

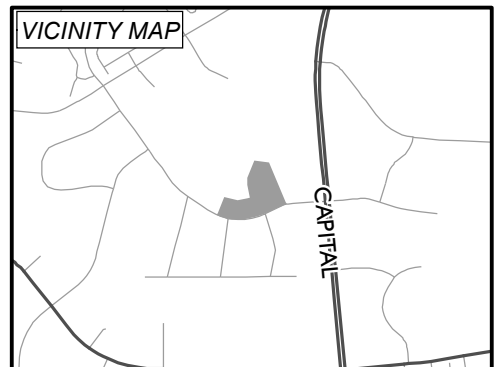
**Submittal
Date**

11/16/2016

Request:

7.87 acres from
IX-4-PL-CU
to CX-4-PL

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11781

Case Information: Z-40-16 – Oak Forest Road

<i>Location</i>	Oak Forest Road, north side, west of Capital Boulevard Address: 5700 Oak Forest Road PINs: 1726380863, 1726286588
<i>Request</i>	Rezone property from Industrial Mixed Use-4 stories-Parking Limited-Conditional Use (IX-4-PL-CU) to Commercial Mixed Use-4 stories-Parking Limited (CX-4-PL)
<i>Area of Request</i>	7.87 acres
<i>Property Owner</i>	William Hedrick 1978 Old Crawford Wake Forest, NC 27587-4933
<i>Applicant</i>	David Hedrick 5700 Oak Forest Drive Raleigh, NC 27616-2963
<i>Citizens Advisory Council (CAC)</i>	North: Michael O'Sullivan, Chairperson; (919) 302-7557, mjo78@nc.rr.com
<i>PC Recommendation Deadline</i>	June 23, 2017 (Planning Commission granted 60-Day extension by City Council on 4/18/17)

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

<i>FUTURE LAND USE</i>	Community Mixed Use
<i>URBAN FORM</i>	Center: City Growth Center Corridor: Urban Thoroughfare (Oak Forest Road) Within ½-Mile Transit Buffer: No (<i>just beyond</i>)
<i>CONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 5.1 – Reinforcing the Urban Pattern Policy LU 5.4 – Density Transitions Policy LU 11.2 – Location of Industrial Areas Policy LU 11.4 – Rezoning/Development of Industrial Areas
<i>INCONSISTENT Policies</i>	(None identified.)

Summary of Proposed Conditions

(Not applicable – no conditions being proposed.)

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
8/29/16	5/15/17 (8-Yes, 0-No)	1/24/17 (deferred); 4/11/17 (deferred), request for 60-day time extension 5/23/17	4/18/17 <i>60 Day Extension Granted</i> 6/6/17	7/5/2017

Attachments

1. Staff Report
2. Current Zoning Conditions: Z-2-01 [Ordinance (2001) 942 ZC 494]
3. Traffic Study Worksheet

Planning Commission Recommendation

<i>Recommendation</i>	Approval
<i>Findings & Reasons</i>	<ol style="list-style-type: none">1. Request is consistent with the Comprehensive Plan and the Future Land Use Map.2. The request will allow for a potential increase in residential units.
<i>Motion and Vote</i>	Motion: Fluhner Second: Tomasulo In Favor: Alcine, Braun, Fluhner, Hicks, Jeffreys, and Tomasulo. Opposed: None

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
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Staff Coordinator: Sophie Huemer: (919) 996-2652; Sophie.Huemer@raleighnc.gov



Zoning Staff Report – Z-40-16

General Use District

Case Summary

Overview

The proposal seeks to rezone two contiguous parcels to increase opportunity for mixed use development. The current zoning conditions prohibit residential uses, and restrict retail uses to Personal Services (defined in UDO Sec. 6.4.9), while permitting industrial uses. The proposed zoning would allow the full range of residential development, as well as most commercial uses. Limited industrial uses would also be permitted, although not the Light Industrial, Commercial Vehicle Repair, Warehouse & Distribution, and Wholesale Trade operations currently permitted.

The two-parcel site is part of a larger area which was zoned Industrial-1 Conditional Use District in 2001 ([Z-2-01](#)). The IND-1 CUD designation was converted to Industrial Mixed Use-4 stories-Parking Limited-Conditional Use (IX-4-PL-CU) following the adoption of the Unified Development Ordinance (per Z-27B-14). The conditions of the 2001 rezoning currently remain in effect; a copy is included. (Note that a condition limits construction to 3 stories and 55 feet a combination which would only be allowed in a 4-story/ 62' zoning district.)

At present, the site is mostly wooded. The tract on the west is undeveloped. The eastern parcel contains a single dwelling, as well as a 2/3-acre pond. Topography slopes gradually down from Oak Forest Road toward the pond's location, in the site's northeast corner.

Existing development nearby displays widely-varied land uses. Undeveloped, IX-zoned parcels edge the site on the west and northwest. Of the two IX parcels immediately west, the front 230 feet of each were part of the 2001 rezoning; the provisions now in place on the subject site would remain in effect there if the current request is approved.

Further west on Oak Forest Road, a 35,000-square foot, two-story light manufacturing facility has just been completed. A bowling alley, zoned IX-3, lies to its west, while a 17-acre parcel west of that property was recently rezoned to CX-3-CU (zoning case [Z-32-15](#)). Flex warehouse and small-scale retail establishments dominate closer to Old Wake Forest Road; zoning there is mostly IX, with heights limited to 3 stories and Parking Limited frontage prescribed along major streets. The wooded back lots of automobile dealerships border the site on the north and east, all of which front Capital Boulevard and are zoned Commercial Mixed Use-3 stories-Parking Limited (CX-3-PL). Immediately south of the site, across Oak Forest Road, is the Oak Forest Estates neighborhood, developed in the 1950s and zoned Residential-6, although parcels are approximately 1 acre in size.

The Future Land Use Map and Urban Form Map foresee retail uses expanding across the immediate area, as part of on-going urbanization within the 1,500-acre City Growth Center focused on the Triangle Town Center Mall. The site is located just beyond a designated ½-mile radius Transit Buffer, centered at the mall. Urban Thoroughfare designation is applied to most major roads in the area, including Oak Forest Drive, supporting redevelopment with buildings closer to the street. Parking Limited frontage, which permits a maximum of two bays of parking between building and street, is considered consistent with that guidance; the zoning request would retain the site's current PL frontage designation.

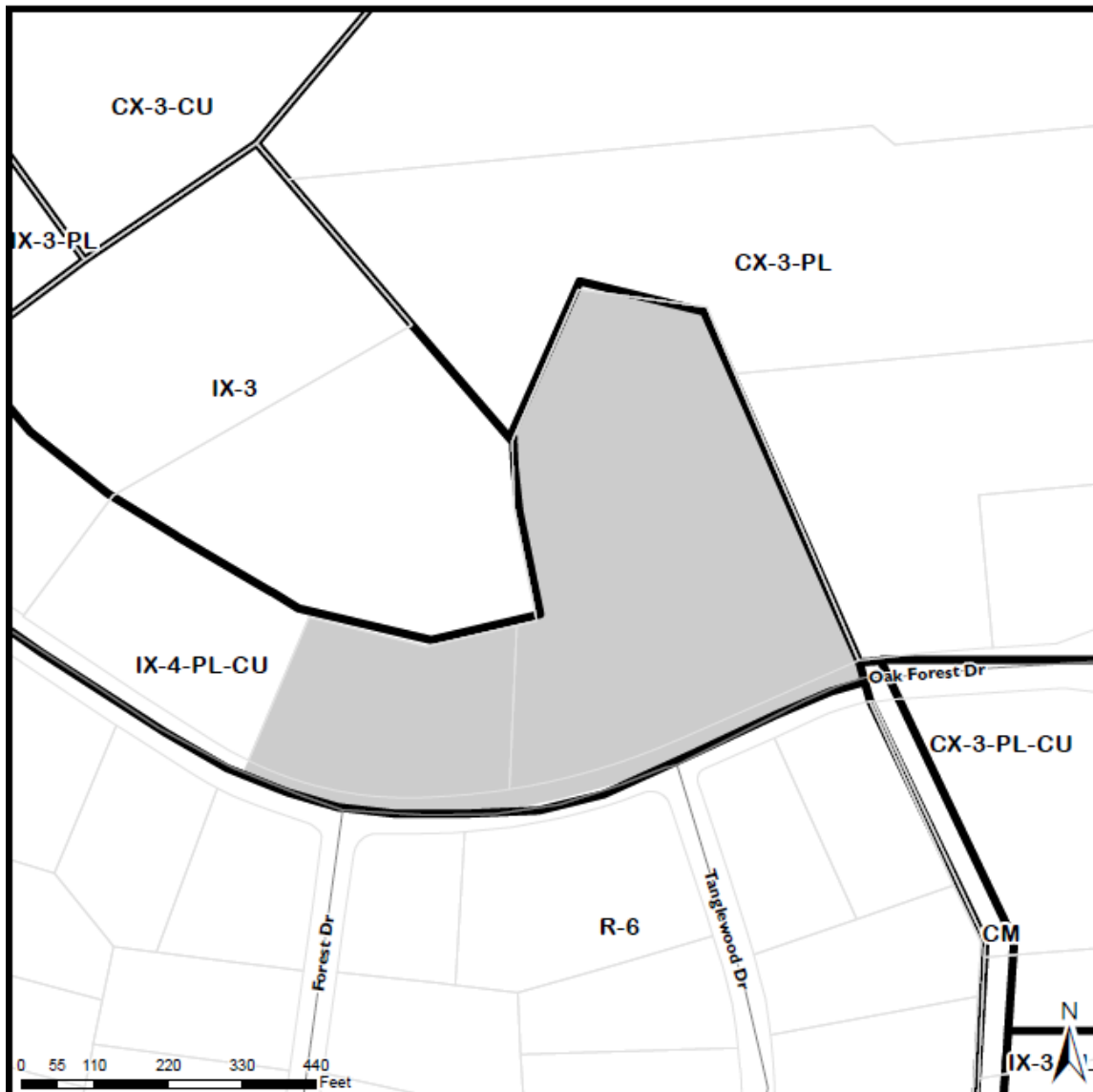
The requested Commercial Mixed Use (CX) zoning is supported by the Future Land Use Map designation for the site—Community Mixed Use—which applies across the surrounding area. Current zoning conditions limit building height to 3 stories/ 55 feet; the proposal would permit four-story construction. Current zoning conditions also require a minimum 25-foot wide streetyard (though measured from the current right-of-way); removal would default site development to UDO Street Protective Yard standards (width 10 to 35 feet, with plantings and/or fence per Sec. 7.2.4.B). Several zoning conditions adopted in 2001 are no longer applicable, being superseded by subsequent regulation (e.g., stormwater standards; r/w reimbursement values; lighting; equipment screening). The chief change stemming from condition removal would be the permitting of retail uses and free-standing residential buildings (including apartments), removal of the street protective yard and the limitation of building height.

Outstanding Issues

<i>Outstanding Issues</i>	1. None	<i>Suggested Mitigation</i>	1. N/A
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Existing Zoning Map

Z-40-2016



Submittal
Date

12/30/2016

Request:

7.87 acres from
IX-4-PL-CU
to CX-4-PL

VICINITY MAP



Map Date: 11/17/2016

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	Industrial Mixed Use-4 stories-Parking Limited-Conditional Use	Commercial Mixed Use-3 stories-Parking Limited	Residential-6	Commercial Mixed Use-3 stories-Parking Limited	Industrial Mixed Use-3 stories; Industrial Mixed Use-4 stories-Parking Limited-Conditional Use
<i>Additional Overlay</i>	(n/a)	(n/a)	(n/a)	(n/a)	(n/a)
<i>Future Land Use</i>	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use
<i>Current Land Use</i>	Single-Unit Living; Vacant	Vacant; Vehicle Sales	Single Unit Living	Vehicle Sales	Vacant
<i>Urban Form</i>	City Growth Center; Urban Thoroughfare	City Growth Center	City Growth Center; Urban Thoroughfare	City Growth Center; Transit Emphasis Corridor	City Growth Center; Urban Thoroughfare

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	<i>Not permitted (per zoning conditions)</i>	23.25 DUs/ acre (Max. 183 DUs)
<i>Setbacks:</i>	<i>Parking Limited Frontage:</i>	<i>Parking Limited Frontage:</i>
<i>Front:</i>	50% of bldg. width w/n 100'	50% of bldg. width w/n 100'
	<i>If Mixed Use Building:</i>	<i>If Mixed Use Building:</i>
	5'	5'
<i>Side:</i>	0' or 6'	0' or 6'
<i>Rear:</i>	0' or 6'	0' or 6'
<i>Retail Intensity Permitted:</i>	87,175	87,175
<i>Office Intensity Permitted:</i>	156,230	167,803

*Includes the current zoning condition requirement for a 25-foot street protective Yard on Oak Forest Road

1.3 Estimated Development Intensities

	<i>Existing Zoning*</i>	<i>Proposed Zoning*</i>
<i>Total Acreage</i>	7.87	7.87
<i>Zoning</i>	IX-4-PL-CU	IX-4-PL-CU
<i>Max. Gross Building SF</i>	197,587	215,808
<i>Max. # of Residential Units</i>	(not permitted)	183
<i>Max. Gross Office SF</i>	156,230	167,803
<i>Max. Gross Retail SF</i>	87,175**	87,175
<i>Max. Gross Industrial SF</i>	158,305	158,305
<i>Potential F.A.R.</i>	0.58	0.63

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

*** Personal Services uses only.*

The proposed rezoning is:

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

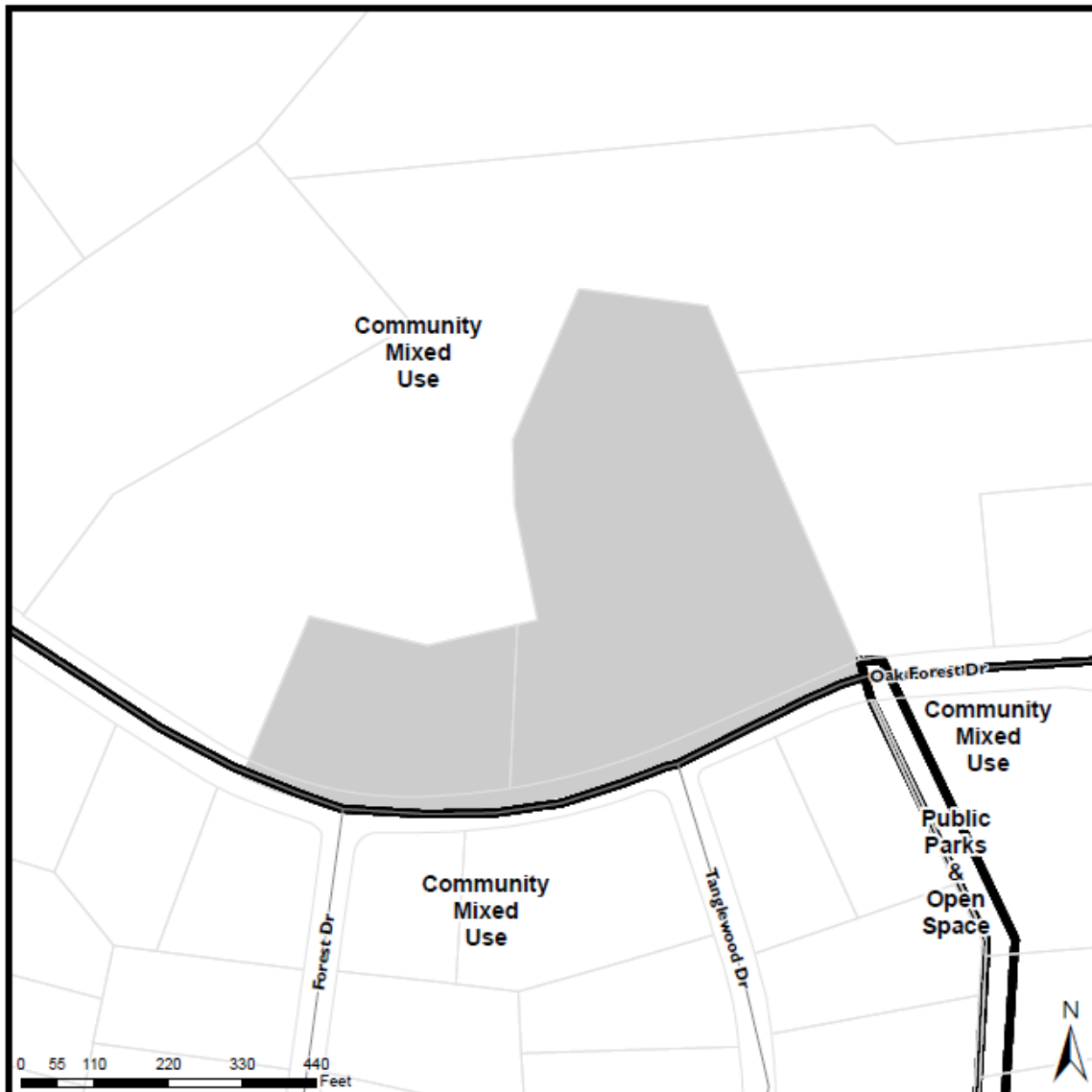
☐ **Incompatible.**

Analysis of Incompatibility:

Rezoning would permit residential and/ or retail uses which are currently prohibited on site, but would be consistent with the Commercial Mixed Use Future Land Use Map designation. No abutting parcels currently contain residential development and are zoned either for industrial or commercial uses. The proposal would allow construction up to 4-stories/ 62' in height, with the same minimum setback to the side and back as the present zoning (six to zero feet). Surrounding properties are zoned for no more than 4 stories in height. The consistent height and zoning districts make this request compatible with the surrounding properties.

Future Land Use Map

Z-40-2016



Submittal
Date

12/30/2016

Request:

7.87 acres from
IX-4-PL-CU
to CX-4-PL

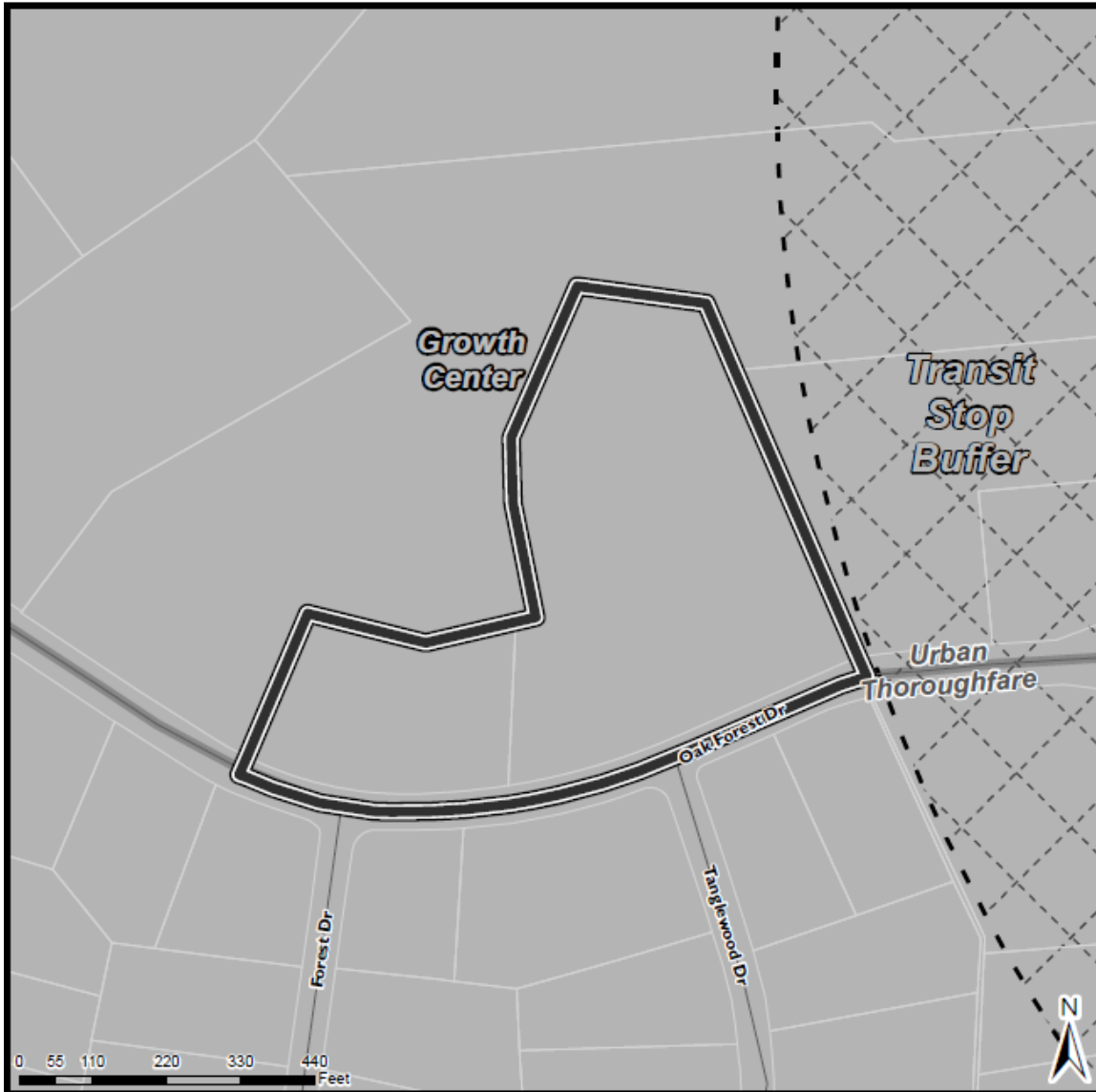
VICINITY MAP



Map Date: 11/17/2016

Urban Form Map

Z-40-2016

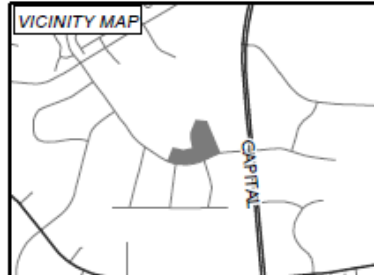


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Map Date: 11/17/2016

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:

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

- A. The proposal is consistent with the Comprehensive Plan, which supports more varied, mixed-use redevelopment of the site. Current zoning and zoning conditions greatly limit residential and retail uses. The Urban Form Map identifies the site as being with a City Growth area, and Oak Forest Drive as an Urban Thoroughfare. The former supports more intensive mixed-use development; the latter calls for minimizing parking between buildings and the street. The requested zoning is consistent with both. The proposal may also be considered consistent with Vision Themes "Growing Successful Neighborhoods and Communities" and "Managing Our Growth."
- B. The proposed CX zoning is cited in the Comprehensive Plan as being that district most consistent with the Future Land Use Map's Community Mixed Use designation.
- C. The permitted land uses are supported by the Future Land Use Map.
- D. Existing community facilities and streets appear to be sufficient to serve the uses possible under the proposed zoning.

2.2 Future Land Use

Future Land Use designation: Community Mixed Use

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

(n/a)

2.3 Urban Form

Urban Form designation: Center: City Growth; Corridor: Urban Thoroughfare

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

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

(n/a)

2.4 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 Future Land Use Map designates the site Community Mixed Use. The Comprehensive Plan notes that "CX is the primary corresponding zoning district" for that designation.

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 allow more diverse uses of the property than are currently permitted, including the option of all-residential development. Existing City facilities appear to be able to accommodate such change.

Policy LU 5.1 - Reinforcing the Urban Pattern

New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

All adjacent properties on the north side of Oak Forest Drive are zoned either IX or CX. The proposal would permit construction up to 4 stories in height; surrounding properties allow a maximum of 3 stories. However, all contiguous parcels carry Parking Limited frontage designation.

Policy LU 5.4 - Density Transitions

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

All adjacent properties are zoned for industrial or commercial development; the latter currently consists of automobile sales facilities. Frontage areas of parcels immediately west on Oak Forest

Drive will retain the conditioned prohibition of residential uses (and most retail uses) adopted in 2001. Existing nearby low-density development lies on the opposite side of Oak Forest Drive from the site. The current zoning conditions include requirement of a 25-foot wide streetyard, but that width could be reduced upon site development. The conditioned width is calculated from the present right-of-way, which measures approximately 55 feet. The Raleigh Street Plan designates Oak Forest Road an Avenue 2-Lane Undivided roadway, which carries a minimum right-of-way width of 64 feet.

Policy LU 11.1 - Preserving Industrial Land

Support land use policies that protect competitive opportunities to locate industrial, flex, and warehouse sites near major transportation corridors and the airport.

Policy LU 11.4 - Rezoning/Development of Industrial Areas

Allow the rezoning and/or redevelopment of industrial land for non-industrial purposes when the land can no longer viably support industrial activities or is located such that industry is not consistent with the Future Land Use Map. Examples include land in the immediate vicinity of planned transit stations.

Policy LU 11.2 - Location of Industrial Areas

Accommodate industrial uses—including municipal public works facilities—in areas that are well buffered from residential uses (and other sensitive uses such as schools), easily accessed from major roads and railroads, and characterized by existing concentrations of industrial uses. Such areas are generally designated as “General Industrial” on the Future Land Use Map.

The site is located one and a half miles from the I-540/ Capital Boulevard interchange, and construction of a 35,000-square foot light manufacturing facility has recently been completed 400 feet west of the site. Just beyond that, however, in 2015 a 17-acre tract was rezoned from Industrial to Commercial Mixed Use (CX) zoning; the site has subsequently been approved for townhouse development (per subdivision [S-79-15](#), “City Walk”). The Comprehensive Plan supports similar diversification of redevelopment on the subject site and in the surrounding area. The site's current IX zoning, and accompanying conditions prohibiting residential and most retail uses, may be considered inconsistent with the site's Future Land Use designation--Community Mixed Use.

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

(None identified.)

2.5 Area Plan Policy Guidance

The proposed rezoning 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

- Removal of the current prohibition of residential uses could increase housing options in close proximity to existing goods and services.
- Removal of the current prohibition of retail uses could increase commercial development options in the subject section of the City.

3.2 Detriments of the Proposed Rezoning

- The use of the site for industrial purposes would be restricted.

4. Impact Analysis

4.1 Transportation

The site is located on the north side of Oak Forest Drive, approximately 0.10 mile west of Capital Boulevard. Oak Forest Drive is maintained by the City of Raleigh. This segment of Oak Forest Drive currently has a two-lane, ribbon-paved cross section without curbs or sidewalks. Oak Forest Drive is shown as a mixed-use street (Avenue, 2-Lane, undivided) in the UDO Street Plan Map.

There are no City of Raleigh CIP projects or state STIP projects planned for Oak Forest Drive. The current Raleigh Capital Improvement Program calls for widening Old Wake Forest Road to a four-lane median-divided section with curb and gutter, sidewalks, bicycle lanes, and streetlights from Litchford Road to Capital Boulevard (US 1). This project is slated to be finished in FY 2017.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. There are no public street stubs abutting the eastern, northern or western boundaries of the Z-40-16 site.

Site access will be limited to Oak Forest Drive. The subject parcels have a combined frontage of approximately 900 feet. The logical place for site access would be opposite the existing public streets (Tanglewood Drive and Forest Drive) located on the south side of Oak Forest Drive.

In accordance with UDO section 8.3.2, the maximum block perimeter for IX-4 zoning is 4,000 feet. The block perimeter for Z-40-16, as defined by public rights-of-way for Oak Forest Drive, Capital Boulevard and Old Wake Forest Road is 10,400 feet.

The existing land use is a single-family dwelling which generates very little traffic. Approval of case Z-40-16 would not change the daily or peak period trips compared to trip volumes generated under current zoning. A traffic impact analysis report is not needed for Z-40-16.

Z-40-2016 Existing Land Use (SF Residence)	Daily	AM	PM
	10	2	2
Z-40-2016 Current Zoning Entitlements	Daily	AM	PM
	5,156	305	414
Z-40-2016 Proposed Zoning Maximums	Daily	AM	PM
	5,156	305	414
Z-40-2016 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	0	0	0

Impact Identified: Block perimeter exceeds maximum allowed by UDO.

4.2 Transit

Transit is not currently available on Oak Forest Drive and neither the City of Raleigh Short Range Transit Plan nor the Wake County Transit Plan anticipates service here. Capital Boulevard, approximately a block away, is designated as a premium transit corridor. It is currently served seven days a week by GoRaleigh route 1 Capital.

Impact Identified: None. Increased development will increase demand for transit but it is not expected to exceed the capacity of the system.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Perry Creek
<i>Stormwater Management</i>	Subject to stormwater regulations under Article 9 of UDO.
<i>Overlay District</i>	(none)

Impact Identified: There may be a Neuse River Buffer around the existing pond.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	250 gpd	8720 gpd	114,125 gpd
<i>Waste Water</i>	250 gpd	8720 gpd	114,125 gpd

The proposed rezoning would add approximately 114,125 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 in Oak Forest Drive.

Impact Identified: 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.

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.

4.5 Parks and Recreation

There are no proposed or existing greenway trails, corridors or connectors within or adjacent to the site. Nearest trail access is 0.8 miles, Spring Forest Trail. Recreation services are provided by Spring Forest Park, 1.4 miles distance.

Impact Identified: None.

4.6 Urban Forestry

The subject parcel is larger than 2 acres in size and so will be subject to UDO Article 9.1 Tree Conservation when the site is developed.

Impact Identified: None.

4.7 Designated Historic Resources

The site does not include and is not within 1,000 feet of any designated Raleigh Historic Landmarks or properties listed on the National Register of Historic Places. However, the existing house on the eastern property has been inventoried as site WA4532 by the North Carolina State Historic Preservation Office (NCSHPO). The survey records the dwelling as the Hedrick House, described as a “1956 side gable Ranch” dwelling.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.10 Impacts Summary

- Block perimeter exceeds maximum allowed by UDO.
- Sewer and fire flow matters may need to be addressed upon development.

4.11 Mitigation of Impacts

- Address block perimeter at the site plan stage.
- Address sewer and fire flow capacities at the site plan stage.

5. Conclusions

The proposed rezoning would permit site development consistent the Comprehensive Plan in terms of Future Land Use designation, Urban Form designation, and applicable policies, which support options of retail and residential development prohibited by zoning conditions currently in effect. Matters of block perimeter, and sewer and fire flow, remain to be addressed by site development.

Current Zoning Conditions

Ordinance (2001) 942 ZC 494
Effective: 2-20-01

Z-2-01 Oak Forest Drive, north side west of Capital Boulevard, being Wake County PIN 1726 38 0850. Approximately 11.76 acres rezoned Industrial-1 Conditional Use.

Conditions dated: (02/08/01)

A. The Property will be developed in accordance with Planning Commission Certified Requirement 7107.

B. Any right-of-way required to be dedicated for future improvements to adjacent roadways shall qualify for reimbursement at R-6 values.

C. The Property shall not be used for any residential purpose, and shall not contain any multi-family dwelling, manufactured home, single-family detached dwelling and/or townhouse development.

D. The Property shall not be used for any "Retail Sales" purposes other than uses consistent with "Personal Service Retail Sales" as all such terms are defined in Section 10-2071 of the Raleigh City Code in effect on the date hereof.

E. No building constructed on the Property shall exceed three (3) stories in height (maximum of 55 feet), excluding any and all basements, crawl-spaces or below-grade construction.

F. The Property shall contain a minimum twenty-five (25) foot streetyard (running from the current right of way of Oak Forest Road onto the Property), and following the development of the Property or the development of any lot comprising a part of the Property, such streetyard located on the Property or on such subdivided lot shall contain a minimum of fifty percent (50%) of all trees twelve (12) inches or larger in diameter located within such streetyard immediately prior to such development. Additionally, six (6) understory trees shall be planted every one-hundred (100) feet in the streetyard.

G. No noxious or offensive trades, services or activities (specially including any excessive night time noise) shall be conducted and remain upon the Property nor shall anything be done thereon that may substantially interfere with the lawful uses (for example - conduct that is offensive, dust, emission of fumes, odors, noise, vibrations, gasses or smoke) to the owners of the Property or to the owners of any of Lots 1 through 51, inclusive, of the Oak Forest Estates, as such Lots are shown on a plat recorded in Book of Maps 1954, Page 30, Wake County Registry.

H. All site lighting, including wall pack fixtures, shall be directed downward and designed in such a way that a light source will not be visible from neighboring properties.

I. All mechanical equipment shall be fully screened from public view and the adjacent properties, and that screening shall be of a design and material compatible with those of the associated building.

J. There shall be no outdoor storage of equipment or materials on the property.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan
 Existing Zoning Base District IX ☐ Height 4 ☐ Frontage PL ☐ Overlay(s) _____
 Proposed Zoning Base District CX ☐ Height 4 ☐ Frontage PL ☐ Overlay(s) _____
 Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE
USE ONLY

Transaction #
460197
Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number: **Z-2-01** **Z-40-16**

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

460197

GENERAL INFORMATION

Date **8-16-2017** Date Amended (1) _____ Date Amended (2) _____

Property Address **5700 Oak Forest Drive**

Property PIN **1726380863 & 1726286588**

Deed Reference (book/page)

14765-1931
16792-803

Nearest Intersection **Oak Forest Drive & Capital Boulevard**

Property Size (acres) **7.87ac** (For PD Applications Only) Total Units _____ Total Square Feet _____

Property Owner/Address

David S. Hedrick
5700 Oak Forest Drive
Raleigh, NC 27610

CLI Holdings, LLC
4410 Market Street
Wilmington, NC 28403

Phone **919-696-2681**

Fax _____

Email **stringsof9@hotmail.com**

Project Contact Person/Address

David S. Hedrick - 919-696-2681
Carey Graham

Phone _____

Fax _____

Email _____

Owner/Agent Signature

David S. Hedrick

Email _____

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

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Base District IX <input checked="" type="checkbox"/> Height 4 <input checked="" type="checkbox"/> Frontage PL <input checked="" type="checkbox"/> Overlay(s) _____ Proposed Zoning Base District CX <input checked="" type="checkbox"/> Height 4 <input checked="" type="checkbox"/> Frontage PL <input checked="" type="checkbox"/> Overlay(s) _____ <small>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</small>			OFFICE USE ONLY Transaction # _____ Rezoning Case # _____
If the property has been previously rezoned, provide the rezoning case number: Z-2-01			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
460197			

GENERAL INFORMATION			
Date	Date Amended (1)	Date Amended (2)	
Property Address 5700 Oak Forest Drive			
Property PIN 1726380863 & 1726286588		Deed Reference (book/page)	
Nearest Intersection Oak Forest Drive & Capital Boulevard			
Property Size (acres) 7.87ac	(For PD Applications Only) Total Units		Total Square Feet
Property Owner/Address David S. Hedrick 5700 Oak Forest Drive Raleigh, NC 27610		Phone 919-696-2681 Email stringsof9@hotmail.com	Fax
Project Contact Person/Address David S. Hedrick - 919-696-2681 Carey Graham		Phone Email	Fax
Owner/Agent Signature <i>[Signature]</i>		Email <i>Chris@irvineaccessfloors.com</i>	

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

REZONING APPLICATION ADDENDUM #1**Comprehensive Plan Analysis****OFFICE USE ONLY****Transaction #****Rezoning Case #**

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.

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. The rezoning is consistent with the adopted Comprehensive Plan.

2.

3.

4.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1.

2.

3.

4.

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

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

OFFICE USE ONLY**Transaction #****Rezoning Case #****INVENTORY OF HISTORIC RESOURCES**

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

There are no historic resources on the site.

PROPOSED MITIGATION

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

There would not be any negative impact.

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: N/A

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

1.	<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>Response: Mixed use developments shall provide arrangement in a pedestrian friendly form.</p>
2.	<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>Response: Any mixed use areas would transition to lower heights and massing.</p>
3.	<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>Response: There are no residential neighborhoods which surround the property</p>
4.	<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>Response: The site is surrounded by existing business development on three sides which would offer no practical alternatives for connection or through traffic.</p>
5.	<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>Response: The same pedestrian amenities would be included as in public and private streets.</p>

6.	<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>Response: Streets would be lined by buildings and garage entrances and/or loading areas would be located at the side or rear of the property.</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>Response: Development would comply with this location.</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>Response: Parking, loading or service entrances would not be located at an intersection.</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>Response: Urban open space would be located where it is visible and easily accessible from public areas.</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>Response: New urban spaces would be accessible from adjacent streets and visible from sidewalks.</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>Response: The perimeter of open spaces would contain active uses accessible to pedestrian traffic.</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>Response: Urban spaces shall be visually enclosed by building frontage to create the definition of an enclosed area.</p>

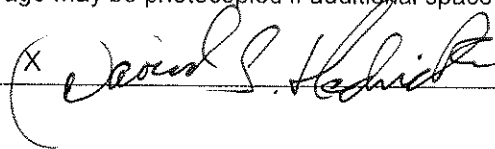
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> <p>Development would provide public seating spaces.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response:</p> <p>Parking lots would be provided in an area that would not interrupt pedestrian routes.</p>
15.	<p><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></p> <p>Response:</p> <p>Parking areas would not occupy more than 1/3 of the frontage of adjacent buildings.</p>
16.	<p><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></p> <p>Response:</p> <p>Any parking structures necessary would be constructed of compatible materials and finishes as that of principal buildings.</p>
17.	<p><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></p> <p>Response:</p> <p>There are currently no transit stops in the area.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Response:</p> <p>There are currently no transit stops in the area.</p>
19.	<p><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></p> <p>Response:</p> <p>There is an existing pond on the property and development would minimize intervention with the natural conditions currently existing on the property.</p>

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>Response: Public and private streets, driveways will be designed and scaled for pedestrians.</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>Response: Development would comply with these conditions.</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>Response: Streets will be developed with an appropriate placement of trees for both commercial and residential areas.</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>Response: Streets will be developed with an appropriate placement of trees for both commercial and residential areas.</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>Response: There shall be an appropriate front facade on any building facing the primary street.</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>Response: The ground level of buildings shall offer pedestrian level interest.</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>Response: The principal place of pedestrian movement and social interaction shall be on appropriate sidewalks.</p>

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted		
Existing Zoning	Proposed Zoning	
Narrative Of Zoning Conditions Offered		
<p>Prohibiting uses: The following principal uses shall be prohibited:</p> <p>1. Telecommunication Towers - all types; outdoor sports or entertainment facilities - all types; vehicle sales/rental; jail, detention center, prison; vehicular repair or car wash; any establishment engaged in the sale of gasoline or diesel fuel; game arcade; tatto parlor; check cashing establishment; pawn shop; bar, nightclub, tavern or lounge, adult establishment, cemetery and major utilities - all types.</p>		
<p>Hours of Operation:</p> <p>3. The hours of public access to any business establishment operating on the property shall be limited to the period from 6:00 am until 11:00 pm. There shall be no deliveries to or shipments from businesses on the property or trash or dumpster pickup between the hours of 11:00pm to 6:00am. No 24 hour commercial uses shall be permitted on the property.</p>		
<p>4. The term "business establishment" shall not include churches and places of worship and their related uses.</p>		
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

(X) 

Print Name

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
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of 11:00pm to 6:00am. No 24 hour commercial uses shall be permitted on the property. 4. The term "business establishment" shall not include churches and places of worship and their related uses.		
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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 X  Print Name Christopher L. Irvine

Date: August 12, 2016

Re: (1) lot of 5.94 acres -pin no. 1726380863 5700 Oak Forest Dr. Raleigh, N.C. 27616

(2) lot of 1.93 acres -pin no. 1726286588 5700 Oak Forest Dr. Raleigh, N.C. 27616

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Monday, August 29, 2016. The meeting will be at 1805 N. New Hope Rd. and will begin at 7:30 PM.

The purpose of this meeting is to discuss a potential rezoning of the properties located at 5700 Oak Forest Dr. The sites are currently zoned IX-4-PL-CU, and is proposed that these properties be rezoned to IX-4-PL.

The City of Raleigh requires that prior to the submittal of any rezoning application a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning be held.

If you have any questions I can be reached at 919-740-0426. The City's contact information is 919-996-2626 and their email addresses is rezoning@raleighnc.gov. Their web address is www.raleighnc.gov. You may review the section of the code addressing these requirements at this address. My contact person at the Department of City planning is John Anagnost whose number is 919-996-2638.

Thank you,

Dr. William Hedrick and David Hedrick

[illegible]

SUMMARY OF ISSUES

A neighborhood meeting was held on Aug 29, 2016 (date) to discuss a potential

rezoning located at 5700 Oak Forest Dr Raleigh 27616 (property address).

The neighborhood meeting was held at 1805 W New Hope Rd Raleigh (location).

There were approximately 4 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

① Concerns about residential which might result in more traffic on Oak Forest Dr.

② Concerns about subsidized housing coming into this area.

③ there were no other issues brought up

Z-40-2016 Existing Land Use (SF Residence)		Daily 10	AM 2	PM 2
Z-40-2016 Current Zoning Entitlements (mix of Industrial, Office & Retail)		Daily 5,156	AM 305	PM 414
Z-40-2016 Proposed Zoning Maximums (mix of Office & Retail)		Daily 5,156	AM 305	PM 414
Z-40-2016 Trip Volume Change (Proposed Maximums minus Current Entitlements)		Daily 0	AM 0	PM 0
Z-40-2016 Traffic Study Worksheet				
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)		
A	Peak Hour Trips \geq 150 veh/hr	No, the change in average peak hour trip volume is Zero		
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane road	No		
C	More than 100 veh/hr trips in the peak direction	No		
D	Daily Trips \geq 3,000 veh/day	No, the change in average daily trip volume is Zero		
E	Enrollment increases at public or private schools	Not Applicable		
6.23.5	Site Context	Meets TIA Conditions? (Y/N)		
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No		
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No		
C	Creates a fourth leg at an existing signalized intersection	No		
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No		
E	Access is to/from a Major Street as defined by the City's Street Plan Map	No		
F	Proposed access is within 1,000 feet of an interchange	No		
G	Involves an existing or proposed median crossover	No		
H	Involves an active roadway construction project	No		
I	Involves a break in controlled access along a corridor	No		
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)		
A	Planned Development Districts	No		
B	In response to Raleigh Planning Commission or Raleigh City Council concerns	None received by Transportation Planning as of January 4, 2017		

