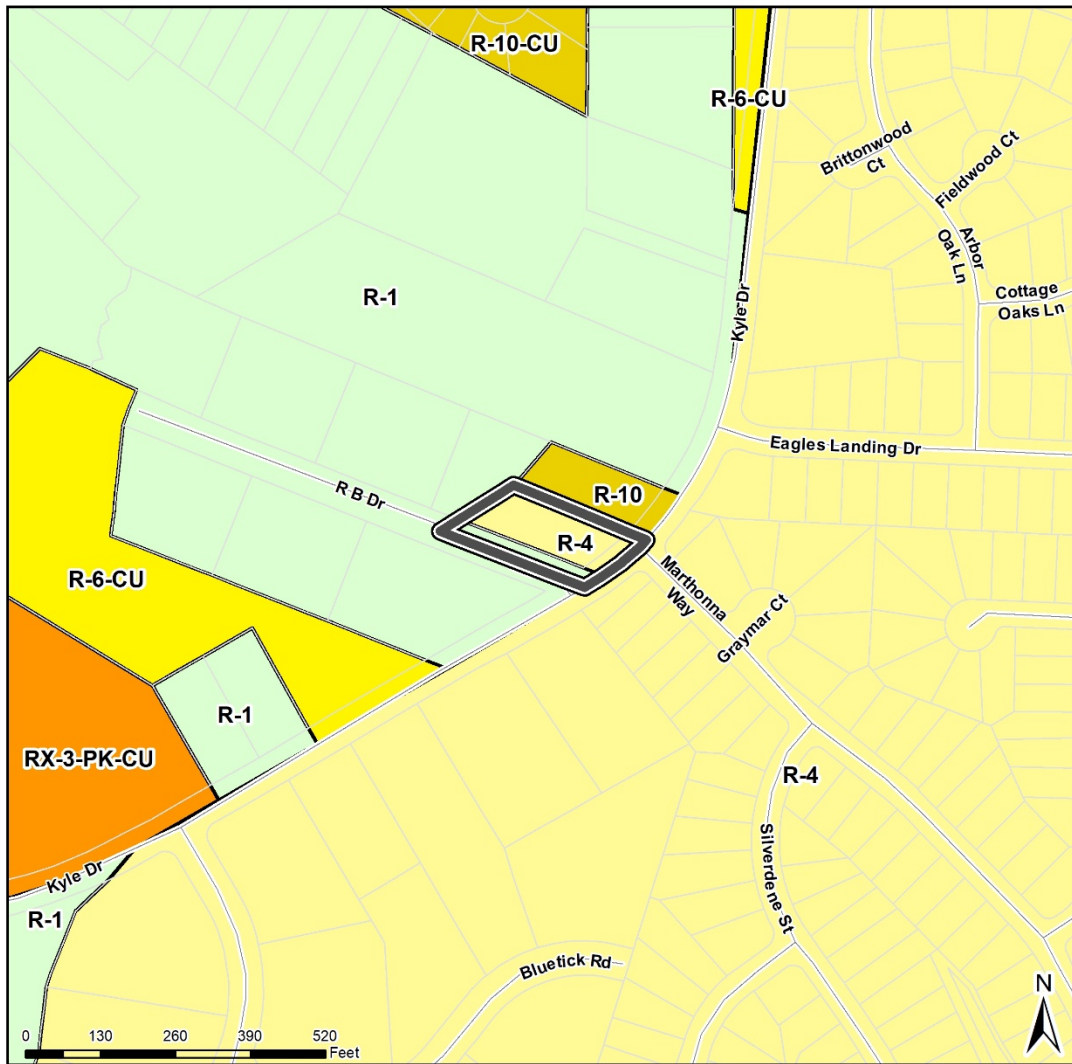
The request for 5301 Kyle Drive is to rezone from R-4 to R10. The case is a general use request, no conditions have been offered by the applicant. There is R-10 zoning immediately north of the site. R-1 Zoning is located to the north, south, and west of the site. There is R-6 zoning to the east of the site across the street from Kyle Dr. R-10 zoning allows for multiple housing types including single family detached homes, duplexes, townhomes, and apartments. The minimum lot size in the R-10 zoning district is 3,300 square feet. The surrounding R-1 zoning allows single family detached homes. The R-4 zoning to the east permits single family detached homes on quarter acre lots.

OUTSTANDING ISSUES

Outstanding Issues	1. There are no outstanding issues	Suggested Mitigation	1. N/A
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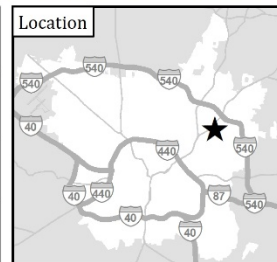
Existing Zoning

Z-29-2018



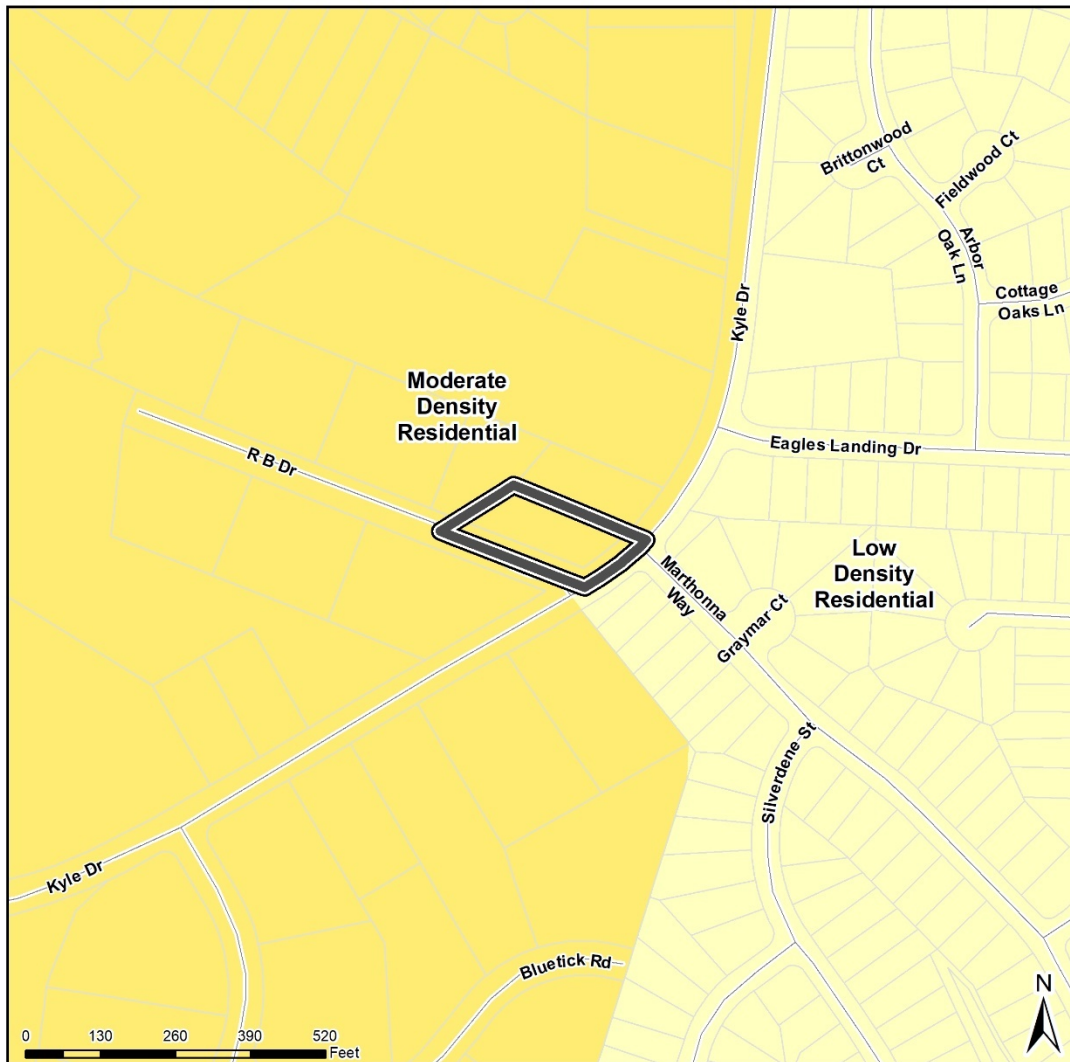
Property	5301 Kyle Dr
Size	0.46 acres
Existing Zoning	R-4
Requested Zoning	R-10

Map by Raleigh Department of City Planning (reckhowh): 10/4/2018

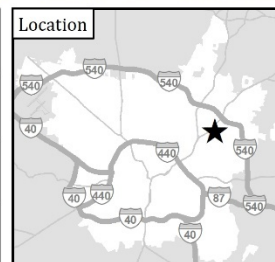


Future Land Use

Z-29-2018



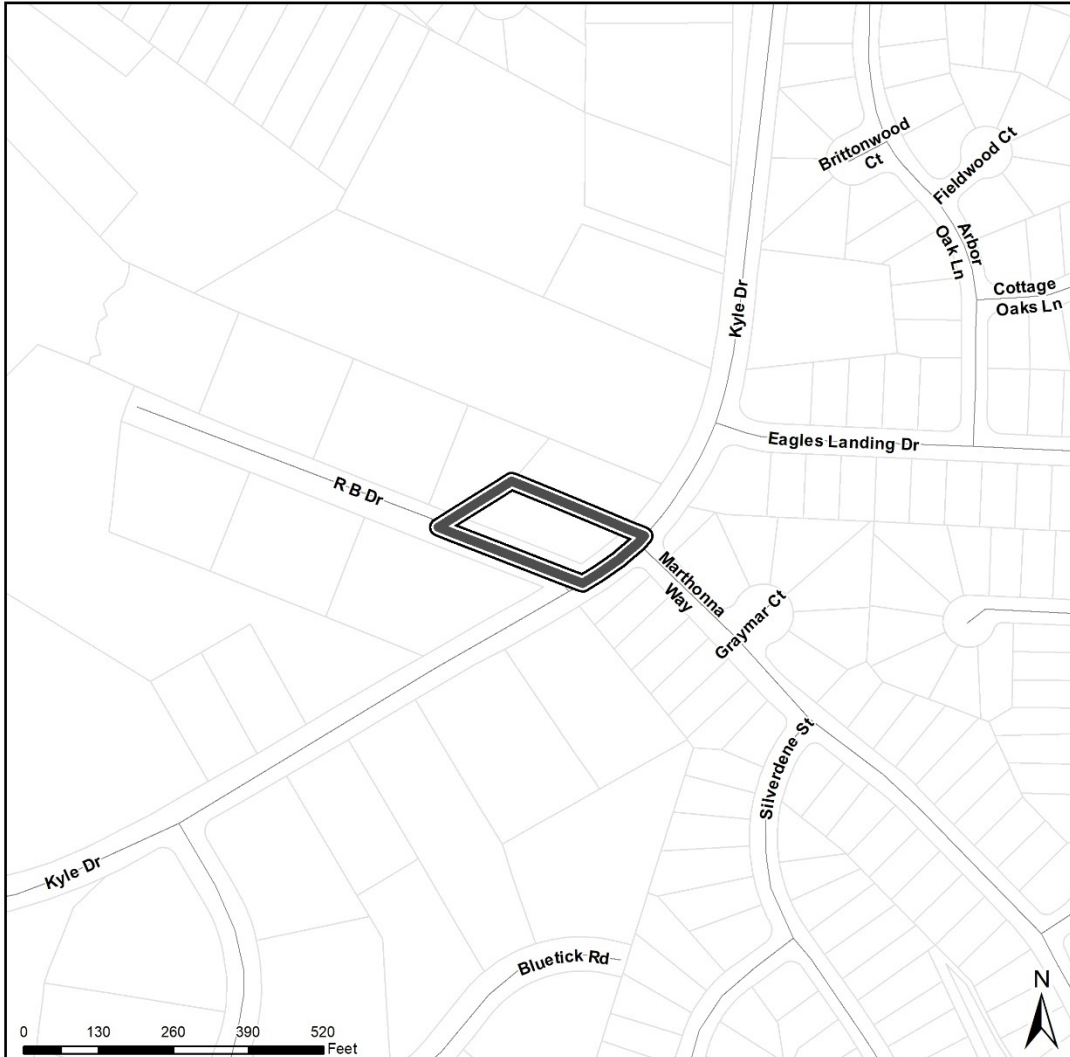
Property	5301 Kyle Dr
Size	0.46 acres
Existing Zoning	R-4
Requested Zoning	R-10



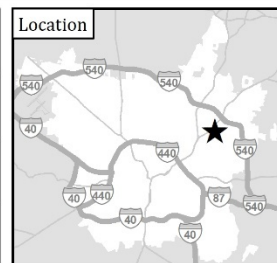
Map by Raleigh Department of City Planning (reckhowh): 10/4/2018

Urban Form

Z-29-2018



Property	5301 Kyle Dr
Size	0.46 acres
Existing Zoning	R-4
Requested Zoning	R-10



Map by Raleigh Department of City Planning (reckhowh): 10/4/2018

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 proposal is consistent with the vision, themes, and policies of the Comprehensive Plan. The case is consistent with a number of narrative policies related to land use found in the Comprehensive Plan.

The Case is consistent with the vision theme Expanding Housing Choices. R-10 zoning will allow additional housing typologies such as attached, townhouse, or multifamily potentially providing more affordable housing options than the surrounding predominately single-family housing stock.

The case is consistent with the vision theme Managing Our Growth. The site is located within city limits and there is readily available infrastructure for development.

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

The Future Land Use Map designates the site for Moderate Density Residential, which supports density up to 14 dwellings per acre. R-10 zoning would permit up to 10 units per acre and is consistent with the designation.

- 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?

R-10 zoning is compatible with the Moderate Density Residential Future Land Use Map designation, which supports up to 14 units per acre.

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

The site is located within city limits and community facilities and streets should be adequate for the proposed use on the property. If the applicant develops the site they will be required to provide improvements to the half of R B Drive that fronts the property as part of the site review process.

Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsisten**

The Future Land Use Map designates the site as Moderate Density Residential which supports up to 14 units per acre. The request for R-10 which permits up to 10 units per acre is consistent with this Future Land Use Map designation.

Urban Form

Urban Form designation:

The rezoning request is:

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

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

☐ **Inconsistent**

The urban form map is not applicable to this request.

Compatibility

The proposed rezoning is:

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

☐ **Incompatible.**

The request is compatible with the Future Land Use designation of Moderate Density residential. The properties to the south, west, and north are zoned R-1, which is generally characterized as rural residential. The trend in the area however has been towards increased residential density, as evidenced by Z-19-14 (Louisburg Road) which rezoned 11 acres to the northwest of the subject property to R-10-CU and the Wynslow Park apartments – zoned R-15-CU (RX-3-PK-CU as part of the UDO Remapping). It is anticipated that future development in this area would be the result of rezoning that more closely matches the Moderate Density Residential designation. The applicant could offer conditions that would mitigate any compatibility issues with the surrounding existing residential

development, such as limiting height, requiring pitched roofs, limiting certain housing typologies such as apartments, and conditioning certain exterior building materials.

Public Benefits of the Proposed Rezoning

- The rezoning will provide additional housing where higher densities are envisioned by the Future Land Use Map. Development of the site will trigger improvements to the section of Right of Way located on R B Drive that fronts the site.

Detriments of the Proposed Rezoning

- No potential detriments identified

Policy Guidance

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

Policy LU 1.1 Future Land Use Map Purpose

The Future Land Use Map and associated Comprehensive Plan policies shall be used to guide zoning, ensure the efficient and predictable use of land capacity, guide growth and development, protect public and private property investments from incompatible land uses, and efficiently coordinate land use and infrastructure needs.

The request is consistent with the Future Land Use Map designation. Moderate Density Residential supports up to 14 units per acre. R-10 zoning would allow for a density of up to 10 units per acre on site.

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.

There is adequate infrastructure in the nearby vicinity to service any new potential development on the site.

Policy LU 3.2 Location of Growth

The development of vacant properties should occur first within the City's limits, then within the City's planning jurisdiction, and lastly within the City's USAs to provide for more compact and orderly growth, including provision of conservation areas. (For more detail, see Resolution 2008-460: Raleigh's Policy on Individual Annexation Petitions.)

The site is located within city limits and would adhere to this policies recommendation that development should occur first within jurisdictional limits.

Policy LU 8.1 Housing Variety

Accommodate growth in newly developing areas of the City through mixed-use neighborhoods with a variety of housing types.

The change in entitlement to R-10 zoning will allow the attached, townhome, and apartment housing types, which are currently not permitted under the existing R-4 zoning.

Policy LU 8.10 Infill Development

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

The site is currently vacant and creates a gap between the established subdivisions to the east and the single family homes located to the south, west, and north.

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

Policy LU 8.12 Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

The change in entitlement from R-4 to R-10 zoning would permit additional housing typologies different from the existing rural residential, and single-family character in the surrounding vicinity. The applicant may offer conditions to mitigate the compatibility issues such as restricting height, designating exterior building materials, restricting certain housing typologies, and requiring pitched roofs.

Area Plan Policy Guidance

The rezoning request is not within the boundary of an area plan.

IMPACT ANALYSIS

Transportation

1. The subject property is on the northeast corner of R B Drive and Kyle Drive, which is specified as a 2-lane undivided avenue in the Raleigh Street Plan. Kyle Drive is maintained by NCDOT and R B Drive is privately maintained on public right-of-way dedicated in 1980.
2. In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning districts is 2,500 feet. The existing block perimeter for Z-29-18 is approximately 9,000 feet between Fox Road, Kyle Drive and Louisburg Road. Future development elsewhere on the block is likely to improve block perimeter.
3. There are no existing bicycle facilities surrounding the Z-29-18 parcel. The Long-Term Bikeway Plan calls for bike lanes on Kyle Drive.
4. A traffic impact analysis report is not required for Z-29-18

Impact Identified: a traffic impact analysis is not required. If the applicant develops the property; at time of site plan they will be required to make improvements to the half of R B Drive that fronts the property.

Transit

1. The nearest transit stop is located at the intersection of Louisburg Road and Calvary Drive, approximately 1.2 miles west of the site, where the GoRaleigh 23L stops every 30 min during weekday peak hours.
2. The second nearest transit stop is located at the intersection of Capital Boulevard and Calvary, approximately 1.5 miles west of the site, where the GoRaleigh 1 stops every 15 minutes during weekday peak hours.

Impact Identified: None

Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Beaverdam E
<i>Stormwater Management</i>	Subject to stormwater regulations under Article 9 of UDO.
<i>Overlay District</i>	none

Impact Identified: none

Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	250 gpd	1,000 gpd
<i>Waste Water</i>	0 gpd	250 gpd	1,000 gpd

1. The proposed rezoning would add approximately 1,000 gpd to the wastewater collection and water distribution systems of the City. Water is located immediately adjacent to site in Kyle Drive; sewer is readily accessible to site from Marthonna Way & will likely serve site via gravity connection.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

Impact Identified: a downstream sewer capacity study and verification of water for fire flow will be required as part of the development plan process.

Parks and Recreation

1. The site is not directly impacted by any existing or proposed greenway trails.
2. Nearest existing park access is provided by Spring Forest Rd Park (1.6 miles) and Buffalo Rd Athletic Park (2.0 miles).
3. Nearest existing Greenway trail access is Neuse River Greenway (2.0 miles).
4. Park level of service in this area is considered to be below average.
5. This area is not considered a priority for park land acquisition because of nearby Parks Recreation and Cultural Resources property located at 4700 Kyle Dr.

Impact Identified: None

Urban Forestry

1. The site is under two acres, and proposed rezoning has no effect on Urban Forestry requirements.

Impact Identified: None

Designated Historic Resources

No historic resources present

Impact Identified: None

Impacts Summary

A traffic impact is not required for this request. The applicant will be required to complete a downstream sewer capacity study and verify that there is adequate water for fire flow.

Mitigation of Impacts

If development occurs the site review and building permit process the will require the applicant to complete a downstream sewer capacity study and ensure there is adequate water for fire flow.

CONCLUSION

Z-29-18 is a request to rezone .46 acres from R-4 to R10. The applicant would be able to construct 4 dwelling units on site if the request is approved. The request is consistent with the Comprehensive Plan and the Future Land Use Map designation of Moderate Density Residential, which permits up to 14 units per acre. The applicant may submit conditions to mitigate inconsistency with policy 8.12 Infill Compatibility. The site has nearby connections to sewer and water, and infrastructure has been deemed adequate for the request.

CASE TIMELINE

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>

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-4	R-10	R-1	R-4	R-1
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Moderate Density Residential	Moderate Density Residential	Moderate Density Residential	Low Density Residential	Moderate Density Residential
Current Land Use	Vacant	Vacant	Residential	Residential	Residential
Urban Form (if applicable)	N/A	N/A	N/A	N/A	N/A

Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Zoning	R-4	R-10
Total Acreage	.46 AC	.46 AC
Setbacks		
Front:	10'	10'
Side:	15' & 10'	10' & 5'
Rear:	30'	20"
Lot Dimensions		
Area:	10,000 Sf	3,300 Sf
Width:	80'	44'
Depth:	100'	N/A
Residential Density:	2.18 per AC	8.73 Per AC
Max. # of Residential Units	1	4
Max. Gross Building SF (if applicable)	1,400	5,600
Max. Gross Office SF	Not Permitted	Not Permitted
Max. Gross Retail SF	Not Permitted	Not Permitted
Max. Gross Industrial SF	Not Permitted	Not Permitted
Potential F.A.R	.07	.28

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

Rezoning Application

RCP

RALEIGH
DEPARTMENT OF
CITY PLANNING



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

RECEIVED
OCT 04 2018

REZONING REQUEST

☒ General Use ☐ Conditional Use ☐ Master Plan

BY: _____

OFFICE
USE ONLY

Existing Zoning Base District R-4 ☒ Height 40 ☒ Frontage

Overlay(s) _____

Proposed Zoning Base District R-10 ☒ Height 40 ☒ 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.

Transaction #
56644
Rezoning Case #
E-29-18

If the property has been previously rezoned, provide the rezoning case number: N/A

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

GENERAL INFORMATION

Date 10-1-2018

Date Amended (1)

Date Amended (2)

Property Address 5301 KYLE DRIVE, RALEIGH, NC 27616

Property PIN 1736133929

Deed Reference (book/page) 016817 / 01170

Nearest Intersection MARTHONNA WAY

Property Size (acres) .55

(For PD Applications Only) Total Units

Total Square Feet

Property Owner/Address

Cozy Homes LLC

Ash Fadal

5520 Louisburg Road

Raleigh, NC 27616

Phone 9198899010

Fax

Email info@cozyhomesus.com

Project Contact Person/Address

Neva Andrews

5520 Louisburg Road

Raleigh, NC 27616

Phone 9195324727

Fax

Email neeyvaly@gmail.com

Owner/Agent Signature

Ash Fadal

Email

Info@CozyHomesUS.com

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

REZONING APPLICATION ADDENDUM #1	
<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. THE ZONING REQUEST IS CONSISTENT WITH THE FUTURE LAND USE AN R10 EXISTS IN THE SURROUNDING AREA</p>	
<p>2.</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>PUBLIC BENEFITS INCLUDE ADDITIONAL HOUSING.</p>	
<p>1.</p>	
<p>2.</p>	
<p>3.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2	
<p align="center">Impact on Historic Resources</p> <p>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.</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p align="center">INVENTORY OF HISTORIC RESOURCES</p> <p>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.</p> <p>NONE KNOWN</p>	
<p align="center">PROPOSED MITIGATION</p> <p>Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.</p> <p>N/A</p>	

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.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response:</p>
2.	<p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p>Response:</p>
3.	<p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p>Response:</p>
4.	<p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p>Response:</p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p>Response:</p>

6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response:</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response:</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response:</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response:</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response:</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response:</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response:</p>

13.	<i>New public spaces should provide seating opportunities.</i> Response:
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response:
15.	<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> Response:
16.	<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> Response:
17.	<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> Response:
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response:
19.	<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> Response:

20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response:</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response:</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response:</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response:</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response:</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response:</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response:</p>

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 500 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 checked="" type="checkbox"/>			✓
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
9. Completed and signed zoning conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓

August 31, 2018

Re: 5305 Kyle Drive

Raleigh, NC 27616

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on **Monday, September 24, 2018**. The meeting will be held at the **Green Road Community Center**, located at **4201 Green Road, Raleigh, NC 27604** from 5:30pm to 6:30pm.

The purpose of the meeting is to discuss a potential rezoning of the property located at 5305 Kyle Drive, Raleigh, NC 27616. This site is currently zoned R4 zoning and is proposed to be rezoned to R10.

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning, be held.

If you have any concerns or questions, we can be reached by Email: neeyvaly@gmail.com Snail Mail: 5520 Louisburg Road. Raleigh, NC 27616, or Phone: 919-532-4727.

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

(919) 996-2682

rezoning@raleighnc.gov

Thank you,



Neva Andrews, M.Ed.

Office Manager

Cozy Homes, LLC

5520 Louisburg Road

Raleigh, NC 27616

neeyvaly@gmail.com

PIN	PIN Ext	Real Estate Map	Name	Owner	Mail Address	Deed Book
1.74E+09	0	124509 1736 13	ST MATTHEW	5410 LOUIS RALEIGH N	7104	
1.74E+09	0	124505 1736 13	CURTIS, HE	5205 KYLE RALEIGH N	3042	
1.74E+09	0	115139 1736 13	DE ORELLA	4800 MAR/ RALEIGH N	17222	
1.74E+09	0	1375 1736 13	YL PROPER	103 N EAST RALEIGH N	17111	
1.74E+09	0	115138 1736 13	ZIENA PRO	817 WELLB CARY NC 2	14111	
1.74E+09	0	115137 1736 13	CURTIS, ER	801 BUNCH RALEIGH N	3298	
1.74E+09	0	115136 1736 13	CHEEK, LUZ	4913 R B D RALEIGH N		
1.74E+09	0	58958 1736 13	WESTON, L	5215 KYLE RALEIGH N	9923	
1.74E+09	0	98946 1736 13	BANEGAS, J	5100 KYLE RALEIGH N	16715	
1.74E+09	0	95653 1736 13	ALEX S GUF	5120 KYLE RALEIGH N	13949	
1.74E+09	0	47667 1736 13	TRAN, VY V	4645 DRES RALEIGH N	16891	
1.74E+09	0	87215 1736 13	COZY HOM	5520 LOUIS RALEIGH N	16817	
1.74E+09	0	118849 1736 13	JOHNSON, J	4812 BLUE RALEIGH N		
1.74E+09	0	238216 1736 13	ANSLEIGH I	3701 NATI RALEIGH N	7940	
1.74E+09	0	238173 1736 13	TRUSTEE F	260 SEYMC CARY NC 2	15982	
1.74E+09	0	246651 1736 13	HOEGEN, C	5113 SILVE RALEIGH N	16816	
1.74E+09	0	246650 1736 13	NGO, LAM	6718 ROLL RALEIGH N	16492	
1.74E+09	0	238175 1736 13	PAGE, ELIZ	5619 MAR RALEIGH N	8277	
1.74E+09	0	238176 1736 13	CAPUTO, G	5615 MAR RALEIGH N	15622	
1.74E+09	0	238174 1736 13	CLAYTON, T	5623 MAR RALEIGH N	16103	
1.74E+09	0	246649 1736 13	ROSA, JOHN	5121 SILVE RALEIGH N	16361	
1.74E+09	0	238178 1736 13	CANTY, BR	5605 MAR RALEIGH N	7991	
1.74E+09	0	238179 1736 13	JAGNE, MA	5601 MAR RALEIGH N	11450	
1.74E+09	0	238177 1736 13	COCKBURN	5609 MAR RALEIGH N	8070	
1.74E+09	0	238204 1736 13	CAZUELA-C	5300 GRAY RALEIGH N	16397	
1.74E+09	0	238203 1736 13	CHU, YOUN	12580 NW SUNRISE FL	16914	
1.74E+09	0	238205 1736 13	GERMAN, L	5535 MAR RALEIGH N	17201	
1.74E+09	0	238199 1736 13	CURRAN, N	5301 GRAY RALEIGH N	8932	
1.74E+09	0	238200 1736 13	ALAM, BAC	5802 PARK RALEIGH N	9013	
1.74E+09	0	238202 1736 13	RUSSOS, RI	5308 GRAY RALEIGH N	16931	
1.74E+09	0	238198 1736 13	EMMETT, L	4721 WOO RALEIGH N	15545	
1.74E+09	0	238201 1736 13	PAL, SURIN	5309 GRAY RALEIGH N	15268	
1.74E+09	0	243128 1736 13	DAWKINS, J	5426 KASSI RALEIGH N	11969	
1.74E+09	0	243127 1736 13	ASHTON, B	5430 KASSI RALEIGH N	15715	
1.74E+09	0	243126 1736 13	AMH 2014- AMERICAN	30601 AGC AGOURA H	15793	
1.74E+09	0	243125 1736 13	JEFFERSON	5425 KASSI RALEIGH N	10137	
1.74E+09	0	109600 1736 13	SCARBORO	4917 R B D RALEIGH N		
1.74E+09	0	43569 1736 13	GOODSON, J	5317 KYLE RALEIGH N		
1.74E+09	0	81852 1736 13	JOHNSON, J	5201 KYLE RALEIGH N		
1.74E+09	0	9971 1736 13	WARD, REI	4225 COLD RALEIGH N	10124	
1.74E+09	0	84019 1736 13	COZY HOM	5520 LOUIS RALEIGH N	16803	
1.74E+09	0	145918 1736 13	GOODSON, J	5317 KYLE RALEIGH N	3562	
1.74E+09	0	238215 1736 13	ANSLEIGH I	3710 NATI RALEIGH N	7940	
1.74E+09	0	59929 1736 13	RIDDICK, C	3805 SUE E RALEIGH N	9344	
1.74E+09	0	221328 1736 13	BAKER, REC	5100 EAGL RALEIGH N	7367	
1.74E+09	0	221327 1736 13	CHARLES, F	5104 EAGL RALEIGH N	17005	

1.74E+09	0	221326 1736 13	SASSEEN, C 5108 EAGL RALEIGH N	11019
1.74E+09	0	221329 1736 13	ESCOBAR, J 5101 EAGL RALEIGH N	12406
1.74E+09	0	33753 1736 13	HOWELL, V 5400 KYLE RALEIGH N	
1.74E+09	0	221325 1736 13	WAGNER, T 5112 EAGL RALEIGH N	10095
1.74E+09	0	221330 1736 13	TORAIN, E 5107 EAGL RALEIGH N	9026
1.74E+09	0	221331 1736 13	LE, HUE PH 5111 EAGL RALEIGH N	16613
1.74E+09	0	221324 1736 13	FORNER, J 5116 EAGL RALEIGH N	7279
1.74E+09	0	221323 1736 13	CHAUDHAF 5120 EAGL RALEIGH N	16465
1.74E+09	0	221332 1736 13	BUI, THAN 5115 EAGL RALEIGH N	12624

SUMMARY OF ISSUES

A neighborhood meeting was held on Sept. 24, 2018 (date) to discuss a potential rezoning located at 5301st 5305 Kyle Dr (property address).
The neighborhood meeting was held at Green Road (location).
There were approximately 2 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Explain Rezoning — R10 - R4

Why R10 - Maximum Use Townhomes

Is Kyle all in city bec. well water.
Most have well but still in city.

Value of Home - \$190-200⁰⁰⁰ (each home approx 1600)

Will affect homes? No - will keep home at same price value.

15% increase in homes - supply & demand
Why is that? more people moving here.

Couple thought it could be (+)
to have town home.

What are diff. moving?

[illegible][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 | cfax 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 8-16-18

Applicant(s) Name Neva Andrews, representing Cozy Homes LLC

Applicant's Mailing Address 5520 Louisburg Road, Raleigh, NC 27616

Phone 919-532-4727

Email neeyvaly@gmail.com

Property PIN # 1736143086/1736133929

Site Address / Location 5301 and 5305 Kyle Drive, Raleigh, NC 27616

Current Zoning R-10 & R-4

Additional Information (if needed) :

Proposed 9 Unit Townhome Project

OFFICE USE ONLY

Transaction # : 566464

Date of Pre-Application Conference : 8/24/18

Staff Signature