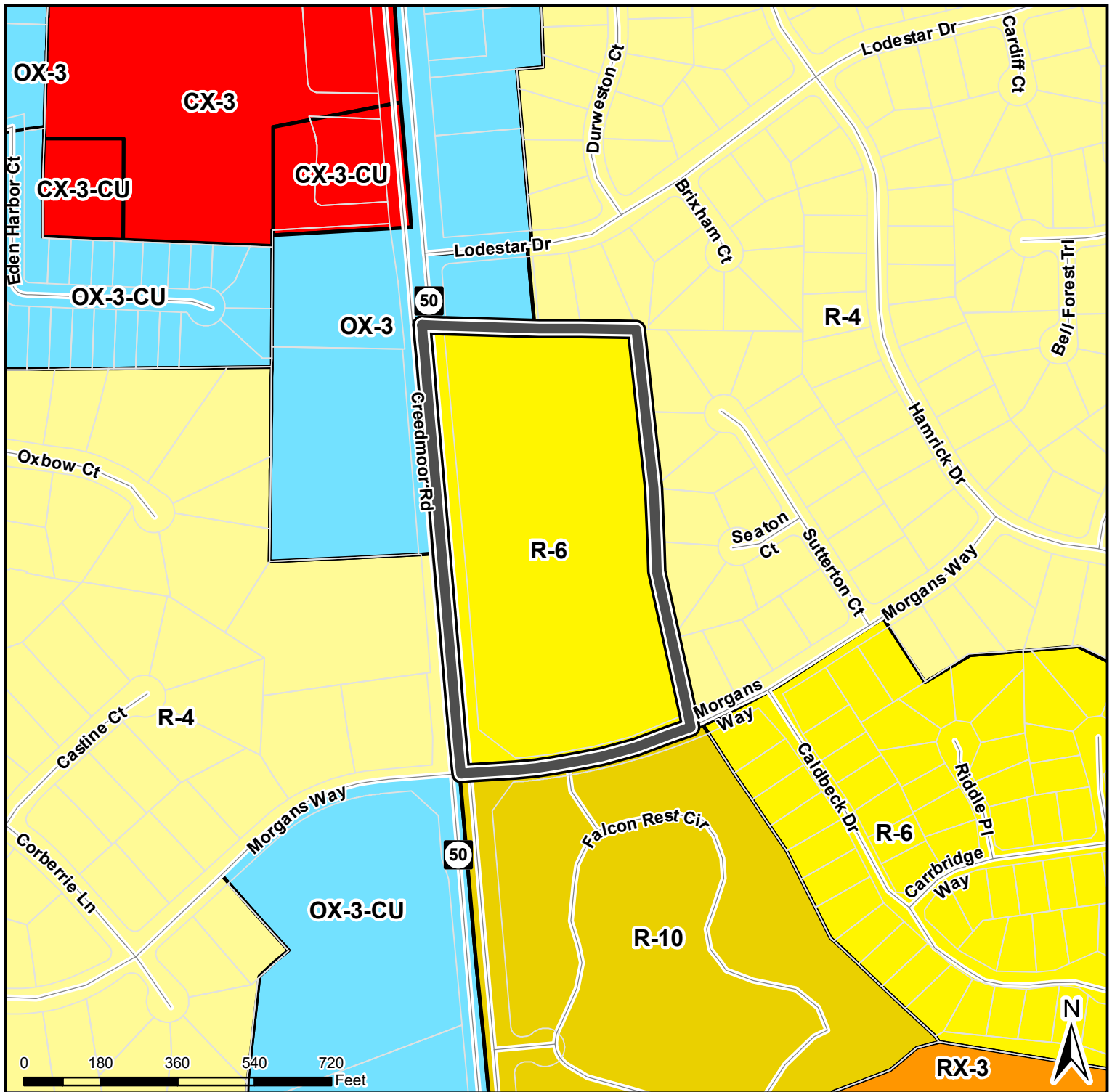
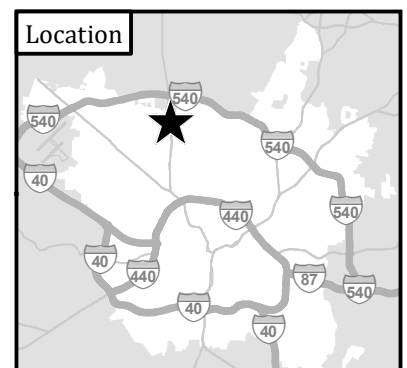


# Existing Zoning

# Z-33-2020



|                  |                   |
|------------------|-------------------|
| Property         | 7900 Creedmoor Rd |
| Size             | 10.3 acres        |
| Existing Zoning  | R-6               |
| Requested Zoning | R-10-CU           |





Raleigh

## MEMO

TO: Ruffin Hall, City Manager

THRU: Ken Bowers, AICP, Deputy Director

FROM: Donald Belk, AICP, Senior Planner

DEPARTMENT: Planning and Development

DATE: November 5, 2020

**SUBJECT: City Council agenda item for November 17, 2020 – Z-33-20**

---

On November 4, 2020, City Council authorized the public hearing for the following item:

**Z-33-20 7900 Creedmoor Road**, approximately 10.3 acres located at [7900 Creedmoor Road](#). Signed zoning conditions provided on August 25, 2020 specify that would (1) prohibit the uses of boarding house; dormitory, fraternity, sorority; monastery, convent; orphanage; school (public or private, K-12); outdoor sports or entertainment facility; (2) provide a 30-year requirement that a minimum of 80% of occupied dwelling units be occupied by at least one individual 55 years of age or older; and (3) limit the residential density of the site to no more than 8.5 units per acre.

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

**Requested zoning:** Residential-10-Conditional Use (R-10-CU)

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

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

The Planning Commission recommends approval of the request (8 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), 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)



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 12049

## CASE INFORMATION: Z-33-20, 7900 CREEDMOOR ROAD

|                            |  |
|----------------------------|--|
| Location                   | North Raleigh, approximately 0.4 miles south of the intersection of Creedmoor Road and Strickland Road; approximately 1.2 miles south of the Creedmoor Road/I-540 interchange.<br>Address: 7900 Creedmoor Road<br>PIN: 0798409936<br><a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a> |
| Current Zoning             | R-6  |
| Requested Zoning           | R-10-CU  |
| Area of Request            | 10.3 acres   |
| Corporate Limits           | The site lies wholly within the corporate limits of Raleigh  |
| Property Owner             | 7900 Creedmoor Road LLC<br>550 Heritage Drive, Suite 200<br>Jupiter, FL 33458-3030   |
| Applicant                  | Molly Stuart<br>c/o Morningstar Law Group<br>421 Fayetteville Street, Suite 530<br>Raleigh, NC 27601   |
| Council District           | A  |
| PC Recommendation Deadline | December 21, 2020  |

## SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited: boarding house; dormitory, fraternity, sorority; monastery, convent; orphanage; school (public or private, K-12); outdoor sports or entertainment facility.
2. For a period of no less than 30 years after the date of issuance of the first certificate of occupancy for the site after the date of approval of this proposed rezoning by Raleigh City Council, a minimum of 80% of occupied dwelling units shall be occupied by at least one individual 55 years of age or older.
3. The residential density of the site shall not exceed 8.5 units per acre; thus, the maximum number of dwelling units permitted is 85 units; however, this shall not prevent application of any increased density or alternate method of counting dwelling units as may be otherwise applicable to any Group Living Use Category permitted under Section 6.2.2. of the Unified Development Ordinance.

## COMPREHENSIVE PLAN GUIDANCE

|                       |                              |  |
|-----------------------|------------------------------|--|
| Future Land Use       | Moderate Density Residential |  |
| Urban Form            | Not applicable               |  |
| Consistent Policies   | Policy LU 1.2                | Future Land Use Map and Zoning Consistency |
|                       | Policy LU 1.3                | Conditional Use District Consistency       |
|                       | Policy LU 2.2                | Compact Development                        |
|                       | Policy LU 2.6                | Zoning and Infrastructure Impacts          |
|                       | Policy LU 3.2                | Location of Growth                         |
|                       | Policy LU 5.3                | Institutional Uses                         |
|                       | Policy LU 5.5                | Transitional and Buffer Zone Districts     |
|                       | Policy H 1.8                 | Zoning for Housing                         |
| Inconsistent Policies | Policy LU 5.6                | Buffering Requirements                     |

## FUTURE LAND USE MAP CONSISTENCY

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

## COMPREHENSIVE PLAN CONSISTENCY

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

## PUBLIC MEETINGS

| First Neighborhood Meeting                    | Second Neighborhood Meeting                       | Planning Commission                    | City Council                          |
|---|---|--|---------------------------------------|
| June 30, 2020<br>27 participants<br>(virtual) | September 8, 2020<br>12 participants<br>(virtual) | September 22, 2020<br>October 27, 2020 | November 4, 2020<br>November 17, 2020 |

## PLANNING COMMISSION RECOMMENDATION

The rezoning case is **Consistent/Inconsistent** with the Future Land Use Map and **Consistent/Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval/Denial** is reasonable and in the public interest because:

|                                    |   |
|------------------------------------|---|
| Reasonableness and Public Interest | The proposal is consistent with the Future Land Use Map and the Comprehensive Plan. The request is reasonable and in the public interest because it provides for much-needed senior housing for Raleigh's aging population. |
|------------------------------------|---|

|                                      |  |
|--------------------------------------|--|
| Change(s) in Circumstances           | N/A  |
| Amendments to the Comprehensive Plan | N/A  |
| Recommendation                       | Approval   |
| Motion and Vote                      | Motion: Lampman<br>Second: Winters<br>In favor: Bennett, Fox, Hicks, Lampman, Mann, McIntosh, Miller and Winters |
| Reason for Opposed Vote(s)           | N/A  |

## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Zoning conditions (revised 8/25/20)

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.



Ken A. Bowers, AICP  
Planning and Development Deputy Director

10/27/20  
Date:

Staff Coordinator: Don Belk: (919) 996-4641; [Donald.Belk@raleighnc.gov](mailto:Donald.Belk@raleighnc.gov)



# ZONING STAFF REPORT – CASE Z-33-20

## Conditional Use District

### OVERVIEW

This request is to rezone the parcel at 7900 Creedmoor Road from Residential-6 (R-6) to Residential-10-Conditional Use (R-10-CU) for the purposes of potentially expanding the existing group living uses on the site. The applicant proposes conditions that would (1) prohibit the following uses: boarding house, dormitory, fraternity, sorority; monastery, convent; orphanage, school, outdoor sports, or entertainment facility; (2) establish a minimum of 80% of occupied dwelling units for persons age 55 or older; and (3) set the maximum residential density of the site at no greater than 8.5 dwelling units per acre.

The site, which is located wholly within the corporate limits of Raleigh, lies approximately 0.4 miles south of the intersection of Creedmoor Road and Strickland Road, and approximately 1.2 miles south of the Creedmoor Road/I-540 interchange.

The site is presently the [Abbotswood at Stonehenge](#), an independent and assisted living community, originally constructed in 1986. It is bordered to the north by a medical services and office building and two single family residences along Lodestar Drive. The Stonehenge residential subdivision lies to the east, separated by a substantial forested buffer (averaging approximately 80' wide). To the south across Morgan's Way is the Cottages of Stonehenge condominium development. Across Creedmoor Road to the west is Raleigh Fire Station #18, a day care center, and office condominiums containing a variety of office and commercial uses.

The site is presently zoned Residential-6 (R-6) and is surrounded to the east and south by R-4 and R-10 districts, and to the north and west by OX-3-CU and R-4 zoning. It lies within an area designated for Moderate Density Residential on the Future Land Use Map, bordered by areas designated for Low Density Residential (east) and Office and Residential Mixed Use (north and west). There is no Urban Form Map designation for the site.

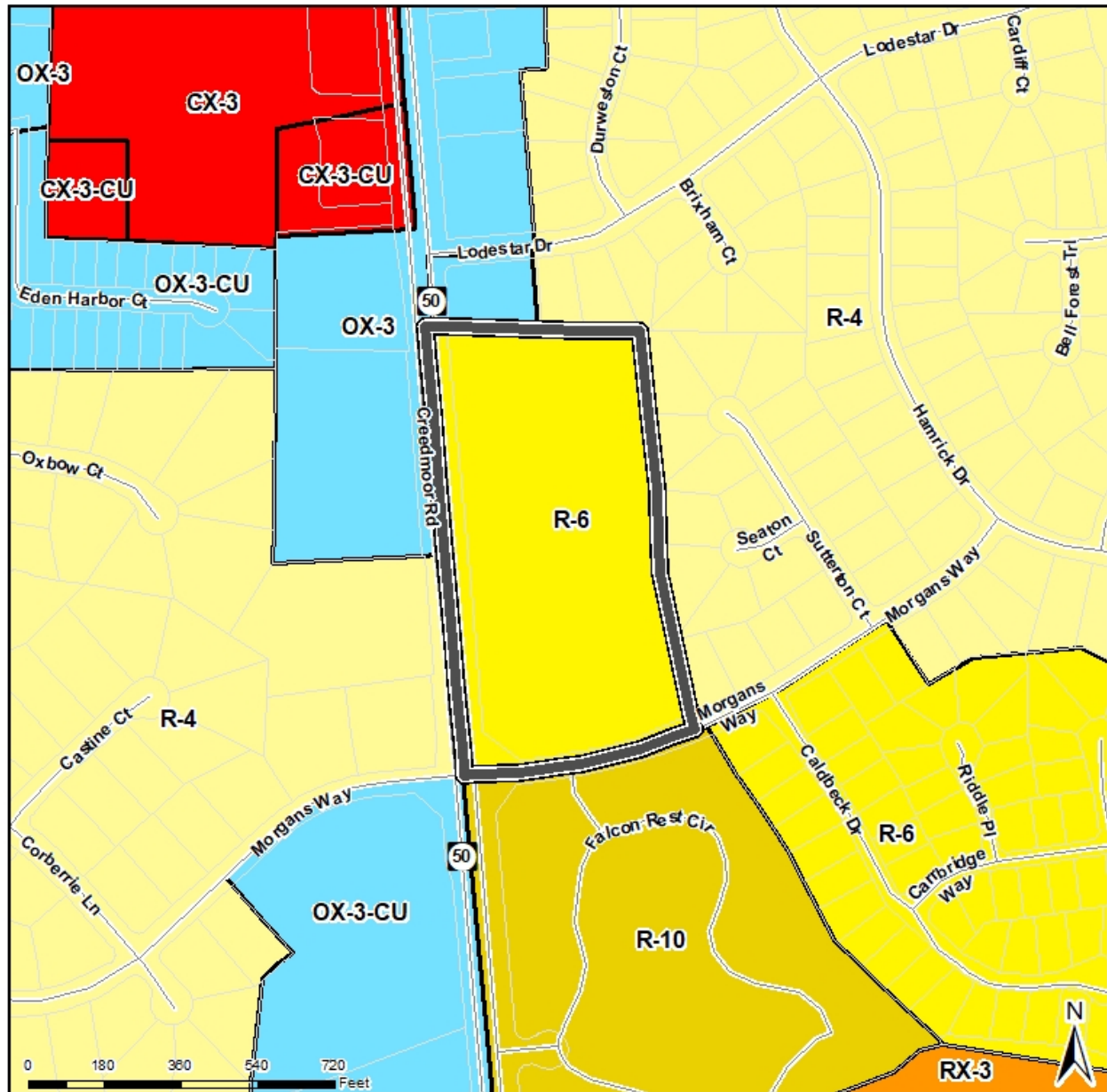
The proposed rezoning would increase the residential entitlement from 61 to 85 units, a 39% increase; the congregate care entitlement would increase 67% from 123 units to 206 units. The applicant has conditioned the proposal to entitle a maximum of 85 residential units; thus, 8.5 dwelling units per acre would be the baseline for calculating the congregate care entitlement. For this case, the rezoning condition limits the congregate care entitlement to 175 dwelling units.

#### Outstanding Issues

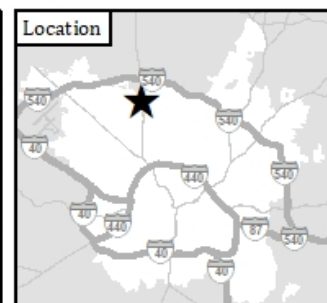
| Outstanding Issues | 1. None. | Suggested Mitigation | 1. None. |
|--------------------|----------|----------------------|----------|
|--------------------|----------|----------------------|----------|

# Existing Zoning

Z-33-2020



|                         |                   |
|-------------------------|-------------------|
| <b>Property</b>         | 7900 Creedmoor Rd |
| <b>Size</b>             | 10.3 acres        |
| <b>Existing Zoning</b>  | R-6               |
| <b>Requested Zoning</b> | R-10-CU           |

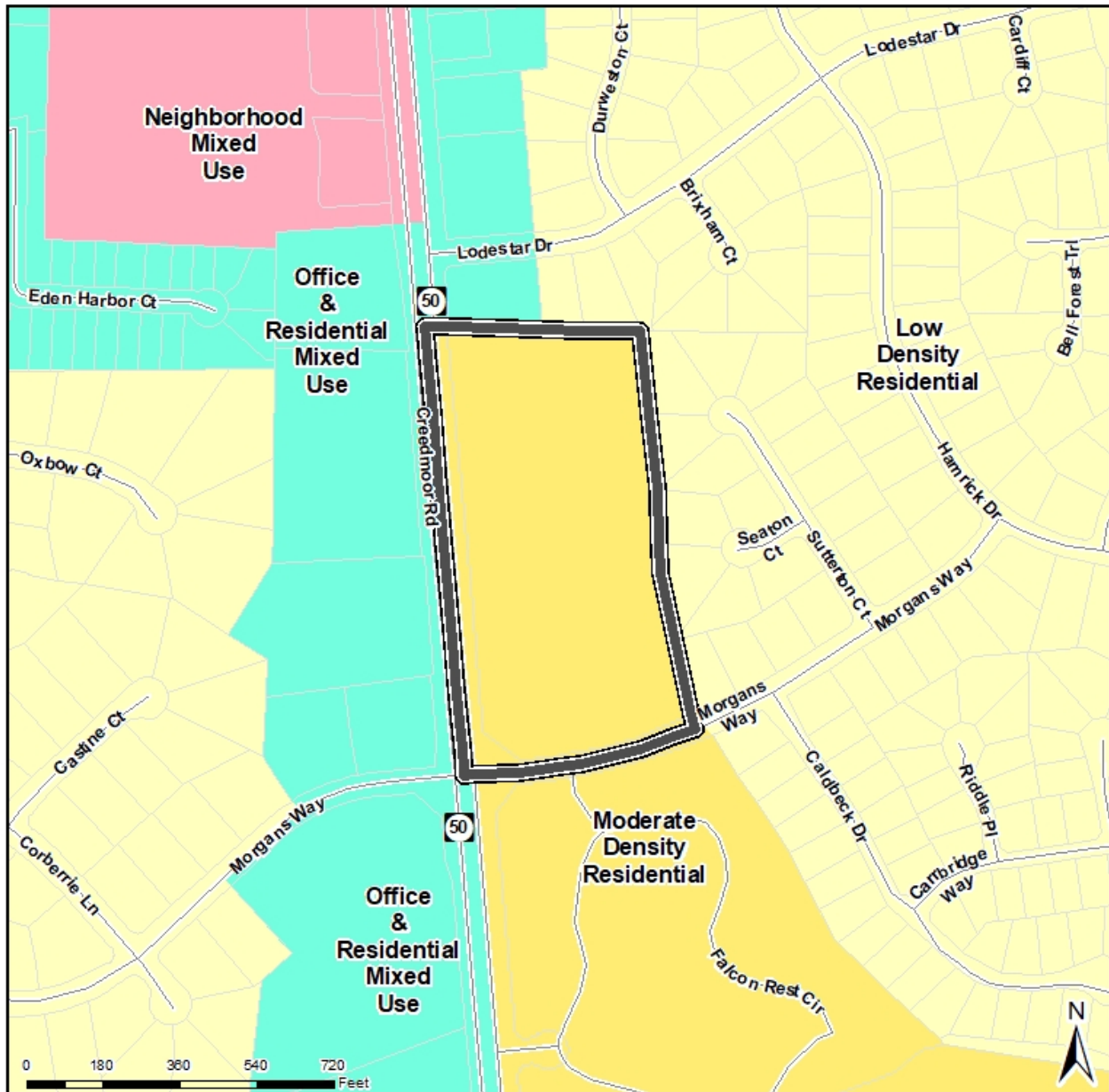


Map by Raleigh Department of City Planning (mansell); 7/14/2020

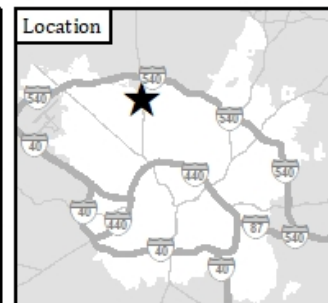


## Future Land Use

**Z-33-2020**



|                         |                   |
|-------------------------|-------------------|
| <b>Property</b>         | 7900 Creedmoor Rd |
| <b>Size</b>             | 10.3 acres        |
| <b>Existing Zoning</b>  | R-6               |
| <b>Requested Zoning</b> | R-10-CU           |

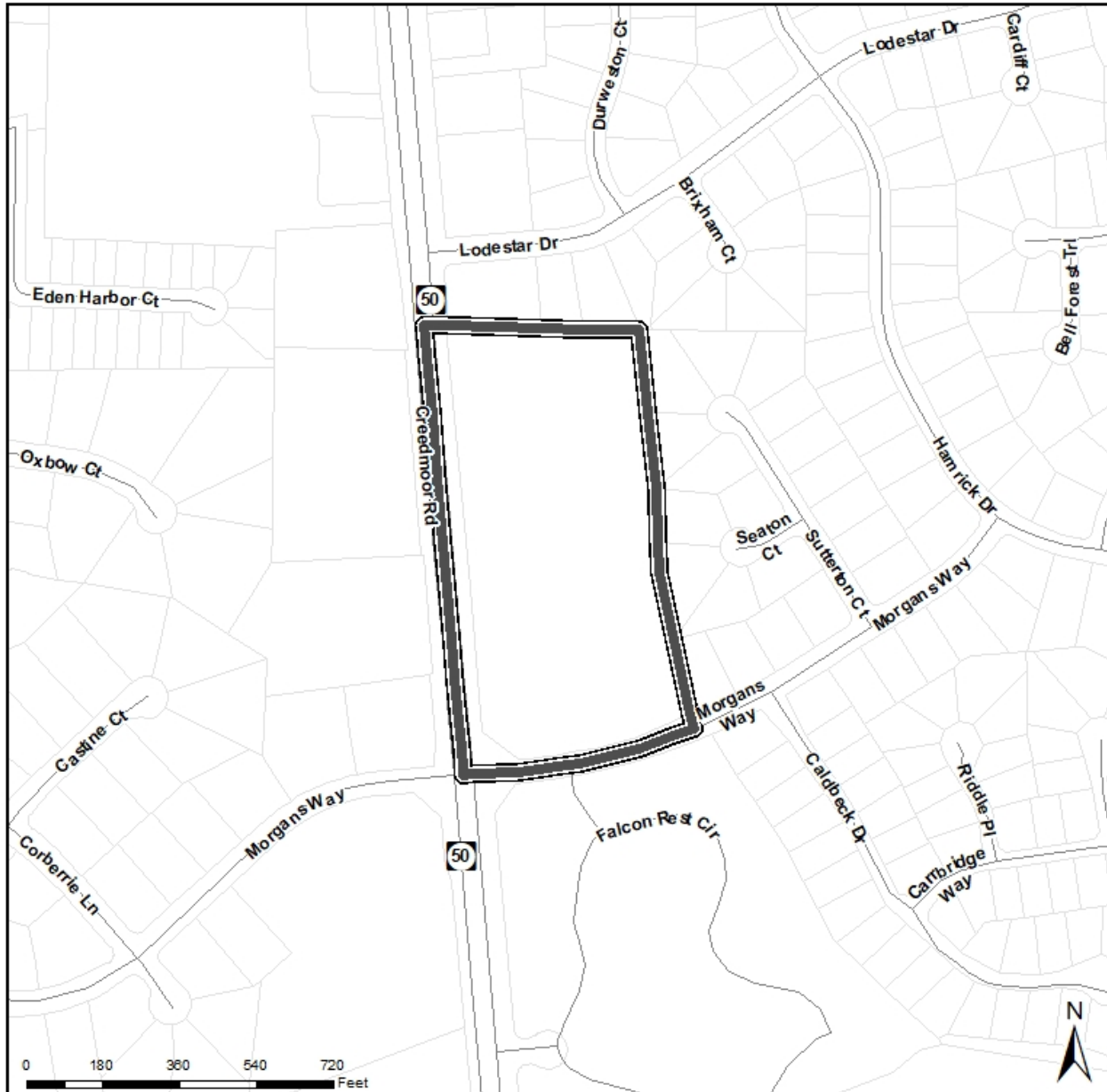


Map by Raleigh Department of City Planning (mansolf): 7/14/2020

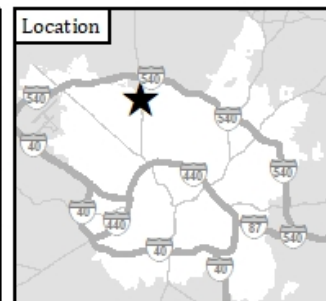


# Urban Form

# Z-33-2020



|                         |                   |
|-------------------------|-------------------|
| <b>Property</b>         | 7900 Creedmoor Rd |
| <b>Size</b>             | 10.3 acres        |
| <b>Existing Zoning</b>  | R-6               |
| <b>Requested Zoning</b> | R-10-CU           |



Map by Raleigh Department of City Planning (mansolf); 7/14/2020

# 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. The proposal is consistent with the visions, themes, and policies contained in the Comprehensive Plan as follows:

The request is consistent with the **Expanding Housing Choices** theme, as the proposal will add new senior housing capacity to help meet the residential demand of a fast-growing demographic sector.

The request is consistent with the **Managing Our Growth** theme, as it will allow for the expansion of existing group use, creating efficiencies of infrastructure and strengthening the integration of land uses in this area of north Raleigh.

The request is consistent with the **Coordinating Land Use and Transportation** theme. The proposal will provide for higher density residential development and support the land use pattern needed to support local and regional transit service.

The request is consistent with the **Growing Successful Neighborhoods and Communities** theme. The proposal represents an infill development that will have a minimal impact on the existing character of adjoining residential neighborhoods, while supporting the diversity of office and commercial uses in this area.

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

Yes. The Moderate Density Residential designation of the Future Land Use Map supports the density and building types proposed at this location.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

The proposed use can be established without adversely altering the recommended land use and character of the area.

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

Yes. Community facilities and streets appear 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 designation of Moderate Density Residential describes townhomes and multifamily dwellings where the density does not exceed 14 units per acre. The building types proposed for group living uses, and the overall density (capped at 8.5 units per acre) are both consistent with this designation.

## Urban Form

**Urban Form designation:** None.

**The rezoning request is**

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

☐ **Inconsistent**

☒ **Other** (no Urban Form designation)

## Compatibility

**The proposed rezoning is**

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

☐ **Incompatible.**

The proposal would provide for the expansion of an existing group living (independent and assisted living) complex. The expansion would be of comparable height with the existing facility and would not impact existing vegetative buffers.

## Public Benefits of the Proposed Rezoning

- Expand senior housing capacity on an existing site.
- New residential development with minimal impact on the surrounding area.
- Infill development encourages more efficient infrastructure investment and supports transit service.

## Detriments of the Proposed Rezoning

- None.

## Policy Guidance

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

---

### **Policy LU 1.2—Future Land Use Map and Zoning Consistency**

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

- The proposed zoning (R-10-CU) is consistent with the Future Land Use Map, which is designated for Moderate Density Residential. This designation can apply to group living uses that utilize the residential building types (detached, attached, townhouse, apartment). The proposed density (8.5 dwelling units per acre) is within the range recommended in the Moderate Density Residential designation.

### **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 condition proposed in the request to eliminate certain group living uses and other higher-impact uses is consistent with the Comprehensive Plan, as these excluded uses are otherwise permitted in the R-10 district.

### **Policy LU 2.2 – Compact Development**

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

- This proposal constitutes an infill redevelopment that will make efficient use of existing infrastructure, support transit, and utilizes an existing developed site.

### **Policy LU 2.6 – Zoning and Infrastructure Impacts**

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

- The proposal would not adversely impact existing water infrastructure capacity.

### **Policy LU 3.2 – Location of Growth**

The development of vacant properties should occur first within the city's limits, then within the city's planning jurisdiction, and lastly within the city's USAs to provide for more compact and orderly growth, including provision of conservation areas.

- The proposed site is within the City of Raleigh corporate limits.

### **Policy LU 5.3 – Institutional Uses**

Ensure that when institutional uses, such as private schools, childcare facilities, and similar uses are permitted in residential neighborhoods, they are designed and operated in a manner that is sensitive to neighborhood issues and that maintains quality of life. Encourage

institutions and neighborhoods to work pro-actively to address issues such as traffic and parking, hours of operation, outside use of facilities, and facility expansion.

- This proposal represents the expansion of an existing institutional facility and will not adversely impact the adjoining residential neighborhood. New development associated with the expansion of the facility will take place primarily on the northern portion of the site, with some expansion of the existing building to create additional food service capacity.

#### **Policy LU 5.5 – Transitional and 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.

- The change from R-6 to R-10 zoning will maintain the residential transition with R-4 zoning to the east and be compatible with the current R-10 zoning to the south. It will also maintain the buffer of these areas from the OX-3 zoning to the north and west of the site.

#### **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. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.

- The proposed rezoning will provide an opportunity for expansion of detached, townhouse, and apartment building types for independent living and assisted living for seniors. The development will help increase the supply of these housing types to meet the growing demand for senior 'lifestyle' and assisted living housing.

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

#### **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.

- The site presently has a substantial forested buffer to the single-family residential properties to the east and north, ranging in width from approximately 60' to greater than 125'. Rezoning to R-10 for the purposes of group living uses could result in a loss of the existing buffer, as current UDO requirements would permit a minimum 20' protective yard. Conditions that limit encroachment into the existing buffer could bring this policy into consistency.

### **Area Plan Policy Guidance**

There is no area plan guidance for this site.

# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

|               | City Average | Site | Notes   |
|---------------|--------------|------|---|
| Transit Score | 30           | 32   | Public transportation is available via GoRaleigh Route #36 Creedmoor. |
| Walk Score    | 30           | 57   | Some errands can be accomplished on foot.                             |

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

**Summary:** The proposed rezoning site has higher-than-average transit and walk scores. A variety of commercial and retail services are within one-quarter mile of the site. A bus stop for the #36 Creedmoor route is located in front of the existing facility.

## Carbon/Energy Footprint: Housing

| Housing Type                | Average Annual Energy Use<br>(million BTU) | Permitted in this project? |
|-----------------------------|--|----------------------------|
| Detached House              | 82.7                                       | Yes/                       |
| Townhouse                   | 56.5                                       | Yes                        |
| Small Apartment (2-4 units) | 42.1                                       | Yes                        |
| Larger Apartment            | 34.0                                       | No                         |

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

**Summary:** It is anticipated that most of the new development associated with this rezoning will consist of townhouses and apartments, both with lower than average annual energy use as compared to detached houses.



## Housing Supply and Affordability

|   |      |  |
|---|------|--|
| Does it add/subtract from the housing supply?                               | Adds | The proposal would provide for additional housing for seniors.                       |
| Does it include any subsidized units?                                       | No   | Units would be sold at market rates.   |
| Does it permit a variety of housing types beyond detached houses?           | Yes  | Townhouses and apartments would be the predominant building type.                    |
| If not a mixed-use district, does it permit smaller lots than the average?* | N/A  | N/A  |
| Is it within walking distance of transit?                                   | Yes  | A bus stop for the #36 Creedmoor route is located in front of the existing facility. |

*\*The average lot size for detached residential homes in Raleigh is 0.28 acres.*

Summary: The proposal would add to the housing supply by providing additional units for senior independent living and assisted living. The proposed expansion of the existing senior living facility would consist primarily of new townhouses and apartments.

# IMPACT ANALYSIS

## Historic Resources

**Impact Identified:** None.

1. 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.

## Parks and Recreation

**Impact Identified:**

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 Lake Lynn Park (1.6 miles) and Baileywick Park (2.3 miles).
3. Nearest existing greenway trail access is provided by Hare Snipe Creek Greenway Trail (1.3 miles).
4. Current park access level of service in this area is graded a C letter grade.

## Public Utilities

|            | Maximum Demand<br>(current use) | Maximum Demand<br>(current zoning) | Maximum Demand<br>(proposed zoning) |
|------------|---------------------------------|------------------------------------|-------------------------------------|
| Water      | 13,800                          | 15,250                             | 24,720                              |
| Wastewater | 13,800                          | 15,250                             | 24,720                              |

**Impact Identified:**

1. The proposed rezoning would add approximately 10,920 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
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.

## Stormwater

|                       |                |
|-----------------------|----------------|
| Floodplain            | None           |
| Drainage Basin        | Mine/Haresnipe |
| Stormwater Management | UDO 9.2        |
| Overlay District      | None           |

### **Impact Identified:**

1. Site subject to Stormwater regulations under UDO 9.2 for runoff and nitrogen. No floodplain exists onsite. Possible Neuse Buffers exist. No impacts identified.

## Transit

### **Impact Identified:** None.

1. The Unified Development Ordinance is sufficient as written to obtain the transit improvements required for this site.

## Transportation

### **1. Site and Location Context**

#### *Location*

The Z-33-20 Site is in North Raleigh on the northeast corner of the intersection of Morgans Way and Creedmoor Road.

#### *Area Plans*

The Z-33-20 site is not located in an area of an adopted area plan (Map AP-1) in the Comprehensive Plan.

### **2. Existing and Planned Infrastructure**

#### *Streets*

Creedmoor Road is designated at a 6-lane avenue, divided in the Raleigh Street Plan (Map T-1 in the Comprehensive Plan) and is maintained by NCDOT. Morgans Way is designated as a neighborhood street in the Raleigh Streets Plan and is maintained by the City of Raleigh.

Existing block perimeter for the site is approximately 4,600 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning districts is 2,500 feet.

#### *Pedestrian Facilities*

There are complete sidewalks on Creedmoor Road. There are no sidewalks on Morgans Way.

#### *Bicycle Facilities*

There are no bikeways within ½ mile of the site. Creedmoor Road is designated for a separated bikeway in the Long-Term Bike Plan (Map T-3 of the Comprehensive Plan). Morgans Way is designated for a neighborhood bikeway in the BikeRaleigh plan.

#### *Transit*

The GoRaleigh Route 36 operates along Creedmoor Road at 30-minute frequency and with stops near Morgans Way.

#### *Access*

The Z-33-20 Site is access by Creedmoor Road and Morgans Way.

### **3. Other Projects in the Area**

There are not active transportation projects within one mile of the subject site.

### **4. Traffic Impact Analysis (TIA) Determination**

Based on the Envision results, approval of case Z-33-20 would increase the amount of projected vehicular peak hour trips for the site as indicated in the table below. The proposed rezoning from R-6 to R-10-CU is projected to have 18 new trips in the AM peak hour and 24 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

|  |            |           |           |
|--|------------|-----------|-----------|
| Z-33-20 Existing Land Use  | Daily      | AM        | PM        |
| Senior Adult Housing - Attached  | 457        | 24        | 31        |
| Z-33-20 Current Zoning Entitlements  | Daily      | AM        | PM        |
| R-6  | 576        | 45        | 60        |
| Z-33-20 Proposed Zoning Maximums   | Daily      | AM        | PM        |
| R-10-CU  | 803        | 63        | 84        |
| Z-33-20 Trip Volume Change<br>(Proposed Maximums minus Current Entitlements) | Daily      | AM        | PM        |
|  | <b>227</b> | <b>18</b> | <b>24</b> |

## Urban Forestry

**Impact Identified:** None.

1. Proposed rezoning does not alter Tree Conservation Area requirements of the UDO from the existing zoning.

## Impacts Summary

In summary, this proposal will have a minimal impact on surrounding neighborhoods. Proposed development will occur on vacant land within the site, along with renovations to the existing buildings, and will represent a modest expansion of an existing, low-impact residential use. Future development could result in a reduction of the substantial forested buffer that currently separates the site from the adjoining single-family residential properties to the north and east.

Stormwater staff have indicated the possible presence of Neuse River buffers on the site, which will present a challenge to managing stormwater runoff resulting from new construction. This issue will be dealt with at the development review stage.

There is sufficient utility infrastructure available to service the proposed development; however, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support it.

The site is served by transit and has a higher-than-average walkability score, with a variety of commercial and retail services within one-quarter mile of the site.

## Mitigation of Impacts

The applicant has submitted conditions to prohibit several high-impact uses otherwise permitted under the proposed zoning. Additionally, the maximum number of residential units has been capped at 85, and the resulting density (8.5 units per acre) will provide the baseline for calculating future residential densities permitted by the UDO in the Group Living category.

Stormwater management and the potential loss of tree cover will present challenges at the development stage, but careful deployment of management techniques and building placement can mitigate these concerns. Furthermore, conditions to limit the impact of new development on the existing forested buffer could also serve to mitigate potential adverse effects to adjoining residential properties.

## CONCLUSION

This proposal will add to the supply of housing for seniors and represents an appropriate 'infill' development that is in character with existing patterns in the area. The proposed rezoning would allow for a modest expansion of the existing group living use and pose minimal impacts to the adjoining residential neighborhood. The proposal would support transit and the efficient use of existing infrastructure.

The proposal is consistent with the Future Land Use Map, which designates the area for Moderate Density Residential. It would provide an opportunity for additional senior housing in a location accessible to transit and major highways. The proposed R-10-CU zoning is in keeping with the MDR designation, and the proposal eliminates the possibility of higher-impact group-living and other incompatible uses by prohibiting boarding houses, schools, and outdoor entertainment facilities, among others. Furthermore, the applicant has offered a condition that limits the maximum number of residential units and sets a baseline for future dwelling unit calculations.

The area is served by transit and has adequate pedestrian accessibility to nearby commercial services.

Z-33-20 is consistent overall with the 2030 Comprehensive Plan

## CASE TIMELINE

| Date               | Action   | Notes   |
|--------------------|--|---|
| July 28, 2020      | Application submitted as Conditional Use rezoning. |   |
| September 8, 2020  | Second Neighborhood Meeting conducted.             |   |
| September 22, 2020 | Planning Commission Meeting                        | Placed on Consent Agenda to meet timing requirements. |
| October 27, 2020   | Planning Commission Meeting                        | Recommended approval (8-0)                            |
| November 4, 2020   | City Council                                       | Report of Planning Commission                         |
| November 17, 2020  | City Council                                       | City Council Public Hearing                           |



# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

| SUBJECT PROPERTY   |                              | NORTH  | SOUTH                        | EAST                    | WEST                                 |
|--------------------|------------------------------|--|------------------------------|-------------------------|--------------------------------------|
| Existing Zoning    | R-6                          | OX-3-CU, R-4   | R-10                         | R-4                     | R-4, OX-3                            |
| Additional Overlay | N/A                          | N/A  | N/A                          | N/A                     | N/A                                  |
| Future Land Use    | Moderate Density Residential | Office & Residential Mixed Use/Low Density Residential | Moderate Density Residential | Low Density Residential | Office & Residential Mixed Use       |
| Current Land Use   | Multi-Family Residential     | Office/Residential                                     | Multi-Family Residential     | Low Density Residential | Office/Public Facilities/ Commercial |
| Urban Form         | N/A                          | N/A  | N/A                          | N/A                     | N/A                                  |

## CURRENT VS. PROPOSED ZONING SUMMARY

| EXISTING ZONING             |               | PROPOSED ZONING     |
|-----------------------------|---------------|---------------------|
| Zoning                      | R-6           | R-10-CU             |
| Total Acreage               | 10.3          | 10.3                |
| Setbacks:                   |               |                     |
| Front                       | 10'           | 10'                 |
| Side                        | 5'            | 5'                  |
| Rear                        | 20'           | 20'                 |
| Residential Density:        | 6 du/ac (R-6) | 8.5 du/ac (R-10-CU) |
| Max. # of Residential Units | 123           | 85                  |
| Max. Gross Building SF      | 192,10        | 178,500             |
| Max. Gross Office SF        | N/A           | N/A                 |
| Max. Gross Retail SF        | N/A           | N/A                 |
| Max. Gross Industrial SF    | N/A           | N/A                 |
| Potential F.A.R             | 0.43          | 0.40                |

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



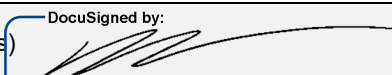
# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



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

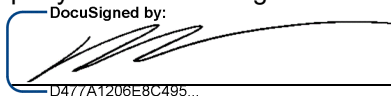
| REZONING REQUEST   |  |   |  |
|--|--|---|--|
| <input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan            |  |   | <b>OFFICE<br/>USE ONLY</b><br><br><b>Rezoning Case #</b> |
| Existing Zoning Base District <b>R-6</b> Height    Frontage    Overlay(s) _____  |  |   |  |
| Proposed Zoning Base District <b>R-10</b> Height    Frontage    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:   |  |   |  |
|  |  |   |  |
| GENERAL INFORMATION  |  |   |  |
| Date   |  | Date Amended (1)                            | Date Amended (2)   |
| Property Address <b>7900 Creedmoor Road</b>  |  |   |  |
| Property PIN <b>0798409936</b>   |  | Deed Reference (book/page) <b>14914/939</b> |  |
| Nearest Intersection <b>Creedmoor Road and Morgans Way</b>   |  |   |  |
| Property Size (acres) <b>10.3</b>  | For Planned Development Applications Only: | Total Units                                 | Total Square Footage                                     |
|  |  | Total Parcels                               | Total Buildings  |
| Property Owner Name/Address<br>7900 Creedmoor Road, LP<br>2626 Glenwood Avenue, Suite 550<br>Raleigh, NC 27608                           |  | Phone <b>419-247-2800</b>                   | Fax  |
|  |  | Email <b>legalnotice@welltower.com</b>      |  |
| Applicant Name/Address<br>7900 Creedmoor Road, LP<br>2626 Glenwood Avenue, Suite 550<br>Raleigh, NC 27608                                |  | Phone <b>419-247-2800</b>                   | Fax  |
|  |  | Email <b>legalnotice@welltower.com</b>      |  |
| Applicant* Signature(s)                               |  | Email <b>legalnotice@welltower.com</b>      |  |

\*Please see Page 11 for information about who may submit rezoning applications. 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  |                                | OFFICE USE ONLY<br><br>Rezoning Case # |
| Date Submitted  |                                |  |
| Existing Zoning <b>R-6</b>  | Proposed Zoning <b>R-10-CU</b> |  |
| Narrative of Zoning Conditions Offered  |                                |  |
| <p>1. The following uses shall be prohibited as primary uses on the property: boarding house; dormitory, fraternity, sorority; monastery, convent; orphanage; school (public or private, K-12); outdoor sports or entertainment facility.</p> <p>2. For a period of no less than 30 years after the date of issuance of the first certificate of occupancy for the site after the date of approval of this proposed rezoning by Raleigh City Council, a minimum of 80% of occupied dwelling units shall be occupied by at least one individual 55 years of age or older.</p> <p>3. Not more than 85 dwelling units shall be permitted on the site, provided, however that any density bonus otherwise permitted in connection with congregate care, continuing care retirement community, rest home, or other group living use otherwise permitted under the Unified Development Ordinance shall remain applicable to the site.</p> |                                |  |

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature

DocuSigned by:  
  
 D477A1206E8C495...

Print Name Matthew McQueen

| REZONING APPLICATION ADDENDUM #1   |  |
|--|--|
| <b>Comprehensive Plan Analysis</b>   | <b>OFFICE USE ONLY</b><br><br><b>Rezoning Case #</b> |
| <p>The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.</p>   |  |
| <b>STATEMENT OF CONSISTENCY</b>  |  |
| <p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>   |  |
| <p>The property's Moderate Density Residential designation under the FLUM supports the requested R-10 zoning.</p> <p>The proposed rezoning supports numerous policies in the Comprehensive Plan, including: LU 2.2 (compact development), H 1.8 (zoning for housing), H 4.3 (housing for persons with disabilities), and H 4.4 (housing for seniors).</p>  |  |
| <b>PUBLIC BENEFITS</b>   |  |
| <p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p>  |  |
| <p>The requested rezoning will increase housing options for seniors requiring differing degrees of care, including the option to remain in place for those already living on the property. The proposal reinforces the existing development pattern in this location and ensures it will continue to serve as a transition between the commercial uses on the western side of Creedmoor Road and the single family residences to the east.</p> |  |

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

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

**OFFICE USE ONLY****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.

None.

**PROPOSED MITIGATION**

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

N/A



## URBAN DESIGN GUIDELINES

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

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation

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

- |           |   |
|-----------|---|
| <b>1.</b> | <p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p><b>Response:</b></p>   |
| <b>2.</b> | <p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p><b>Response:</b></p>  |
| <b>3.</b> | <p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p><b>Response:</b></p>  |
| <b>4.</b> | <p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p><b>Response:</b></p> |
| <b>5.</b> | <p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p><b>Response:</b></p>   |
| <b>6.</b> | <p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p><b>Response:</b></p>   |

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

|     |   |
|-----|---|
| 13. | <i>New public spaces should provide seating opportunities.</i><br><b>Response:</b>  |
| 14. | <i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i><br><b>Response:</b>  |
| 15. | <i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i><br><b>Response:</b>  |
| 16. | <i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i><br><b>Response:</b>   |
| 17. | <i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i><br><b>Response:</b>   |
| 18. | <i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i><br><b>Response:</b>  |
| 19. | <i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i><br><b>Response:</b> |

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

| REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")  |                                     |                                     |                         |    |     |
|---|-------------------------------------|-------------------------------------|-------------------------|----|-----|
| TO BE COMPLETED BY APPLICANT  |                                     |                                     | COMPLETED BY CITY STAFF |    |     |
| General Requirements – General Use or Conditional Use Rezoning  | YES                                 | N/A                                 | YES                     | NO | N/A |
| 1. I have referenced this <b>Rezoning Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| 2. Pre-Application Conference   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| 3. Neighborhood Meeting notice and report   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| 4. Rezoning application review fee (see <a href="#">Fee Schedule</a> for rate)  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| 5. Completed application, submitted through Permit & Development Portal   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| Completed Comprehensive Plan Consistency Analysis   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| Completed Response to the Urban Design Guidelines   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    |     |
| 6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| 7. Trip Generation Study  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    |     |
| 8. Traffic Impact Analysis  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    |     |
| <b>For properties requesting a conditional use district:</b>  |                                     |                                     |                         |    |     |
| 9. Completed zoning conditions, signed by property owner(s)   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| <b>If applicable (see Page 11):</b>   |                                     |                                     |                         |    |     |
| 10. Proof of power of attorney or owner affidavit   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                         |    |     |
| <b>For properties requesting a Planned Development (PD) or Campus District (CMP):</b>   |                                     |                                     |                         |    |     |
| 10. Master Plan (see Master Plan Submittal Requirements)  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    |     |
| <b>For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):</b>   |                                     |                                     |                         |    |     |
| 15. Copy of ballot and mailing list   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                         |    |     |

| MASTER PLAN SUBMITTAL REQUIREMENTS  |                          |                          |                         |    |     |
|---|--------------------------|--------------------------|-------------------------|----|-----|
| TO BE COMPLETED BY APPLICANT  |                          |                          | COMPLETED BY CITY STAFF |    |     |
| General Requirements – Master Plan  | YES                      | N/A                      | YES                     | NO | N/A |
| 1. I have referenced the <b>Master Plan Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 2. Total number of units and square feet  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 3. 12 sets of plans   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 4. Completed application; submitted through Permit & Development Portal   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 5. Vicinity Map   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 6. Existing Conditions Map  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 7. Street and Block Layout Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 8. General Layout Map/Height and Frontage Map   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 9. Description of Modification to Standards, 12 sets  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 10. Development Plan (location of building types)   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 11. Pedestrian Circulation Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 12. Parking Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 13. Open Space Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 14. Tree Conservation Plan (if site is 2 acres or more)   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 15. Major Utilities Plan/Utilities Service Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 16. Generalized Stormwater Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 17. Phasing Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 18. Three-Dimensional Model/renderings  | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |
| 19. Common Signage Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                         |    |     |

## Who can initiate a rezoning request?

If requesting to down-zone property, the rezoning application must be signed by all of the property owners whose property is subject to the down-zoning. Down-zoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

1. the property owner;
2. an attorney acting on behalf of the property owner with an executed power of attorney; or
3. a person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purposes of initiating the request, by property owners or third-party applicants.

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is current zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (Please also 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](http://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: \_\_\_\_\_



## SUMMARY OF ISSUES

A neighborhood meeting was held on June 30th, 2020 (date) to discuss a potential rezoning located at 7900 Creedmoor Road (property address).  
 The neighborhood meeting was held at [virtual meeting] (location).  
 There were approximately 27 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

|  |
|--|
| There was a discussion outlining the differences of care, including assisted living (AL), memory care (MC) and skilled nursing care, which is the most intensive. This project is only considering assisted living and memory care. The State would issue a license for this facility. |
| In response to a question regarding why rezoning might be denied, it was explained that the process is legislative and may be on any reasonable basis.   |
| The applicant noted that development will be primarily on the north end of the site, with a possibility of a small bump out in the middle of the X, where the kitchen is located for some possible expansion to help provide food service in the new building.                         |
| No access is likely from Creedmoor Road as this is a NCDOT controlled road.  |
| Memory care residents would not have unsupervised access to the site and towards Creedmoor Rd.   |
| Surface water naturally flows toward Creedmoor Road and won't materially impact neighbors on either site.  |
| An additional 4-6 staff parking spaces will most likely be required for the new building. Any additional parking requirements would be in accordance with the standards required by the City of Raleigh.   |
| The extent of necessary tree clearance, and the final design and style of the new building, are not yet known.   |

## SUMMARY OF ISSUES (Page 2)

A neighborhood meeting was held on June 30th, 2020 to discuss a potential rezoning located at 7900 Creedmoor Road. The neighborhood meeting was held at [virtual meeting]. There were approximately 27 neighbors in attendance. The general issues discussed were:

### Summary of Issues:

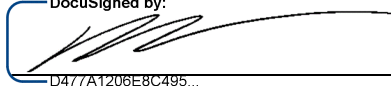
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|---|
| The applicant has undertaken similar expansions of existing properties without creating issues for current residents.   |
| Most of the residents do not drive. The ones that do drive do not have jobs and would not add to the AM/PM peak demands. The community provides transportation services. If a resident has a car, it's parked the majority of the time. Very little traffic is generated from the development. Those who will be in the AL typically would not have a car and those in MC would not have a car. |
| The architecture has not yet been designed. When it is designed, it will most likely use similar materials and will blend into the existing.  |

| <b>ATTENDANCE ROSTER</b>     |                                |
|------------------------------|--------------------------------|
| <b>NAME</b>                  | <b>ADDRESS</b>                 |
| Kelly Fast                   | 8108 Morgans Way               |
| Ignatius and Mary Beth Gallo | 3000 Oxbow Ct.                 |
| Harry Swendsen               |                                |
| Bill Piver                   | 2709 Scottsdale Lane           |
| Brian and Kristina           | 7933 Falcon Rest Cir.          |
| Nick Fugh                    | 214 W. Millbrook Rd., Ste 101B |
| Don Richards                 | 8104 Seaton Court              |
| Kelsey                       | 7628 Falcon Rest Cir.          |
| G Wheeler                    |                                |
| Frances Sherbert             | 2209 Durweston Ct.             |
| Morgan Smith                 | 8112 Morgans Way               |
| Penny Paine                  | 1921 Carrbridge Way            |
| Chris Munt                   | 2121 Hamrick Dr.               |
| Scott Loose                  | 7723 Falcon Rest Cir.          |
| Timothy Stewart              | 2109 Hamrick Dr.               |
| Frank Taylor                 | 7921 Sutterton Ct.             |
| Keith Mondoux                |                                |
| Mark Jensen                  | 8108 Morgans Way               |
|                              |                                |
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| CONDITIONAL USE DISTRICT ZONING CONDITIONS  |  |  |
|---|--|--|
| Zoning Case Number <b>Z-33-20: 7900 Creedmoor Road</b>  | <b>OFFICE USE ONLY</b><br><br><b>Rezoning Case #</b> |  |
| Date Submitted <b>August 25, 2020</b>   |  |  |
| Existing Zoning <b>R-6</b> Proposed Zoning <b>R-10-CU</b>   |  |  |
| Narrative of Zoning Conditions Offered  |  |  |
| <p>1. The following uses shall be prohibited as primary uses on the property: boarding house; dormitory, fraternity, sorority; monastery, convent; orphanage; school (public or private, K-12); outdoor sports or entertainment facility.</p> <p>2. For a period of no less than 30 years after the date of issuance of the first certificate of occupancy for the site after the date of approval of this proposed rezoning by Raleigh City Council, a minimum of 80% of occupied dwelling units shall be occupied by at least one individual 55 years of age or older.</p> <p>3. The residential density of the site shall not exceed 8.5 units per acre; thus, the maximum number of dwelling units permitted is 85 units, which is more restrictive than the otherwise allowable density in the R-10 district. However, this shall not prevent application of any increased density or alternate method of counting dwelling units as may be otherwise applicable to any Group Living Use Category permitted under Section 6.2.2. of the Unified Development Ordinance at the time any development plan is submitted for review or as may otherwise be applicable to such development plan.</p> |  |  |

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature

DocuSigned by:  
  
D477A1206E8C495...

Print Name Matthew McQueen