



Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.

2. That the following circumstance(s) exist(s):

☒ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.

☒ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.

4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:

- 1) to lessen congestion in the streets;
- 2) to provide adequate light and air;
- 3) to prevent the overcrowding of land;
- 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
- 5) to regulate in accordance with a comprehensive plan;
- 6) to avoid spot zoning; and
- 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature(s)	Date:
<u>Thomas Hennessy</u> THOMAS HENNESSY	<u>2-27-08</u>
<u>Mary Hennessy</u> MARY HENNESSY	<u>2-27-08</u>
<u>Margaret Seymour</u> MARGARET SEYMORE	<u>2-27-08</u>
<u>Kimberly Holmes</u> KIMBERLY HOLMES	<u>2-27-08</u>
<u>Caleb Smith</u> CALEB SMITH	<u>2-27-08</u>

EXHIBIT B. Request for Zoning Change

Office Use Only	
Petition No.	<u>2-38-08</u>
Date Filed:	<u>3-20-08</u>
Filing Fee:	<u>500.00 by cash # 856</u>

Please use this form only – form may be photocopied. Please type or print

See instructions, page 6

Name(s)	Address	Telephone / E-Mail
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1) Petitioner(s): See attachment #1
Note: Conditional Use District
Petitioner(s) must be owner(s) of
petitioned property.

**2) Property
Owner(s):** See attachment #2
(columns 2A & 2B)

3) Contact Person(s):	<u>Tom and Mary Hennessy</u>	<u>3117 Stanhope Ave</u> <u>Raleigh, NC 27607</u>	<u>919-835-4763</u>
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**4) Property
Description:** Wake County Property Identification Number(s) (PIN):
Please provide surveys if proposed
zoning boundary lines do not follow
property lines. See attachment #2 (column 3)

**5) Area of Subject
Property (acres):** General Street Location (nearest street intersections): 6 acres, more or less, on
Stanhope Ave from Hillsborough St at Stanhope Ave to Concord at Stanhope Ave
and on Rosemary St from Hillsborough St at Rosemary to Stanhope Ave at
Rosemary

**6) Current Zoning
District(s)**
Classification: I-2
Include Overlay District(s), if
Applicable

**7) Proposed Zoning
District**
Classification: R-10
Include Overlay District(s) if
Applicable. If existing Overlay
District is to remain, please state.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

3

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

- A. Please state which District Plan area the subject property is located within and the recommended land use for this property:

The subject property is located within the University District. The recommended land use and zoning for the subject property is described in the Stanhope Village Small Area Plan: "The area should develop with a mix of land uses, with residential predominating. Neighborhood-oriented retail, such as a grocery store and/or pharmacy, is recommended along Hillsborough, with other retail, restaurant, and entertainment recommended along Hillsborough and Concord. Predominately residential uses are recommended for upper floors and the interior of the site. It is recommended that the Stanhope Neighborhood be rezoned to a non-industrial zoning classification in such a way as to minimize conflicts with other ongoing uses, including the existing communications tower. Historically significant buildings and districts should be preserved and rehabilitated."

- B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

(Exhibit D: I. B. continued)

The subject property is located within the Stanhope Village Small Area Plan. "The plan area lies on the south side of Hillsborough Street between Dan Allen Drive on the east and the Progress Energy facility to the west. The southern boundary is the railroad corridor and the northern boundary is Hillsborough Street."

Ben Brown, Storm Water Development and Supervisor of the Public Works Department, states per telephone conversation that there is no flood plane in the subject property.

- C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

The proposed map amendment is an expression of the City's own Comprehensive plan as described in the Stanhope Village Small Area Plan. In this rezoning petition, the Stanhope neighbors are asking for the land use and zoning recommended in the Stanhope Village Small Area Plan.

THE PROPOSED MAP AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN & THE SAP MK

II. Compatibility of the proposed map amendment with the property and the surrounding area.

- A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

THERE IS A LARGE RESIDENTIAL AREA NORTH OF HILLSBOROUGH ST. HILLSBOROUGH ITSELF IS LINED WITH MK
Two of the areas of compatibility of the proposed map amendment with the property and the surrounding areas are described in the Stanhope Village Small (OVER)
Area plan and are as follows:

- "Concord Street would serve as the primary public space and entry feature for the area. This street would include on-street parking, areas for public seating and temporary events, such as markets or festivals. In addition, an open, pedestrian-oriented commons is recommended for the southeast portion of the plan area. This space would create a pedestrian link to NC State and the proposed Reynolds Coliseum TTA station."
- "It is recommended that a strong connection be made to the east, to NC State's employment and educational centers and the TTA station to be located near Reynolds Coliseum. An eventual connection to the south, across the railroad corridor, is desirable. Likewise, pedestrian connections to the Stanhope neighborhood and along Hillsborough Street are very important."

- B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

- The existing Zoning pattern in the subject property is I-2. The existing Zoning patterns surrounding the subject property include a large residential area north of Hillsborough Street which is zoned R-10. Northwest of Hillsborough is a small parcel zoned O&I. Hillsborough Street is zoned NB: Neighborhood Business

II. A. (CONTINUED) RESTAURANTS, AUTOMOTIVE
REPAIR SHOPS, APARTMENT BUILDINGS & OTHER
COMMERCIAL PROPERTIES, SOUTHEAST OF HILLSBOROUGH
STREET (FROM THE SUBJECT PROPERTY) ARE
UNIVERSITY (NC STATE UNIVERSITY) BUILDINGS
BETWEEN THESE UNIVERSITY BUILDINGS & THE SUBJECT PROPERTY IS
LARGE, PRIVATELY OWNED, PARKING LOT.
THE EXISTING LAND USE IN THE SUBJECT PROPERTY
IS PRIMARILY RESIDENTIAL. THERE IS ALSO A
LARGE COMMUNICATIONS TOWER WITHIN THE SUBJECT

district. Southeast of Hillsborough bordering North Carolina State University is an area zoned O&I. The railroad corridor is directly to the south of the subject property.

The existing built environment north of Hillsborough Street is a mix of bungalows and two-story, primarily single-family residences and some rental property. Along Hillsborough Street exist commercial properties and There are apartment buildings of approximately 4-6 stories in height and other commercial properties along Hillsborough Street. Northwest (from the subject property) on Hillsborough Street exist a mixed use of restaurants and automotive repair shops.

•

The existing built environment in the subject property consists primarily of single-story, wood-frame bungalows built in the 1920's and the 1930's. Existing built environment within the subject property includes a communications tower owned by Hilltower Associates LLC.

- C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area
- That the proposed zoning map amendment is compatible with the suitability of the property for particular uses is described in the Stanhope Village Small Area Plan and has been noted earlier in this petition: "The area should develop with a mix of land uses, with residential predominating."
 - Many of the homes included in the proposed zoning map amendment were built in the 1920's and the 1930's. The Stanhope Village Small Area Plan states: "Historically significant buildings and districts should be preserved and rehabilitated."
 - That the proposed zoning map amendment is compatible with the character of the surrounding area is described in the Stanhope Village Small Area Plan: "The area has significant redevelopment potential and the main goal of the plan is to provide a consensus framework for a compact, diverse, and pedestrian-oriented urban redevelopment—meeting the needs of the adjacent stakeholders, strengthening the surrounding communities, and addressing municipal goals for more sustainable patterns of growth."
 - The key word here is diverse. An area of unrelieved parking decks lacks the diversity essential to "meeting the needs of the adjacent stakeholders, strengthening the surrounding communities and addressing municipal goals for more sustainable patterns of growth."

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The benefits for the landowners would be increased stability for a neighborhood of long standing.

3103-3113 Stanhope Avenue(see attached spreadsheet for further information) are residential properties slated for demolition. The petition to rezone would allow the landowner to replace these structures with residential properties and be in conformance with the Stanhope Village Small Area Plan and the City of Raleigh's Comprehensive plan.

We are aware of no detriments associated with the petition to rezone.

B. For the immediate neighbors:

The potential benefit for the immediate neighbors is described in the Stanhope Village Small Area Plan: "The area [Stanhope Village] has significant redevelopment potential and the main goal of the redevelopment—meeting the needs of the adjacent stakeholders, strengthening the surrounding communities, and addressing municipal goals for more sustainable patterns of growth."

We are aware of no detriments associated with the petition to rezone.

C. For the surrounding community:

The potential benefit for the surrounding community is described in the Stanhope Village Small Area Plan: "The area [Stanhope Village] has significant redevelopment potential and the main goal of the redevelopment—meeting the needs of the adjacent stakeholders, strengthening the surrounding communities, and addressing municipal goals for more sustainable patterns of growth."

We are aware of no detriments associated with the petition to rezone.

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

The rezoning of the subject property does not provide any unfair benefit to the property owner that is not available to surrounding properties.

- The existent I-2 zoning use of the subject property is inconsistent with the subject property's historic use. The option of rezoning is available to neighborhoods throughout the city of Raleigh in similar circumstances.

The rezoning of the subject property would simply enact a part of the City's own Comprehensive Plan as described in the Stanhope Village Small Area Plan.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

Why the characteristics of the subject property support the proposed map amendment is explained in detail in the Stanhope Village Small Area Plan.

The proposed map amendment is an implementation of recommendations of the Stanhope Village Small Area Plan.

- “The area should develop with a mix of land uses, with residential predominating.”
- “Historically significant buildings and districts should be preserved and rehabilitated.”

The reasonableness of this small area plan has been agreed upon and affirmed by representatives of Raleigh’s Planning Department, representatives of Raleigh’s City Council, the Wade Avenue CAC, representatives of North Carolina State University and finally by representatives of the Stanhope neighbors.

In the directions for preparing this statement, the petitioner is advised to address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan. The consistencies with the Comprehensive Plan and the small area plan have been repeated again and again throughout this petition. It is more definitive perhaps to describe any inconsistencies between this petition and the City’s Comprehensive Plan and the Stanhope Small Area Plan. There are none.

Finally, we are a neighborhood of longstanding and want to remain a neighborhood. We are asking simply for what the community and the Stanhope Village Small Area Plan have determined to be reasonable and beneficent.

V. Recommended items of discussion (where applicable).

- a. An error by the City Council in establishing the current zoning classification of the property.

The subject property was rezoned to I-2 in the 1950’s. The existing I-2 zoning is inconsistent with the historic use and character of the neighborhood.

- b. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

- c. The neighborhood has remained residential, but is threatened by continued industrial development

- d. The public need for additional land to be zoned to the classification requested.

N/A

- e. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

None, if the subject property continues in its historic character and use.

VI. Other arguments on behalf of the map amendment requested.

- Preservation of a nearly century old residential neighborhood with distinctive period architecture.
- The need for preserving quality housing within the downtown region.
- An existing vibrant neighborhood that wishes to continue with its residential character.
- Widespread neighborhood support.

Part 30 Stanhope Village Small Area Plan

GOAL

The plan area lies on the south side of Hillsborough Street between Dan Allen Drive on the east and the Progress Energy facility to the west. The southern boundary is the railroad corridor and the northern boundary is Hillsborough Street. The area has significant redevelopment potential and the main goal of the plan is to provide a consensus framework for a compact, diverse, and pedestrian-oriented urban redevelopment – meeting the needs of the adjacent stakeholders, strengthening the surrounding communities, and addressing municipal goals for more sustainable patterns of growth.

RECOMMENDATIONS

Land Use and Zoning

The area should develop with a mix of land uses, with residential predominating. Neighborhood-oriented retail, such as a grocery store and/or pharmacy, is recommended along Hillsborough, with other retail, restaurant, and entertainment recommended along Hillsborough and Concord. Predominately residential uses are recommended for upper floors and the interior of the site. It is recommended that the Stanhope Neighborhood be rezoned to a non-industrial zoning classification in such a way as to minimize conflicts with other ongoing uses, including the existing communications tower. Historically significant buildings and districts should be preserved and rehabilitated.

Road Improvements

It is recommended that Concord Street be relocated slightly to the east and redesigned to facilitate its role as the central urban design feature of the area. Concord would continue southward, providing access to adjacent parking structures, and terminate at a roundabout with the eastern end of Stanhope Avenue. A service road would be located behind the buildings facing Hillsborough Street. The existing McKnight Street right of way would be abandoned. A second service road would be extended east from the Concord roundabout to connect with the Dan Allen parking deck access road, along the rail right of way.

Public Spaces

Concord Street would serve as the primary public space and entry feature for the area. This street would include on-street parking, areas for public seating and temporary events, such as markets or festivals. In addition, an open, pedestrian-oriented commons is recommended for the southeast portion of the plan area. This space would create a pedestrian link to NC State and the proposed Reynolds Coliseum TTA station.

Pedestrian & Bicycle Access

Pedestrian and bicycle access to and within the site is crucial to the implementation of this plan. New and existing streets should have narrow travel lanes, very low vehicular speeds and clear preference given to pedestrians at pedestrian/auto crossings. It is recommended that a strong connection be made to the east, to NC State's employment and educational centers and the TTA station to be located near Reynolds Coliseum. An eventual connection to the south, across the railroad corridor, is desirable. Likewise, pedestrian connections to the Stanhope neighborhood and along Hillsborough Street are very important. It is recommended that sidewalks along Stanhope Avenue and Rosemary Street be upgraded.

Parking

Provide as much on-street parking as possible, emphasizing angled or head-in parking for added capacity, convenience and traffic calming. Provide structured parking for most automobile storage, and wherever possible, wrap structured parking with active uses, especially at the street level. Restrict surface parking to small lots with minimum street frontage and screened from pedestrian view. Control parking with a combination of meters, patron parking passes and resident permit stickers along existing residential portions of Stanhope Avenue and Rosemary Street. Require development proposals to provide adequate parking including use of shared parking strategies to minimize neighborhood overflow parking. Commuter parking is strongly discouraged.

Urban Design

Buildings fronting Concord and the pedestrian commons should contain and terminate views within those spaces. Gaps between buildings and at intersecting streets should be handled so as to minimize or cut off extended views. The east end of the pedestrian commons should be enclosed to screen the existing parking decks beyond and to create a pedestrian gateway defining arrival and departure from Stanhope Village. This east end enclosure could be accomplished by either an arcaded building or possibly a tall evergreen hedge trimmed up to create a pedestrian-scaled passageway. The two views looking south down Concord Avenue and west across the pedestrian commons should be terminated by emphasized façade elements that are approximately on axis with those views. These two views should intersect at the Concord roundabout to make clear the organization and relationship of those spaces.

Develop Concord as an active pedestrian-oriented street with diverse retail, restaurant and entertainment uses on the ground floor and with mostly residential and some office uses above. Provide a multi-use zone between the travel lanes and the sidewalk that serves as convenience diagonal parking and can be incrementally converted into outdoor seating and dining or other periodic uses such as a street fair or a Saturday morning market. Options for distinguishing the character of the multi-use zone from normal street parking include:

- Placing the two rows of street canopy trees at the edge of the travel lanes rather than at the sidewalk.
- Providing a small curb (1" +/-) between the travel lanes and the multi use zones.
- Paving the multi-use zone with a contrasting material. See Concord Street details on 11-30.7.

At retail frontages provide sidewalks wide enough for outdoor seating and planters in addition to street trees. At ground level residential uses provide entry stoops and landscaped stoop yards fronting street. Provide balconies on upper levels of residential units. Along Hillsborough Street establish an identifiable and relatively continuous retail frontage, punctuated by focal point buildings and accessory plazas notched in at mid-block with pedestrian passageways to parking behind – perhaps at McKnight right-of way or at important intersections. In addition, it is recommended that applicable sections of the Urban design Guidelines be employed in developing projects for the Stanhope Village Area

Development Intensity & Associated Traffic Impacts

The Stanhope Village Site Plan and Stanhope Village Spreadsheet outline the recommended development intensities in terms of approximate building footprints and heights. The Spreadsheet provides an estimate of associated traffic impacts. It is strongly recommended that the traffic impact analyses for each rezoning in this area take into consideration:

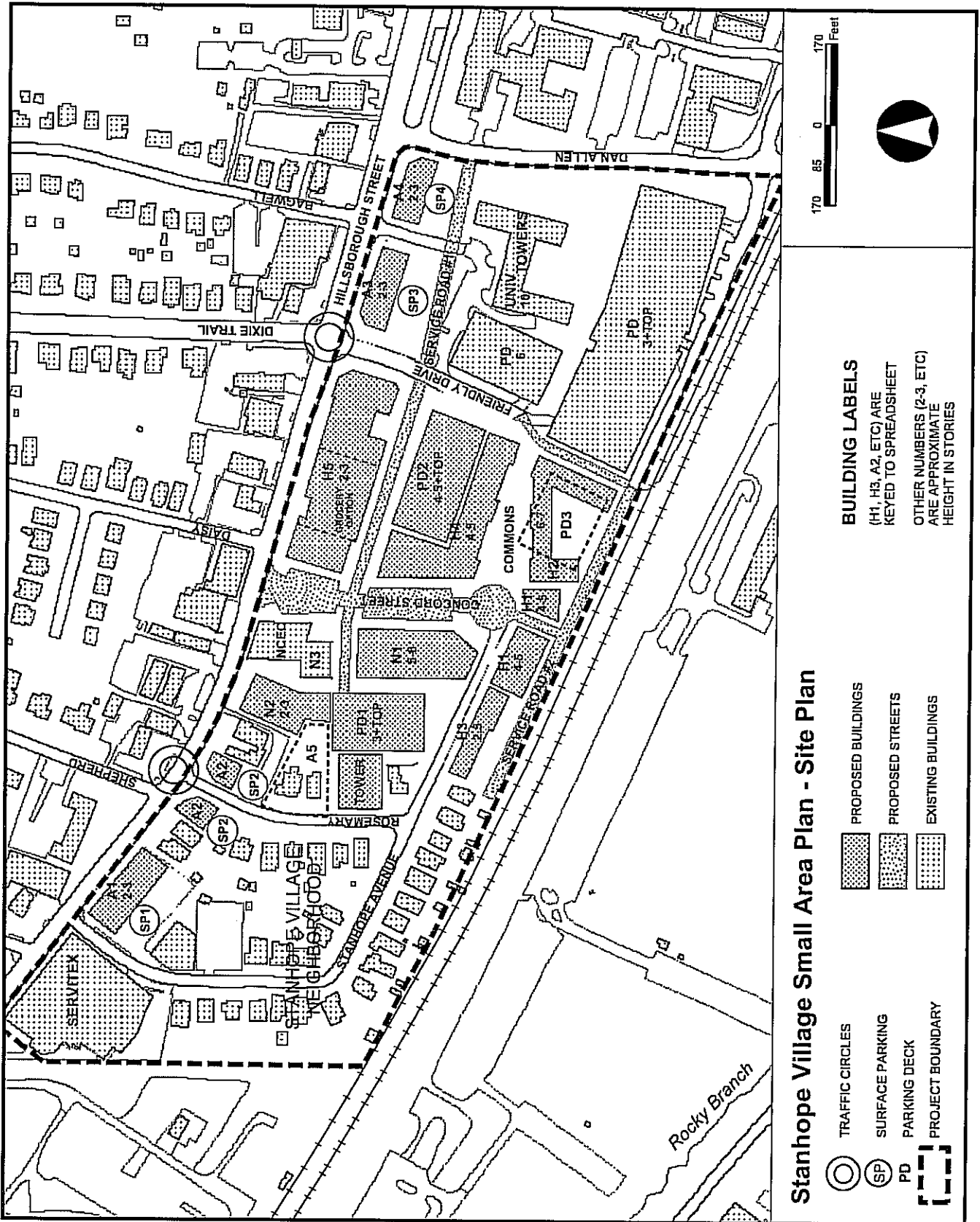
- The projected traffic capacity and level-of-service for the reconstructed Hillsborough Street.
- The projected impact on those elements of other likely redevelopment projects in the vicinity.

Transition to Adjacent Neighborhood

It is recommended that redevelopment adjacent existing single family neighborhood along Stanhope Avenue and Rosemary Street provide for a transition in scale as shown in the Site Plan and as described in Urban Design Guidelines Section 2.3. Any parking structure in proximity to the existing neighborhood should be either wrapped by active uses or screened and detailed as described in Urban Design Guidelines Section 3.11. Parking deck openings visible from nearby occupied structures should contain elements such as louvers to block deck light and noise sources. Exterior lighting fixtures should be shielded so that direct illumination is contained on site. Vehicular access to structured parking from Stanhope and Rosemary should be minimized.

Development Phasing

In order to encourage completion of phased projects in accordance with this Small Area Plan, it is recommended that project infrastructure improvements including roads, streetscapes and other pedestrian and landscape elements be constructed in the initial project phase.



2-38-08

Exhibit B #1 Petitioners' Names (Attachment #1)		Exhibit B #1 Petitioners' address / phone (Attachment #1)			
RESIDENT FIRST	RESIDENT LAST	Mail street	Mail city,st zip	PHONE NO.	Email address
THOMAS & MARY	HENNESSY	3117 Stanhope Ave	Raleigh, NC 27607	919.835.4763	
MARGARET	SEYMORE	3125 Stanhope Ave	Raleigh, NC 27607	919.755.0403	
CALEB	SMITH	3131 Stanhope Ave	Raleigh, NC 27607	919.833.7317	
KIMBERLY	HOLMES	3137 Stanhope Ave	Raleigh, NC 27607	919.395.4071	

1 HILLSBOROUGH VENURES LLC 114 Friendly Dr Raleigh, NC 27607-5400 PIN 7944-51-4976	2 HILLTOWER ASSOCIATES LLC P.O. Box 12698 Raleigh, NC 27605-2698 PIN 0794-52-2382	3 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-8652
4 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-8656	5 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-8743	6 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-6667
7 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-6763	8 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-6769	HILLTOWER ASSOCIATES LLC P.O. Box 12698 Raleigh, NC 27605-2698 PIN 0794-52-1383
9 NCSU OFFICE OF CHANCELOR Campus P.O. Box 7008 Raleigh, NC 27695-7001 PIN 0794-50-7874	10 HILLSBOROUGH VENURES LLC 3901 Barrett Dr Ste 102 Raleigh, NC 27609-6611 PIN 0794-52-6405	11 HILLSBOROUGH VENURES LLC 3901 Barrett Dr Ste 102 Raleigh, NC 27609-6611 PIN 0794-52-5466
12 ROSE MARY DEVELEOPMENTS LLC 860 Aviation Pkwy Ste 300 Morrisville, NC 27560-7396 PIN 0794-52-4325	13 ROSE MARY DEVELEOPMENTS LLC 860 Aviation Pkwy Ste 300 Morrisville, NC 27560-7396 PIN 0794-52-3525	14 BOOTH, LARRY D & VICKI A P. O. Box 66 Highfalls, NC 27529-0066 PIN 0794-52-2528
15 BOOTH, LARRY D & VICKI A P. O. Box 66 Highfalls, NC 27529-0066 PIN 0794-52-2528	16 THE READERS CORNER INC 3201 Hillsborough St Raleigh, NC 27607-5438 PIN 0794-52-1607	17 THE READERS CORNER INC 3201 Hillsborough St Raleigh, NC 27607-5438 PIN 0794-52-0760
18 THE READERS CORNER INC 3201 Hillsborough St Raleigh, NC 27607-5438 PIN 0794-52-0735	19 HARRIS FAMILY PROPERTIES LLC 420 Civic Blvd Raleigh, NC 27610-2967 PIN 0794-42-9758	20 VALLAS FAMILY LTD PARTNERSHIP NO 1 5008 Lead Mine Rd Raleigh, NC 27612-3434 PIN 0794-42-8893
21 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-42-6985	22 STEINER CORP 505 E. South Temple Salt Lake City, UT 84102-1004 PIN 0794-43-6019	23 CAROLINA POWER AND LIGHT COMPANY P. O. Box 14042 Saint Petersburg, FL 33733-4042 PIN 0794-42-2949

HILLSBOROUGH VENTURES LLC
114 FRIENDLY DR
RALEIGH NC 27607-5400

NC PIN # 0794517916

24
HILLSBOROUGH VENTURES LLC
114 FRIENDLY DR
RALEIGH NC 27607-5400

NC PIN # 0794526177

2-38-08

#	STREET	Property Owner	RESIDENT FIRST	RESIDENT LAST	PHONE NO.	REID	PIR NO.	deed book	deed page	Property Description	Year	acres	Mail street	Mail city/st zip
3101	STANHOPE AVE	HILLSBOROUGH VENTURES LLC	MELTON E	VALENTINE, JR		0022255	7944-52-14976	09460	0613	LOS RCMB STANHOPE CENTER BM2006-2377	n/a	0.30	114 Friendly Dr	Raleigh, NC 27607-5400
3112	STANHOPE AVE	HILLTOWER ASSOCIATES LLC			919	03198318	0794-52-2392	10046	0878	LOIR C L NEWMAN PROP BM2006-681	n/a	0.55	P. O. Box 12688	Raleigh, NC 27605-2689
3138	STANHOPE AVE	STEINER CORP.			919	0050318	0794-42-0652	09821	2764	NONE	n/a	0.17	505 E. South Temple	Salt Lake City, UT 84102-1004
3140	STANHOPE AVE	STEINER CORP			919	0050317	0794-42-0656	08821	2764	NONE	n/a	0.19	505 E. South Temple	Salt Lake City, UT 84102-1004
3142	STANHOPE AVE	STEINER CORP			919	0001288	0794-42-0743	08821	2759	STANHOPE AV	n/a	0.25	505 E. South Temple	Salt Lake City, UT 84102-1004
3149	STANHOPE AVE	STEINER CORP			919	0037770	0794-42-0667	08821	2759	LOUS-06 COLLEGE CREST BM1820-165	n/a	0.17	505 E. South Temple	Salt Lake City, UT 84102-1004
3151	STANHOPE AVE	STEINER CORP			919	0027518	0794-42-0763	08821	2759	LOJ3-84 COLLEGE CREST BM1820-165	n/a	0.23	505 E. South Temple	Salt Lake City, UT 84102-1004
3153	STANHOPE AVE	STEINER CORP			910	0053305	0794-42-0769	08821	2764	LO81 & 02 COLLEGE CREST SUB	n/a	0.24	505 E. South Temple	Salt Lake City, UT 84102-1004
2	WATAUGA CLUB DR	NCSU OFFICE OF CHANCELOT				0110666	0794-50-7874	00095	0246	NCSU	n/a	508.32	Campus P.O. Box 7008	Raleigh, NC 27695-7001
3023	HILLSBOROUGH ST	HILLSBOROUGH VENTURES LLC	MELTON E	VALENTINE, JR		0008003	0794-52-5405	08853	2212	LO4 REV HILLSBORO VNTRS BRNFLO BM1-344	n/a	0.17	3901 Barrett Dr Ste 102	Raleigh, NC 27609-6811
3027	HILLSBOROUGH ST	HILLSBOROUGH VENTURES LLC	MELTON E	VALENTINE, JR		0006509	0794-52-5466	08853	2212	LOS REV HILLSBORO VNTRS BRNFLO BM1-344	n/a	0.11	3901 Barrett Dr Ste 102	Raleigh, NC 27609-6811
3101	HILLSBOROUGH ST	ROSE MARY DEVELOPMENTS LLC	BOB	YOUNG, JR		0051218	0794-52-4325	12576	0853	HILLSBORO-CONCORD-STANHOPE	n/a	2.04	860 Aviation Pkwy Ste 300	Monticello, NC 27650-7398
3107	HILLSBOROUGH ST	ROSE MARY DEVELOPMENTS LLC	BOB	YOUNG, JR		0051519	0794-52-3525	12576	0853	LO33 & 34 COLLEGE CREST	n/a	0.17	860 Aviation Pkwy Ste 300	Monticello, NC 27650-7398
3109	HILLSBOROUGH ST	BOOTH, LARRY D & VICKI A	LARRY D & VICKI A	BOOTH		0121288	0794-52-2528	08131	2701	LO27-38 COLLEGE CREST BM1820-165	n/a	0.53	P. O. Box 66	Highland, NC 27929-0068
3111	HILLSBOROUGH ST	BOOTH, LARRY D & VICKI A	LARRY D & VICKI A	BOOTH		0121308	0794-52-2530	08131	2701	LO27-32 COLLEGE CREST BM1820-165	n/a	0.53	P. O. Box 66	Highland, NC 27929-0068
3201	HILLSBOROUGH ST	THE READERS CORNER INC				0044821	0794-52-1607	12598	0132	PT L TS 25 & 26 COLLEGE CREST	n/a	0.2	3201 Hillsborough St	Raleigh, NC 27607-5438
3203	HILLSBOROUGH ST	THE READERS CORNER INC				0053163	0704-55-0760	03269	0750	LOTS 23 & 24 COLLEGE CREST BM1820-165	n/a	0.17	3201 Hillsborough St	Raleigh, NC 27607-5438
3205	HILLSBOROUGH ST	THE READERS CORNER INC				0046084	0794-52-0735	04578	0669	3205 HILLSBOROUGH ST	n/a	0.17	3201 Hillsborough St	Raleigh, NC 27607-5438
3209	HILLSBOROUGH ST	HARRIS FAMILY PROPERTIES LLC				0020641	0794-42-9758	10081	1945	LOTS 17 & 18-19 & 20 COLLEGE CREST	n/a	0.34	429 Civic Blvd	Raleigh, NC 27610-2867
3213	HILLSBOROUGH ST	VALLAS FAMILY LTD PARTNERSHIP NO 1				0072539	0794-42-8893	09218	0546	NONE	n/a	0.34	5008 Last Mine Rd	Raleigh, NC 27612-3434
3301	HILLSBOROUGH ST	STEINER CORP				0003319	0794-42-6905	08821	2764	HILLSBORO ST	n/a	1.2	505 E. South Temple	Salt Lake City, UT 84102-1004
3305	HILLSBOROUGH ST	STEINER CORP				0053320	0794-42-6019	08821	2764	LOTS 1 & 2 COLLEGE CREST VAC	n/a	0.12	505 E. South Temple	Salt Lake City, UT 84102-1004
3401	HILLSBOROUGH ST	CAROLINA POWER AND LIGHT COMPANY	W. H. KEITH CK1G			0135526	0794-42-2949	00090	0090	3401 HILLSBOROUGH ST	n/a	12.53	P. O. Box 14842	Shim Painsburg, FL 33733-4042

EXP. #	EXP. #
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0.15	0.15
0.23	0.23

Mail Street	Mail City ZIP	Phone No.	Email address
13 McKinstry Ave	Rancho, NC 27607-5449		
13 McKinstry Ave	Rancho, NC 27607-5449	919 833 4763	
13 McKinstry Ave	Rancho, NC 27607-5449		
13 McKinstry Ave	Rancho, NC 27607-5449		
13 McKinstry Ave	Rancho, NC 27607-5449		
13 McKinstry Ave	Rancho, NC 27607-5449		
13115 Elmwood Ave	Rancho, NC 27607		
13117 Elmwood Ave	Rancho, NC 27607		
13118 Elmwood Ave	Rancho, NC 27607		
1408 Jones Franklin Rd	Rancho, NC 27608-1006	336 332 3000	
127 Woodstone Dr	Stembridge, NC 27164-8576	919 353 0403	
13125 Elmwood Ave	Rancho, NC 27607	919 833 8625	
13327 Elmwood Ave	Rancho, NC 27607		
14213 Autumn Dr	Rancho, NC 27678-3781		
14914 Sun Trail Dr	Rancho, NC 27673-3331		
15010 Ambrosia Dr	Rancho, NC 27605-1023		
13131 Elmwood Ave	Rancho, NC 27607	919 833 7217	
13421 Caldwell Dr	Rancho, NC 27607-3326		
P O Box 5892	Rancho, NC 27605-5892		
13134 Elmwood Ave	Rancho, NC 27607	919 833 9153	
13133 Elmwood Ave	Rancho, NC 27607	919 831 7907	
13421 Caldwell Dr	Rancho, NC 27607-3326		
13137 Elmwood Ave	Rancho, NC 27607	919 305 4071	
13100 Ambrosia Dr	Rancho, NC 27605-1023		
13120 Elmwood Ave	Rancho, NC 27607	919 831 2724	
13421 Caldwell Dr	Rancho, NC 27607-3326		
13 Elmwood St	Rancho, NC 27607		
13 Elmwood St	Rancho, NC 27607-5418	919 833 1308	
114 Frenchy Dr	Rancho, NC 27607-5400		
114 Frenchy Dr	Rancho, NC 27678-5108		
1204 Granada Dr	Rancho, NC 27609-5527		
805 Tyrrel Rd			
1302 Gersford Blvd	Los Angeles, CA 90013-1450		
P O Box 12608	Rancho, NC 27605-2608		
15 Ramsey St	Rancho, NC 27607	919 829 0865	

[illegible]



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-38-08 General Use; Stanhope Ave.

General Location: This site is located on the north and south sides of Stanhope Avenue.

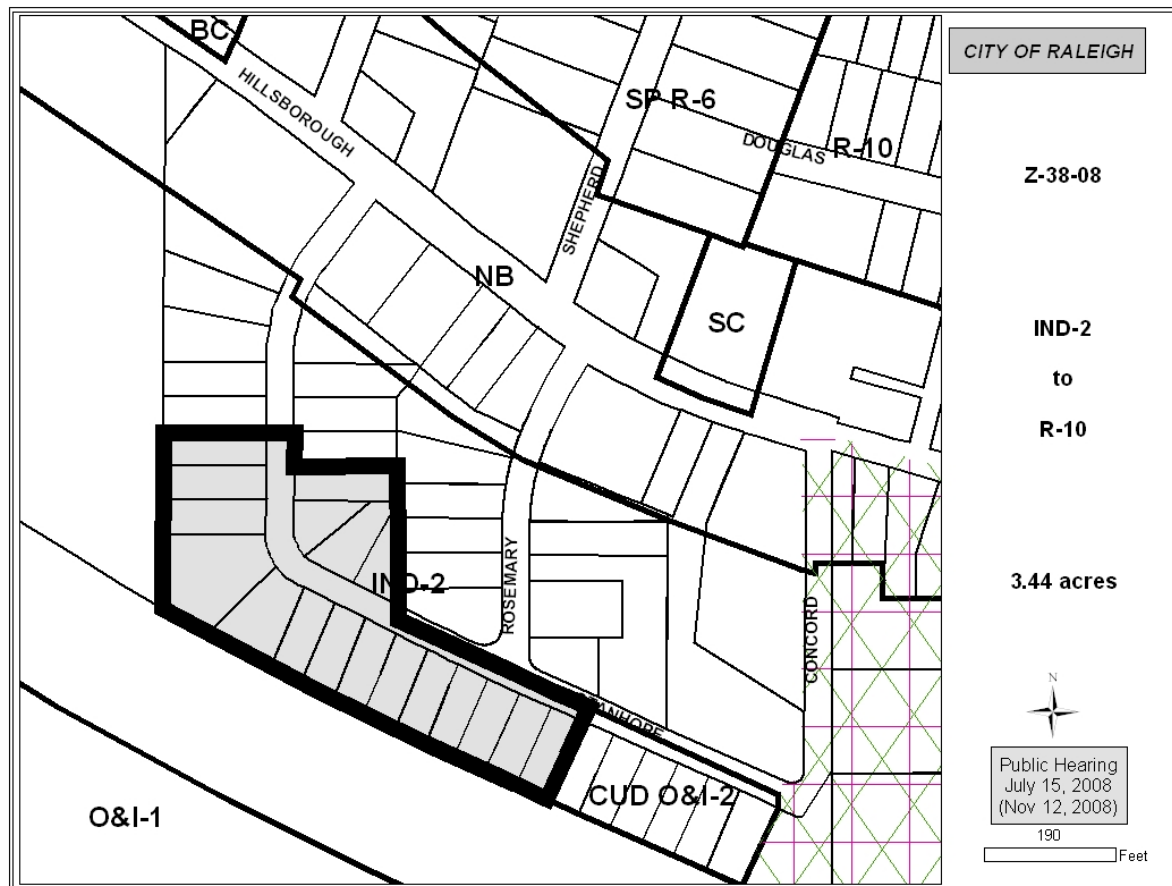
**Planning District
/ CAC:** University / Wade

Request: Petition for Rezoning from Industrial-2 to Residential-10.

**Comprehensive Plan
Consistency:** This request is consistent with the Comprehensive Plan.

**Valid Protest
Petition (VSPP):** YES

Recommendation: The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan, and recommends that this request be approved, as amended.



CASE FILE: Z-38-08 General Use

LOCATION: This site is located on the north and south sides of Stanhope Avenue.

REQUEST: This request is to rezone approximately 3.44 acres, currently zoned Industrial-2. The proposal is to rezone the property to Residential-10.

COMPREHENSIVE PLAN CONSISTENCY: This request is consistent with the Comprehensive Plan.

RECOMMENDATION: The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan, and recommends that this request be approved, as amended.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The Stanhope Village Small Area Plan recommends this area be rezoned to Residential zoning to conform to the land use currently built.
- (2) This request is reasonable and in the public interest. Current land uses within the subject area are non-conforming. Rezoning to Residential-10 will eliminate the non-conformities and help to preserve the residential character of the existing Stanhope neighborhood. These properties are located within the West Raleigh National Register of Historic Places. All of the primary structures associated with this request are contributing structures to the National District.
- (3) For any properties currently operating in-home businesses, rezoning to Residential-10 should not affect owners ability to operate as home occupations/limited home businesses.

To PC: 10/14/08
Case History: COW 11/4/08, PC 11/6/08

To CC: 11/18/08

City Council Status:

Staff Coordinator: Stan Wingo

Motion: Bartholomew
Second: Mullins
In Favor: Anderson, Bartholomew, Butler, Chambliss, Gaylord, Harris Edmisten, Holt, Mullins
Opposed: Smith
Excused:

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 Staff Report attached.

Signatures: (Planning Dir.) (PC Chair)

date:

date: 11/7/08



Zoning Staff Report: Z-38-08 General Use

LOCATION: This site is located on the north and south sides of Stanhope Avenue.

AREA OF REQUEST: 3.44 acres

PROPERTY OWNER: Tom and Mary Hennessy

CONTACT PERSON: Tom and Mary Hennessy 835-4763

**PLANNING COMMISSION
RECOMMENDATION
DEADLINE:** November 12, 2008

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Industrial-2	Residential-10
	<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
	N/A	N/A

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Dwelling units not permitted, however the existing non-conforming structures may remain regardless of the outcome of this request.	34 dwelling units.

ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	No limitations.	Office uses not permitted.

ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	No limitations	Retail uses not permitted.

ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	High Profile	Tract ID Sign

ZONING HISTORY: This property has been zoned Industrial-2 since being brought into the City's jurisdiction.

**SURROUNDING
ZONING:** NORTH: NB, IND-2
SOUTH: IND-2

EAST: IND-2, Stanhope Village PDD, Stanhope PBOD
WEST: IND-2

LAND USE: Single family homes. It should be noted that all residential uses are currently nonconforming under the Industrial-2 zoning.

SURROUNDING LAND USE: NORTH: Vacant land, delivery parking, retail uses, multifamily apartment
SOUTH: Railroad use, NCSU
EAST: NCSU, parking uses
WEST: Progress Energy substation

DESIGNATED HISTORIC RESOURCES: These properties are located within the West Raleigh National Register of Places. All of the primary structures associated with this request are contributing structures to the National District.

EXHIBIT C AND D ANALYSIS:

COMPREHENSIVE PLAN SUMMARY

TABLE: In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City's adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	University
Urban Form	Regional Center
Specific Area Plan	Stanhope Village
Guidelines	N/A

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

This proposal is in the University Planning District within the Stanhope Village Small Area Plan. The small area plan recommends the rezoning of the majority of the plan area to residential zoning to conform to the land use currently built. .

2. Compatibility of the proposed rezoning with the property and surrounding area.

Applicant states that the proposed amendment is compatible with the suitability of the property for particular uses as described in the Stanhope Village Small Area Plan. The Plan states that uses should develop as mixed, with residential predominating, and that many of the homes included were built in the 1920s and 1930s and could be considered historically significant buildings. Applicant also states that the proposal is compatible with the character of the surrounding area as described in the small area plan.

Staff agrees in part with the assessment provided by the applicant. While the rezoning to Residential-10 would be compatible with the current land use on the properties, medium density residential zoning would not be compatible with the surrounding zoning patterns or land uses in the area. The site is bordered by rail tracks to the south, retail uses to the north, a large electrical substation to the

west, and institutional uses to the east. However, rezoning the properties to Residential-10 will bring the current residential land uses into conformity, as they are all currently non-conforming uses in the Industrial-2 zoning district.

3. Public benefits of the proposed rezoning

Applicant states that the public benefit associated with this case is within the small area plan. The area has significant redevelopment potential and the main goal of the redevelopment should meet the needs of adjacent stakeholders, strengthening the surrounding communities, and addressing municipal goals for more sustainable patterns of growth.

Staff agrees with the applicant's assessment. Rezoning would alleviate the non-conforming status on these properties, thereby allowing potential re-investment opportunities for the property owners. A number of these homes are contributing structures on the West Raleigh Historic District and rezoning to Residential-10 will conform with the overall goals of the small area plan.

4. Detriments of the proposed rezoning

The rezoning of this property to Residential-10 could potentially increase elementary school attendance by 20 students, pushing the capacity to over 122%. Centennial Middle could see an increase of up to 6 students increasing its capacity to 101%. An increase of 7 students could be seen in the Athens Drive High student population bringing its percentage capacity above 109%. All of the base schools that serve this area are overpopulated.

Also, the proposal to rezone this area to Residential-10 would introduce the ability to construct multifamily residential. While this use is not inconsistent with the small area plan, it could encourage the assemblage and demolition of the current historic structures to construct large multifamily tracts. There are currently 35 homes within the proposal, many of which are contributing structures to the West Raleigh National District.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Stanhope Avenue is classified as a residential street and exists as a two lane street with a 24-foot back-to-back curb and gutter section with sidewalk on both sides along the majority of the street within a 41-foot right-of-way. City standards call for Stanhope Avenue to provide to a 31-foot back-to-back curb and gutter cross section with sidewalk on a minimum of one side within a 50-foot right-of-way. Rosemary Street is classified as a minor residential street and is constructed to City standards as a 24-foot back-to-back curb and gutter section with sidewalks on both sides.

The subject properties in this case are covered under the Stanhope Village Small Area Plan and the Stanhope Center Pedestrian Business Overlay District Streetscape and Parking Plan. These plans call for pedestrian-oriented urban streets with narrow lanes that provide accommodations for pedestrians, bicyclists, motorists and transit users. Stanhope Small Area Plan recommends upgraded sidewalks along Stanhope Avenue and Rosemary Street.

TRANSIT: This site is within close proximity of current bus routes and/or a proposed regional rail transit station but does not provide an appropriate space for a bus stop. No transit easement is needed.

HYDROLOGY: FLOODPLAIN: N/A
DRAINAGE BASIN: Rocky Branch
STORMWATER MANAGEMENT: Site must comply with Part 10 Chapter 9 of Raleigh Development Regulations. No recorded drainage complaints downstream were found.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>52,500</u> gpd	Approx. <u>36,750</u> gpd
Waste Water	Approx. <u>52,500</u> gpd	Approx. <u>36750</u> gpd

The proposed rezoning would not change the amount of wastewater or water to the wastewater collection or water distribution systems of the City's utilities. There are existing sanitary sewer and water mains in the streets rights-of-way which would serve the proposed rezoning area.

**PARKS AND
RECREATION:**

This property is not adjacent to any greenway corridors. Pullen Park provides parks services in the area of the subject case.

**WAKE COUNTY
PUBLIC SCHOOLS:**

The rezoning of this property to Residential-10 could potentially increase elementary school attendance by 20 students, pushing the capacity to over 122%. Centennial Middle could see an increase of up to 6 students increasing its capacity to 101%. An increase of 7 students could be seen in the Athens Drive High student population bringing its percentage capacity above 109%. All of the base schools that serve this area are overpopulated.

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Olds	376	116.4%	396	122.6%
Centennial	603	100.8%	609	101.8%
Athens Drive	1,909	109.3%	1,916	109.7%

IMPACTS SUMMARY: The public schools serving this area are all overpopulated. This proposal could create an increase in student populations for the public schools in this area.

OPTIONAL ITEMS OF DISCUSSION

1. An error by the City Council in establishing the current zoning classification of the property.

The subject property was rezoned to IND-2 in the 1950s. The existing IND-2 zoning is inconsistent with the historic use and character of the neighborhood.

2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be property applied to it now were it being zoned for the first time.

The neighborhood has remained residential, but is threatened by continued industrial development.

APPEARANCE

COMMISSION: This request is not subject to Appearance Commission review.

CITIZEN'S

ADVISORY COUNCIL:

DISTRICT: Wade
CAC CONTACT PERSON: Bill Padgett 787-6378

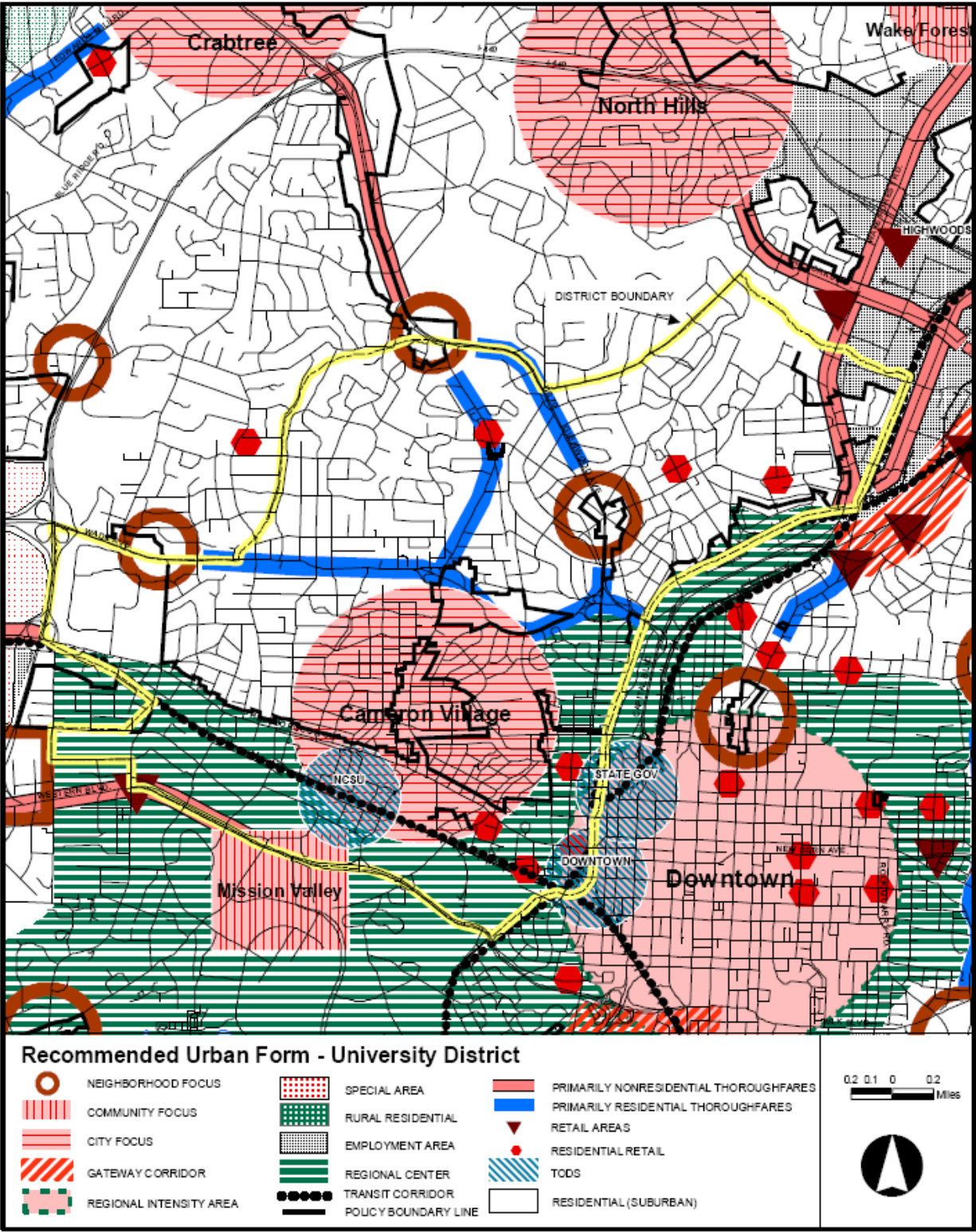
SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

- The public schools serving this area are all overpopulated. This proposal could create an increase in student populations for the public schools in this area.

DESIGNATED HISTORIC RESOURCES:

- These properties are located within the West Raleigh National Register of Historic Places. All of the primary structures associated with this request are contributing structures to the National District.
- The proposal to rezone this area to Residential-10 would introduce the ability to construct multifamily residential. While this use is consistent with the small area plan, it could encourage the assemblage and demolition of the current historic structures to construct large multifamily tracts.



10/02 Raleigh Comprehensive Plan

Stanhope Village Small Area Plan 11-30-5

