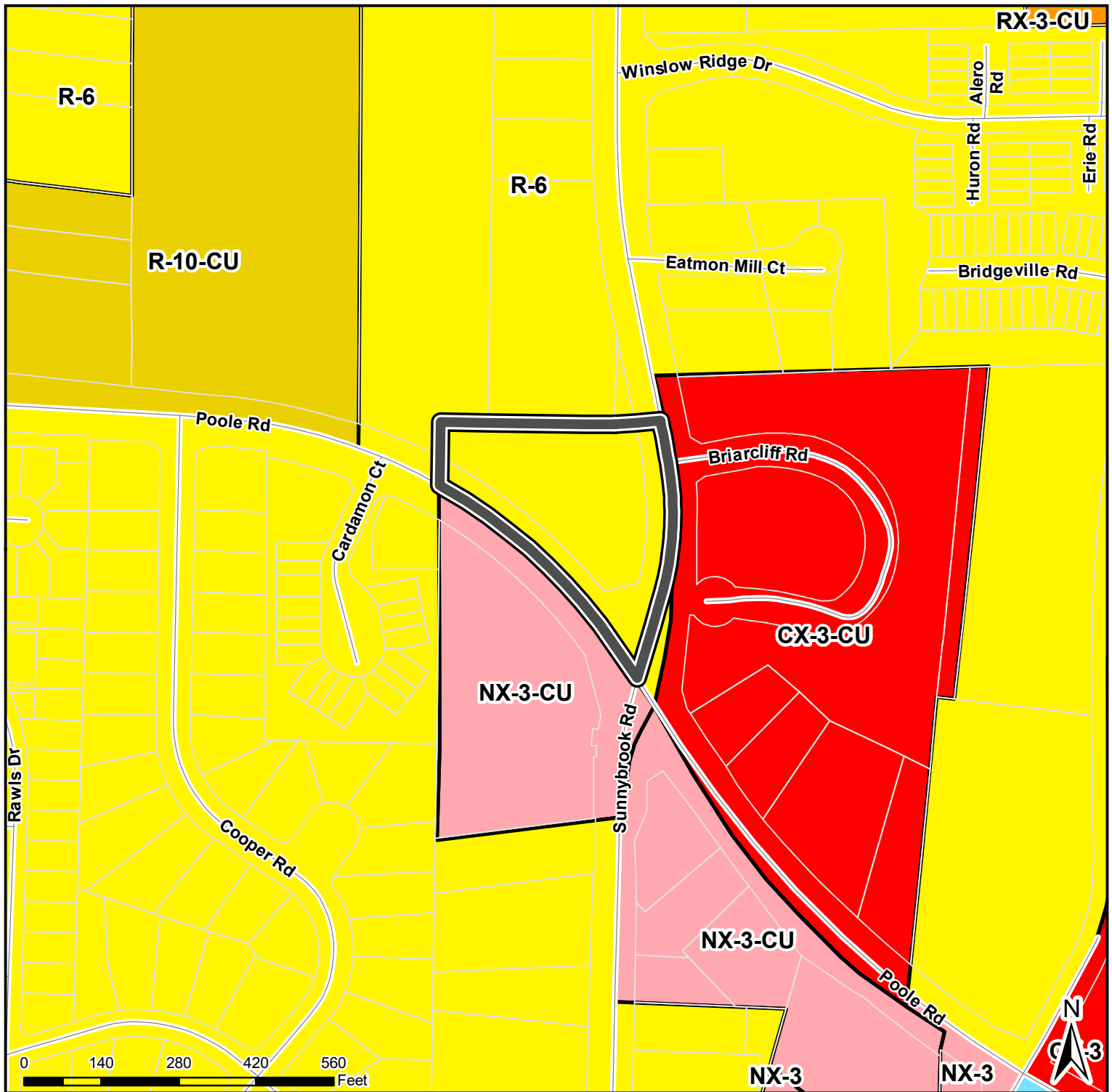
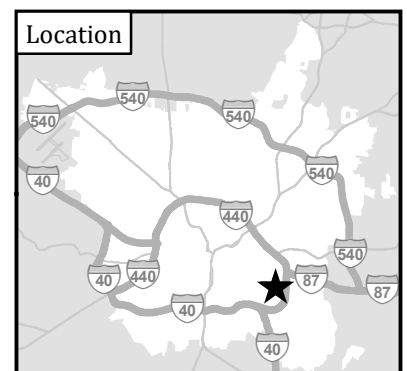


Existing Zoning

Z-30-2018



Property	3219 Poole Rd
Size	1.61 acres
Existing Zoning	R-6
Requested Zoning	NX-3-PL-CU





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director; Donald Belk AICP, Planner II

DEPARTMENT: City Planning

DATE: April 24, 2019

SUBJECT: City Council agenda item for May 7, 2019 – Z-30-18

On April 2, 2018, City Council authorized the public hearing for the following item:

Z-30-18: approximately 1.61 acres located at the northwest intersection of Poole Road and Sunnybrook Road at [3219 Poole Road](#).

Current zoning: Residential-6 (R-6).

Requested zoning: Neighborhood Mixed Use-3 stories-Conditional Use (NX-3-CU).

The zoning conditions dated March 1, 2019 prohibit the following uses: Boarding House, Special Care Facility, Outdoor Sports or Entertainment Facility, Bar, Nightclub, Tavern, Lounge, Vehicle Fuel Sales (including gasoline and diesel fuel), Vehicle Sales/Rental, Detention Center, Jail, Prison, Vehicle Repair (minor), Tobacco, e-cigarette, or vapor product shops, Check cashing, payday loan, Amusement Center, Game Arcade, Billiard Hall, Pool Hall, Bingo Parlor, Shooting Range, Telecommunication Towers, Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium; prohibit the detached house building type; reduce maximum building height; limit hours of operation; establish a strategy and approach for relocating the historic Howard Griffin House; require an Urban Frontage for any townhouse, apartment, and mixed-use building type that includes multi-unit living use; and set additional conditions that address the impact of new development on the surrounding neighborhood.

The request is consistent with the 2030 Comprehensive Plan and inconsistent with the Future Land Use Map. Approval of this request will require an amendment to the Future Land Use Map from Moderate Density Residential to Neighborhood Mixed Use. A draft Resolution to Amend the Comprehensive Plan is attached.

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

The **East CAC** supports **approval** in a vote of 10 to 1.

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

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

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



CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR# 11897

Case Information: Z-30-18 – 3219 POOLE ROAD

Location	Southeast Raleigh, northwest intersection of Poole Road and Sunnybrook Road, approximately 0.6 miles west of the Poole Road/I-87 intersection. Address: 3219 Poole Road iMaps Google Maps Directions from City Hall PIN: 1723364186
Request	Rezone property from R-6 to NX-3- CU
Area of Request	1.61 acres
Corporate Limits	The subject site is within and surrounded by the corporate limits of the City.
Property Owner	Mr. Murray Greason, Trustee Edley W. Wilder Trust Womble Bond Dickinson One West Fourth Street Winston-Salem, NC 27101
Applicant	Steve Gurganus, AICP Womble Bond Dickinson 555 Fayetteville Street, Suite 1100 Raleigh, NC 27601
Citizens Advisory Council (CAC)	East CAC; 3 rd Monday of each month (except January – 4 th Monday) Aracelys Torrez, Community Relations Analyst (919) 996-5717; aracelys.torrez@raleighnc.gov
PC Recommendation Deadline	May 10, 2019

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	Not applicable
CONSISTENT Policies	Policy LU 1.3 – Conditional Use District Consistency Policy HP 3.2 – Retention Over Replacement Policy LU 4.9 – Corridor Development Policy LU 4.10 – Development at Freeway Interchanges Policy LU 5.4 – Density Transitions Policy LU 5.5 – Transitional and Buffer Zone Districts Policy LU 5.6 – Buffering Requirements

	Policy LU 7.4 – Scale and Design of New Commercial Uses Policy LU 8.3 – Conserving, Enhancing, and Revitalizing Neighborhoods Policy LU 8.4 – Rehabilitation Before Demolition Policy UD 3.7 – Parking Lot Placement
<i>INCONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy HP 1.2 – Cultural and Historic Resource Preservation Policy HP 2.7 – Mitigating Impacts on Historic Sites Policy HP 3.1 – Adaptive Use

SUMMARY OF PROPOSED CONDITIONS (REVISED; SUBMITTED MARCH 1, 2019)

1. The following uses shall be prohibited: Boarding house, Special care facility, Outdoor sports or entertainment facilities (<250 seats and >250 seats), bar, nightclub, tavern, lounge, vehicle fuel sales (including gasoline and diesel fuel), vehicle sales/rental, detention center, jail, prison, vehicle repair (minor), tobacco, e-cigarette, or vapor product shops, checking cashing/payday loan, amusement center, game arcade, billiard hall, pool hall, bingo parlor, shooting range, telecommunications tower (<250 feet or \geq 250 feet), funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium.
2. The detached house building type shall be prohibited for any redevelopment of the property.
3.
 - a. Maximum Building Height, as described in UDO Sec. 3.3.1A shall be reduced to 45 feet.
 - b. The maximum building height requirement for Height and Form, as described in UDO Sec. 3.5.5.B.2, shall be reduced to no more than 36 feet at the Neighborhood Transition Zone C line.
4. The hours of operations of an eating establishment use as described in UDO Sec. 6.4.10.C.1, and the hours of operations of retail sales use as described in UDO Sec. 6.4.11.A, except for any retail use that sells prescription medications, can begin no earlier than 6:00 AM and end no later than 11:00 PM, including all deliveries.
5. For 180 days after the rezoning becomes final and not subject to challenge, the applicant, its successors or assigns (“Applicant”), shall allow any non-profit entity, individual or for-profit entity to relocate the existing house on the property at no cost to the Applicant and without payment to the Applicant so long as the party relocating the house is solely responsible for the relocation, including without limitation, securing all permits and approvals required by law. Applicant will provide public notice of the offer for relocation or salvage including, but not limited to, Capital Area Preservation, Preservation North Carolina, City of Raleigh Historic Preservation unit, and the State Historic Preservation Office within 30 days after the rezoning becomes final and not subject to challenge. Should the house not be relocated within 180 days after the rezoning becomes final and not

subject to challenge, prior to demolition or salvage, Applicant shall document to the City of Raleigh Department of Planning, Historic Preservation unit, and the State of North Carolina Historic Preservation Office.

6. Townhouse and Apartment building type (UDO Sec. 1.4.1) and Mixed-Use Building type (UDO Sec. 1.4.1) that includes Multi-Unit Living use (UDO Sec. 6.2.D) shall utilize one of the Urban Frontages as identified in UDO Sec. 3.4.2.A.
7. The minimum 10-foot Zone A: Type 1 Neighborhood Transition Protective Yard, as described in UDO Sec. 3.5.3.A.1, adjacent to the north property line (Morning Star Missionary Baptist Church parcel, Deed Book 009304, Page 01452) shall be increased to an average width of not less than 12 feet.
8. The minimum standard maximum Neighborhood Transition blank wall area, as described in UDO Sec. 3.5.5.c (Wall Articulation), shall be decreased to 28 feet.
9. All Parking and Pedestrian area lighting, as described in UDO Sec. 7.4.5, that are located within the Neighborhood Transition Zone B, shall exceed the minimum standard by consisting only of full-cutoff fixtures.
10. The minimum Landscaping and Screening planting material requirements, as described in UDO Sec. 7.2.5, shall be increased so that no more than 50 percent of the surface area of both loading area and service area screening walls facing an adjacent residential district is visible at the time of maturity of the plants.
11. Residential density shall not exceed 14 units per acre (22 units).
12. The minimum 20 feet Zone A, Type Neighborhood Transition Protective Yard adjacent to the west property line and adjacent to the north property line of the Roberts parcel (Deed Book 014076, Page 01424) shall be increased to an average of not less than 25 feet.

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
August 14, 2018	October 29, 2018 (Southeast CAC) November 19, 2018 (East CAC) January 28, 2019 March 18, 2019	December 11, 2018 January 24, 2019 (COW) February 28, 2019 (COW) March 26, 2019	February 5, 2019 April 2, 2019

PLANNING COMMISSION RECOMMENDATION

[Select one of the following and fill in details specific to the case.]

☒ The rezoning is **Consistent** with the relevant policies in the Comprehensive Plan, and **Inconsistent** with Future Land Use Map, but **Approval** of the rezoning request is reasonable and in the public interest as described below. If approved, the Future Land Use Map will be amended as to the subject parcel only, from Moderate Density Residential to Neighborhood Mixed Use. The change(s) in conditions taken into account in amending the zoning ordinance to meet the development needs of the community is(are) described below.

☐ The rezoning is **Consistent** with the relevant policies in the Comprehensive Plan, but is **Inconsistent** with the Future Land Use Map, and **Denial** of the rezoning request is reasonable and in the public interest as described below.

Reasonableness and Public Interest	The proposal is consistent with the Comprehensive Plan and is reasonable and in the public interest because (1) the site is located within a Mixed-Use Community Center as designated on the Growth Framework Map, and along a Frequent Network Corridor as identified in the Wake Transit Plan; (2) the applicant has undertaken a noteworthy effort to engage the community and the area throughout the rezoning process, and there is substantial community support; and (3) the applicant has undertaken significant steps to work with local historic preservation organizations to relocate the historic Howard Griffin House.
Change(s) in Conditions [if applicable]	The applicant has reduced building height and enhanced blank wall articulation, expanded the required vegetative buffer along the northern and western boundaries of the site, set a maximum residential density, prohibited an array of otherwise allowable uses in the NX district, and limited hours of operation for retail uses (excepting pharmacies), among other changes.
Amendments to the Comprehensive Plan [if applicable]	Approval of the rezoning would result in a Comprehensive Plan amendment to change the designation of subject parcel from Moderate Density Residential to Neighborhood Mixed Use.
<i>Recommendation</i>	Approval
<i>Motion and Vote</i>	Motion: Braun Second: Hicks In Favor: Braun, Geary, Hicks, Jeffreys, McIntosh, Novak, Swink. Opposed: None.

ATTACHMENTS

1. Staff report
2. Comprehensive Plan Amendment Analysis

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.

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	_____ Date
Staff Coordinator:	Don Belk: (919) 996-4641; Donald.Belk@raleighnc.gov		



ZONING STAFF REPORT – CASE Z-30-18

CONDITIONAL USE DISTRICT

OVERVIEW

The rezoning site is located in southeast Raleigh at 3219 Poole Road, at the northwest corner of the intersection of Poole Road and Sunnybrook Road. The area is characterized by mainly residential uses along Poole Road west of Sunnybrook Road, with predominantly commercial uses to the east along Poole toward the I-440 (I-87) overpass. A convenience store/gas station is located on Poole Road directly south of the site. North of the site is a church and a single-family residence, with single-family residences also across Sunnybrook Road to the east.

The applicant is requesting a rezoning from R-6 to NX-3-CU and offering conditions to prohibit several uses of concern to adjoining property owners. The following uses would be prohibited under this proposal: Boarding house, special care facility, outdoor sports or entertainment facilities (less than and greater than 250 seats), bar, nightclub, tavern, lounge, vehicle fuel sales, vehicle sales or rentals, vehicle repair, detention center, jail, and prison, tobacco, e-cigarette, or vapor product shops, checking cashing/payday loan, amusement center, game arcade, billiard hall, pool hall, bingo parlor, shooting range, telecommunications tower (<250 feet or \geq 250 feet). The east-adjoining CX-3-CU district likewise prohibits garages and filling stations, and the NX-3-CU district south of the site also prohibits bars, nightclubs, taverns, lounges, and all Special Uses under NX zoning.

The parcels directly adjoining to the north and west of the site are zoned R-6, with an adjoining CX-3-CU district at the northeast corner of Poole Road and Sunnybrook Road.

Fronting the site along the south side of Poole Road is a property zoned NX-3-CU, with another NX-3-CU district at the southeastern corner of Poole Road and Sunnybrook Road.

The site is located within a Mixed-Use Community Center as designated on the Growth Framework Map. It is also located along a Frequent Network Corridor as identified in the Wake Transit Plan.

The subject site is approximately 1.61 acres and consists of one parcel containing the Howard Griffin House, site WA2453 listed as “Survey-only” by the State Historic Preservation Office. The structure and several outbuildings date from the late 1920s and are well-preserved. Griffin owned the Sunnybrook Dairy which stood nearby but not immediately adjacent to the residence. According to the survey, the house may be eligible for the National Register because of its significance to the dairy industry which flourished on the outskirts of Raleigh during the 1920s through the 1940s.

The site is mostly wooded, with topography sloping mildly downward to the east from the highest point on the site - approximately 306 feet - with the low point at approximately 294 feet.

Update for March 26, 2019

On December 11, 2018, the Planning Commission voted to defer this case to the Committee of the Whole (PCCOW), per Planning Commission bylaws requiring such review for cases that are inconsistent with the Future Land Use Map and the Comprehensive Plan.

On December 20, 2018, the applicant met with staff to discuss possible revisions to the proposal that would bring the case closer toward consistency with several policies listed in the Staff Report. Based on these discussions, revised conditions were submitted to City Planning on January 14, 2019. The revised conditions (1) added to the list of prohibited uses in response to concerns raised by the East CAC; (2) set a height limit of 45 feet; (3) prohibited the detached house building type for any future redevelopment of the site; (4) set limits to the hours of operation for retail uses; and (5) offered a strategy for notifying local preservation organizations of the availability of the Howard Griffin House for relocation, and stipulating documentation prior to demolition if the structure is not claimed for relocation or salvage.

While these conditions provided additional assurances to neighboring property owners regarding certain prohibited uses, they were not sufficient to achieve consistency with policies previously cited as inconsistent with the Comprehensive Plan.

At the PCCOW meeting of January 24, 2019, discussion was focused on the January 14 conditions. The applicant agreed to revisit the conditions and to work with staff to attempt to achieve consistency with those policies related to compatibility, building height, massing, form, and density. The PCCOW recommended that the proposal return for discussion at their February 28 meeting. The applicant submitted revised conditions on February 18 that addressed most of the concerns raised by the PCCOW, the East CAC at their meeting of January 28, and staff by providing further precision and adding more prohibited uses. The applicant presented these conditions to the PCCOW on February 28, and submitted final, revised zoning conditions on March 1, 2019 (refer to page 36).

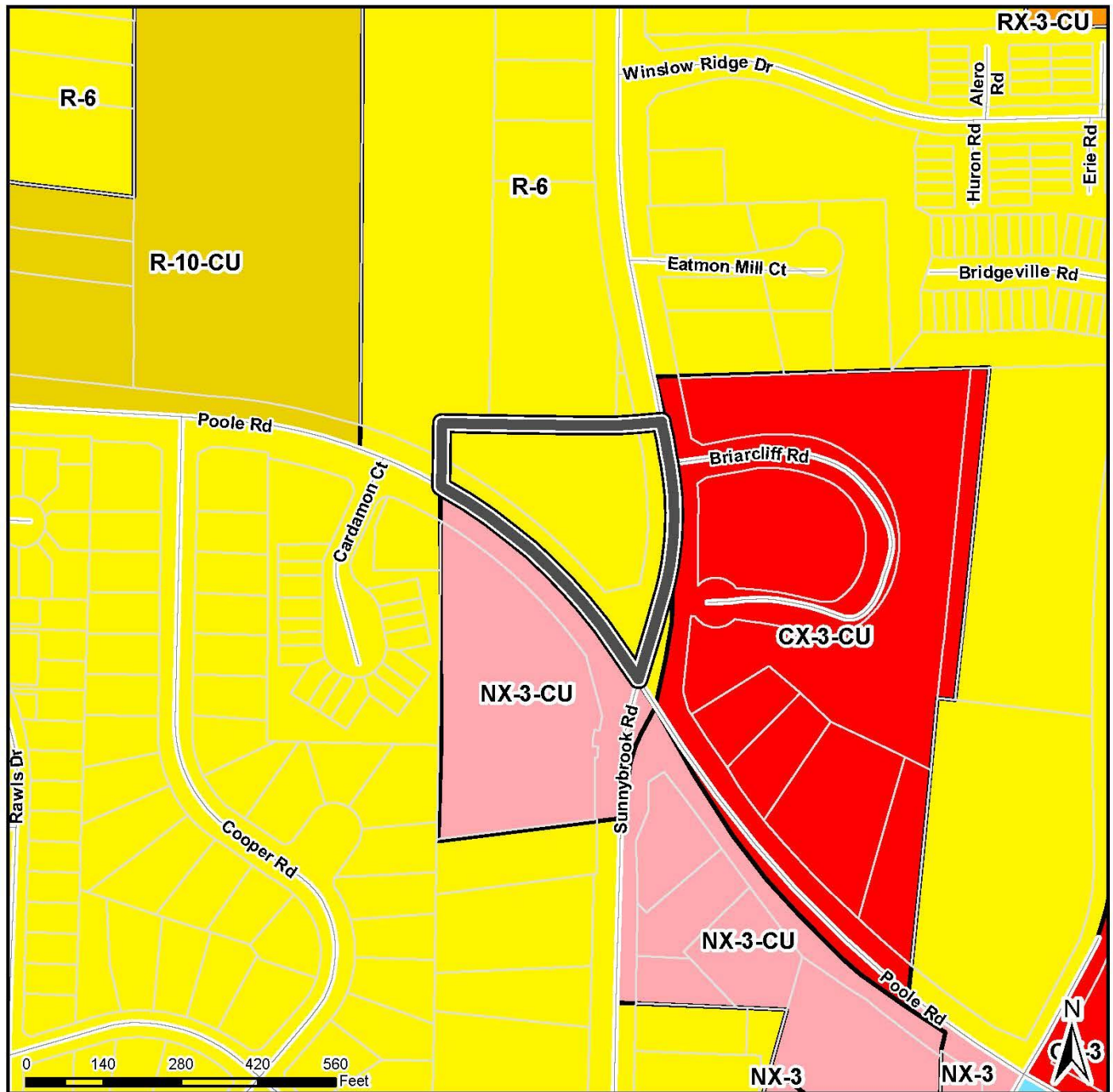
The applicant returned to the East CAC on January 28, 2019 for a vote on the proposal; however, there was lengthy discussion (meeting minutes provided) and no vote was taken. The CAC recommended that the applicant return the proposal for a vote at their next meeting on March 18, 2019. On this date, the East CAC voted 10-1 (with one abstention) in favor of the proposal.

OUTSTANDING ISSUES

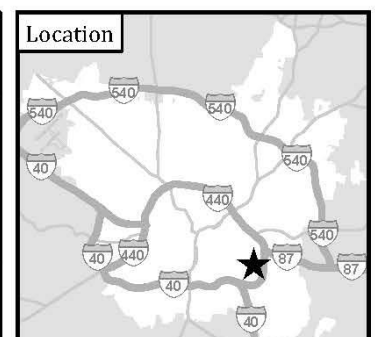
Outstanding Issues	1. None.	Suggested Mitigation	Not applicable.
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Existing Zoning

Z-30-2018

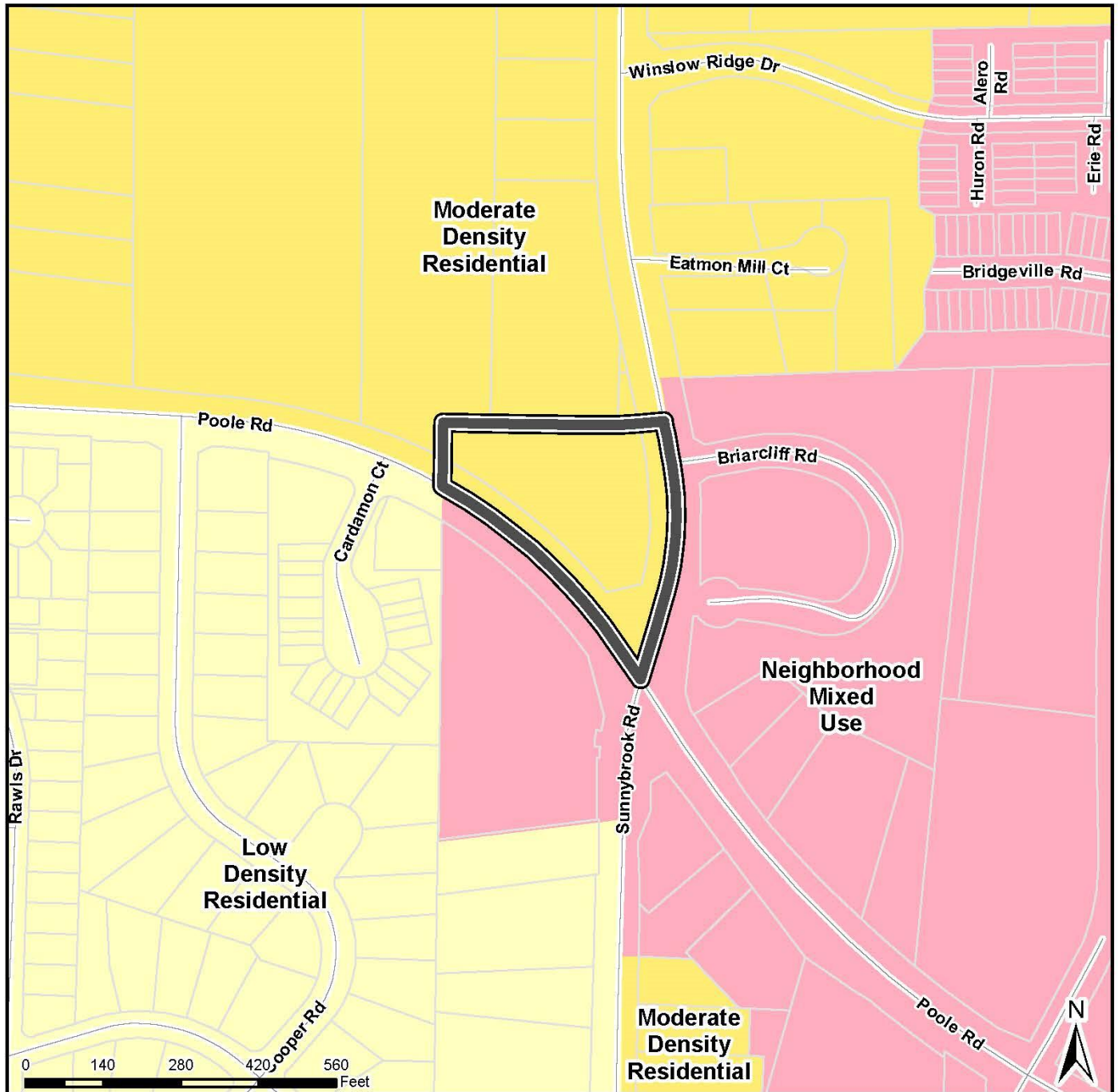


Property	3219 Poole Rd
Size	1.61 acres
Existing Zoning	R-6
Requested Zoning	NX-3-PL-CU

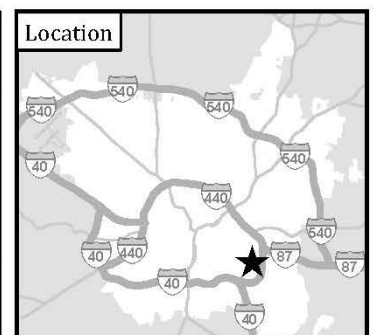


Future Land Use

Z-30-2018

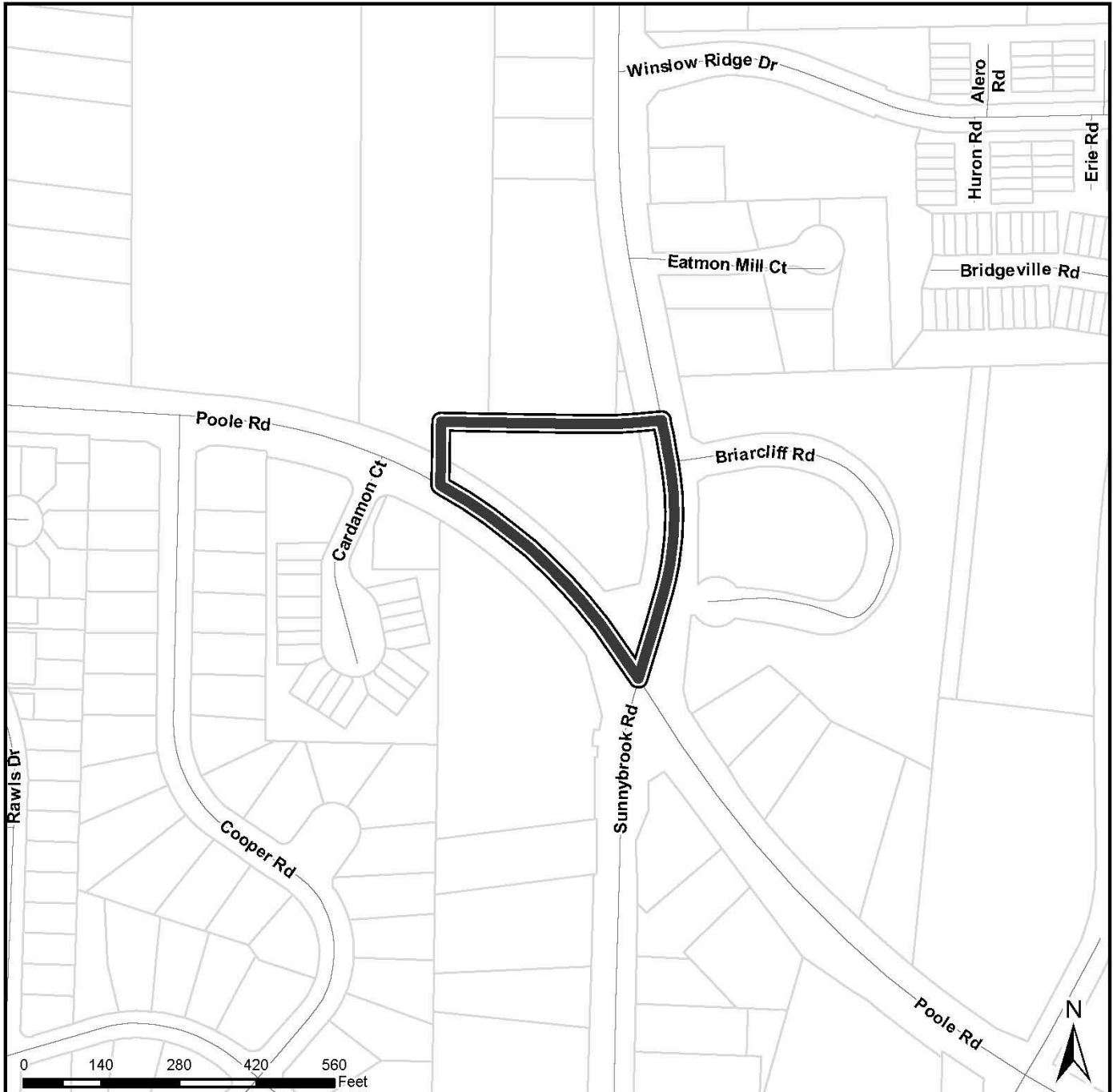


Property	3219 Poole Rd
Size	1.61 acres
Existing Zoning	R-6
Requested Zoning	NX-3-PL-CU

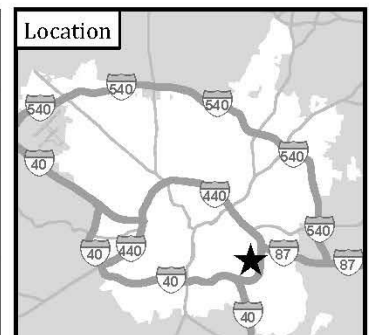


Urban Form

Z-30-2018



Property	3219 Poole Rd
Size	1.61 acres
Existing Zoning	R-6
Requested Zoning	NX-3-PL-CU



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 **Economic Prosperity and Equity** vision theme, which seeks a high level of opportunity and quality of life for all residents, and for all areas of Raleigh to prosper from the City's economic expansion. The requested rezoning would permit up to 50,146 square feet of office space and 31,090 square feet of retail space, which could provide new employment and business opportunities for residents in the City's southeast area.

The request is consistent with the **Managing Our Growth** vision theme which encourages quality growth through more integrated land uses and providing desirable spaces and places to live and work. The request for NX zoning supports this theme by providing for mixed-use development and the potential to integrate residential, retail, and office uses. Alternatively, the site could be developed with up to 46 residential dwelling units, or if mixed-use, 13 to 28 dwelling units.

The request is consistent with the **Coordinating Land Use and Transportation** vision theme which seeks to coordinate transportation investments with land use patterns needed to support successful new and local regional public transit services. The proposed NX zoning could provide the higher density residential and mixed-use development that will support this location's designation as both a Mixed Use Community Center on the Growth Framework Map and a Frequent Network Corridor in the Wake Transit Plan.

The request is *inconsistent* with the **Growing Successful Neighborhoods and Communities** vision theme, which seeks to protect places of historic and architectural significance. The proposed rezoning could result in the loss of an identified historic resource, the Howard Griffin House.

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

No. The site is designated in the Future Land Use Map as *Moderate Density Residential*, which generally applies to older single-family residential neighborhoods where overall gross densities range from 6 to 14 units per acre. The requested NX-3-PL-CU zoning could provide housing density within this range, but commercial and office uses allowed by the requested zoning district are precluded from the Moderate Density Residential 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?

Yes. The three-story neighborhood mixed use zoning proposed for this site would be suitable within this area. Community and Neighborhood Mixed-Use Zoning districts adjoin the site to the east and south, respectively. Mixed use or higher density residential development would be appropriate at this intersection, which is located along a Frequent Network Corridor as identified in the Wake Transit Plan. Furthermore, the site is located within an Economic Development Priority Area as shown on Map ED-1 of the Comprehensive Plan, and the uses allowed under the proposed zoning could provide potential employment and office space in a presently underserved area.

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

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

Future Land Use

Future Land Use designation: Moderate Density Residential

The rezoning request is:

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

☒ **Inconsistent**

The Future Land Use Map designates the subject site as Moderate Density Residential. While the proposal has been conditioned to set a maximum residential density of 14 units per acre (consistent with the recommended residential density of 6 to 14 units per acre), the proposed NX- zoning would permit the inclusion of office and retail uses that would not be accommodated under the Moderate Density Residential designation.

Urban Form

Urban Form designation:

☒ **Not applicable**

There is no urban form designation for this site.

Compatibility

The proposed rezoning is:

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

The request to rezone from R-6 to NX-3- CU would result in higher residential densities than the R-6-zoned areas to the north and west; however, the residential density is conditioned not to exceed 14 dwelling unit per acre, which consistent with the density range for the Moderate Density Residential designation on the Future Land Use Map. The site lies directly adjacent to a Community Mixed Use district to the east (across Sunnybrook Road) and a Neighborhood Mixed Use district to the south (across Poole Road). The applicant has offered conditions to preserve more forested open space and to reduce the maximum building height to 45 feet, with a maximum height of 36 feet at the Neighborhood Transition Zone C line. The proposal is also conditioned to reduce wall articulation at the Neighborhood Transition to no more than 28 feet. These and other conditions would improve the site's compatibility with the existing development to the north (presently a church) and west (which consists of a six-acre, wooded lot with a single-family residence). The site area is similar in size to other NX-zoned parcels in the vicinity. The applicant has also offered conditions to prohibit certain uses of concern to neighboring property owners, limit operating hours for retail uses (except pharmacies), and to install full-cutoff lighting fixtures. Collectively, these conditions will further reduce the impacts of potential development on the surrounding area.

Public Benefits of the Proposed Rezoning

- The proposed site lies within an Economic Development Priority Area. This designation refers to an underperforming area identified by the City of Raleigh as one that could benefit from economic development opportunities. The area of the proposed rezoning is part of a Census Block Group in which 40% of the block group is considered 'high poverty' or is adjacent to a 'high poverty' block group.
- The proposal could spur further investment and development in this area of the city.
- The proposal could expand housing supply and variety if residential uses are developed under the requested zoning.
- The proposal could increase new employment and business opportunities for residents in the City's southeast area.
- New jobs and businesses created as a result of this proposal would be served by transit and proximity to I-87.
- The proposed site is located along a Frequent Network Corridor as designated by the Wake Transit Plan.

Detriments of the Proposed Rezoning

- Loss of tree cover; potential loss of historic resource.

Policy Guidance

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency

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

- The Future Land Use Map designates the subject site as Moderate Density Residential, which recommends 6-14 units per acre, and the applicant has conditioned residential density to a maximum of 14 units per acre. However, the proposed NX zoning would also allow a mixed-use, office and/or retail component, which would be inconsistent with the Moderate Density Residential designation.

Policy HP 1.2 – Cultural and Historic Resource Preservation

Identify, preserve, and protect cultural and historic resources including buildings, neighborhoods, designed and natural landscapes, cemeteries, streetscapes, view corridors, and archaeological resources.

Policy HP 2.7 – Mitigating Impacts on Historic Sites

Development proposals adjacent to or including historic sites should identify and minimize or mitigate any negative development impacts on those sites.

Policy HP 3.1 – Adaptive Use

Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.

- The applicant has provided a condition to allow for the marketing, donation, and eventual removal of the historic property for its preservation in another location. While this is noteworthy and could lead to the preservation of the structure, removal of the structure from its original location does not meet the intent of these policies. Furthermore, the applicant has not proposed an adaptive use for the structure.

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

Policy LU 1.3 -Conditional Use District Consistency

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

- The proposed conditions are sufficient to bring the proposal into consistency with this policy.

Policy LU 4.9 – Corridor Development

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

- The proposal could support transit-supportive development along Poole Road and Sunnybrook Road, both of which are designated as Frequent Network Corridors in the Wake Transit Plan. The proposed Parking Limited (PL) frontage will enhance walkability and pedestrian access to the site by requiring direct pedestrian access from the public sidewalk to the primary street-facing entrance of the building.

Policy LU 4.10 – Development at Freeway Interchanges

Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mixture of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

- The proposed site is about 0.6 miles from I-87 Exit 15 at Poole Road, which is classified as a six-lane, divided avenue east of the site. Development on the site would be accessed from Poole Road and Sunnybrook Road. The proposed site is in proximity to large areas zoned for more intensive development (NX-3, CX-3). The Neighborhood Mixed Use (NX) with three story height limit designation has the potential to allow for a variety of commercial uses that are not currently permitted under the present Residential-6 (R-6) zoning designation.

Policy LU 5.4 – Density Transitions

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

Policy LU 5.5 – Transitional & Buffer Zone Districts

Maintain and enhance zoning districts which serve as transitional or buffer areas between residential and commercial districts and which also may contain institutional, non-profit,

and office-type uses. Zoning regulations and conditions for these areas should ensure that development achieves appropriate height and density transitions and protects neighborhood character.

Policy LU 5.6 – Buffering Requirements

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

- This proposal and associated conditions provide adequate transition to lower-intensity uses to the north and south of the site. Height limit and a height stepdown provides a transition and reduces the visual impact on existing neighborhood character. The proposal provides a wider protective yard than required, a decreased wall articulation, and increased landscaping and screening requirements.

Policy LU 7.4 – Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

- The proposal addresses height, and scale between the north- and west-adjointing land uses through wider protective yards, a height stepdown, reduced blank wall area, and increased plantings for loading area and service area screening walls. The potential for a Green (-GR) frontage would bring the massing of new development closer to the street.

Policy LU 8.3 – Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.

- The proposed rezoning could provide the opportunity to increase the housing supply and expand neighborhood commerce. It could also result in a residential mixed-use component in the neighborhood and would add to the variety of housing options in the area. The applicant has provided conditions to (1) limit residential density to that prescribed for Moderate Density Residential in the Comprehensive Plan (maximum of 14 dwelling units per acre); (2) exceed UDO requirements for building height, open space, parking and pedestrian area lighting, and landscape screening, and (3) work with a historic preservation organization to market the existing structure for its eventual removal and preservation off-site.

Policy LU 8.4 – Rehabilitation Before Demolition

In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive use of existing buildings rather than demolition.

- The existing structure on the property has been identified as the Howard Griffin House. The Research Committee of the Raleigh Historic Development Commission has identified this property as a potential Raleigh Historic Landmark and has placed the property on its Study List. The property owner has offered, via zoning condition, to work with a historic preservation organization to market the property for donation, relocation and preservation off-site.

Policy HP 3.2 – Retention Over Replacement

Encourage the preservation and rehabilitation of significant or contributing existing structures, favoring retention over replacement, especially in areas where other historic resources are present.

- While the mitigation of impacts to the Howard Griffin House is not addressed in this proposal, the applicant has offered, via zoning condition, to work with a historic preservation organization to market the property and donate it for eventual removal and preservation off-site.

Policy UD 3.7 – Parking Lot Placement

New parking lots on designated Main Street and Transit Emphasis corridors on the Growth Framework Map should be located at the side or rear of buildings when on-street parking is available, with only limited front door parking provided elsewhere. Where feasible, parking lots abutting these corridors should be landscaped to create a pedestrian-friendly streetscape with business visibility.

- The applicant has offered a condition to provide for either a Parking Limited (-PL) frontage, which establishes a drive aisle at the front of the building and a cross-access easement for continuous vehicle access across the frontage and to adjoining parcels, per UDO Section 8.3.5.A.2., or a Green (-GR) frontage, which would locate new parking lots to the side or rear of buildings.

Area Plan Policy Guidance

- There is no area plan guidance for this site.

IMPACT ANALYSIS

Transportation

Streets

The subject property is on the northwest corner of Poole Road and Sunnybrook Road, which are both specified as a 4-lane divided avenues in the Raleigh Street Plan. Poole Road is specified as a 6-lane divided avenue starting at this intersection and proceeding eastward. Poole Road is maintained by NCDOT. North of the intersection, Sunnybrook Road is maintained by the City of Raleigh and south of the intersection it is maintained by NCDOT.

Block Perimeter

In accordance with UDO section 8.3.2, the maximum block perimeter for NX-3 zoning districts is 3,000 feet. The existing block perimeter for Z-30-18 is over 10,000 feet between Poole Road, Sunnybrook Road, Kidd Road, and Donald Ross Drive. This larger block perimeter is the result of several dead end and non-connecting streets. Future development elsewhere on the block is likely to improve block perimeter.

Pedestrian Facilities

There are existing sidewalks on both sides of Sunnybrook Drive near the site. There are sidewalks on the south side of Poole Road near the site and a recently-constructed sidewalk along the site frontage on Poole Road. There have been a few pedestrian crashes at and around this intersection in the last 10 years that resulted in injuries. Additional sidewalk sections have been added since the aforementioned crashes, which may be requiring fewer pedestrian crossings and resulting in safer conditions. Improvement of the site's frontage along Poole Road will continue to contribute to the pedestrian connectivity of the area.

Bicycle Facilities

There are no existing bicycle facilities surrounding the Z-30-18 parcel. The Long-Term Bikeway Plan calls for separated bikeways on both Poole Road and Sunnybrook Road. There was a bicycle crash in the intersection in 2014.

Transit

There is an inbound transit stop located on Poole Road along the site frontage, at the northwest corner of the intersection, and two outbound stops within 500 ft of the site.

Service is provided by GoRaleigh Route 19, which runs every 15 min during weekdays, and every 30 min throughout the weekend.

Access

Access to the subject site will be via Poole Road and Sunnybrook Road. Access points may be constrained by distance to the intersection and the median on Sunnybrook Road.

Other Projects in the Area

There are no other projects currently planned near the site.

TIA Determination

Approval of case Z-30-18 may increase trip generation by 52 vehicles in the AM peak hour and 69 vehicles in the PM peak hour. Trips generated may increase by 631 vehicles per day. This increase in trip generation does not trigger the requirement for a TIA. Site access will be via a major street, as defined by the Raleigh Street Design Manual. Considering the low total trip generation, these access points are not anticipated to cause impacts to the surrounding transportation network that would warrant detailed analysis. There are no other site contextual conflicts that trigger the TIA requirement. A traffic study is not required for case Z-30-18.

Z-30-18 Existing Land Use Single Family House	Daily	AM	PM
	9	1	1
Z-30-18 Current Zoning Entitlements Single Family House	Daily	AM	PM
	85	7	9
Z-30-18 Proposed Zoning Maximums Neighborhood Mixed Use	Daily	AM	PM
	716	58	78
Z-30-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	631	52	69

With reduction for Frequent Bus Service

Z-30-18 Existing Land Use	Daily	AM	PM
Single Family House	9	1	1
Z-30-18 Current Zoning Entitlements	Daily	AM	PM
Single Family House	81	6	8
Z-30-18 Proposed Zoning Maximums	Daily	AM	PM
Neighborhood Mixed Use	680	55	74
Z-30-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	599	49	66

Trips generated may increase by 599 vehicles per day.

Impact Identified: None.

Transit

The proposed site is subject to Article 8.11 Transit Infrastructure.

Impact Identified: None.

Hydrology

<i>Floodplain</i>	Flood hazard soils exist on property; therefore subject to UDO Section 9.3.2
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Site is subject to Stormwater Control Regulations under UDO Section 9.2.
<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>	250 gpd	2,250 gpd	11,500 gpd
<i>Waste Water</i>	250 gpd	2,250 gpd	11,500 gpd

1. The proposed rezoning would add approximately 11,250 gpd to the wastewater collection and water distribution systems of the City. There are existing water mains adjacent to the proposed rezoning area. Gravity sanitary sewer also exists within approximately 180 ft of the site & is accessible via R/W of Sunnybrook & Briarcliff Roads.
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.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Worthdale Park (0.8 miles) and Walnut Creek North (1.3 miles).
3. Nearest existing greenway trail access is provided by Birch Ridge Connector Greenway Trail (0.5 miles).
4. Park access level of service in this area is graded a B letter grade.
5. This area is not considered a priority for park land acquisition.

Impact Identified: None.

Urban Forestry

The site of the proposed rezoning is less than 2 acres; thus, tree conservation requirements are not applicable.

Impact Identified: None.

Designated Historic Resources

Impact Identified: The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks. However, the property has been identified as site WA2453, the Howard Griffin House, and is listed as “Survey-only” by the State Historic Preservation Office. The Raleigh Historic Development Commission Research Committee has identified this property as a potential Raleigh Historic Landmark and has placed the property on its Study List.

Impacts Summary

The proposed rezoning will have minimal impacts on road infrastructure. Potential impacts to sewer infrastructure will be ascertained if a downstream sewer capacity study is required upon development plan submittal. Impact to the historic site WA2453, the Howard Griffin House, is presently undetermined.

Mitigation of Impacts

A traffic impact analysis is not required. Any measures for mitigating the impact on water and sewer infrastructure will be identified during the analyses required prior to development. The applicant has indicated willingness to work with interested parties to relocate the historic structure.

CONCLUSION

Z-30-18 is a request to rezone 1.61 acres at the northwest corner of Poole Road and Sunnybrook Road from R-6 to NX-3- CU. The request is inconsistent with the Future Land Use Map, but consistent with the Comprehensive Plan overall. Although the proposal continues a trend and represents another example of new investment and development along the Poole Road corridor, it would also present a change in density and form compared to existing development and result in the loss of a significant historic resource. In response to these concerns, the applicant has offered conditions to address preservation of the resource through the donation and eventual removal of the structure for preservation in another location. Additional conditions to address bulk and massing, along with height transitions, limits on retail operating hours, and the

requirement for full-cutoff lighting fixtures, will lessen the impact to surrounding properties. Furthermore, the applicant has proposed conditions that would prohibit several NX- uses that adjoining property owners have expressed as potentially detrimental to the neighborhood.

CASE TIMELINE

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
10/08/2018	Application submitted with conditions.	
10/29/18	Presentation to Southeast CAC	Site is within East CAC but adjoins the Southeast CAC.
11/19/2018	Presentation to the East CAC	A vote by the East CAC is scheduled for 01/28/2019.
12/11/2018	Planning Commission 1st Review	Case referred to the Committee of the Whole.
1/24/2019	Planning Commission Committee of the Whole	Tabled for further discussion at next meeting; recommend Planning Commission request extension of deadline.
1/28/2019	East CAC discussion	Vote tentatively scheduled for March 18, 2019
2/5/2019	City Council grants 60-day extension.	New Planning Commission deadline is May 10, 2019
2/28/2019	Planning Commission Committee of the Whole	Recommended to Planning Commission
3/18/2019	East CAC discussion and vote	10 in favor; 1 against; 1 abstention
3/26/2019	Planning Commission 2 nd Review	

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	NX-3-CU	CX-3-CU	R-6
Additional Overlay	None	None	None	None	None
Future Land Use	Moderate Density Residential	Moderate Density Residential	Neighborhood Mixed Use	Neighborhood Mixed Use	Moderate Density Residential
Current Land Use	Single-Family Detached	Church	Poole Road	Sunnybrook Road	Single-Family Detached
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-6	NX-3- CU
Total Acreage	1.61	1.61
Setbacks:		
Front:	10'	10'
Side:	10'	5'
Rear:	20'	20'
Residential Density:	6 du/ac	28 du/ac
Max. # of Residential Units	9	46
Max. Gross Building SF (if applicable)	19,800	59,913
Max. Gross Office SF	-	50,146
Max. Gross Retail SF	-	31,090
Max. Gross Industrial SF	-	-
Potential F.A.R	0.28	0.85 (Residential) 0.72 (Office) 0.44 (Retail) 0.82 (Office+Residential) 0.66 (Office+Retail) 0.79 (Retail+Residential) 0.72 (Office+Retail+Residential)

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



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-30-18

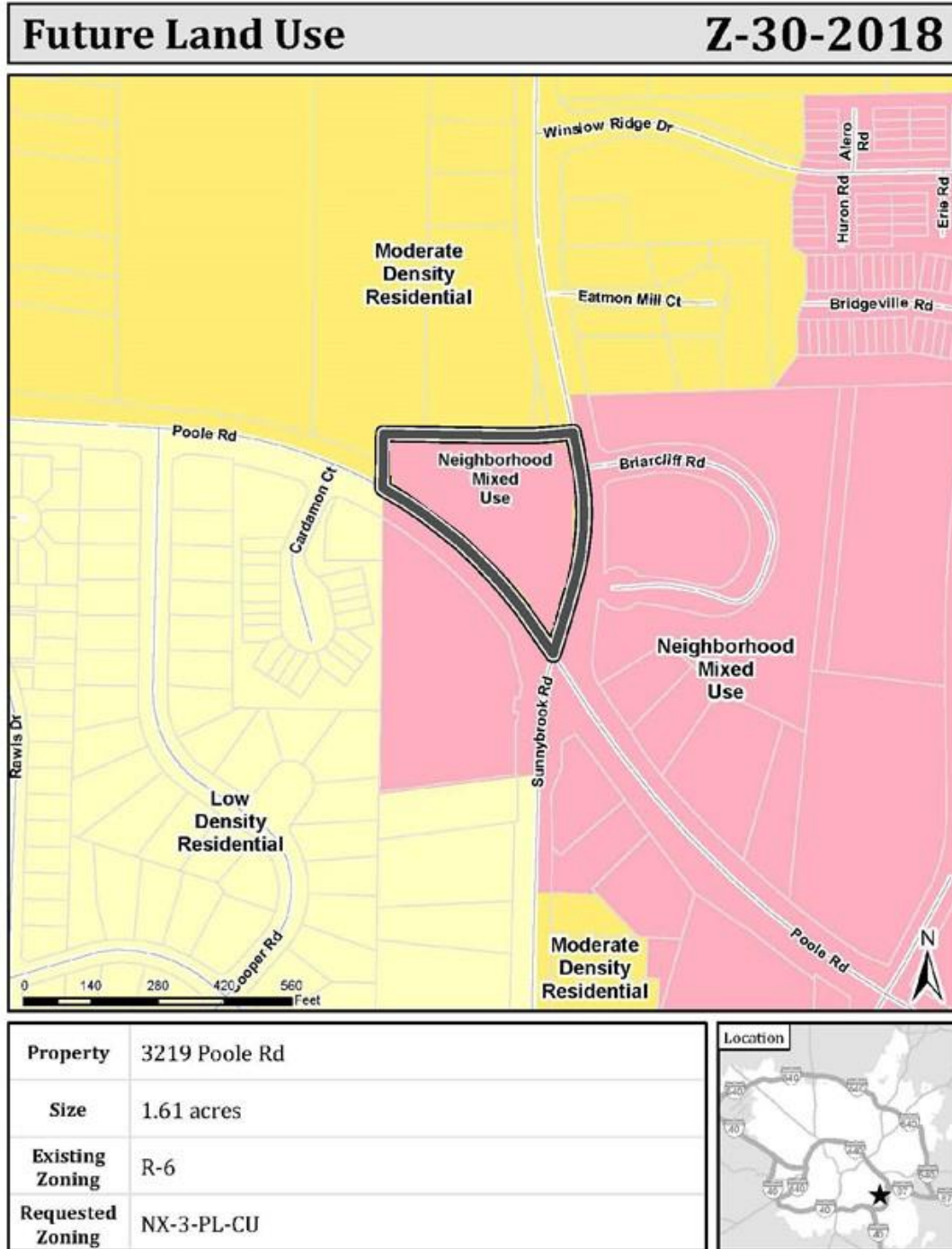
OVERVIEW

The Future Land Use Map (FLUM) requires an amendment to change the designation for 3219 Poole Road to achieve consistency between the map and the rezoning request for a Neighborhood Mixed Use (NX) base district. The map currently designates the parcel for Moderate Density Residential, which envisions predominately residential uses. The FLUM district corresponding to the NX rezoning request is Neighborhood Mixed Use, which envisions a variety of commercial uses with appropriate neighborhood transitions. While the proposed zoning condition to limit density to 14 units per acre is consistent with the residential density prescribed for Moderate Density Residential, the proposed rezoning would permit a variety of commercial uses that are not allowed within residential zoning districts. The proposal would be most consistent with a Future Land Use Map designation of Neighborhood Mixed Use.

LIST OF AMENDMENTS

- | |
|---|
| <ol style="list-style-type: none">1. Amend the Future Land Use Map for 3219 Poole Road from Moderate Density Residential to Neighborhood Mixed Use. |
|---|

AMENDED MAPS



RESOLUTION NO. 2019 – XXX

A RESOLUTION TO AMEND THE 2030 COMPREHENSIVE PLAN

Z-30-18: 3219 Poole Road

WHEREAS, the City of Raleigh is empowered to adopt a Comprehensive Plan to identify policy guidance by North Carolina State Statute NCGS S 160A-383; and

WHEREAS, the City of Raleigh adopted the 2030 Comprehensive Plan by Resolution 2009-997 on October 7, 2009; and

WHEREAS, the purpose of the 2030 Comprehensive Plan is to provide policy guidance to elected and appointed officials, City staff and the general public; and

WHEREAS, the Future Land Use map is the guiding policy document to be used for rezoning actions; and

WHEREAS, the General Assembly of North Carolina adopted Session Law 2017-10, codified as 160A-383, which modified the procedure for amending a Comprehensive Plan in conjunction with the approval of a rezoning request that has been deemed inconsistent with the Comprehensive Plan; and

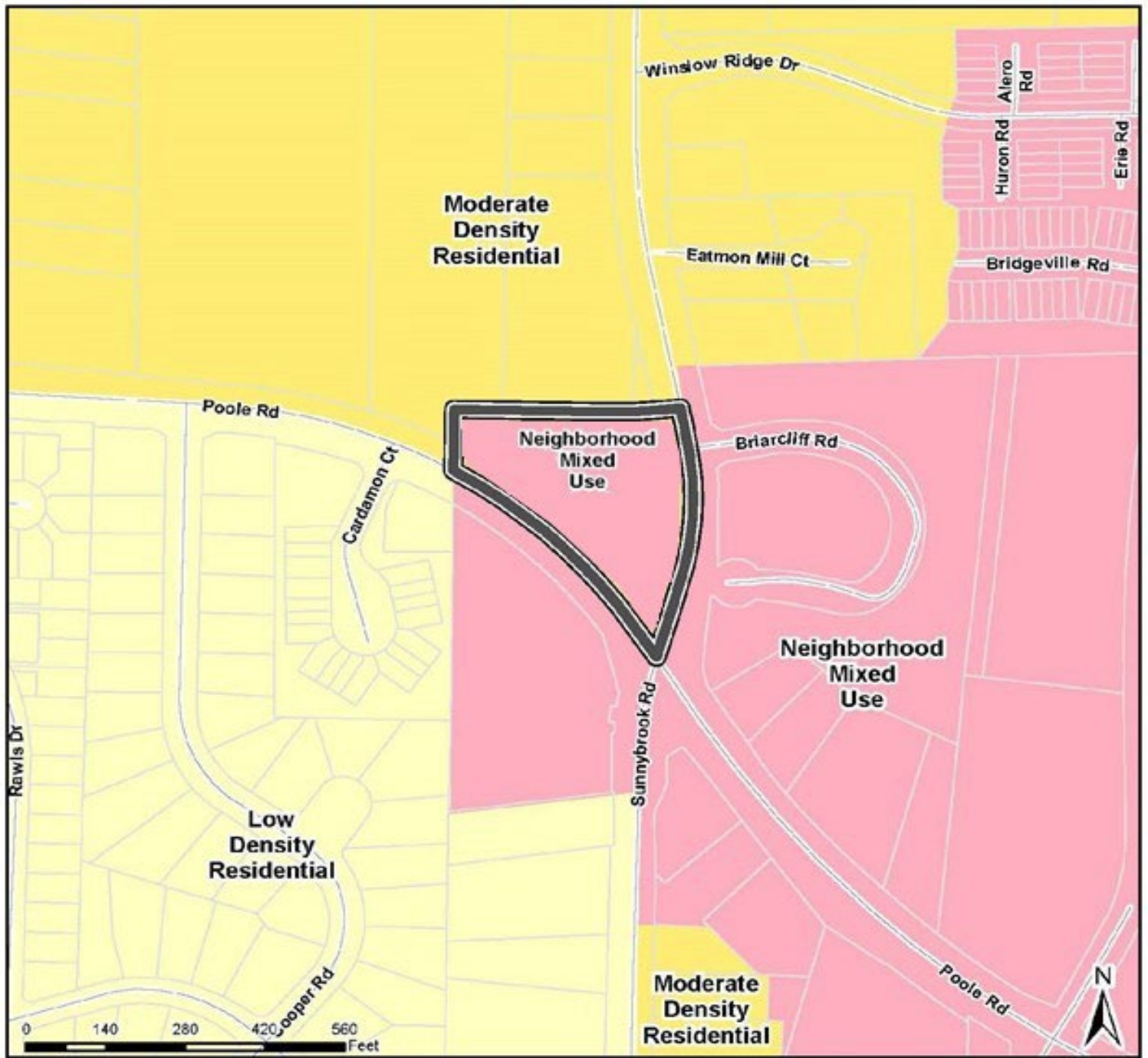
WHEREAS, the City Council of Raleigh amended the Official Zoning Map in the manner described above with Zoning Case Z-30-18; then

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that the 2030 Comprehensive Plan be amended to include the edits identified in Attachment 1.

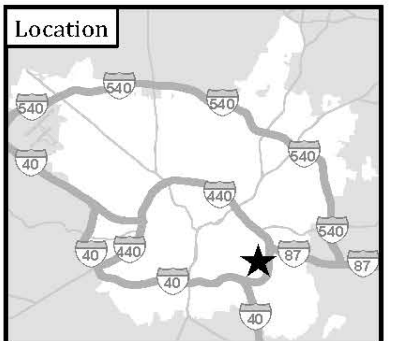
Adopted: 7 May 2019

Distribution: Planning – Bowers, Crane, Walter, Belk, Aull

Future Land Use
Z-30-2018



Property	3219 Poole Rd
Size	1.61 acres
Existing Zoning	R-6
Requested Zoning	NX-3-CU



CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number: **Z-30-18**Date Submitted: **March 1, 2019**Existing Zoning **R-6**Proposed Zoning: **NX-3-CU****OFFICE USE ONLY**Transaction #
559363Rezoning Case #
Z-30-18**Narrative of Zoning Conditions Offered**

1. The following uses shall be prohibited:
 - a. Boarding House
 - b. Special Care Facility
 - c. Outdoor Sports or Entertainment Facility (<250 seats)
 - d. Outdoor Sports or Entertainment Facility (>250 seats)
 - e. Bar, Nightclub, Tavern, Lounge
 - f. Vehicle Fuel Sales (including gasoline and diesel fuel)
 - g. Vehicle Sales/Rental
 - h. Detention Center, Jail, Prison
 - i. Vehicle Repair (minor)
 - j. Tobacco, e-cigarette, or vapor product shops
 - k. Check cashing, payday loan
 - l. Amusement Center, Game Arcade, Billiard Hall, Pool Hall, Bingo Parlor, Shooting Range
 - m. Telecommunication Towers (< or = or > 250 ft)
 - n. Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium
2. The detached house building type shall be prohibited for any redevelopment of the property.
3.
 - a. Maximum Building Height, as described in UDO Sec. 3.3.1.A shall be reduced to 45 feet.
 - b. The maximum height limit requirement for Height and Form, as described in UDO Sec. 3.5.5.B.2, shall be reduced to no more than 36 feet at the Neighborhood Transition Zone C line.
4. The hours of operations of an eating establishment use as described in UDO Sec. 6.4.10.C.1, and the hours of operations of retail sales use as described in UDO Sec. 6.4.11.A, except for any retail use that sells prescription medications, can begin no earlier than 6:00 AM and end no later than 11:00 PM, including all deliveries.
5. For 180 days after the rezoning becomes final and not subject to challenge, the applicant, its successors or assigns, ("Applicant") shall allow any non-profit entity, individual or for-profit entity to relocate the existing house on the property at no cost to the Applicant and without payment to the Applicant so long as the party relocating the house is solely responsible for the relocation, including without limitation, securing all permits and approvals required by law. Applicant will provide public notice of the offer for relocation or salvage including, but not limited to, Capital Area Preservation, Preservation North Carolina, City of Raleigh Historic Preservation unit, and the State Historic Preservation Office within 30 days after the rezoning becomes final and not subject to challenge. Should the house not be relocated within 180 days after the rezoning becomes final and not subject to challenge, prior to demolition or salvage, Applicant shall document the building in its original location through photographs (black and white, and in color) and provide a copy of the documentation to the City of Raleigh Department of Planning, Historic Preservation unit, and the State of North Carolina Historic Preservation Office.
6. Townhouse and Apartment building type (UDO Sec. 1.4.1), and Mixed-Use Building type (UDO Sec. 1.4.1) that includes Multi-Unit Living use (UDO Sec. 6.2.D) shall utilize one of the Urban Frontages as identified in UDO Sec. 3.4.2.A.

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 Murray Greason, Trustee

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number Z-30-2018		OFFICE USE ONLY Transaction # 559363 Rezoning Case # Z-30-18
Date Submitted March 1, 2019		
Existing Zoning R-6	Proposed Zoning NX-3-CU	
Narrative of Zoning Conditions Offered		
7. The minimum 10-foot Zone A: Type 1 Neighborhood Transition Protective Yard, as described in UDO Sec. 3.5.3.A.1, adjacent to the north property line (Morning Star Missionary Baptist Church parcel, Deed Book 009304, Page 01452) shall be increased to an average width of not less than 12 feet.		
8. The minimum standard maximum Neighborhood Transition blank wall area, as described in UDO Sec. 3.5.5.C (Wall Articulation), shall be decreased to 28 feet.		
9. All Parking and Pedestrian Area lighting, as described in Sec. 7.4.5, that are located within the Neighborhood Transition Zone B, shall exceed the minimum standard by only consisting of full cutoff fixtures.		
10. The minimum Landscaping and Screening planting material requirements, as described in Sec. 7.2.5, shall be increased so that no more than 50 percent of the surface area of both loading area and service area screening walls facing an adjacent residential district is visible at the time of maturity of the plants.		
11. Residential density shall not exceed 14 units per acre (22 units).		
12. The minimum 20 feet A Zone A, Type 2 Neighborhood Transition Protective Yard adjacent to the west property line and adjacent to the north property line of the Roberts parcel (Deed Book 014076, Page 01424) shall be increased to an average of not less than 25 feet.		

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 Murray Greason, Trustee

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

OCT 8 2018 PM 3:

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	R-6	Height N/A Frontage N/A Overlay(s) N/A	
Proposed Zoning Base District	NX	Height 3 Frontage PL Overlay(s) N/A	
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
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:			
559363			

GENERAL INFORMATION		
Date	10/6/2018	Date Amended (1) Date Amended (2)
Property Address 3219 Poole Road		
Property PIN	1723364186	Deed Reference (book/page) Bk 016906; Pg 00190
Nearest Intersection Sunnybrook Road		
Property Size (acres)	1.61	(For PD Applications Only) Total Units Total Square Feet
Property Owner/Address Mr. Murray Greason, Trustee Edley W. Wilder Trust Womble Bond Dickinson One West Fourth Street Winston-Salem, NC 27101		Phone 336-721-3616 Fax
Project Contact Person/Address Steve Gurganus, AICP Womble Bond Dickinson 555 Fayetteville Street, Suite 1100 Raleigh, NC 27601		Email Murray.Greason.Retired@wbd-us.com
		Phone 919.755.2141 Fax 919.155.6041
		Email steve.gurganus@wbd-us.com
Owner/Agent Signature <i>Murray C. Greason, Jr.</i> Trustee		Email steve.gurganus@wbd-us.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.</p>	
<p>2. (SEE ATTACHED)</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>The proposed rezoning will allow redevelopment of a site that is currently occupied by a very 1. isolated, unoccupied, single-unit dwelling, on two major streets (Avenue, 4-Lane).</p>	
<p>High impacting uses are restricted. New walkable and bikeable development proximate to nearby neighborhoods will 2. provide new investment and additional services in an underserved, City-identified, Economic Development Target Area.</p>	
<p>The tax base will increase as a result of the new development, and will result in additional 3. employment opportunities.</p>	
<p>The site, proximate to a City Growth Area, will be connected to City sanitary sewer service. 4.</p>	

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. Certain uses permitted in NX- are consistent with the future land use designation "Moderate Density Residential."
2. The property is slightly over one-quarter mile (0.28 mi) from the City Growth Center surrounding Wake Med, and the Urban Thoroughfares within the growth center.
3. Poole and Sunnybrook Roads are designated as "Multi-Modal Corridors" (Growth Framework Map). They are consistent with UDO Major Roads (Avenue, 4-lanes).
4. Given planned pedestrian improvements along Poole Road, new development at this location will provide walking- and cycling-proximate retail, service and commercial uses to nearby residential neighborhoods (LU 2.5).
5. Conditions that prohibit highest traffic-generating uses (e.g. school K-12, gas stations) will avoid taxing infrastructure capacity and manage commercial development impacts (LU 2.6 and LU 5.2).
6. Walkable development proximate to residential areas will reduce growth of VMT (LU 4.4).
7. Adjacent zoning districts across the street are NX-3-CU, CX-3-CU, and R-6. Immediately adjacent Future Land Uses are Neighborhood Mixed Use and Moderate Density Residential. Rezoning to NX-3 will reinforce the urban pattern of the adjacent NX- and CX- districts, and also the adjacent Neighborhood Mixed Use Future Land Use designation (LU 5.1).
8. Conditions prohibiting higher impacting and potentially incompatible uses with adjacent medium density residential and institutional uses will protect neighborhood character (LU 5.5 and LU 7.5).
9. Conditions that prohibit subdivision into potentially seven (7) single-unit (single-family) lots will avoid direct, single-unit, access onto major streets (LU 7.3).
10. Redevelopment at this site will increase workplace investment in underserved areas, and will potentially include new retail development (ED 5.7).
11. The site is located in a COR Economic Development Target Area (ED 5.2).
12. The subject site is currently served by septic. Redevelopment would result in new sanitary sewer installation (PU 2.4).

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.

The house on the subject property is identified by the North Carolina Historic Preservation Office as the Howard Griffin House (HPO Site ID: WA2453). While it has been identified as potentially eligible for the National Register of Historic Places, the wife of the trustee for the property (and daughter of Edley Wilder who purchased the house in 1941) reports that previous family investigations indicate that the house has lost integrity due to the addition of a bathroom on the rear, and porch on the front, of the house. A new owner would either (1) re-purpose the house, (2) cooperate with its relocation, or (3) demolish the house to serve new development.

PROPOSED MITIGATION

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

A new owner would either (1) re-purpose the house, (2) cooperate with its relocation, or (3) demolish the house to serve new development.

The current owner (trustee) states that the Trust would also cooperate in its relocation after rezoning and prior to sell for redevelopment. The Trustee has initiated conversations with Preservations North Carolina regarding the house and its potential relocation.

Date:

Re: (site location)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on ____ (date) _____. The meeting will be held at _____ (location) _____ and will begin at ____ (time) _____.

The purpose of this meeting is to discuss a potential rezoning of the property located at ____ (site address) _____. This site is current zoned ____ (zoning) _____ and is proposed to be rezoned to _____.
(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 500 feet of the area requested for rezoning.

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

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

(919) 996-2682
rezoning@raleighnc.gov

Thank you

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: _____



Stephen J. Gurganus
Land Use Planner
Direct Dial: 919/755-2141
Direct Fax: 919/755-6041
Email: steve.gurganus@wbd-us.com

Womble Bond Dickinson (US) LLP

555 Fayetteville Street
Suite 1100
Raleigh, NC 27601

August 1, 2018

t: 919.755.2100

f: 919.755.2150

Re: Neighborhood meeting for proposed rezoning of 3219 Poole Road (northwest corner of Poole and Sunnybrook Roads) -- PIN 1723364186; COR Transaction Number 559363

Dear Neighboring Property Owner:

We would like to invite you to a neighborhood meeting to discuss the proposed rezoning of 3219 Poole Road, located at the northwest corner of Poole Road and Sunnybrook Road (please see the attached aerial identifying the property). The recent occupant of the home, Mrs. Wilder, is no longer able to live in the house alone and has relocated.

The property is held in trust for the benefit of Mrs. Wilder. Mr. Murray Greason, the Trustee, is the son-in-law of the late owner, Mr. Edley Wilder, who acquired the property in the early 1940's. Widenings of both Poole and Sunnybrook Roads have nibbled away at the property over time. The location of the home no longer lends itself to single-family ("single-unit") use.

The current zoning classification is Residential-6 (R-6), which allows up to six residential units per acre. The owner would like to rezone the property to Neighborhood Mixed Use (NX-), which is intended to provide "a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods," according to the City of Raleigh's Unified Development Ordinance.

The owner does not have an identified specific use or user for the property. However, Mr. Greason desires to learn about and respect the concerns of neighbors and intends to prohibit high impacting and potentially offensive uses such as a bar, nightclub, tavern, lounge, adult establishment, and vehicle fuel sales (such as gas stations).

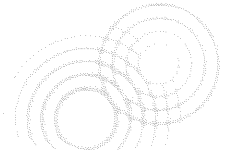
We want to explain the rezoning request, and we very much want your input and comments about the proposed rezoning. The meeting information is below:

Date: Tuesday, August 14

Time: 6:00-7:00pm

Location: Worthdale Community Center meeting room
1001 Cooper Road, Raleigh, NC 27610

Neighboring Property Owner
August 1, 2018
Page 2



We are notifying the East and the Southeast Citizens Advisory Council leaders of our client's proposed rezoning and project. We will later meet with the East CAC at a monthly meeting.

All persons wishing to attend may appear at the neighborhood meeting, contact City staff, and/or submit written comments to the Planning Director, if desired. More specific information is available at the City of Raleigh Department of City Planning. If you have questions of City of Raleigh staff, you may contact Kyle Little, Planner, at 919.996.2180.

We look forward to seeing you Tuesday evening, August 14. Please contact me if you have any questions before or after the upcoming meeting.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen J. Gurganus", written in a cursive style.

Stephen J. (Steve) Gurganus, AICP
Land Use Planner, Womble Bond Dickinson

SUMMARY OF ISSUES

A neighborhood meeting was held on _____ (date) to discuss a potential rezoning located at _____ (property address).

The neighborhood meeting was held at _____ (location).

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

Summary of Issues:

(SEE ATTACHED)

Minutes of the 3219 Poole Road Rezoning Neighborhood Meeting

Tuesday, August 14, 2018

Worthdale Community Center, 1001 Cooper Road, Raleigh, NC

The meeting was called to order by Steve Gurganus, Land Use Planner at Womble Bond Dickinson (US) LLP at 6:15 P.M. There were six other people in attendance: Murray Greason, Joan Wilder Greason, Randy Denton, Nathan Becker, Bishop Marchall Brunson, and Anne Saxby.

After an informal meet, greet, and introductions, Mr. Gurganus gave a brief history of the property as to when it was purchased by Edley Wilder (1941), the fact that the Greasons' wedding reception was held at the house (1960), and that Mr. Widler's second wife, Ms. Lucille, stayed in the same house until Spring of 2018. Mr. Greason, Trustee of the property, is managing Ms. Lucille's trust for her care and benefit, which includes selling the property for redevelopment. Mr. Gurganus distributed various aerial maps showing the property as it was in 1938 and the current view.

Mr. Gurganus then explained the current zoning was R-6 (Residential approximately six units per acre) and, if rezoned as desired, would be zoned to NX-3, with conditions, which is Neighborhood Mixed Use. He then distributed the current zoning map and explained the various zoned areas near the property as being R-10, NX and CX.

The vision for the property is to be redeveloped as income-producing redevelopment for the benefit and care of Ms. Lucille and other heirs of Mr. Wilder. Mr. Gurganus explained that the City of Raleigh Unified Development Ordinance, or UDO, identifies NX as walkable development, compatible with higher density single-family, duplex, and multi-family uses as well as office and commercial uses. Mr. Gurganus emphasized the owner's intent and commitment to be mindful and respectful of neighborhood concerns. Mr. Greason reiterated an earlier comment by Mr. Gurganus that the application would restrict offensive uses and would coordinate accordingly with the neighboring church.

Mr. Gurganus then opened up the meeting for questions, concerns, comments and discussion. Mr. Becker asked what the NX-3 zoning meant. Mr. Gurganus responded the building(s) could only be three stories tall. Mr. Becker then asked if one could build nine houses there. The overwhelming response was "No." The Bishop then asked what the cost of the land was. Mr. Greason responded that a value has not yet been assigned to the house and property, but was certainly open to any suggestions. He explained to the Bishop that this meeting was for rezoning purposes only and asked the Bishop to contact Mr. Gurganus to set up a site visit at his earliest convenience. No other opposition or concerns were identified.

Mr. Gurganus then summarized the meeting, mentioned the next steps in a rezoning, including submitting the zoning application, review by staff, meeting with both CACs, a Planning Commission meeting, a City Council Public Hearing and the vote.

At 6:55 P.M. the meeting was adjourned.

ATTENDANCE ROSTER

[illegible]

3219 POOLE ROAD, RALEIGH
REZONING NEIGHBORHOOD MEETING
AUGUST 14, 2018

	Name	Street Address	Email Address
1	RANDY DENTON	515 S. HAYWOOD RD	RDD 121@JLGO m
2	NATHAN BECKER	601 RAWLS DR	nathan@bigrealttyco.com
3	MURRAY GREASON	745 ARBOR RD WINSTON-SALEM NC 27164	Mgreason@wcsr.com
4			
5	Bishop Marshall Brunson		Marshall Brunson @ yahoo . com
6			
7			
8			
9			
10			

3219 POOLE ROAD, RALEIGH
REZONING NEIGHBORHOOD MEETING
AUGUST 14, 2018

	Name	Street Address	Email Address
1	Steve Gurganus	555 Fayetteville St Ste 1100 Raleigh NC 27601	steve.gurganus@wld.us.com
2	Anne Saxby	"	anne.saxby@wld.us.com
3			
4			
5			
6			
7			
8			
9			
10			

To whom it may concern:

I am Lucille J. Wilder and I was married to Edley Wilder from 1999 until his death in May 2006.

I do not support the rezoning application (zone case Z-30-18) of 3219 Poole Road in Raleigh, North Carolina 27610 for the following reasons:

1. Edley loved this house. He frequently told the story of purchasing the house for \$3,500.00. He frequently spoke about how beautiful the house is, situated there on the corner and surrounded by beautiful oak trees.

He would have been delighted to know that the house he loved so much has historical significance.

2. I know Edley would not approve of having the property rezoned, nor would he approve of moving or demolishing the house he loved so much. He would want the property to remain just the way it is now and continue being a good neighbor to all adjoining properties, especially to the church behind the house.
3. I lived at 3219 Poole Road from 1999 until January 6, 2018. I know better than anyone of the day-to-day traffic congestion.

There is a great deal of foot traffic since the Circle K has opened.

This property has two bus stops, one on Sunnybrook Road and another on Poole Road in front of the house. The one on Poole Road was moved away from the corner in 2016 due to traffic studies and bus driver concerns according to Raleigh Transit.

In the past year, the bus stop on Poole Road has moved farther away from the corner down Poole Road but is still situated in front of 3219.

Rezoning this property will make the intersection of Poole and Sunnybrook Road more dangerous for pedestrians and traffic.

Thank you for the opportunity to have my opinion heard. Please feel free to reach out with any questions you may have.

Kind regards,

Lucille J. Wilder
Lucille J. Wilder

Wake County, North Carolina

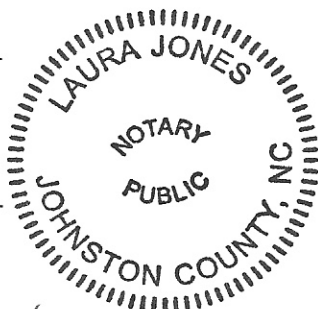
I certify Lucille J. Wilder personally appeared before me this 22nd day of
February 2019.

[Signature]

Notary

Laura Jones

Notary printed name



My commission expires: 2/20/2021



Nathan Becker
PO Box 37086
Raleigh, NC 27627

Dear Planning Commissioners and City Councilors:

Please accept this letter of support for the proposed rezoning at 3219 Poole Road. I represent the property at 3209 Poole Road, immediately adjacent to the west of the site. The site includes several parcels north along Rawls Drive that total approximately 27 acres. My partners and I are developing and redeveloping the properties, which will include 90+ homes and townhomes. The applicant has been in frequent communication with me and kept me apprised of the rezoning.

I have followed this project through the City process and attended neighborhood and CAC meetings. As this area has evolved, I concur with the applicant's assessment and conclusion that a single-family residential land use at the site is no longer appropriate, and I believe the proposed change to allow a broader variety of uses is more compatible with this intersection. Poole Road and Sunnybrook Road both have high traffic volumes and the other three corners of the intersection are either zoned and/or built to allow non-residential uses. Redevelopment of the site with single family residential units does not seem desirable at this intersection, and the odd configuration of the site would seem to make it even more difficult.

The proposal requests retail, office, or attached residential uses, and I agree that these uses would be a better use of the land -- and could still be compatible with my property. Non-residential uses could conveniently serve my property and provide additional services or retail options to the neighborhood. The applicant has been in contact with me regarding proposed zoning conditions, which include a restriction on land uses that I do not want to see -- such as a gas station, amusement center, tobacco store or convenience store. They have also added conditions regarding lighting and building height that assuage any potential impacts about incompatible visibility or scale, including impacts to the major investment I am making next door.

Please accept this letter of support for the requested rezoning.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan S. Becker", is written over a horizontal line.

Nathan Becker



Acknowledgment by Individual

State of

NORTH CAROLINA

County of

WAKE

On this

15

day of

FEBRUARY

, 20

19

before me,

Vitaliya Schumacher

(Name of Notary Public)

the undersigned Notary Public, personally appeared

NATHAN BECKER

Name of Signer(s)

☐ Proved to me on the oath of _____

☐ Personally known to me

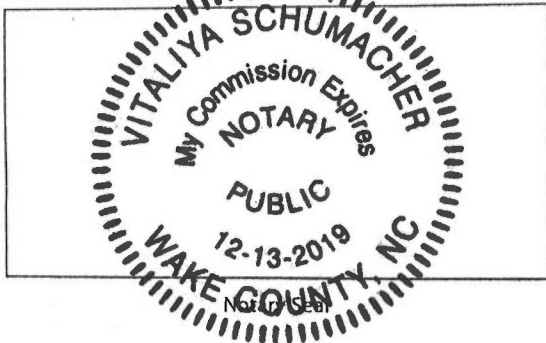
☒ Proved to me on the basis of satisfactory evidence

NC DL 00002066 0114

(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.

WITNESS my hand and official seal.



Vitaliya Schumacher
(Signature of Notary Public)

My commission expires

December 13 2019

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint of Signer

Top of thumb here

N/A

For Bank Purposes Only

Description of Attached Document

Type or Title of Document

LETTER

Document Date

02.15. 2019

Number of Pages

1

Signer(s) Other Than Named Above

N/A



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 June 8, 2018

Applicant(s) Name Steve Gurganus, Womble Bond Dickinson

Applicant's Mailing Address 555 Fayetteville St, Raleigh, NC 27601

Phone 919-755-2141

Email steve.gurganus@wbd-us.com

Property PIN # 1723364186

Site Address / Location 3219 Poole Road

Current Zoning R-6

Additional Information (if needed) :

Discuss rezoning to NX- or CX- Conditional. Request appointment for early July.

OFFICE USE ONLY

Transaction # : 559303

Date of Pre-Application Conference : 6/22/18

Staff Signature