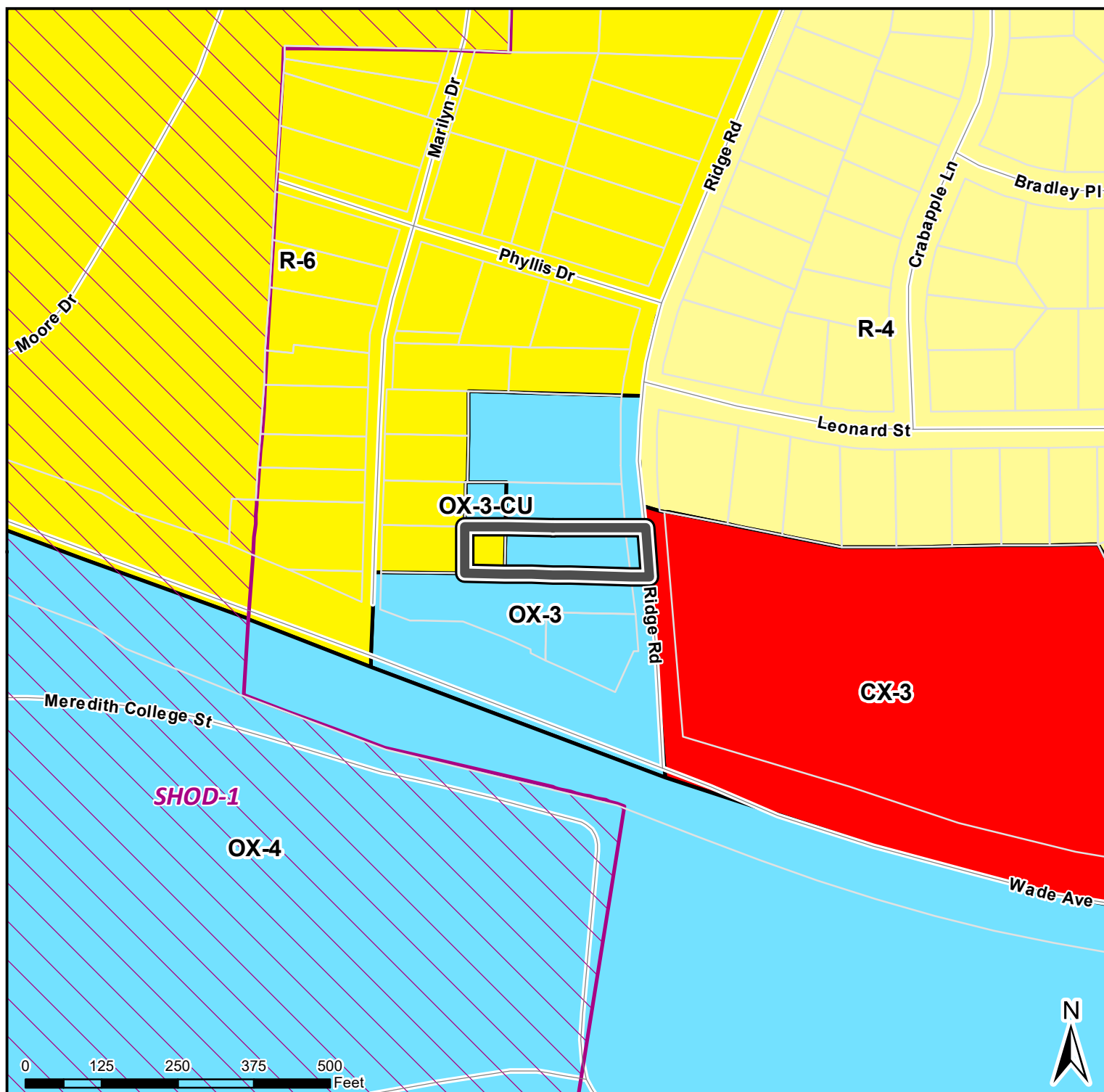
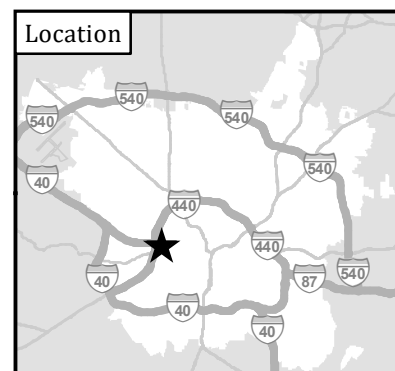


# Existing Zoning

# Z-31-2018



<b>Property</b>	1209 Ridge Rd & 910 Marilyn Dr (part)
<b>Size</b>	0.48 acres
<b>Existing Zoning</b>	OX-3 & R-6
<b>Requested Zoning</b>	OX-3-UL-CU





Raleigh

## MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director; Jason Hardin, AICP

DEPARTMENT: City Planning

DATE: December 17, 2018

SUBJECT: City Council agenda item for January 8, 2019 – Z-31-18

---

On December 4, 2018, City Council authorized the public hearing for the following item:

**Z-31-18 Ridge Road and Marilyn Drive**, approximately .48 acres located on the west side of Ridge Road and roughly 200' north of Wade Avenue, at [1209 Ridge Road and 910 Marilyn Drive \(partial\)](#).

**Current zoning:** Office Mixed Use-3 Stories (OX-3, on Ridge Road parcel) and Residential-6 (R-6, on Marilyn Drive parcel).

**Requested zoning:** Office Mixed Use-Three Stories-Urban Limited-Conditional Use (OX-3-UL-CU).

The zoning conditions received on November 16, 2018 specify that the two parcels would be recombined and that the area currently within the Marilyn Drive parcel will not include a primary building and will be used only for amenity area, protective yard, parking, services area, and stormwater management; that the western end of the recombined lot will include a minimum 20' protective yard; that any pole-mounted lighting will be directed away from the west; and that the front setback will be at least 10'.

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

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

The **Planning Commission** recommends **approval** in a vote of 8 to 0.

The **Glenwood CAC** supports **approval** in a vote of 76 to 8 (November 26, 2018).

Attached are the Planning Commission Certified Recommendation (including Staff Report and Traffic Study Worksheet), 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)

**Additional note:**

Council has requested that staff reports contain additional analysis when a zoning request includes a frontage request in an area with no Urban Form Map guidance. Rather than amend the staff report for this case, which is a part of the Certified Recommendation adopted by the Planning Commission, the analysis for this rezoning is instead provided below.

Urban Form

**Urban Form designation: None**

**Zoning frontage requested: Urban Limited**

**The rezoning request is:**

- ☐ **Consistent** with the Urban Form Map.
- ☐ **Inconsistent** with the Urban Form Map
- ☒ **Other** (no Urban Form designation, but zoning frontage requested. See additional analysis below.)

**Overview:** The site has no Urban Form designation, but the request includes an Urban Limited frontage, which is designed for areas where walkability is desired. While the map does not provide form guidance for this specific area, Comprehensive Plan policies support a more pedestrian-friendly form for new development in commercial areas and centers. This request is consistent with those policies.

**Impact:** The -UL frontage includes a 0'-20' build-to area. A condition requires that the building be set back at least 10' from Ridge Road, so the effective build-to area is between 10'-20'. The property is smaller than two acres, so tree conservation is not required, and no tree conservation area exists on the property along Ridge Road. The primary impact of the request would be to shift any new building closer to Ridge Road than the existing building and prohibit parking between the street and building.

**Compatibility:** Setbacks/build-to lines vary for other buildings on this block of Ridge Road. Existing commercial buildings are generally set back between 50' and 80' from the street and are fronted by at least two rows of parking, while residential buildings on the northern end of the block are much closer, between 20' and 30'. The proposal would represent a modest shift from the existing commercial pattern of buildings fronted by parking lots and would more closely follow the smaller setbacks and lack of highly visible parking of the residential area to the north of the commercial node at Ridge Road and Wade Avenue.



# CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR# 11880

## CASE INFORMATION Z-31-18

Location	Ridge Road and Marilyn Drive, approximately 200' north of Wade Avenue. <a href="#">iMaps</a> . <a href="#">Google Maps</a> . <a href="#">Directions</a> . Address: 1209 Ridge Road and 910 Marilyn Drive (eastern portion) PIN: 0794275267 and 0794273216 (portion)
Request	Rezone property from OX-3 and R-6 to OX-3-UL-CU
Area of Request	0.48 acres
Corporate Limits	The subject site is located within the corporate limits and is surrounded by properties also within corporate limits.
Property Owner	CCH Properties LLC
Applicant	David Brown
Citizens Advisory Council (CAC)	Glenwood CAC. Meets fourth Monday of each month Robert Rice - robertrice919@gmail.com/919-607-4124 Judy Coggins - judyccoggins@gmail.com/919-605-7416
PC Recommendation Deadline	February 25, 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

<b><i>FUTURE LAND USE</i></b>	Office and Residential Mixed Use (Ridge Road parcel) and Low Density Residential (Marilyn Drive parcel)
<b><i>URBAN FORM</i></b>	None
<b><i>CONSISTENT Policies</i></b>	LU 5.2 Managing Commercial Development Impacts LU 5.4 Density Transitions LU 5.6 Buffering Requirements LU 7.1 Encouraging Nodal Development LU 7.6 Pedestrian-Friendly Development H 1.8 Zoning for Housing UD 6.2 Ensuring Pedestrian Comfort and Convenience
<b><i>INCONSISTENT Policies</i></b>	LU 1.2 Future Land Use Map and Zoning Consistency

### *SUMMARY OF PROPOSED CONDITIONS*

1. The portion of the Marilyn Drive parcel will be recombined with the Ridge Road parcel. The area currently within the Marilyn Drive parcel will be used only for amenity area, protective yard, parking, service area, and stormwater management.
2. The western end of the recombined lot will include a 20' protective yard.
3. Any pole-mounted lighting will be directed away from the west.
4. The front setback will be at least 10'.

### *PUBLIC MEETINGS*

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
8/14/18 (six in attendance) and 9/12/18 (two in attendance)	Glenwood 10/22/18; 11/26/18 (Y-76, N-8)	11/27/18	12/4/18

### *PLANNING COMMISSION RECOMMENDATION*

- ☒ 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, though not consistent with the Future Land Use Map, is consistent overall with the Comprehensive Plan. The property already is surrounded by three sides by OX-3 zoning and the request is reasonable and in the public interest.
<i>Recommendation</i>	Approve. City Council may now schedule this proposal for a public hearing or refer it to committee for further study and discussion.
<i>Motion and Vote</i>	Motion: Lyle Second: Tomasulo In Favor: Braun, Geary, Jeffreys, Lyle, Novak, Queen, Swink, Tomasulo Opposed: None
<i>Reason for Opposed Vote(s)</i>	N/A

#### *ATTACHMENTS*

##### 1. Staff report

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

\_\_\_\_\_  
Planning Director      11/27/18

\_\_\_\_\_  
Planning Commission Chairperson 11/27/18

Staff Coordinator:      Jason Hardin: (919) 996-2657; [jason.hardin@raleighnc.gov](mailto:jason.hardin@raleighnc.gov)



# ZONING STAFF REPORT – Z-31-18

## CONDITIONAL USE DISTRICT

### OVERVIEW

The proposal seeks to rezone one parcel and a portion of a second totaling 0.48 acres between Ridge Road and Marilyn Drive, approximately 200 feet north of Wade Avenue. The parcels are across Ridge Road from the Ridgewood Shopping Center, a commercial center serving the area.

The larger parcel, which fronts on Ridge Road, is zoned Office Mixed Use-Three Stories (OX-3); the smaller parcel, of which only the eastern 67 feet is proposed to be rezoned, is zoned Residential-6 (R-6). The requested zoning for both parcels is Office Mixed Use-Three Stories-Urban Limited-Conditional Use (OX-3-UL-CU).

The properties are located where the more intensive retail uses at Ridgewood transition to less intensive mixed-use zoning on the west side of Ridge Road. Farther west, most of the parcels that front on Marilyn Drive are zoned residentially. The Ridge Road parcel is currently home to office and personal service uses; the Marilyn Drive parcel is occupied by a detached house.

In terms of zoning, property to the north and south is zoned OX-3-CU or OX-3, as is the Ridge Road subject parcel. The property to the east is zoned CX-3; and the Marilyn Drive parcel and parcels to the west are zoned R-6. The Future Land Use Map mirrors the current zoning, with the OX parcels designated as Office and Residential Mixed Use and the R-6 parcels designated as Low Density Residential. The subject area does not have a designation on the Urban Form Map.

The primary effects of the zoning involve the addition of the frontage and the location of the transition to residential uses to the west. The frontage, by requiring the building be closer to the street, requiring a street-facing entrance, and eliminating parking between the building and Ridge Road, would improve walkability in the area.

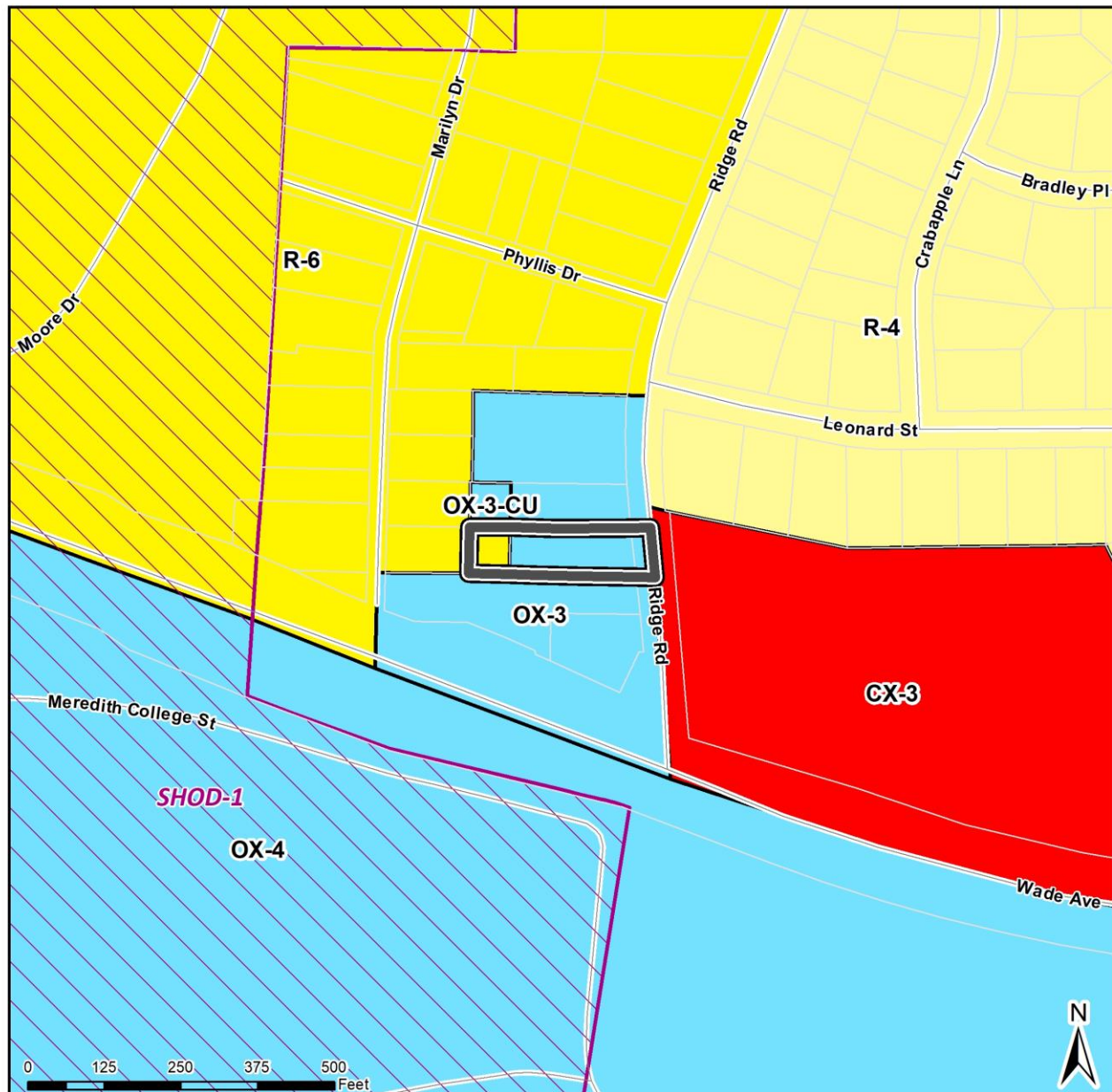
The rezoning of the portion of the Marilyn Drive parcel would shift the code-required transition between mixed-use zoning and residential zoning to the west and would align it with the zoning found immediately to the north. Conditions prohibit a primary building on the portion of the Marilyn Drive parcel to be rezoned, so it in effect would serve as a 67-foot transition area, rather than the 50 feet required by code. Other conditions similarly address the transition, including specifying a wider (20 foot) transition yard and requiring that any pole-mounted lighting be directed away from the west.

### OUTSTANDING ISSUES

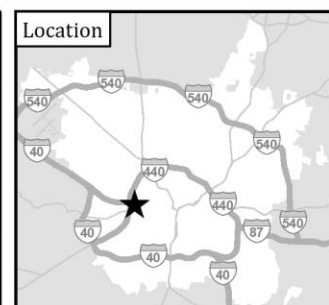
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
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# Existing Zoning

Z-31-2018



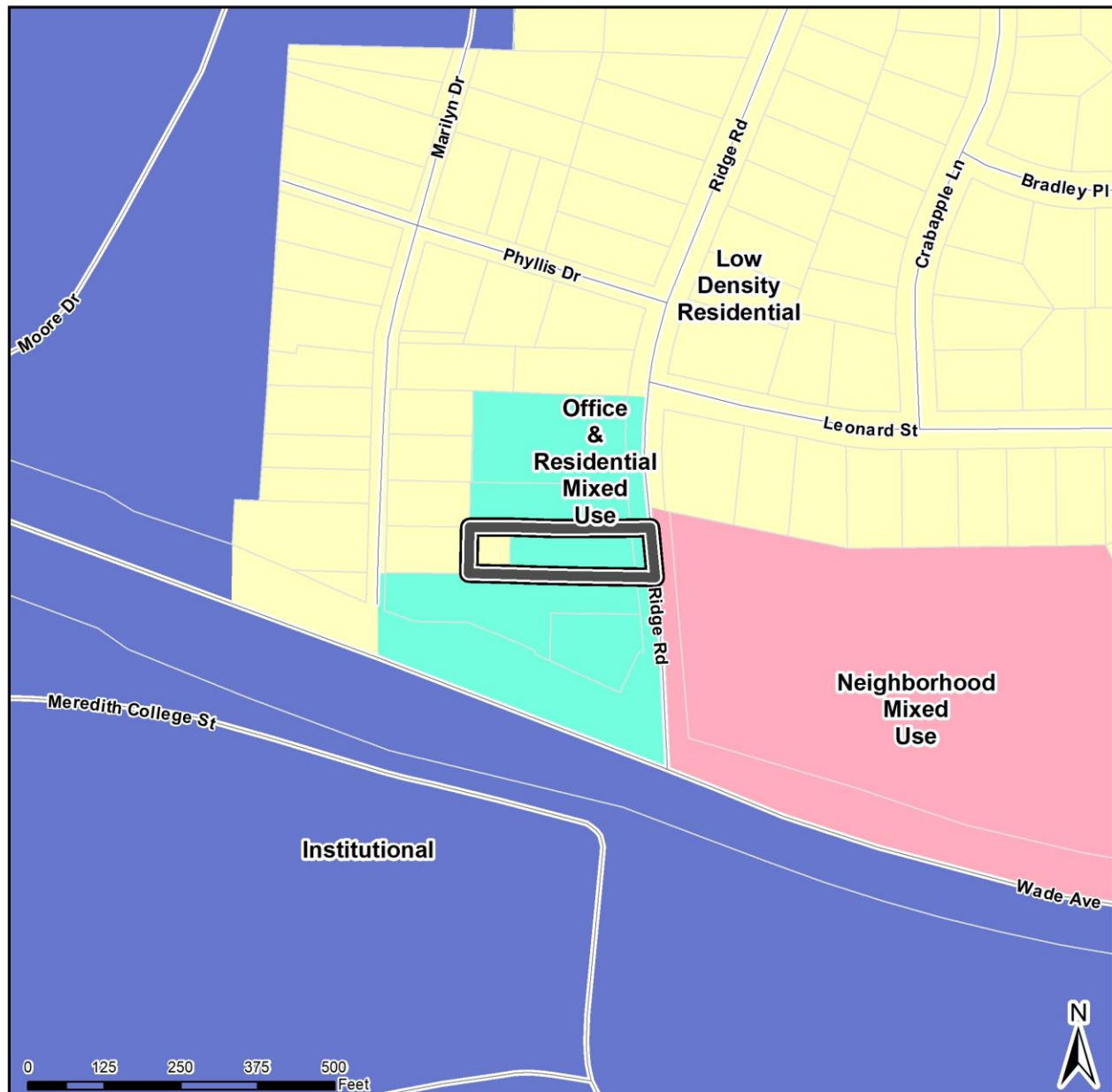
<b>Property</b>	1209 Ridge Rd & 910 Marilyn Dr (part)
<b>Size</b>	0.48 acres
<b>Existing Zoning</b>	OX-3 & R-6
<b>Requested Zoning</b>	OX-3-UL-CU



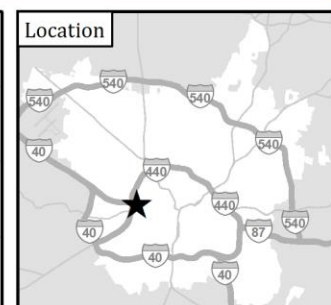


# Future Land Use

# Z-31-2018

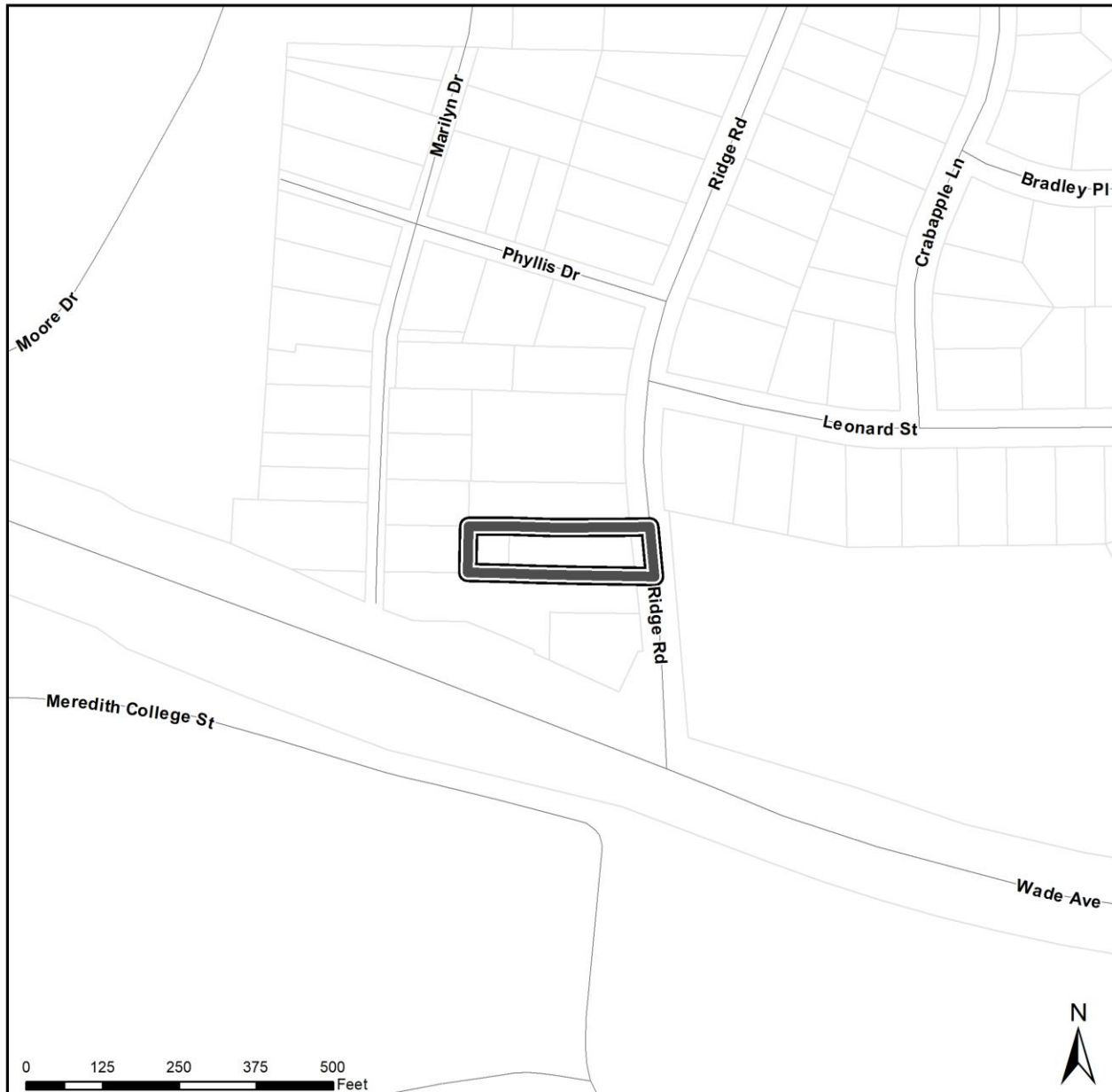


<b>Property</b>	1209 Ridge Rd & 910 Marilyn Dr (part)
<b>Size</b>	0.48 acres
<b>Existing Zoning</b>	OX-3 & R-6
<b>Requested Zoning</b>	OX-3-UL-CU

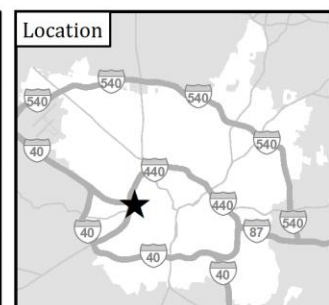


# Urban Form

# Z-31-2018



<b>Property</b>	1209 Ridge Rd & 910 Marilyn Dr (part)
<b>Size</b>	0.48 acres
<b>Existing Zoning</b>	OX-3 & R-6
<b>Requested Zoning</b>	OX-3-UL-CU



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

## 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?

*Yes. By allowing more housing and managing the transition between potential commercial uses and residential areas to the west, the proposal is consistent with several plan themes, including Expanding Housing Choices, Managing Our Growth, and Growing Successful Neighborhoods and Communities, as well as several policies that support these themes.*

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

*The Ridge Road parcel's proposed uses, reflected in the OX zoning, are envisioned by the Future Land Use Map, which designates that parcel as Office and Residential Mixed Use. The portion of the Marilyn Drive parcel is in an area designated as Low Density Residential on the FLUM, so the request is not consistent with that policy.*

- 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?

*Conditions ensure that the land use can be established without adversely altering the character of the area. They specify that the Marilyn Drive parcel would not include a primary building and only include uses, such as landscaping, parking, and stormwater, that are found in transition areas. They also include a landscaped yard of greater depth than the code minimum and a condition addressing pole-mounted lighting.*

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

*Yes.*

### Future Land Use

**Future Land Use designation:**

**The rezoning request is:**

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

☒ **Inconsistent**

*The proposed rezoning is partly consistent and partly inconsistent with the Future Land Use Map. The Ridge Road parcel is designated as Office and Residential Mixed Use on the FLUM. However, the map designates the area that includes the portion of the Marilyn Drive parcel as Low Density Residential. The requested OX-3-UL-CU zoning is not consistent with that designation.*

### Urban Form

**Urban Form designation: None**

**The rezoning request is:**

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

### Compatibility

**The proposed rezoning is:**

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

☐ **Incompatible.**

*The proposal is compatible with the area. The Ridge Road parcel is already zoned OX. Rezoning the portion of the Marilyn Drive parcel to OX would match the existing OX zoning to the north and south.*

### Public Benefits of the Proposed Rezoning

- The proposal would allow for additional housing production.

- The proposal would help provide a greater mix of uses (office and multifamily residential) next to a larger retail area.
- The proposal would improve walkability near a commercial node by facilitating a more urban form of development through the addition of the Urban Limited frontage.

### *Detriments of the Proposed Rezoning*

- By extending the OX zoning to the west, possible commercial uses that can have a potential impact on adjacent properties could be located closer to residential zones.

### *Policy Guidance*

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

#### **Policy LU 5.2—Managing Commercial Development Impacts**

Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.

#### **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.

*Conditions address these policies by providing for a larger transitional area (an approximately 67' area with no primary building rather than the typical 50'); specifying a wider protective yard than the potential minimum (20' vs. 10'); and directing pole-mounted lighting away from adjacent residential areas.*

#### **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.

*The rezoning essentially maintains the existing transition between lower-density residential uses to the west and the retail center to the east.*

#### **Policy LU 7.1 Encouraging Nodal Development**

Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.

*The rezoning strengthens, rather than expands, the existing node at the intersection of Wade Avenue and Ridge Road. It would facilitate additional transitional uses (office and residential) but does not add significant retail entitlement or create a “strip” development pattern.*

*Through the inclusion of the Urban Limited frontage, the rezoning would add to the pedestrian orientation of the area.*

#### **Policy H 1.8—Zoning for Housing**

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

*The rezoning would permit the development of more residential units than would the existing zoning.*

#### **Policy LU 7.6 Pedestrian-Friendly Development**

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

#### **Policy UD 6.2 Ensuring Pedestrian Comfort and Convenience**

Promote a comfortable and convenient pedestrian environment by requiring that buildings face the sidewalk and street area, avoid excessive setbacks, and provide direct pedestrian connections. On-street parking should be provided along pedestrian-oriented streets and surface parking should be to the side or in the rear. This should be applied in new development, wherever feasible, especially on Transit Emphasis and Main Street corridors and in mixed-use centers.

*The inclusion of the Urban Limited frontage would enhance the pedestrian friendliness of the area by bringing the building closer to the street, requiring a street-facing entrance, and prohibiting parking between the building and the street.*

### 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 proposed rezoning is partly consistent and partly inconsistent with the Future Land Use Map. The Ridge Road parcel is designated as Office and Residential Mixed Use on the FLUM. However, the map designates the area that includes the portion of the Marilyn Drive parcel as Low Density Residential. The requested OX-3-UL-CU zoning is not consistent with that designation.*

### Area Plan Policy Guidance

NONE

# IMPACT ANALYSIS

## Transportation

### **Site Location and Context**

#### *Location*

The Z-31-2018 site is located northwest of Downtown Raleigh, along Ridge Road between Leonard Street and Wade Avenue, east of the I-440 Interchange. The site is directly across from Ridgewood Shopping Center, approximately 400 ft north of Meredith College, and approximately 1 mile from Martin Middle school and Lacy Elementary School.

#### *Area Plans*

The Z-31-2018 site is not located within an area plan. It is within a 1/2 mile of the boundaries of the Arena Area Plan and the Raleigh – Cary Rail Study.

### **Existing and Planned Infrastructure**

#### *Streets*

The site fronts Ridge Road, which is specified as a 2-lane undivided avenue in the Raleigh Street Plan and is maintained by the City of Raleigh.

In accordance with UDO section 8.3.2, the maximum block perimeter for OX zoning districts with a maximum of 4 stories is 3,000 feet. The existing block, bound by Marilyn Drive, Phyllis Drive, Ridge Road, and Wade Avenue, has a perimeter of approximately 2,025 feet. However, there is no current connection between Marilyn Drive and Wade Avenue due to NCDOT control of access.

#### *Pedestrian Facilities*

There are sidewalks along the frontage of the site, on both sides of Ridge Rd. The site is within 500 ft of access to the House Creek Trail, part of the Raleigh Greenway Trail System. One non-fatal pedestrian crash was recorded near the intersection of Wade Avenue and Ridge Road on the Meredith College campus between 2007 and 2015.

#### *Bicycle Facilities*

The site is within 500 ft of access to the House Creek Trail, part of the Capital Area Greenway Trail System. There are existing bicycle lanes on Ridge Road north of the site. The Long Term Bikeway Plan calls for bicycle lanes on Ridge Road and a neighborhood bikeway on Leonard St.



### *Transit Facilities*

The site is on a transit corridor, served by GoRaleigh Route 4, which stops every 30 minutes during peak hours approximately 200 feet from the site.

### *Access*

Access to the subject site will be via Ridge Road.

### **Other Projects in the Area**

NCDOT has planned road widening projects for Wade Avenue (U-5936) and I-440 (U-2719) west of the project site.

### **TIA Determination**

Approval of Z-31-2018 may result in a small increase of daily and peak hour vehicle trips. There are no site context issues triggering the TIA requirement. A traffic study is not required for case Z-31-18.

Z-31-18 Existing Land Use	Daily	AM	PM
Office	43	5	6
Z-31-18 Current Zoning Entitlements	Daily	AM	PM
Single & Multi-Family Housing, Office Mixed Use	196	17	23
Z-31-18 Proposed Zoning Maximums	Daily	AM	PM
Office Mixed Use	259	24	28
Z-31-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>63</b>	<b>6</b>	<b>5</b>

**Impact Identified: Small amount of additional transit use and vehicle trips.**

### *Hydrology*

<i>Floodplain</i>	None
-------------------	------

<i>Drainage Basin</i>	Beaverdam
<i>Stormwater Management</i>	Subject to UDO 9.2
<i>Overlay District</i>	None

1. No downstream structural flooding identified.

**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>	625 <b>gpd</b>	12,924 <b>gpd</b>	23,658 <b>gpd</b>
<i>Wastewater</i>	625 <b>gpd</b>	12,924 <b>gpd</b>	23,658 <b>gpd</b>

**Impact Identified:**

1. The proposed rezoning would add approximately 23,033 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
3. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
4. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

### 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 Hymettus Woods (1.0 miles) and Windemere Beaver Dam (1.2 miles).
3. Nearest existing greenway trail access is provided by House Creek Trail (400 feet).
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 proposed zoning will not affect the Urban Forestry requirements.

**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.

### Impacts Summary

Small increase in transit demand and vehicle trips.

### Mitigation of Impacts

None needed.

## CONCLUSION

The request would facilitate the creation of additional housing units or office space adjacent to an existing retail node at Wade Avenue and Ridge Road. It would maintain the existing transition area along Ridge Road between the retail space and residential areas to the west and north. It also would facilitate walkability in the area by including an urban frontage.

While the request is not completely consistent with the Future Land Use Map, it includes conditions that establish a transition that exceeds code requirements between the subject parcels and residential parcels to the west. It is consistent with several policies that relate to commercial uses near residential areas, that encourage walkable commercial nodes, and that encourage housing supply. Overall, the request is consistent with the Comprehensive Plan.

### *CASE TIMELINE*

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
10/10/18	Case filed	
11/16/18	Revised conditions submitted	Addressed technical issues with condition language.

## 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	OX-3 and R-6	OX-3 and OX-3-CU	OX-3	CX-3	R-6
Additional Overlay	-	-	-	-	-
Future Land Use	Office and Residential Mixed Use/Low Density Residential	Office and Residential Mixed Use	Office and Residential Mixed Use	Neighborhood Mixed Use	Low Density Residential
Current Land Use	Office/Personal Service	Office	Office	Retail	Residential
Urban Form (if applicable)	-	-	-	-	-

### Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Zoning	OX-3 and R-6	OX-3-UL-CU
Total Acreage	0.48	0.48
Setback/build-to: Front:	5'	10'-20' build-to (UL/condition)
Side:	0' or 6' (OX parcel); 5' (R-6 parcel)	0' or 6'
Rear:	0' or 6' (OX parcel); 20' (R-6 parcel)	67' from rear line of recombined parcel (per condition)
<i>Residential Density:</i>	29 DU/acre	63 DU/acre
<i>Max. # of Residential Units</i>	14	30
<i>Max. Gross Building SF (if applicable)</i>	17,841	38,221
<i>Max. Gross Office SF</i>	13,730	20,578
<i>Max. Gross Retail SF</i>	4,000	4,000
<i>Max. Gross Industrial SF</i>	-	-
<i>Potential F.A.R</i>	.85	1.83

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

**Relevant Planning Commission Minutes: Z-31-18**

**AGENDA ITEM (D): NEW BUSINESS**

**AGENDA ITEM (D) 4: Z-31-18 – Ridge Road and Marilyn Drive**

This site is located on Ridge Road and Marilyn Drive, approximately 200' north of Wade Avenue.

This is a request to rezone property from OX-3 and R-6 to OX-3-UL-CU.

Planner Hardin presented the case.

The Glenwood CAC voted in favor of the case.

Michael Birch representing the applicant spoke regarding the transitions; CAC vote 76-8 in favor, the opposed had concern regarding office assemblage and reason for adding Urban Limited Frontage.

There was brief discussion regarding condition of having no primary building, but no mention of secondary building and it was asked whether the wording should be stricken from the conditions; is there plan for residential in the area and the setback in the area.

Mr. Birch responded regarding the wording and clarifying the conditions and also spoke regarding the transitions and setbacks.

**Mr. Lyle made a motion to approve the case. Mr. Tomasulo seconded the motion. The vote was unanimous, 8-0.**

# Rezoning Application



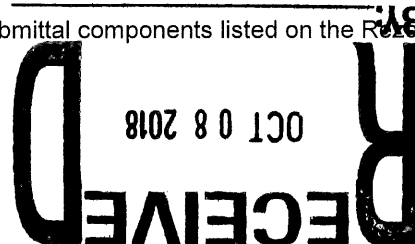
Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <b>JR2</b> <input type="checkbox"/> Master Plan			<b>OFFICE USE ONLY</b> Transaction # <b>560899</b> Rezoning Case # <b>7-31-18</b>
Existing Zoning Base District <b>R-6</b> Height <b>N/A</b> Frontage <b>N/A</b> Overlay(s) _____			
Proposed Zoning Base District <b>OX</b> Height <b>3</b> Frontage <b>UL</b> Overlay(s) _____			
Click <a href="#">here</a> 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: <b>N/A</b>			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
<div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <span>560899</span> <span></span> <span></span> <span></span> </div> </div>			

OCT 8 2018 PM 3:06

GENERAL INFORMATION			
Date <b>10/08/2018</b>		Date Amended (1) _____ Date Amended (2) _____	
Property Address <b>1209 Ridge Road Raleigh, NC 27607 &amp; 910 MARILYN DR.</b>			
Property PIN <b>0794275267</b> and part of: <b>0794273216</b>		Deed Reference (book/page) <b>(DB16820/Page534)</b>	
Nearest Intersection <b>Ridge Road and Wade Avenue</b> <b>(DB016827/Pg 00403)</b>			
Property Size (acres) <b>+/- 0.12 acres</b>		Total Square Feet _____	
Property Owner/Address <b>+/- 1.48 ac</b> CCH PROPERTIES LLC ANDREW TECHET PO BOX 19726 RALEIGH, NC 27619-9726		Phone : <b>919-787-2599</b> Fax <b>919-782-5386</b> Email <b>andrew.techet@cchproperties.com</b>	
Project Contact Person/Address DAVID BROWN WITHERSRAVENEL 137 S. WILMINGTON ST. STE 200 RALEIGH, NC 27601		Phone <b>919-469-3340</b> Fax _____ Email <b>dbrown@withersravenel.com</b>	
Owner/Agent Signature		Email <b>andrew.techet@cchproperties.com</b>	

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



# **CONDITIONAL USE DISTRICT ZONING CONDITIONS**

Zoning Case Number <b>Z-31-18</b>	<b>OFFICE USE ONLY</b>  <b>Transaction #</b>  <b>Rezoning Case #</b>
Date Submitted	
Existing Zoning <b>R-6 and OX-3-CU</b> Proposed Zoning <b>OX-3-UL (CU)</b>	

## **Narrative of Zoning Conditions Offered**

1. Prior to the issuance of a building permit for the subject property, the eastern-most portion of 910 Marilyn Drive (+/- 0.12 acres) shall be recombined with the property located at 1209 Ridge Road. For this eastern most portion of the Marilyn Drive property (refer to metes/bounds exhibit), shall only be used for amenity area, protective yard, parking, service area, and stormwater management in support of the building or use located on the balance of the subject property. (DB16827/Page403).

2. A Twenty Foot (20') minimum Transitional Protective Yard shall be provided at the western end of the recombined lot adjacent to the residential use on parcel identified as 910 Marilyn Drive (DB16820/Page534).

3. Pole-mounted outdoor lighting on the site, if any, shall be directed away from the residential land use(s) located to the west of the subject property.

4. The front building setback/primary street build-to shall be no less than ten feet (10').

5.

6.

7.

8.

9.

10.

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

Andrew Tedcutt



**910 MARILYN STREET – LEGAL DESCRIPTION FOR EXTENT OF PROPOSED ZONING REQUEST**

**2018-10-10**

Beginning at an existing iron pipe in the southeast corner of Lot 21 in Book of Maps 2001, Page 2038, thence from said point of beginning, North 85°52'17" West 67.59 feet to a point, thence, along the new zoning line North 04°00'00" East 74.82 feet to a point, thence South 85°58'36" East 67.63 feet to an existing iron pipe, thence South 04°02'00" West 74.94 feet to the point and place of beginning, containing 0.116 acres (5,062 square feet) more or less.

[illegible][illegible][illegible]

NO H.C.O.3 CONTINUED  
WITHIN 2000'

 **B. L. SCOTT & CO.**  
PROFESSIONAL LAND SURVEYORS  
P. O. BOX 13463 - RALEIGH, NORTH CAROLINA 27602  
TEL: 919/882-0494 FAX: 919/882-1000

JOB NO : 01-09-03

LEGEND	
---	UNES SURVEYED
---	UNES NOT SURVEYED
ELP	EXISTING IRON PIPE
CLP	CONCRETE PIPE
CLC	CONCRETE CURB
ECS	EXISTING CONCRETE SIGNPOST
PXS	P. K. MAIL SET
EPX	EXISTING P. K. MAIL
R/W	RIGHT OF WAY
D.S.	DEED BOOK
D.S.	POWER POLL
D.H.	OVERHEAD POWER
R.H.S.	RAILROAD SPINE
(1234)	ADDRESSES

Signature(s) of property owner(s)  
Signature(s) of property owner(s)  
Signature(s) of property owner(s)

I hereby certify that the foregoing statement contains my best and true knowledge of the facts.  
 Dated at \_\_\_\_\_  
 Day of \_\_\_\_\_  
 19\_\_  
 \_\_\_\_\_  
 Notary Public  
 My Comm. Expires \_\_\_\_\_  
 5/1/2006  
 My Commission Expires \_\_\_\_\_

BRENT & L. T. STEPHENS  
DB 6108 PG 321

THE RALEIGH SCHOOL, INC.  
DB 1402 PC 239

LINE DATA		
NUMBER	BEARING	DISTANCE
1-1	S 031° 36' W	0.22
1-2	N 64° 21' 01" E	2.10

W. G. HENDRIX  
DB 7515 PG 307

NORTH CAROLINA  
WAKE COUNTY

THIS PLAT NOT TO BE RECORDED  
AFTER 7TH DAY OF NOV '0  
1 COPY TO BE RETAINED FOR THE  
CITY.  
THIS PLAT IS    IN    OUT OF  
THE CITY LIMITS.

I, Berry L. Scott, certify that this girl was drawn under my supervision from (on actual survey, mark with my signature) Xerox description records in Book 1551, page 1360, and the result of pictures on Xerox 1551, page 1360, are Xeroxed in the manner and form shown on (actual) lists attached from information found in Book 1551, page 1360, that this part was prepared in accordance with the O.S. 47-30 or otherwise, whereas my original signature, registration number and seal this 31st day of October, A.D. 2001.

This plot or map is not a subdivision, but a reconstruction of previously platted property, and meets all statutory requirements for recording.

*James B. Chapman*  
Planning Director / Wasco County Review Office  
03/10/25/11

THIS PLAT RECORDED IN B.O.M./P.B./P.C.

2001, P.G. 2038

COUNTY REGISTRY

R-278-01

LOT 10 OF THE MARY E. MOORE PROPERTY AS RECORDED IN B.O.M. 1920, PG. 1250 W.C.R.  
LOT 19 AND A PORTION OF LOT 20 OF THE MARY E. MOORE PROPERTY AS RECORDED IN B.O.M. 1985, PG. 1457 W.C.R.

RA034023

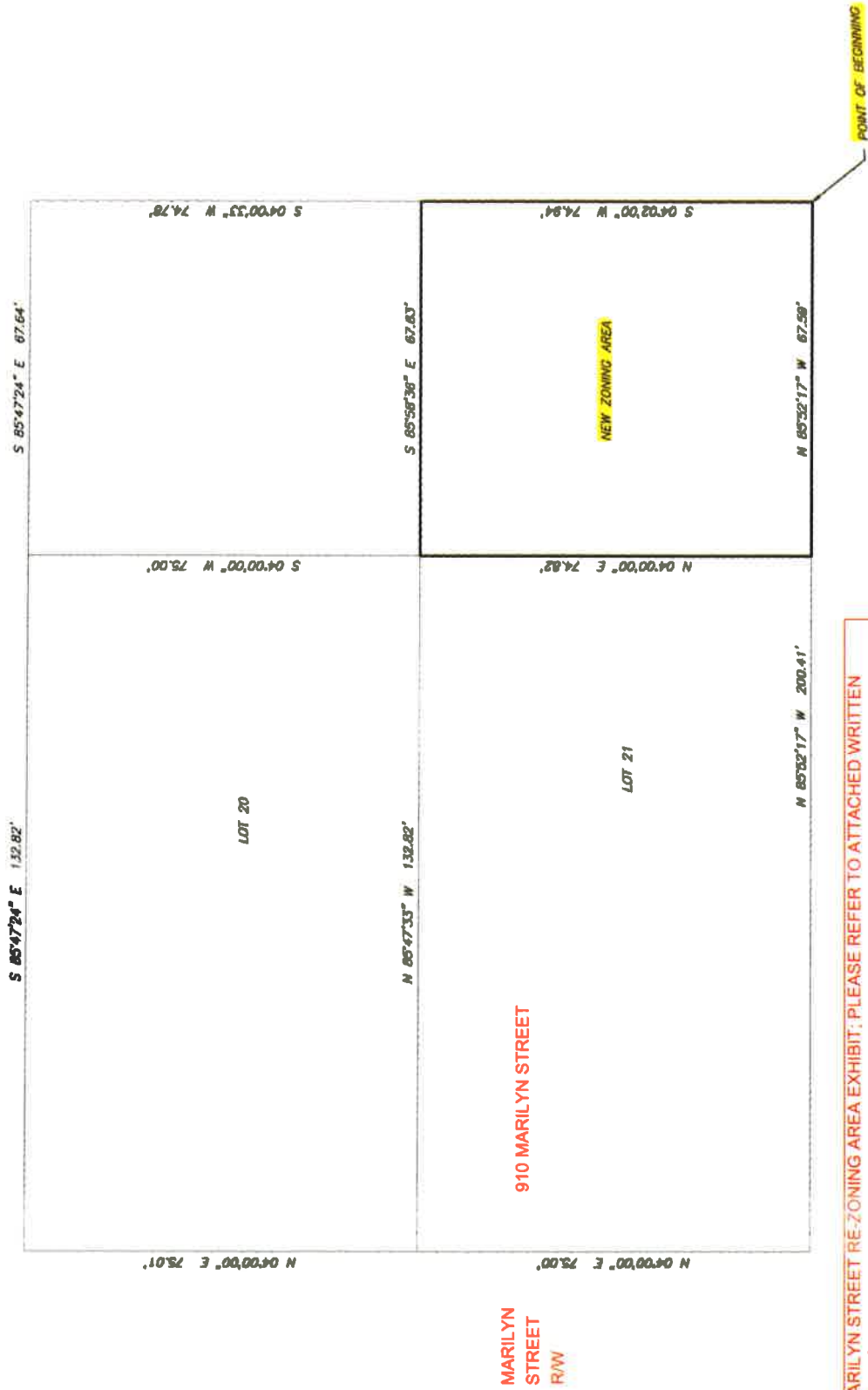
10-04-01  
BOOK:M234/38  
KEYED BY: SLT  
REVISED

ZONED: R-6/Odd-1  
TOWNSHIP: RALEIGH

BRIDGE ROAD LLC  
E. & R. F. NOLAN JR.

PIN(S) 0794.10 27 5354 / 0794.09 27 3216  
STATE OF NORTH CAROLINA, U.S.A.

ZONED: R-6/0&1-1 TAX MAP: PARCEL(S):  
TOWNSHIP: RALFIGH COUNTY: WAKE



910 MARILYN STREET RE-ZONING AREA EXHIBIT: PLEASE REFER TO ATTACHED WRITTEN  
LEGAL DESCRIPTION



**July 23, 2018**

**TO: ADJOINING PROPERTY OWNERS**

**RE: RIDGE ROAD OFFICE – PROPOSED REZONING**  
**910 Marilyn Drive Raleigh, NC 27607**  
(+/- .12 acres of the .35 acre property)

Neighboring Property Owners:

You are invited to attend a Neighborhood Meeting on August 14<sup>th</sup>, where we will present a proposal to rezone the rear +/- .12 acres of a parcel owned by the CCH Properties LLC located north of Wade Avenue on Marilyn Drive. The meeting will be held in the Community Room at Whole Foods Market (3540 Wade Avenue) and will begin promptly at 6:00 PM.

This meeting is the first step in the rezoning process and is a general information meeting to inform adjacent neighbors of the property being considered for rezoning. In accordance with City of Raleigh requirements we are notifying the property owners within five-hundred feet (500') of the area requested for rezoning. Please see the attached map that illustrates the location of the subject parcel associated with the rezoning request. The proposed zoning change would rezone a portion (+/- .12 acres) of the property from a current zoning of R-6 (Residential) to OX-3-CU (Office Mixed Use – Conditional Use). The property owner and rezoning agent with WithersRavenel will be available at the meeting to present information regarding the rezoning and to answer any questions you may have at this stage of the process.

For additional information about rezoning you may go to the City of Raleigh's web portal [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Department of City Planning at 919-966-2682.

**This meeting is by invitation only.** If you would like to invite additional interested parties, please email me to verify space and time limitations. Please use the below contact for should you need to contact me regarding the meeting.

Email: [info@cchproperties.com](mailto:info@cchproperties.com)

Phone: 919-787-2599

We look forward to seeing you at the meeting.

Best Regards,

Andrew Techet  
Member



# WithersRavenel

Engineers | Planners | Surveyors

Project	Marilyn Dr.		Project No.
Subject	Zoning N.N. Mhz.		
Date	2018.08.14	By	Sheet No.

David Broom

dbroom@withersravenel.com

Andrew Tectut

andrew.tectut@cchpsproperties.com

John Peeler

jpeeler61@gmail.com

Allie Withers

alliewithers@gmail.com

Blanca Spence

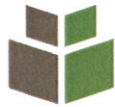
blanospn@gmail.com

Ethan Aliff + Kathy Saley

volvo83andme@yahoo.com

Hayden Parker

hwparker92@gmail.com



WithersRavenel

Our People. Your Success.

August 15, 2018

Kyle Little, City Planner  
Department of City Planning; City of Raleigh  
One Exchange Plaza, Suite 300  
Raleigh, North Carolina 27601

**RE: RIDGE ROAD OFFICE REZONING  
COR Transaction # 560899**

Kyle:

This letter serves as a summary of a Neighbor Notice Meeting for the above-referenced project located near the intersection of Ridge Road and Wade Avenue at 910 Marilyn Drive. The meeting was held at the Community Room of the Whole Foods Market in the Ridgewood Shopping Center at 6:00 PM on August 14, 2018. The meeting was attended by six (6) of the invitees shown on the attached sign-in sheet. Andrew Techet/CCH Properties introduced the team to the neighbors, and the meeting began at 6:02 PM. Due to the small size of the group, the meeting was conducted as a conversation format in lieu of a formal presentation. The following items were discussed in the Q&A session:

1. Several neighbors requested any commercial uses to remain low impact.
2. Mr. Techet is proposing to develop office, or a potential mix of office and apartments.
3. The existing duplex on Marilyn Drive will be converted to a single-family use, due to the change in lot size.
4. The neighbors requested that no cross-access from Ridge Road to Marilyn Drive be provided through the subject property.
5. Several neighbors voiced concerns with traffic issues.
6. Mr. Techet noted he owns the property north adjacent (north) of the subject property of the rezoning. At this time there are no plans to modify the adjacent CCH buildings at 1213 Ridge Road.
7. Concerns about the location of where driveway access would be provided.
8. Mr. Techet noted the proposed office use is an 8,000 SF to 10,000 SF building.
9. Concerns about existing drainage problems at 3513 Leonard Street (Peeler Property).
10. Concerns with Goddard School site lighting.
11. There was a request to provide a small, quiet restaurant in the new building or at the adjacent Ridgewood Shopping Center.
12. The meeting ended about 7:00 PM; we discussed next steps in the process and the presumed schedule for the rezoning request.

Please contact me if you have any questions, or if we can provide any additional information.

Sincerely,

WithersRavenel

David F. Brown, PLA, LEED AP  
Director of Planning





WithersRavenel

Our People. Your Success.

August 31, 2018

**TO: ADJOINING PROPERTY OWNERS**

**RE: RIDGE ROAD OFFICE – PROPOSED REZONING**

- **910 Marilyn Drive; Raleigh, NC** (+/- 0.12 acre portion of the 0.35 acre property)
- **1209 Ridge Road ; Raleigh, NC** (+/- 0.36 acre)

Neighboring Property Owners:

You are invited to attend a Neighbor Notice Meeting on September 12, 2018 where we will present a proposal to rezone the rear portion (+/-0.12 acre) of 910 Marilyn Drive and 1209 Ridge Road, both owned by CCH Properties LLC. The subject properties share a common rear property line, and the rezoning proposes to adjust the zoning district boundary between the two properties.

The Neighbor Notice meeting will be held in the Conference Room of CCH Properties, 1213 Ridge Road and will begin promptly at 6:00 PM. This is a second meeting for this proposed rezoning, at the first meeting in June the Ridge Road parcel was not contemplated for rezoning.

This meeting is the first step in the rezoning process and is a general information meeting to inform adjacent neighbors of the property being considered for rezoning. In accordance with City of Raleigh requirements we are notifying the property owners within five-hundred feet (500') of the area requested for rezoning. Please see the attached map that illustrates the location of the subject parcels associated with the rezoning request. The proposed zoning change would rezone a portion of the Marilyn Drive parcel from Residential-Six (R-6), and all of the Ridge Road parcel from Office Mixed-Use/3-Story (OX-3) to Office Mixed Use/3-Story/Urban Limited Frontage/ Conditional Use (OX-3-UL-CU). The owner of CCH properties, Andrew Techet, will attend the meeting to answer questions you may have at this stage of the process.

For additional information about this rezoning proposal you may go to the City of Raleigh's web portal [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Department of City Planning at either [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov) or by phone at 919.996.2682. The coordinating planner for the Department of City Planning for this rezoning is Mr. Kyle Little, who can be reached at [kyle.little@raleighnc.gov](mailto:kyle.little@raleighnc.gov) or 919-996-2180.

This meeting is by invitation only. If you would like to invite additional interested parties, please call me to verify space and time limitations.

If you have any questions, please do not hesitate to contact me as follows:

Email: [Dbrown@withersravenel.com](mailto:Dbrown@withersravenel.com)

Phone: 919-535-5201

We look forward to seeing you at the meeting.

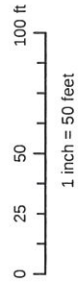
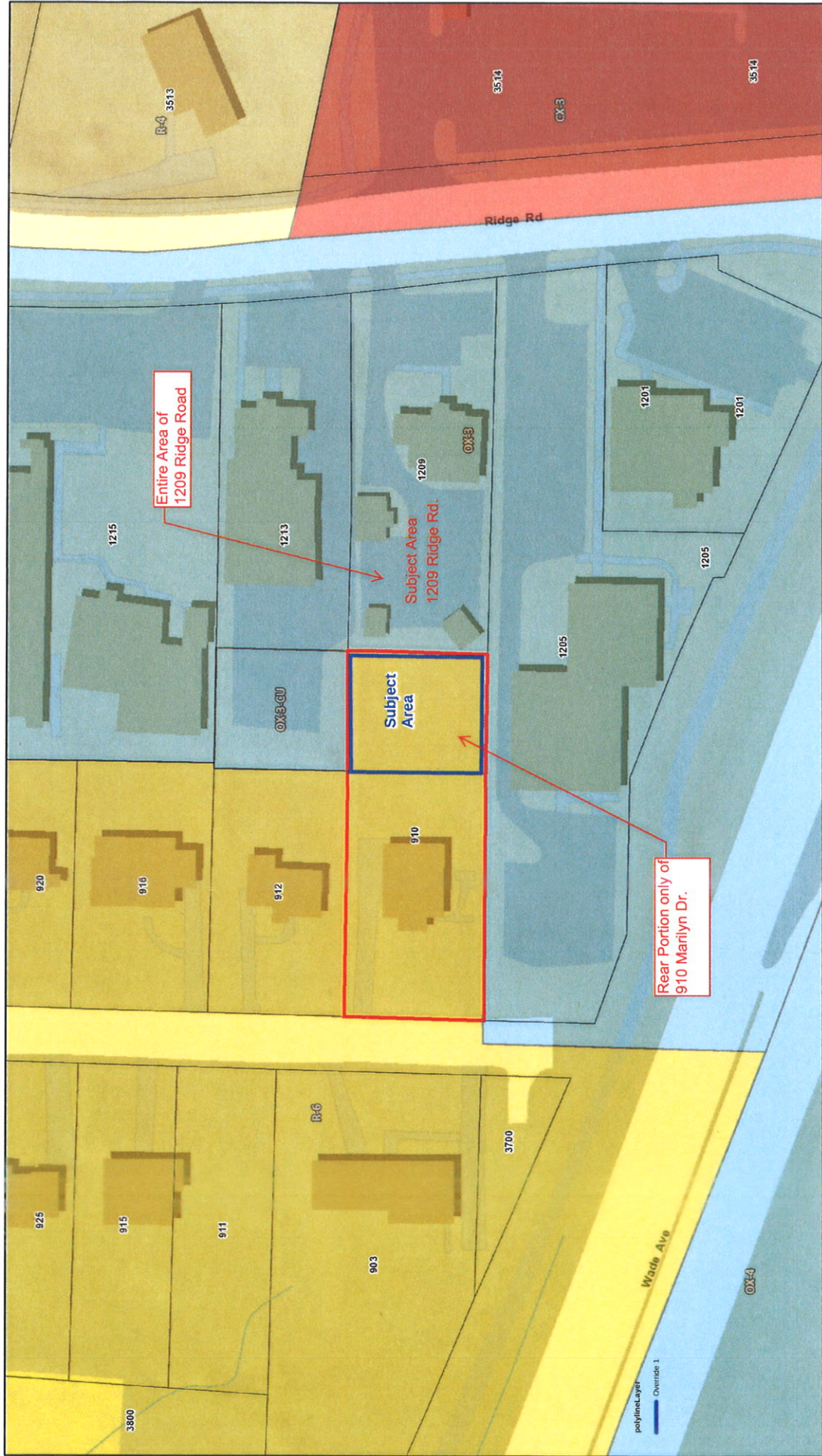
Best Regards,

WithersRavenel

David Brown,  
Director of Planning

Cc: Andrew Techet, CCH Properties; Kyle Little, City of Raleigh





**Disclaimer**  
 Maps make every effort to produce and publish the most current and accurate information possible. However, the maps are produced for informational purposes and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

## 910 Marilyn Drive Rezoning





Our People. Your Success

# Attendance Sheet

**Project:** RIDGE ROAD OFFICE REZONING

Date: 09/12/2018

**Subject:** NEIGHBOR NOTICE MEETING

Time: 6:00 PM

Location: CCH PROPERTIES

Name

## Organization

Email

Phone

Kevin Sullivan

Kevin.e.sullivan@hotmail.com

(919) 943 8510

John Peeler

jpeeler61@gmail.com

1910 971-0157

Andrew Tschetter

Andrew Teckel (ecchpos@bills.com)

9/9 2017613

DAVID BROWN

abraham@withersravenel.com

919.469.3340



# WithersRavenel

Our People. Your Success.

September 19, 2018

Kyle Little, City Planner  
Department of City Planning; City of Raleigh  
One Exchange Plaza, Suite 300  
Raleigh, North Carolina 27601

**RE: RIDGE ROAD OFFICE REZONING  
COR Transaction# 560899**

Kyle:

This letter serves as a summary of a Second Neighbor Notice Meeting for the above-referenced project located near the intersection of Ridge Road and Wade Avenue at 910 Marilyn Drive. This meeting was held at the CCH Properties LLC office on Ridge Road in Raleigh, NC at 6:00 PM on September 12, 2018. The meeting was attended by two (2) of the invitees and no new issues or concerns were introduced during the meeting. The meeting adjourned at 6:20 PM. Below is a copy of the original letter sent to the City as a summary of the First Neighbor Notice Meeting held on August 14, 2018.

*This letter serves as a summary of a Neighbor Notice Meeting for the above-referenced project located near the intersection of Ridge Road and Wade Avenue at 910 Marilyn Drive. The meeting was held at the Community Room of the Whole Foods Market in the Ridgewood Shopping Center at 6:00 PM on August 14, 2018. The meeting was attended by six (6) of the invitees shown on the attached sign-in sheet. Andrew Techet/CCH Properties introduced the team to the neighbors, and the meeting began at 6:02 PM. Due to the small size of the group, the meeting was conducted as a conversation format in lieu of a formal presentation. The following items were discussed in the Q&A session:*

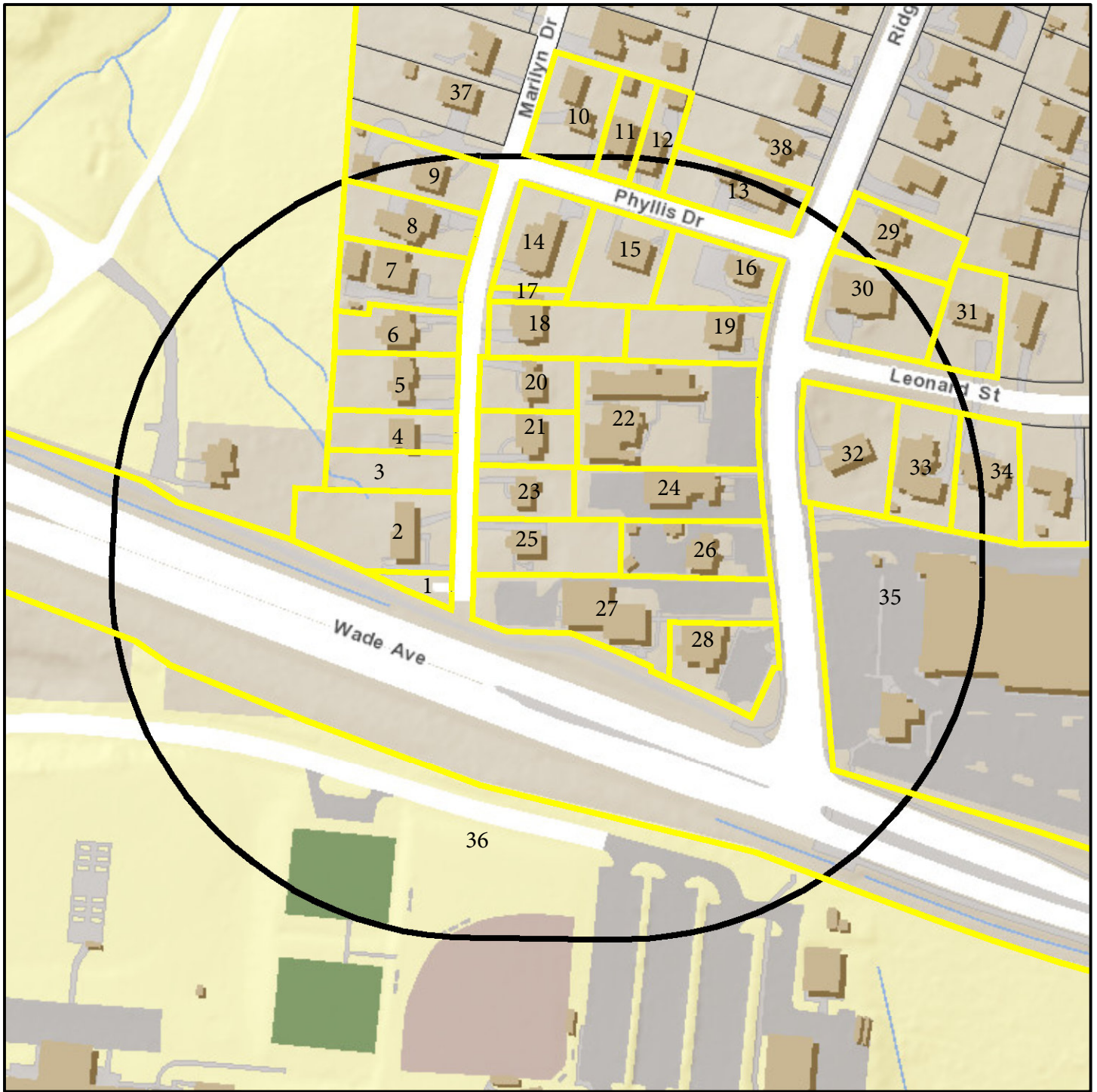
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Please contact me if you have any questions, or if we can provide any additional information.

Sincerely,

**WithersRavenel**

David F. Brown, PLA, LEED AP  
Director of Planning



**Ridge Road Office - 500 Foot Adjacent Parcel Boundary**

**Disclaimer**

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



**WithersRavenel**  
Our People. Your Success.

