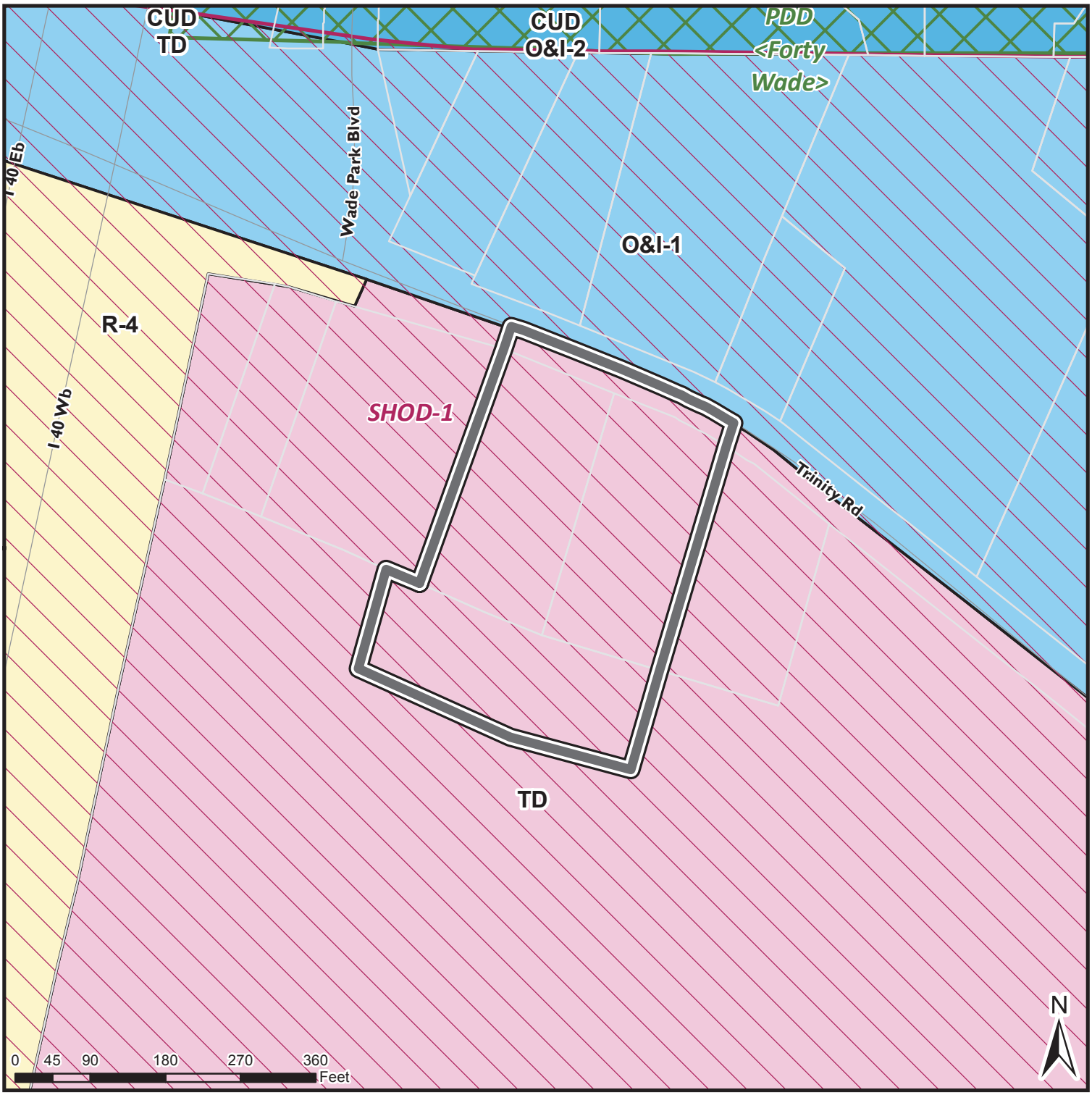
Existing Zoning Map Z-36-2015



Submittal Date

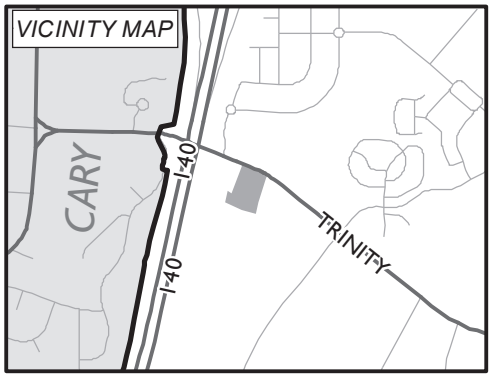
9/10/2015

Request:

3.04 acres from

TD w/SHOD-1

to **OX-3-PK-CU**



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-36-15 5801 Trinity Road

Location	Trinity Road, south side, east of I-40, west of Corporate Center Drive Address: 5801, 5739, 5721 Trinity Road PINs: 0774776775, 0774777918, 0774778943
Request	Rezone property from TD w/ SHOD-1 to OX-3-PK-CU
Area of Request	3.04 acres
Property Owner	Marilyn Geisler, Elizabeth Ann Medlin, Knapp-Jones and William Medlin
Applicant	Marilyn Geisler
Citizens Advisory Council (CAC)	West
PC Recommendation Deadline	90 days from public hearing referral

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

FUTURE LAND USE	Office Research and Development
URBAN FORM	City Growth Center
CONSISTENT Policies	Policy LU 1.3 – Conditional Use District Consistency Policy LU 5.2 – Complementary Uses and Urban Vitality Policy LU 7.3 – Single Family Lots on Major Streets
INCONSISTENT Policies	Policy LU 1.2 – Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

1. Limits residential development to 10 units/acre
2. Prohibits detached single-unit living

Public Meetings

Neighborhood Meeting	***CAC***	***Planning Commission***	***City Council***
8/19/2015	West	10/27/2015	

☐ ***Valid Statutory Protest Petition (Date Filed:)***

Attachments

1. Staff report

Planning Commission Recommendation

Recommendation	
Findings & Reasons	
Motion and Vote	

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.

_____ _____

Planning Director Date Planning Commission Chairperson Date

Staff Coordinator: Charles Dillard: (919) 996-2651; charles.dillard@raleighnc.gov

Zoning Staff Report – Case

Conditional/General Use District

Case Summary

Overview

The subject site is composed of three parcels and has a combined size of 3.04 acres. Two of the parcels – 5801 and 5739 – are currently occupied by detached single family dwellings; 5721 is vacant and his heavily wooded. The

The subject site rises slightly from Trinity Road before sloping down toward the adjacent lot to the south. 5801 Trinity Road is accessible to Trinity Road via a driveway that runs through 5739 Trinity Road. 5721 is an unimproved, heavily wooded lot.

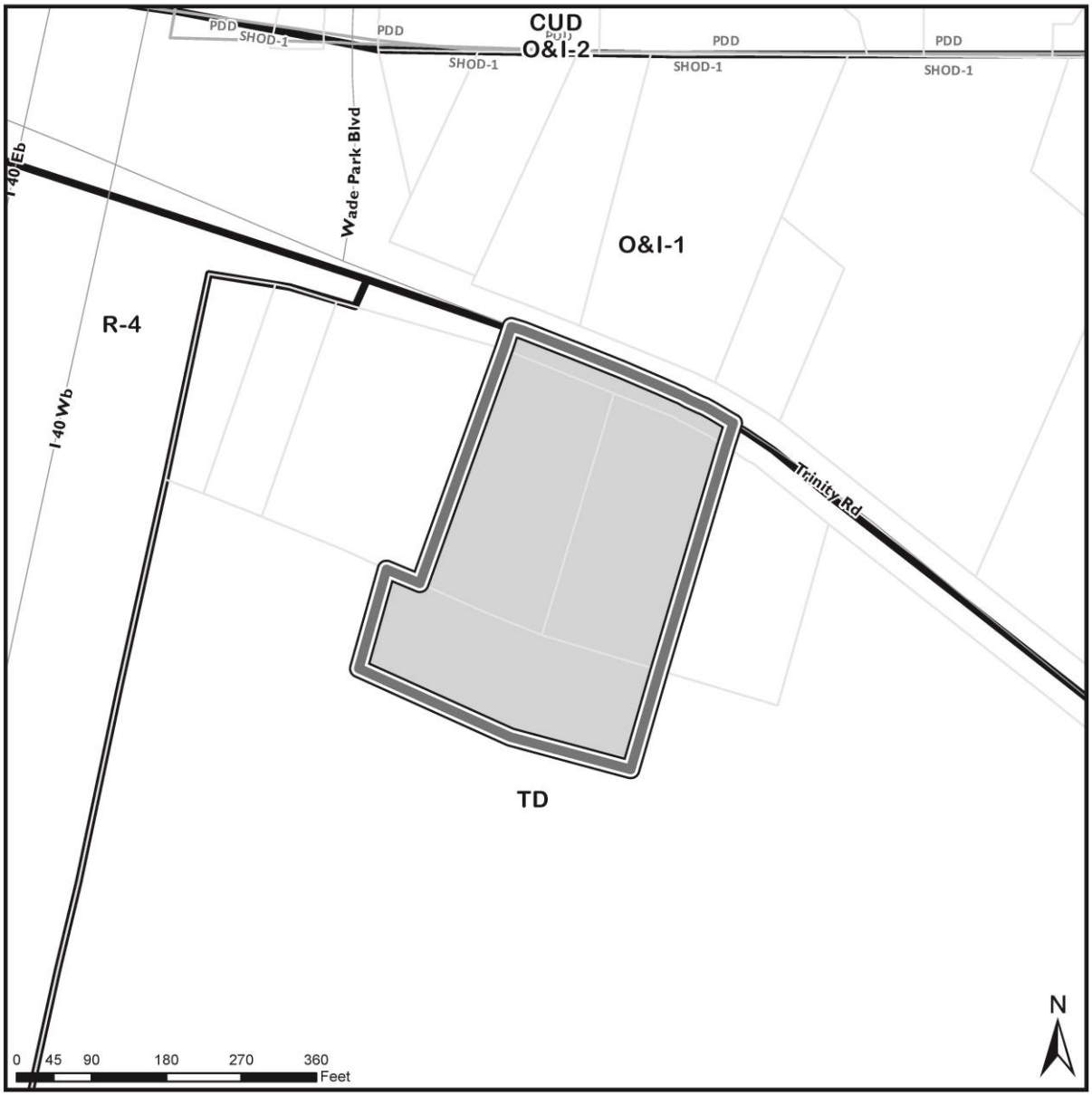
The site is located on the western edge of Raleigh's city limits, and is also within a designated City Growth Center and on an Urban Thoroughfare. Given these Comprehensive Plan designations, the site and its surroundings are anticipated to see "significant infill development and redevelopment. In general, the area surrounding the subject site continues to experience development interest of all types, including residential, retail, and office uses. In terms of access, the site is conveniently located within proximity to Interstate-40, Wade Avenue, Western Blvd and Highway 54. Directly to the north of the site is an ongoing development consisting of two 25,000 square foot office buildings. To the north of the site, and north of Trinity Road, is the Wade Park mixed-use development, comprising a variety of housing types (detached, attached, townhouse and apartment), office and retail uses, as well as open space. East of the site is the Trinity Park Apartments development and a large office park at the intersection of Trinity Road and Corporate Center Drive.

The site is currently zoned Thoroughfare District (TD), as are the lots directly to the east, west and south. The properties to the north, across Trinity Road, are zoned Office and Institutional-1 (O&I-1). The proposal is to change the zoning on the three parcels from TD to Office Mixed Use – 3 stories, with conditions, and Parkway Frontage (OX-3-PK-CU). The citywide remapping, proposed under Z-27-14, proposes OX-3-PK zoning for the site. The proposal has two conditions. The first condition would limit residential development to no more than 10 units per acre. The second condition would prohibit development of single-unite living (i.e. detached homes).

Outstanding Issues

Outstanding Issues	(None)	*Suggested Mitigation*	n/a

Existing Zoning Map Z-36-2015

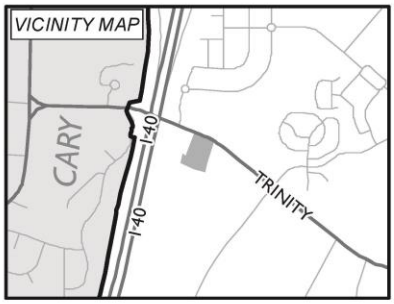


Submittal Date

9/10/2015

Request:

3.04 acres from TD w/ SHOD-1 to OX-3-PK-CU



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	***North***	***South***	***East***	***West***
Existing Zoning	TD	O&I-1	TD	TD	TD
Additional Overlay	SHOD-1	SHOD-1	SHOD-1	SHOD-1	SHOD-1
Future Land Use	Office/Research and Development	Office/Research and Development	Office/Research and Development	Office/Research and Development	Office/Research and Development
Current Land Use	Single-family home and vacant land	Vacant (Development Underway)	Vacant	Single-Family Home	Single-Family Home
Urban Form (if applicable)	City Growth Center, Urban Thoroughfare	City Growth Center, Urban Thoroughfare	City Growth Center	City Growth Center, Urban Thoroughfare	City Growth Center, Urban Thoroughfare

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	***Proposed Zoning***
Residential Density:	5.92 dwelling units/acre (18 total units)	9.87 dwelling units/acre (30 total dwelling units)
Setbacks: *Front:** *Side:* *Rear:*	 50’ 10’ 30’	 50’ 6’ 20’
Retail Intensity Permitted:	34,500 sq. ft.	10,500 sq. ft.
Office Intensity Permitted:	63,000 sq. ft.	60,000 sq. ft.

**SHOD-1 requires 50’ setback*

1.3 Estimated Development Intensities

	Existing Zoning	***Proposed Zoning****
Total Acreage	3.04	3.04
Zoning	TD w/ SHOD-1	OX-3-PK-CU
Max. Gross Building SF (if applicable)	63,000 sq. ft.	92,000 sq. ft.
Max. # of Residential Units	18	30
Max. Gross Office SF	63,000 sq. ft.	60,000 sq. ft.
Max. Gross Retail SF	34,500 sq. ft.	10,500 sq. ft.
Max. Gross Industrial SF	Not permitted	Not permitted

Potential F.A.R	0.48	0.69

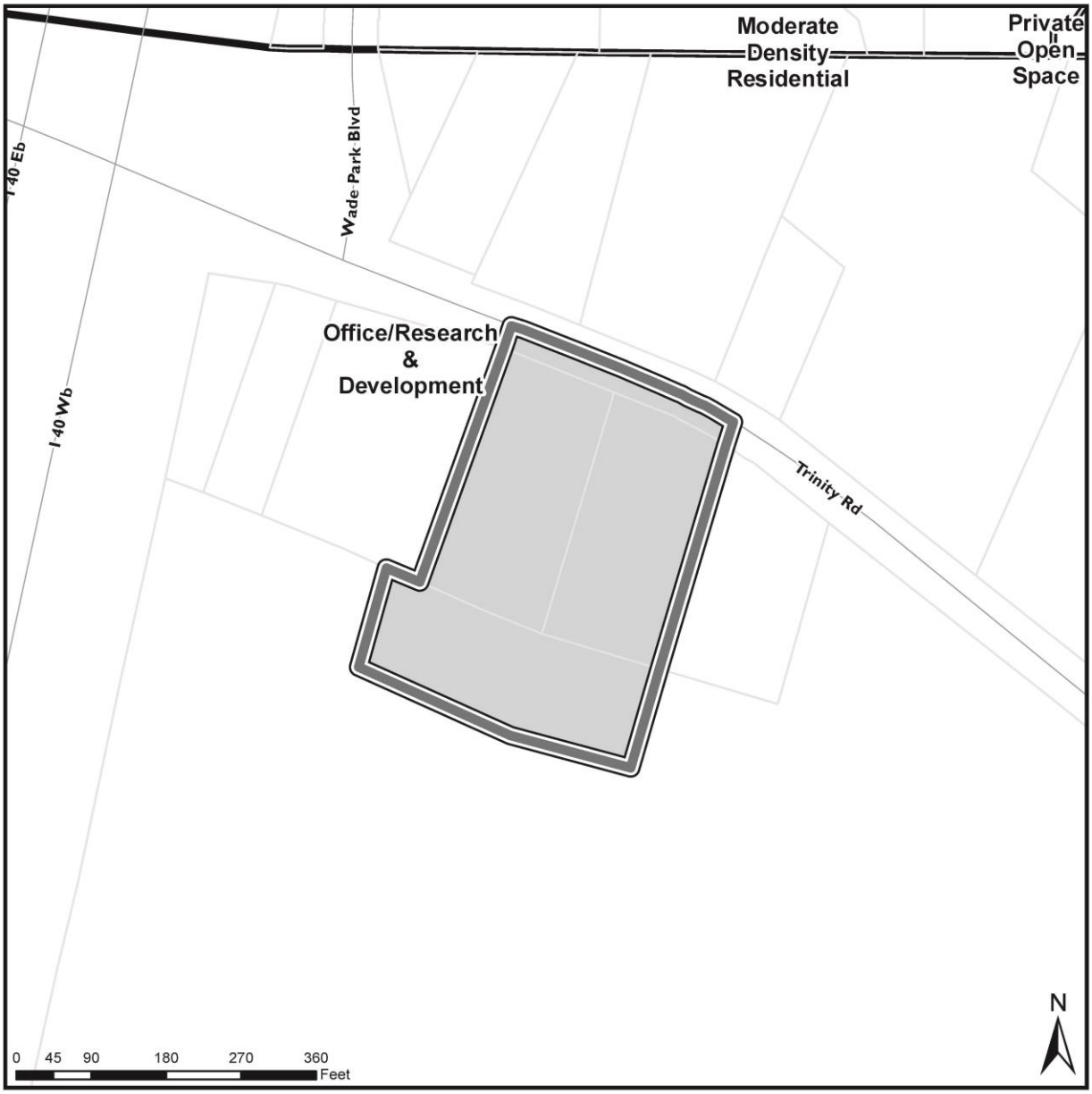
*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

The proposed rezoning is:

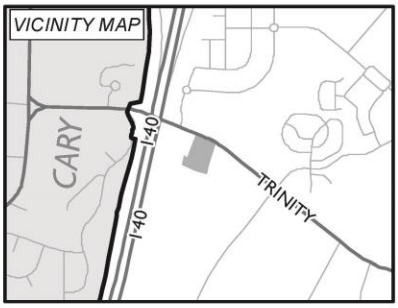
☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**
Analysis of Incompatibility:

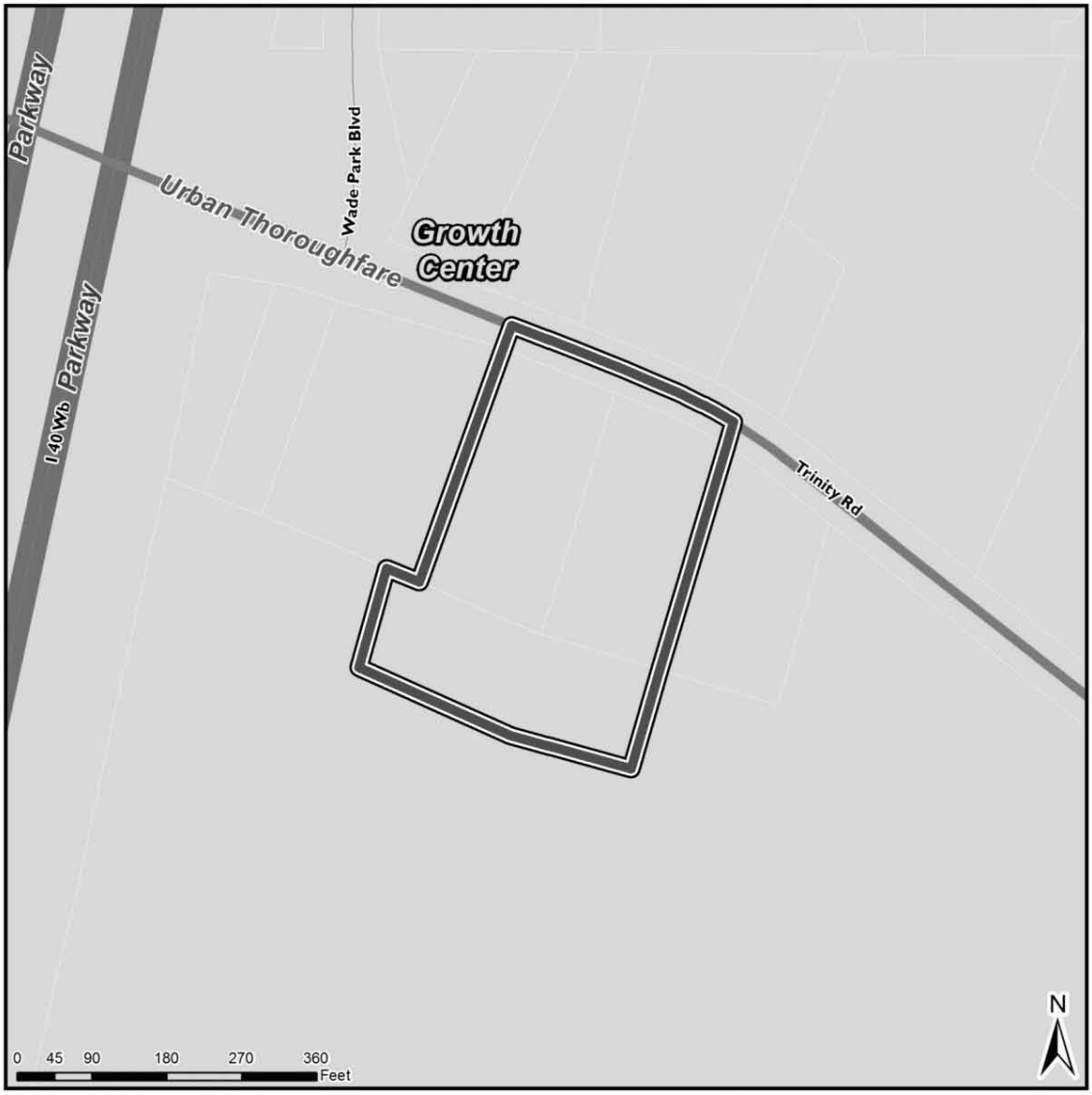
Future Land Use Map Z-36-2015



Submittal Date 9/10/2015	**Request:** 3.04 acres from TD w/ SHOD-1 to OX-3-PK-CU



Urban Form Map Z-36-2015



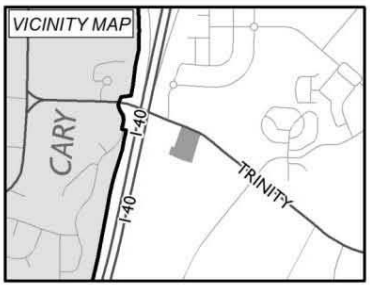
Submittal Date
9/10/2015

Request:

3 acres from

TD w/SHOD-1

to **OX-3-PK-CU w/ SHOD-1**



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with some policies of the Comprehensive Plan. However, the proposal would allow residential use, which is not consistent with the Future Land Use Map designation for the property, Office/Research and Development (O/R&D). The Comprehensive Plan states that residential uses are not appropriate in O/R&D land use categories. Recent development to the east and directly to the north has established an office-use character in the area, achieving the Comprehensive Plan's vision for the surrounding land use areas.

Of note, the city's proposed UDO remapping, Z-27-14, proposes OX-3-PK for the site. As such, the city's proposed rezoning could be considered inconsistent with the Comprehensive Plan as well.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☒ **Inconsistent**
Analysis of Inconsistency:

The Office/Research and Development designation is intended for major employment centers where housing is not considered an appropriate future land use. The Comprehensive Plan recommends that OP is the most appropriate zoning district for this category, though OX could be considered if conditions were offered that restricted housing development. As such, the proposal, including its conditions that allow residential use, make the proposal inconsistent with the Future Land Use Map.

2.3 Urban Form

Urban Form designation:

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

The rezoning request is:

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

☒ **Inconsistent**
Analysis of Inconsistency:

The site is within a City Growth Center and is located on an Urban Thoroughfare. The Comprehensive Plan calls for a hybrid frontage on Urban Thoroughfares that are more suburban in character, making the proposal inconsistent with the Urban Form Map. However, the site also includes a SHOD-1 overlay, which conflicts with the Comprehensive Plan's calling for an urban or hybrid frontage. The proposal includes a Parkway frontage, which accommodates and fulfills the requirements of the SHOD-1 overlay that exists on the site today. Of note, the city's proposed UDO remapping, Z-27-14, proposes a Parkway frontage for the site.

2.4 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.

Policy LU 1.3 – Conditional Use District Consistency
All conditions proposed as part of a conditional use district should be consistent with the Comprehensive Plan.

2.5 Area Plan Policy Guidance

The rezoning request is not within a portion of the City subject to an Area Plan.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Provides the opportunity for additional housing in an area where major employment centers are located.
- Prohibits the development of low-density residential uses in a designation City Growth Center
- Would achieve a zoning district for the site similar to that sought by the city in its Z-27-14 UDO remapping case.

3.2 Detriments of the Proposed Rezoning

- Would permit residential development in an area envisioned by the Comprehensive Plan as appropriate only for office and office park development.
- Would permit relatively small-scale development along a portion of Trinity Road that is experiencing large scale development of multiple types (residential, office, retail, mixed).

4. Impact Analysis

[Assess impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.]

4.1 Transportation

The Z-36-2015 site is located on the south side of Trinity Road between I-40 and Corporate Center Drive. Trinity Road (SR 1656) is maintained by the NCDOT. This segment of Trinity Road currently has a two-lane, ribbon-paved cross section without curbs or sidewalks. Trinity Road is classified as a major street in the UDO Street Plan Map (Avenue, 4-Lane, Divided). There are no CIP projects planned for Trinity Road, Corporate Center Drive or Edwards Mill Road. There are no state STIP projects for Trinity Road in the vicinity of the Z-36-2015 site.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D: Internal vehicular circulation areas shall be designed and installed to allow for cross-access between abutting lots. If an abutting owner refuses in writing to allow construction of the internal vehicular circulation on their property, a stub for future cross-access shall be provided as close as possible to the common property line. If cross-access is waived by the Public Works Director in accordance with Sec. 8.3.6., bicycle and pedestrian connections shall be provided between abutting properties except where there is a perennial wet stream crossing greater than 15 feet in width that interferes with such access.

Site access is limited to Trinity Road. In accordance with the Raleigh Street Design Manual section 6.5.3., driveways accessing an Avenue, four-lane, divided street must be spaced 300 feet apart centerline to centerline. The block perimeter bounded by the rights-of-way for Trinity Road, Corporate Center Drive, Chapel Hill Road and I-40 is greater than 12,000 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for OX-3 zoning is 3,000 feet.

A traffic impact analysis report is Not required for Z-36-2015.

Impact Identified: Block Perimeter

4.2 Transit

Transit does not currently serve this portion of Trinity Rd. Neither the City of Raleigh Short Range Transit Plan nor the Wake County 2040 Transit Study predict future transit routes here. Currently the closest stops are the Triangle Transit District Dr Park and Ride and the NCSU Carter Finley Park and Ride.

Impact Identified: None

4.3 Hydrology

Floodplain	None
Drainage Basin	Richland
Stormwater Management	Subject to Article 9.2 of UDO
Overlay District	none

Impact Identified: Subject to Stormwater regulations under Article 9.2 of UDO. No Neuse buffer or floodplain exists on site.

Impact Identified: None

4.4 Public Utilities

	Maximum Demand (current)	*Maximum Demand (proposed)*
Water	38,000 gpd	18,750 gpd
Waste Water	38,000 gpd	18,750 gpd

Impact Identified: The proposed rezoning would not impact the wastewater collection and water distribution systems of the City. There are existing water mains adjacent to the properties. The petitioner/developer will be responsible to extend sanitary sewer mains some 320' to the property.

The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

1. Site is not adjacent to existing or planned greenway trail, connector or corridor. Nearest trail is 0.8 miles, Edwards Mill Connector.
2. City of Raleigh recreation services are provided by Lake Johnson Park, 3.8 miles.

Impact Identified: None

4.6 Urban Forestry

The combined acreage of the subject properties is larger than two acres in size. If recombined for development, compliance with UDO Article 9.1 – Tree Conservation, will be required. The proposed Parkway Frontage (PK) is consistent with the requirement in Article 9.1 for a primary tree conservation area along a thoroughfare, in this case, Trinity Road. The current TD zoning protects and prevents removal or disturbance of existing trees in a 50'-90' wide swath along Trinity Road. The Parkway Frontage fulfills the existing intent of the TD zoning by providing at least a 50' setback from the primary street.

Impact Identified: Subject to UDO Article 9.1 – Tree Conservation if lots are recombined for development.

4.7 Designated Historic Resources

There are no known historic resources within 1,000 feet.

Impact Identified: None

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None

4.9 Impacts Summary

- Address sewer and fire flow matters upon development, if needed.
- Subject to Stormwater regulations under Article 9.2 of UDO. No Neuse buffer or floodplain exists on site. No impacts identified.
- If lots are recombined for development, Tree Conservation measures will be required.

4.10 Mitigation of Impacts

- Address sewer and fire flow matters upon development
- The offer of Parkway Frontage, with its SHOD-1 landscape yard requirements, will mitigate possible tree conservation impacts.

5. Conclusions

The proposal seeks an Office-Mixed Use zoning designation in an area identified in the Comprehensive Plan as appropriate only for office and some light industrial uses. Furthermore, conditions explicitly allow residential development, which further conflicts with the Future Land Use Map designation for the property. Of note, the proposal is in line with the city's own proposal to rezone the property to OX-3-PK. Ultimately, however, the proposal is considered inconsistent with the Future Land Use Map and other policies of the Comprehensive Plan.

Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application

Rezoning Request	OFFICE USE ONLY
☐ General Use ☒ Conditional Use ☐ Master Plan	Transaction Number
Existing Zoning Classification TD-SHOD-1: Thoroughfare District Special Highway Overlay District **Proposed Zoning Classification Base District** OX **Height** 3 **Frontage** PK Office Mixed Use - 3 Story Height - Parkway Frontage	
If the property has been previously rezoned, provide the rezoning case number. N/A	
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. DDS - 426214, Pre-App - 439646	

GENERAL INFORMATION		
Property Address 5721 Trinity Road, 5739 Trinity Road & 5801 Trinity Road		**Date**
Property PIN 0774778943, 0774777918, 0774776775	**Deed Reference (Book/Page)** DB 001366 PG 00-E, DB 13-E PG. 1412, DB 3096 PG 149	
Nearest Intersection Trinity Road and Corporate Center Drive		**Property size (in acres)** 3.04 ac
Property Owner/Address Marilyn Geisler 269 Country Club Drive #7 Arapahoe, NC 28510-9651 Elizabeth Ann Medlin, Knapp-Jones & William Medlin 8533 Lenox Avenue Jacksonville, FL 32221-6509	**Phone**	**Fax**
	Email	
Project Contact Person/Address Curry Engineering Group-Andrew Petty 205 S. Fuquay Avenue Fuquay-Varina, NC 27526	**Phone** 919-552-0849	**Fax** 919-552-2043
	Email andy@curryeng.com	
Owner/Agent Signature DocuSigned by: Elizabeth Knapp Jones 0C70F6AE84B04EE...	**Email** bobordh@aol.com	

DocuSigned by: Cheryl Medlin DA7A512F648C45E...

DocuSigned by: Wesley A. Medlin medlin1993@yahoo.com WAM

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

DocuSigned by: Cheryl Medlin cherMedlin32@mac.com CM DA7A512F648C45E...

DocuSigned by: Teng Jr TJ74Racing@Aol.com WAM 7082469277A4EE...

DocuSigned by: William J. Medlin Joe.medlin@yahoo.com 4FA53538EDDD4FD...

X [signature] chanse0311@charter.net William J. Medlin

X [signature] chanse0311@charter.net

DocuSigned by: Marilyn H. Geisler minnesott_marilyn@centurylink.net Marilyn H. Geisler 7DBDC83DD405463

DocuSign Envelope ID: A232060B-2E1B-4BF4-8F0A-4D22A658B15E

Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number		**Transaction Number**
Date Submitted 10/8/15		
Existing Zoning TD	**Proposed Zoning** OX-3-PK	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	Residential Development is limited to 10 units/acre
2.	Single unit living is prohibited.
3.	
4.	
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
DocuSigned by: Elizabeth Knapp Jones 0C70F6AE84B04EE...	Elizabeth Knapp Jones
DocuSigned by: Wesley A. Medlin	Wesley A. Medlin
Terry Jones	Terry Jones
Cheryl Medlin	Cheryl Medlin
DocuSigned by: William J. Medlin	William J. Medlin
DocuSigned by: Marilyn H. Geisler	Marilyn H. Geisler
Kimberly Chambers	Kimberly CHAMBERS

Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	**Transaction Number** 439646 **Zoning Case Number** Z-36-15

STATEMENT OF CONSISTENCY	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.	
1.	Zoning to office mixed use is consistent with future land use of Office Research & Development.
2.	Zoning Designation OX-3-PK matches City of Raleigh Remapping Efforts currently under consideration with City Council
3.	Area is located in a City Growth Center where mixed use is encouraged for walkability.OX-3-PK meets that criteria with Parkway Frontage.
4.	

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	Provides potential for residential units close to numerous office buildings along Trinity Road.
2.	Parkway frontage provides an aesthetic view along Urban Thoroughfare.
3.	Opens option for mixed use to provide wide range of services to area.
4.	

***** Property not shown as a "mixed use center" or located along Main Street or Transit Emphasis Corridor. *****

URBAN DESIGN GUIDELINES	
If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.	
1.	*All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.*
2.	*Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.*
3.	*A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*
4.	*Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*
5.	*New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.*
6.	*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.*
7.	*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.*
8.	*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.*
9.	*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.*
10.	*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.*
11.	*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.*
12.	*A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*
13.	*New public spaces should provide seating opportunities.*
14.	*Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*
15.	*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.*
16.	*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 cane make a significant improvement.*

17.	*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.*
18.	*Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*
19.	*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.*
20.	*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.*
21.	*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.*
22.	*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.*
23.	*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.*
24.	*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.*
25.	*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.*
26.	*The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

Z-36-15

Curry
ENGINEERING

August 5, 2015

RE: Rezoning Neighborhood Meeting

Hello,

This letter is to invite you to a meeting to review a rezoning application for the properties located at 5801, 5739 and 5721 Trinity Road. This proposal would be to rezone the current properties from Thoroughfare District (TD) to Office Mixed Use (OX). See attached map for specific location outlined in yellow.

Meeting Information:

Location: Wingate Hotel
Arena Room
6115 Corporate Ridge Road
Raleigh, NC 27607

Date: Wednesday, August 19, 2015

Time: 6:00 PM to 7:00 PM

Sincerely,

Andrew Petty, PE
Associate
andy@curryeng.com

T (919) 552-0849
F (919) 552-2043
205 S. Fuquay Avenue
Fuquay-Varina, NC 27526

CURRY ENGINEERS EST. 10 NORTH CAROLINA

Curry
ENGINEERING

August 19, 2015

City of Raleigh – Planning Department
One Exchange Plaza, Suite 304
Raleigh, NC 27601

RE: Trinity Road Rezoning Neighborhood Meeting
Meeting Minutes

Purpose of Meeting: Properties located at 5721, 5739 and 5801 Trinity Road are scheduled to apply for rezoning from Thoroughfare District (TD) to Office Mixed Use (OX-3-PK). As part of the rezoning petition process, a neighborhood meeting is required to be held with adjacent properties within one hundred feet of the subject properties. These adjacent properties were sent certified letters on August 7, 2015 inviting them a neighborhood meeting to be held on August 19, 2015.

Date & Time: The meeting was held on August 19, 2015, from 6pm-7pm, at Wingate Hotel, Arena Room at 6115 Corporate Ridge Road located approximately 1.5 miles from the subject properties.

Attendance: Attendees are listed below. Also see attendance roster.

Andy Petty	Curry Engineering – Engineer
Steve Holbrook	Sotheby's Realty
Mick Michael	Envision Homes
Hunter Bowling	Envision Homes
Keith Hicks	Neighbor
Matt Stephens	Neighbor
Mike Stewart	Stewart-Proctor
Larry Cutlip	Neighbor
Jeff Cutlip	Neighbor
Cindy Cutlip	Neighbor

T (919) 552-0849
F (919) 552-2043
205 S. Fuquay Avenue
Fuquay-Varina, NC 27526

CURRY ENGINEERS EST. 10 NORTH CAROLINA

Meeting Minutes:

Mr. Petty (Curry Engineering Group) began the meeting at 6:05 by introducing the properties that will be part of this rezoning application. Handouts were provided with the subject properties outlined in yellow. Mr. Petty explained that these properties were currently part of the City of Raleigh's remapping efforts to be rezoned to OX-3-PK and this rezoning application was being submitted due to delays the City of Raleigh is encountering in gaining City Council approval of the City Wide Rezoning case. Mr. Petty explained that this rezoning application will follow the City's remapping zoning of OX-3-PK and that this zoning is consistent with the City of Raleigh's Comprehensive Plan. Mr. Petty explained the major difference between the City of Raleigh's City Wide Rezoning this application is that this application will include conditions whereas the City's is a general rezoning. The list of proposed conditions was provided. Mr. Petty also stated that if the City Wide Rezoning case was approved during the rezoning process of these properties, the rezoning application would be retracted.

After the overview of the rezoning, Mr. Petty and Mr. Michael (Envision Homes) addressed any questions from the attendees. The final question was addressed at 6:45pm and the meeting concluded.

Summary of Issues:

Mr. Larry Cutlip owns the property to directly to the east of 5721 Trinity Road. He stated that he thought townhomes would have an adverse effect on his property because they would devalue his property. Mr. Petty explained to Mr. Cutlip that this rezoning application was not specific to a town home community and the rezoning of the property from TD to OX-3-PK would allow any development that was an allowable use within the OX zoning district to be constructed. Mr. Petty also explained that townhomes would be an allowable use within the OX zoning district because the districts mixed-use approach. Mr. Cutlip said he would not be in favor of the rezoning of these three properties or his own property being rezoned to OX. Mr. Petty again explained that this zoning district is in compliance with the City of Raleigh's Comprehensive plan and City Wide Rezoning case. He encouraged Mr. Cutlip to attend upcoming City Council meetings if he was unhappy with the City's decision to rezone his property to OX-3-PK and that he would be able to voice concerns over the rezoing of these properties at Planning Commission and City Council if he chose too. Mr. Cutlip acknowledged this and would look at upcoming meetings.

END OF MINUTES

Sincerely,

Andrew Petty, PE
Associate

Curry
ENGINEERING

MEETING SIGN-IN SHEET

Project:	Trinity Road Tracts	**Meeting Date:**	August 19, 2015
Facilitator:	Curry Engineering Group	**Place/Room:**	Wingate at 6115 Corporate Ridge Road, Raleigh, NC 27606 – Arena Room

Name	Company	Phone	Fax	E-Mail
Andy Petty	Curry Engineering	919.552.0849	919.552.2043	andy@curryeng.com
STEVE HOLBROOK	SOTHEGS	919 605 5209	876 5109	SteveHBrook@Gmail.Com
Kcalficks	TRINITY RD	919 853 9042		
Hunter Bowling	Envision Homes	919-239-9886		Hunter@EnvisionHomesinc.com
Mick Michael	Envision/BSD	919-414-4780		mick@envisionhomesinc.com
Matt Stephens	Stephens Ent.	(919) 779-8649		
MIKE STEWART	STEWART-PROCTOR	919 779-1855		stewartpc@aol.com
Larry Cutlip	none	(919) 5222162		lorscutlip@yahoo.com
Jeff Cutlip		919-784-0159		
Cindy Cutlip		"		

Rec'd 10.22.15
Gail Smith
City Clerk

City Of Raleigh
North Carolina

Date: October 10/12/2015

Dear Citizen:

You are receiving this notice because:

Your property is located within 100 feet of a property that is the subject of a rezoning application.

The Planning Commission will consider this request at a public meeting scheduled for **Tuesday, October 27, 2015 at 9:00 a.m.** in the Council Chamber, Room 201 of the Raleigh Municipal Building, located at 222 West Hargett Street. The meeting will consider changes to the City's zoning ordinance and zoning map. You may have already received some information on this rezoning case from your Citizen's Advisory Council.

A map showing the subject site is enclosed. The case pertaining to your property is:

Z-36-15 Trinity Road, Location, being Wake County PINs 0774776775, 0774777918, and 0774778943. Approx. 3.04 acres are requested by Marilyn Geisler and Elizabeth Ann Medlin, Knapp-Jones and William Medlin to be rezoned from Thoroughfare District (TD to Office Mixed Use-3 stories-with Parkway Frontage (OX-3-PK). Conditions limit residential development to 10 units per acre and also prohibit single unit living. (Staff Contact: Charles Dillard, charles.dillard@raleighnc.gov, 919-996-2651).

If you would like to oppose this request you can submit written comments to the City Clerk's office, Room 207, Municipal Building, 222 West Hargett Street, Raleigh. Comments received at least two business days prior to the proposed vote will be delivered by the Clerk to the City Council.

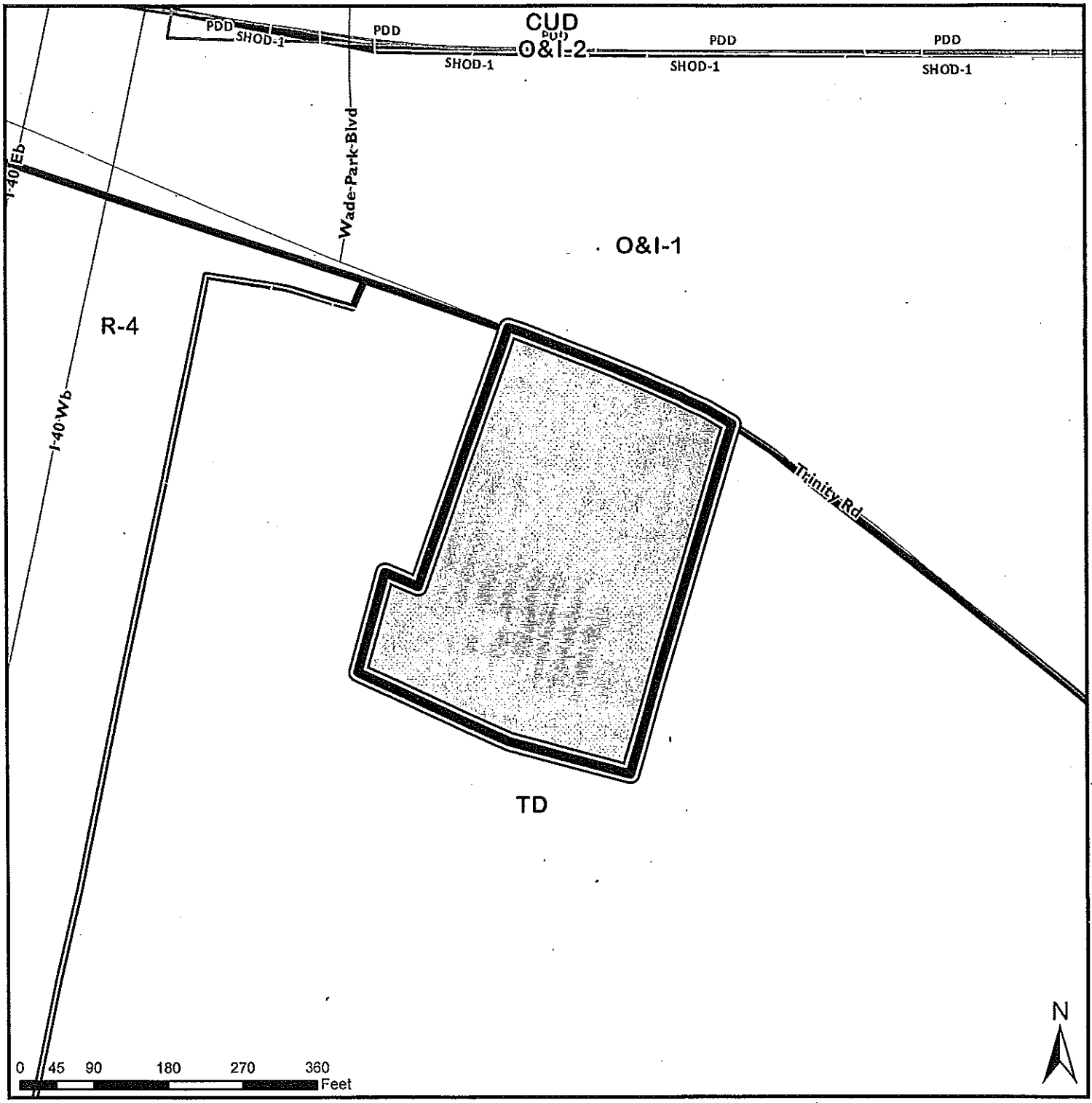
Please forward any questions to the Staff Contact Person identified above. Detailed information on each zoning case scheduled for this public meeting can also be accessed via the Planning Department's web site (www.raleighnc.gov/zoning).

Sincerely,

Ken A. Bowers, AICP
Planning Director

Existing Zoning Map

Z-36-2015

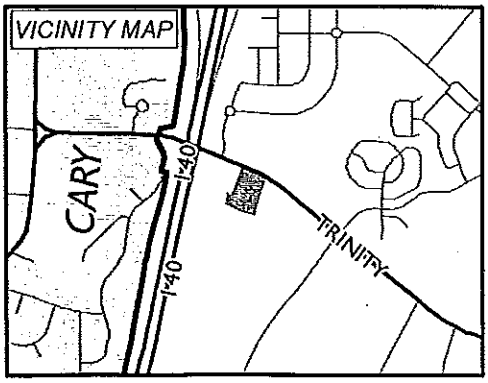


Submittal Date

9/10/2015

Request:

3.04 acres from TD w/ SHOD-1 to OX-3-PK-CU



Received
10-22-15
Gail Johnson
City Clerk

Proposed Zoning Changes

Oct. 21, 2015

Jeffrey L. Cutlip (Property Owner), 5711 Trinity Rd. Raleigh)
/Larry D. Cutlip (Appointed Representative)
6412 Godfrey Dr. Raleigh
Raleigh, NC, 27612

City Planning Commission
c/o, Ken A Bowers, AICP
Planning Director

RE: I as a property owner located at 5711 Trinity of which is subject to a requested zoning change that will have an effect on the future use/value of my property. The property was purchased more than 15yrs. ago. At the time the existing zoning provisions were the paramount reason for making the decision to buy the property. Now, I am confronted with a Proposed Rezoning, that will deprive me privileges the current zoning (TD) affords me. Also, I have met the higher tax burden for this privilege.

Therefore, I have no other choice but to submit a proposal of opposition of the currently proposed case Z-36-15 Trinity Rd. location, being Wake County PINs 07774776775, 0774777918, and 0774778943. Approx. 3.04 acres, requested by, Marilyn Geisler and Elizabeth Ann Medlin, Knapp/Jones and William Medlin to be rezoned from Thorough District(TD to Office Mixed Use-3 stories with Parkway Frontage(OX-3-PK),Conditions limit residential development to 10 units per acre and also prohibit single unit living.

Opposition Reasoning:

By the nature of the subject properties and their value to the district's comprehensive location, as well as, being contiguous to the Parkway Through-fare, none of the properties should be subject to any type/ form of residential use. These properties have far greater value to the Comprehensive Plan, than for any type residential applications.

In consideration of the current application, it is a classic encroachment (Spot Zoning) into a district that is not suitable for such a development as they propose, which is Townhomes /Condos.

Being that, there is an ongoing proposal to rezone my property at 5711 Trinity RD.(PIN:0774779876) a City Rezoning Initiative under the City Of Raleigh UDO Districts. In this case it is a logical reason to deny the current applicant's request for rezoning until the city makes a final determination of their case (zoning case #Z-27-14).

Hopefully, the City Planners will be able to devise a plan for our district that is best suited for the area, as well as, fulfill the best interest of the city. This section of Trinity Rd. represents a corridor from Cary, into Raleigh as a welcome portal to the future hub of Raleigh.

Jeffrey L. Cutlip (Property Owner)

Larry D. Cutlip (Appointed Representative)

Jeffrey L. Cutlip
6412 Godfrey Dr.
Raleigh, NC 27612

City Planning Commission
c/o, Ken A Bowers, AICP
Planning Director
C/O City Clerk's Office
Room 207,Municipal Building
222 West Hargett St.
Raleigh NC

Rec'd to be distributed to Boards and Planning Commissioners 10-22-15
Gail Johnson