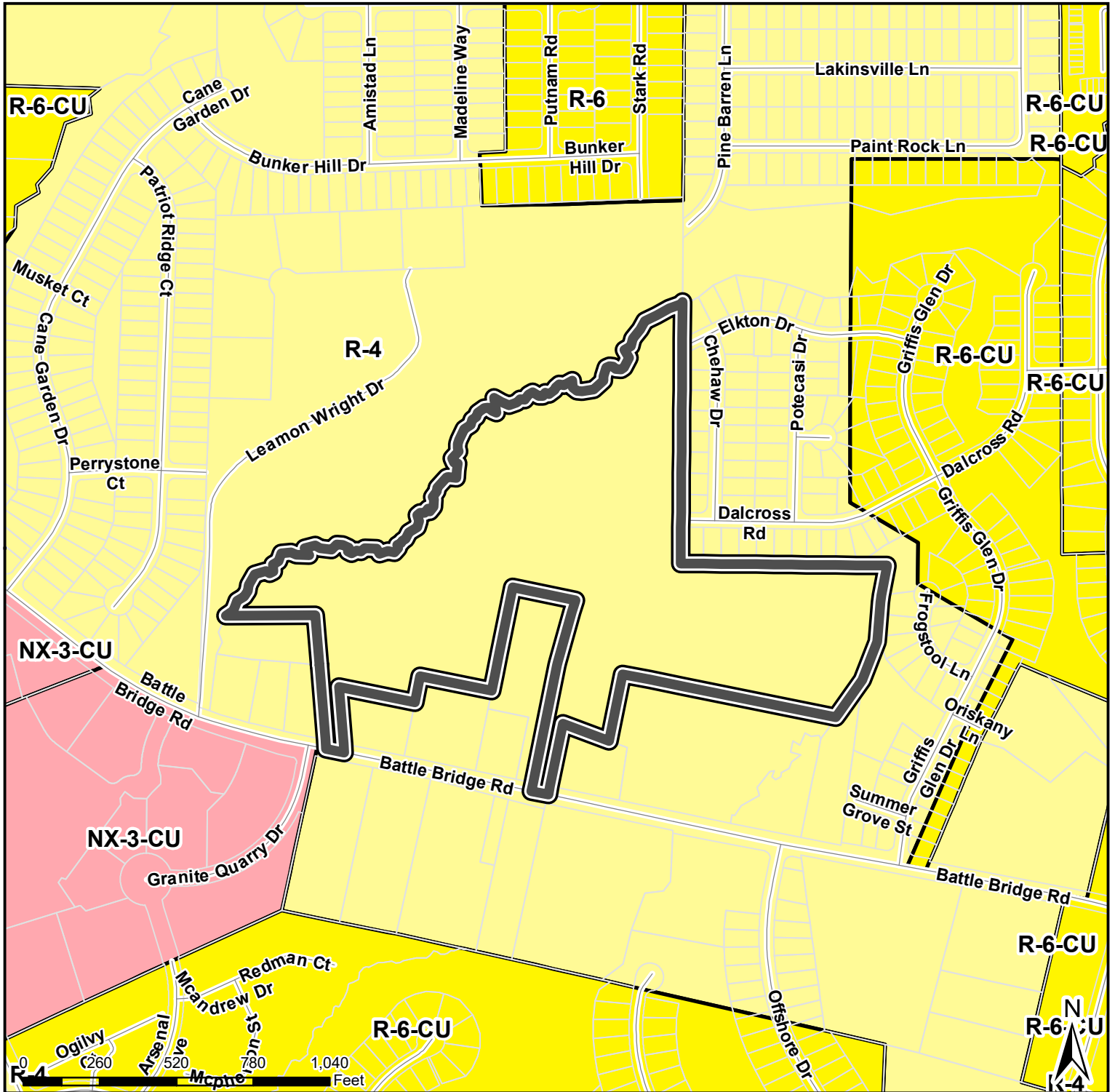
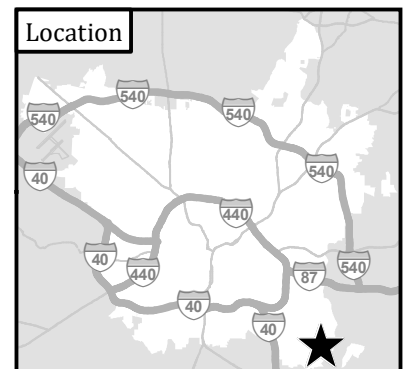


Existing Zoning

Z-44-2021



Property	6525 Battle Bridge Rd
Size	31.98 acres
Existing Zoning	R-4
Requested Zoning	R-10-CU



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Donald Belk, Senior Planner
Department	Planning and Development
Date	November 19, 2021
Subject	City Council agenda item for December 7, 2021 – Z-44-21: 6525 Battle Bridge Road

On November 16, 2021, City Council authorized the public hearing for the following item:

Z-44-21 6525 Battle Bridge Road, located approximately 0.33 miles from the intersection of Battle Bridge Road and Rock Quarry Road

Signed zoning conditions submitted on September 28, 2021 are provided that would (1) provide for dedication of a greenway easement as shown on the Capital Greenway Master Plan; (2) limit the maximum number of dwelling units to 200; (3) prohibit the uses of cemetery, outdoor sports and entertainment facility, remote parking, telecommunications towers, and schools; (4) stipulate that all units on the property would be affordable and leased to seniors (age 55 and over) having income of 80% or less than the area median income for a period of no less than 40 years after the date of issuance of a certificate of occupancy; and (5) limit building height to a maximum of two stories or 40 feet.

Current zoning: Residential-4 (R-4)

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

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

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

The Planning Commission recommends approval of the request (7 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Petition for Rezoning, and the Neighborhood Meeting Report.



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13075

CASE INFORMATION: Z-44-21; 6525 BATTLE BRIDGE ROAD

Location	Battle Bridge Road on its north side, just over a quarter mile east of its intersection with Rock Quarry Road. Address: 6525 Battle Bridge Road PINs: 1731690254 iMaps , Google Maps , Directions from City Hall
Current Zoning	Residential-4 (R-4)
Requested Zoning	Residential-10 with Conditions (R-10-CU)
Area of Request	31.98 acres
Corporate Limits	The site is located within the Extraterritorial Jurisdiction (ETJ) and is contiguous with Corporate City Limits on its northeastern side.
Property Owner	DMM Properties, LLC 5523 Linkside Court, Fuquay Varina, NC 27526
Applicant	Jerome R. Eatman Jr. Lynch & Eatman, LLP
Council District	C
PC Recommendation Deadline	December 23, 2021

SUMMARY OF PROPOSED CONDITIONS

1. Dedication of greenway area as shown on the Capital Greenway Corridor Master Plan.
2. Dwelling units limited to no more than 200.
3. The following uses are prohibited: cemetery; outdoor sports and entertainment; remote parking; telecommunications towers; and schools.
4. All units on the property would be affordable and leased to seniors (age 55 and over) having income at 80% or less than the area median income for a period of no less than 40 years after the date of issuance of a certificate of occupancy.
5. All buildings on the property shall be limited to two (2) stories and forty (40) feet in height.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Low Density Residential & Public Parks and Open Space
Urban Form	None

<p>Consistent Policies</p> <p><i>Key Policies are directly related to most changes in zoning and are used to evaluate requests for consistency. They are marked with an orange dot (●).</i></p>	<ul style="list-style-type: none"> ● Policy LU 2.6 Zoning and Infrastructure Impacts ● Policy LU 2.2 Compact Development ● Policy LU 3.1 Zoning of Annexed Lands Policy LU 3.2 Location of Growth Policy LU 8.1 Housing Variety
<p>Inconsistent Policies</p> <p><i>Key policies are marked with a dot (●)</i></p>	<ul style="list-style-type: none"> ● Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 8.5 Conservation of Single-Family Neighborhoods

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
May 24 ,2021 15 Attendees	August 31, 2021 13 Attendees	October 26, 2021 November 9, 2021	November 16, 2021 (Report of Planning Commission) December 7, 2021 (Public Hearing)

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The proposal is reasonable and in the public interest, and is supported by the following policies: LU 2.2 – Compact Development, LU 2.6 – Zoning and Infrastructure Impacts, LU 3.2 – Location of Growth, LU 5.4 – Density Transitions, LU 8.1 Housing Variety, and EP 1.1 Greenhouse Gas Reduction.
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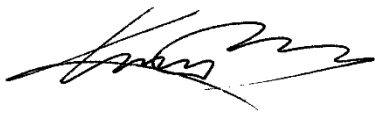
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel only from Low Density Residential to Moderate Density Residential.
Recommendation	Approval
Motion and Vote	Motion: Bennett Second: Lampman In Favor: Bennett, Dautel, Fox, Godinez, Lampman, Mann, and Rains Opposed: None
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Signed zoning conditions
4. Comprehensive Plan Amendment

Analysis

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



Ken A. Bowers, AICP
Planning and Development Deputy Director

11/9/21

Date:

Staff Coordinator: Donald Belk: (919) 996-4641; donald.belk@raleighnc.gov



ZONING STAFF REPORT – CASE Z-44-21

Conditional Use District

OVERVIEW

This request is to rezone approximately 31.98 acres from Residential-4 (R-4) to Residential-10-Conditional Use (R-10-CU). Proposed zoning conditions require dedication of the greenway portion as shown on the Capital Greenway Corridor Master Plan; limiting the maximum number of dwelling units to 200; prohibit the uses of cemetery, outdoor sports and entertainment facility, remote parking, telecommunications towers, and schools; and require that all units on the property will be affordable at 80% of the Area Median Income for a period of no less than 40 years for individuals aged 55 and older.

The subject site consists of one parcel on the north side of Battle Bridge Road. The parcel has frontage by way of two small driveways, and the majority of the site is a partially forested, undeveloped lot in between several developed subdivisions.

The property is located approximately 0.32 miles east of the intersection of Battle Bridge Road and Rock Quarry Road. The site consists of slightly rolling terrain, rising to a knoll at about 286 feet near the middle of the property, and sloping gradually to about 260 feet outward. There are steeper slopes near the stream corridors that form the eastern and western boundaries of the site.

To the north of the site are the Battle Bridge (1997) and Griffis Glen (2005) subdivisions within Raleigh's corporate limits, plus rural residential within the city's ETJ. To the east and west is additional rural residential in the ETJ. To the south is also rural residential, but within Wake County's jurisdiction. This area more generally marks the southeastern edge of Raleigh's jurisdiction.

The larger area is residentially zoned, with a mix of R-4, R-6, and Wake County R-30 and R-20 districts¹. Correspondingly, the development within Raleigh's jurisdiction is typically suburban, while that in Wake County is rural. The nearest commercial zoning is located at the Shoppes at Battle Bridge at the intersection of Rock Quarry Road and Battle Bridge Road, plus a gas station at Battle Bridge Road and Auburn Knightdale Road. The Shoppes at Battle Bridge is a mixed use activity center as designated on the Urban Form Map.

¹ Wake County Zoning represents lot size (R-30: 30,000 SF; R-20: 20,000 SF)
Staff Evaluation
Z-44-21; 6525 Battle Bridge Road

The rezoning site is designated as Low Density Residential on the Future Land Use Map, with a sliver of the eastern border designated Public Parks and Open Space where it overlaps with the Neuse River Tributary E Greenway Corridor. At the time of a subdivision or site plan, this corridor will require the dedication of a 75-foot wide greenway easement, measured from waterbody top of bank, along the entire length of the water body within the property boundary.

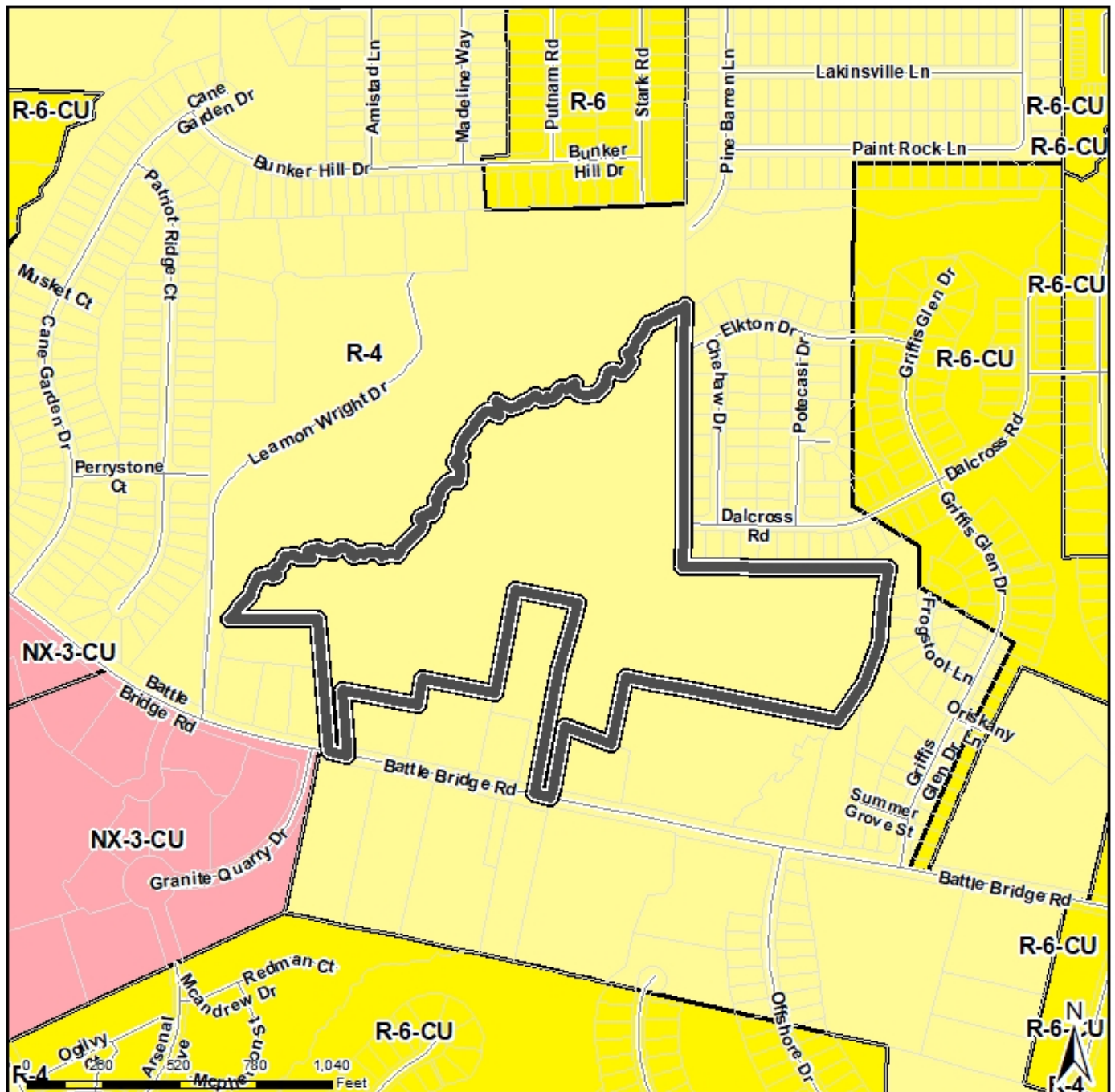
There is no Urban Form Map guidance for this site, although the designated Battle Bridge Road Urban Thoroughfare extends to a point just west of the site.

OUTSTANDING ISSUES

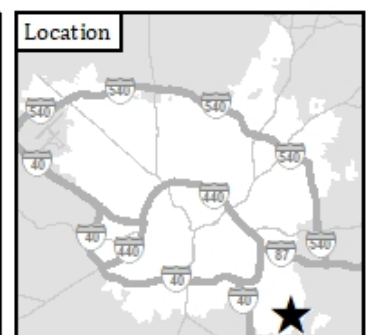
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
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Existing Zoning

Z-44-2021

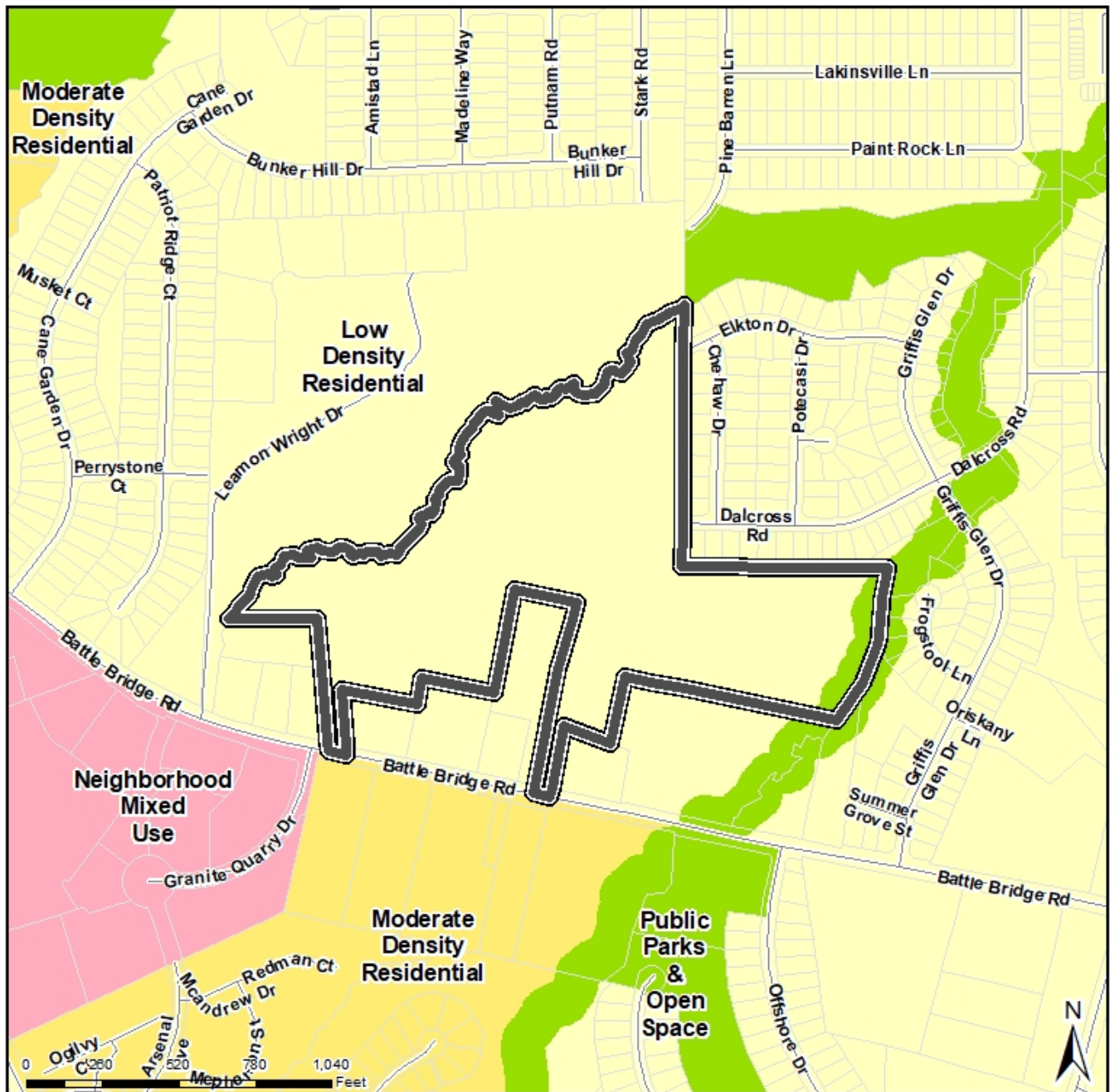


Property	6525 Battle Bridge Rd
Size	31.98 acres
Existing Zoning	R-4
Requested Zoning	R-10-CU



Future Land Use

Z-44-2021

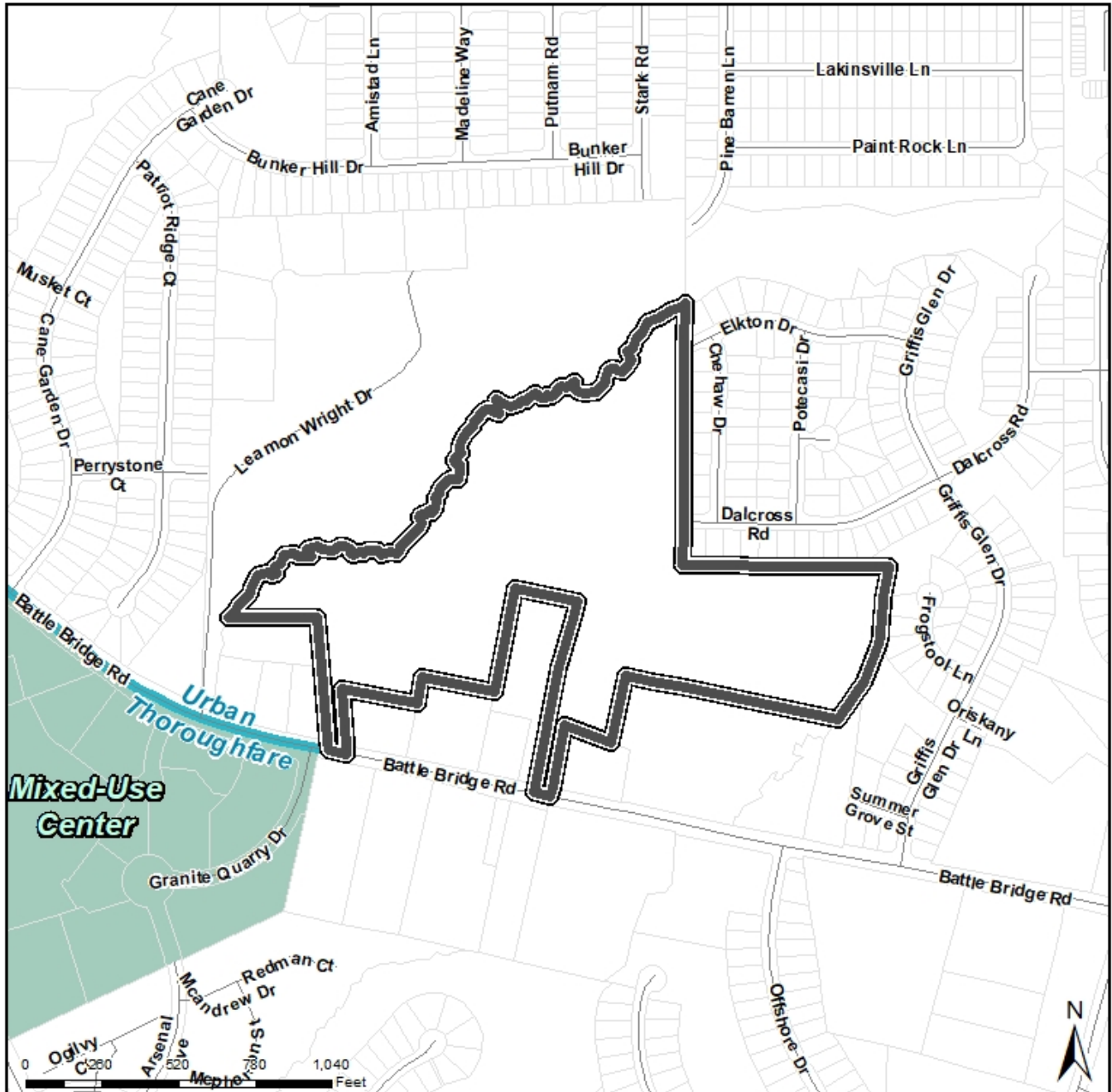


Property	6525 Battle Bridge Rd
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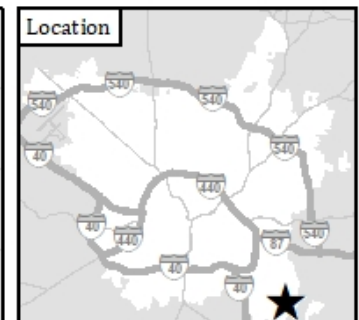


Urban Form

Z-44-2021



Property	6525 Battle Bridge Rd
Size	31.98 acres
Existing Zoning	R-4
Requested Zoning	R-10-CU



COMPREHENSIVE PLAN

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

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

Yes. The proposal is consistent with the *Expanding Housing Choices* theme, as it would expand the supply of housing options to allow attached homes and townhomes, and the apartment building types.

The proposal is also consistent with the *Managing Our Growth* theme, as the density of development proposed (6.25 units per acre) is appropriate in this area.

It is generally consistent with the *Growing Successful Neighborhoods and Communities* theme, as the resulting development would provide a mix of housing types near a mixed-use activity center

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

No. The proposed zoning of R-10 exceeds the density recommended in the Low Density Residential category; however, the proposal is conditioned for a maximum of 200 residential units, which puts the density at 6.25 units per acre, just slightly above the LDR threshold.

- 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?

Yes. The applicant has offered zoning conditions to limit the maximum number of units on the site, reducing the density to that similar to the surrounding residential development. Another condition would limit building height to two stories or 40 feet.

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

Yes. Community facilities and streets appear to be sufficient to serve the proposed use.

Future Land Use

Future Land Use designation: Low Density Residential

The rezoning request is

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

☒ **Inconsistent**

This rezoning request is technically inconsistent, since the proposed zoning to R-10, which would allow for the apartment building type, is more appropriate in areas designated for Moderate Density Residential. However, the applicant has set a maximum of 200 residential units, which would place the density at the lower end of the moderate density residential scale, at 6.25 units per acre.

Urban Form

Urban Form designation: None

The rezoning request is

- ☐ **Consistent** with the Urban Form Map.
- ☐ **Inconsistent**
- ☒ **Other** (no Urban Form designation)

The designation of Battle Bridge Road as an Urban Thoroughfare extends to the boundary of the mixed-use activity center, ending at the site's southernmost boundary.

Compatibility

The proposed rezoning is

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

The proposal is generally compatible with existing and planned land uses in the area. While the site is adjoined to the west, north, and east by single-family residential, the areas to the south along Battle Bridge Road are designated for Moderate Density Residential development, which would be appropriate for multi-family residential and residential mixed-use zoning. The site is also next to the Rock Quarry-Battle Bridge mixed-use activity center, which contains existing retail and office uses. The proposal would limit the density and height of future development, thus providing an appropriate transitional land use with adjoining single-family residential areas.

Public Benefits of the Proposed Rezoning

- Proposal would add to the housing supply and variety, including duplexes, townhomes and apartments.
- Development under the proposed zoning is will permit a more affordable housing option for seniors, as it will be conditioned for leasing to seniors (age 55 and over), having income at 80% or less of the applicable area median income. A deed restriction setting forth this condition will be consistent with any requirements of the North Carolina Housing Finance Agency.

- Development would provide for a greenway easement dedication along a tributary of the Neuse River, providing an eventual connection to the Neuse River Greenway trail.

Detriments of the Proposed Rezoning

- Proposal would allow the apartment building type into area that has been exclusively single-family detached.

Policy Guidance

Key policies are directly related to changes in zoning and are used to evaluate rezoning request consistency. They are marked with an orange dot (●).

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

● **Policy LU 2.2 Compact Development**

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

- This proposal supports a more compact land use pattern than the current zoning classification.

● **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 proposed zoning represents a modest increase in density and floor area. Infrastructure appears adequate to serve the proposed site.

● **Policy LU 3.2 Location of Growth**

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

- The proposed zoning is within the city's planning jurisdiction, and adjoins Raleigh corporate limits to the north, east, and south.

● **Policy LU 5.4 Density Transitions**

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

- The proposed zoning would represent a transition of density from the lower-density residential neighborhoods adjoining the site to the mixed-use activity center and moderate density residential-designated areas to the south.

Policy LU 8.1 Housing Variety

Accommodate growth in newly developing or redeveloping areas of the city through mixed-use neighborhoods with a variety of housing types.

- The proposed zoning would provide for a variety of housing types in the fast-growing southeastern area, including attached homes, townhomes, and apartments in an area of predominantly single-family detached residences.

Policy EP 1.1 Greenhouse Gas Reduction

Promote best practices for reducing greenhouse gas emissions as documented through the U.S. Mayors' Climate Protection Agreement.

- The proposed zoning would provide a transit option, and would also permit a variety of housing types, including townhomes and apartments, which have a lower carbon footprint.

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

● Policy LU 1.2 Future Land Use Map and Zoning Consistency

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

● Policy LU 3.1 Zoning and Annexed Lands

The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.

- The proposed zoning (R-10) is inconsistent with the Future Land Use Map, which designates the property for Low Density Residential development (1-6 units per acre). However, the proposal conditions the maximum number of residential units to bring the density to 6.25 units per acre.

● Policy LU 5.6 Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

- This proposal would introduce the apartment building type into an area that is almost exclusively single-family detached residential neighborhoods, particularly to the north and east of the site. Given that City connectivity requirements will require access from existing neighborhood streets, residents have expressed concerns about the increased density and traffic from future development under this proposal. The applicant has responded to these concerns by limiting the maximum number of residential units, which would reduce the density to just over six units per acre and restricting the height of new buildings to two stories or no more than forty feet. However, the applicant has not proposed additional buffering to avoid adverse impacts. Conditions that denote more physical separation of the new development

from existing residential neighborhoods would not only address neighbor concerns but could also provide additional open space for protection of stream corridors and facilitate a more compact building footprint.

Area Plan Policy Guidance

This site is not located within an Area Plan boundary.

EQUITY AND CLIMATE CHANGE ANALYSIS

Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	30	34	Car Dependent, most errands require a car
Transit Score	30	27	Some transit options available
Bike Score	41	11	Much lower than the City's average, not bikeable
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	59	
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	23	Lower percentile lower access to jobs.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. HUD index scores are percentiles indicating how well the subject tract performs compared to all other census tracts in the United States. A higher percentile for Low Transportation Cost or Jobs Proximity indicates a lower the cost of transportation and higher access to jobs in the nearby area, respectively.

Housing Energy Analysis

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

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

Housing Supply and Affordability

Does the proposal add or subtract from the housing supply?	Adds	The request would permit an additional 10 dwelling units.
Is naturally occurring affordable housing present on the site?	Unlikely	There is one existing home on the 31 acre parcel.

Does it include any subsidized units?	Yes	The request includes a condition to restrict income to 80% AMI or less for seniors for a period of no less than 40 years.
Does it permit a variety of housing types beyond detached houses?	Yes	This request would increase the housing types to all.
If not a mixed-use district, does it permit smaller lots than the average? *	Yes	The requested R-10 zoning district would permit a minimum 4,000 square foot lot.
Is it within walking distance of transit?	Yes	The #17 and #18 buses serve the site, however there are no sidewalks along Battle Bridge which may pose a challenge to using them.

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

Demographic Indicators from EJSCREEN*

Indicator	Site Area	Raleigh
Demographic Index** (%)	64	36
People of Color Population (%)	87	46
Low Income Population (%)	41	30
Linguistically Isolated Population (%)	2	3
Population with Less Than High School Education (%)	12	9
Population under Age 5 (%)	9	6
Population over Age 64 (%)	5	11
% change in median rent since 2015	24.6	20.3

*Environmental Justice Screening and Mapping Tool from the Environmental Protection Agency (<https://www.epa.gov/ejscreen>)

**The Demographic Index represents the average of the percentage of people who are low income and the percentage of people who are minorities

Health and Environmental Analysis

What is the life expectancy in this zip code tract? Is it higher or lower than the City average?	Life expectancy (yrs.)	No data is available for this census tract.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	

Are there hazardous waste facilities are located within one kilometer?	No	
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	
Is this area considered a food desert by the USDA?	Yes	A Food Lion is located across the street from the site in the Battle Bridge Shopping Center. However, the food desert designation may be due to the large size of census tract 528.06, and high indicators on the EJ Screen.

Land Use History

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	No	The site is within the ETJ but has not been annexed into the City.
Has the area around the site ever been the subject of an urban renewal program?*	No	
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	No	Property is undeveloped; previously in agricultural use.
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	No	Adjacent Griffis Glen subdivision and other residential developments built in 2000s

*The response to this question is not exhaustive, and additional information may be produced by further research. Absence of information in this report is not conclusive evidence that no such information exists.

Analysis Questions

1. Does the rezoning increase the site's potential to provide more equitable access to housing, employment, and transportation options? Does the rezoning retain or increase options for housing and transportation choices that reduce carbon emissions?

This proposal will provide more equitable access to housing for a growing senior population. This rezoning will provide a condition that will impose a deed restriction stipulating that all units constructed on the property be affordable for and leased to

seniors (age 55 and over) having income at 80% or less of the applicable area median income. There is some potential to provide more equitable access to transportation at this location. The area is served by hourly transit service, with the nearest bus stop at Shoppes of Battle Bridge, located about 0.1 mile from the western edge of the site. Most trips would require an automobile. The proposal would permit attached homes and townhomes, which have a lower carbon footprint.

- E. Is the rezoning in an area where existing residents would benefit from access to lower cost housing, greater access to employment opportunities, and/or a wider variety of transportation modes? Do those benefits include reductions in energy costs or carbon emissions?

Because the site is on the border of two relatively large Census tract, both were considered in this analysis. The existing residents of the area display a higher degree of economic vulnerability than the average Raleigh resident, according to the gathered demographic data. Specifically, the percentage of non-white and low income households is higher than the citywide rate. This indicates that the area would benefit from additional, more affordable housing as this request would facilitate. Townhomes and attached houses, now permitted under TC-5-20, would improve access to housing as well as allow for lower carbon-emitting residential building types.

3. Have housing costs in this area increased in the last few years? If so, are housing costs increasing faster than the city average?

Housing costs in the census tract north of Battle Bridge Road rose somewhat more quickly between 2015 and 2019 than they have in Raleigh as a whole, with median rent increasing 24.6% between 2015 and 2019, compared to 20.3% for the city.

4. Are there historical incidences of racial or ethnic discrimination specific to this area that have deprived Black, Indigenous, and People of Color (BIPOC) of access to economic opportunity, public services, or housing? If so, does the rezoning request improve any current conditions that were caused, associated with, or exacerbated by historical discrimination?

None identified. The property is vacant and previously in agricultural use.

5. Do residents of the area have disproportionately low life expectancy, low access to health insurance, low access to healthy lifestyle choices, or high exposure to environmental hazards and/or toxins? If so, does the rezoning create any opportunities to improve these conditions?

There is no life expectancy data for the Census tract where this property is located; however, southeastern Raleigh has historically been below the state average in life expectancy and access to health insurance. Access to healthy lifestyle choices is car-dependent, and the area is rated a D letter grade for park and greenway access level-of-serve. The nearest existing greenway trail access is the Neuse River Greenway Trail, located approximately 1.4 miles from this location. There are no known environmental hazards located here. This proposal provides the opportunity for a greenway trail that could ultimately provide direct access to the Neuse River Greenway Trail, providing access to outdoor recreation in an otherwise underserved area of the City.

IMPACT ANALYSIS

Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None.

Parks and Recreation

1. This site contains or is adjacent to the Neuse River Tributary E Greenway Corridor. At the time of a subdivision or site plan, this corridor will require the dedication of a 75-foot wide greenway easement, measured from waterbody top of bank, along the entire length of the water body within the property boundary (UDO Sec. 8.6.1.B).
2. Nearest existing park access is provided by Barwell Rd Park (0.9 miles) and Poole Rd. Canoe Launch (3.2 miles).
3. Nearest existing greenway trail access is provided by the Neuse River Greenway Trail (1.4 miles).
4. Current park access level of service in this area is graded a D letter grade.

Impact Identified: Dedication of greenway corridor during site plan may increase access in this area.

Public Utilities

1. The proposed rezoning would add 65,000 gpd to the wastewater collection and water distribution systems of the City. There are existing water mains adjacent to the proposed rezoning area. An offsite sewer extension with offsite easement acquisition would be needed for sanitary sewer
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for Fire Flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	158,000	164,320
Wastewater	0	158,000	164,320

Impact Identified: The proposed rezoning would add 65,000 gpd to the wastewater collection and water distribution systems of the City.

Stormwater

Floodplain	None
Drainage Basin	Neuse Southwest
Stormwater Management	Subject to stormwater regulations under Article 9 of UDO
Overlay District	None

Impact Identified: None.

Transit

1. This area is not served by transit.

Impact Identified: None.

Transportation

1. Site Location and Context

Location

The Z-44-21 site is located in southeast Raleigh on the north side of Battle Bridge Road, east of Leamon Wright Drive.

Area Plans

The Z-44-21 site is not located within any area or corridor plans. It is approximately a half mile east of the Rock Quarry – Battle Bridge area plan.

Access

Access to the subject site is Battle Bridge Road, Elkton Drive, and Dalcross Road.

Other Projects in the Area

The City of Raleigh and NCDOT have a project to improve and widen Rock Quarry Road to a consistent five lane cross section between Sunnybrook Road and Olde Birch Drive. This project is U-6093 in the Capital Area Metropolitan Transportation Planning Organization (CAMPO) Transportation Improvement Program (TIP). It is expected to be built by NCDOT along with the current design-build project to widen I-40 between Garner and I-440 (project I-5111), which is currently under construction. A specific schedule for design and construction is not known at this time.

The City of Raleigh plans to improve Barwell Road and Pearl Road from Advantis Drive to Berkeley Lake Road. Improvements include a center turn lane, sidewalks, a shared-use-path, and a traffic signal at Rock Quarry Road. The project will realign Pearl Road so that it meets Rock Quarry Road opposite Barwell Road. The project is currently in right-of-way acquisition and permitting. Construction is planned to start in the spring of 2022.

2. Existing and Planned Infrastructure

Streets

Battle Bridge Road is designated as a two-lane divided avenue in Map T-1 of the Comprehensive Plan (Street Plan) and is maintained by NCDOT. Elkton Drive and Dalcross Road are both local streets and maintained by the City of Raleigh. Leamon Wright Drive is a private drive on private property.

In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning districts is 2,500 feet, and the maximum length for a dead-end street is 300 feet.

The current block perimeter for this site is over 14,000 feet. There are two street stubs adjacent to the site: one at Elkton Drive and one at Dalcross Road. Connections between these stubs and future subdivisions meeting the requirements of UDO section 8.3.2 will improve the block perimeter. These connections are consistent with the Comprehensive Plan, including Policies T 2.3, T 2.4, T 2.5, and T 2.6, which all concern interconnected streets. These policies and the block perimeter standards in UDO Article 8.3 reduce per-capita vehicle miles traveled and increase the efficiency of providing city services such as solid waste collection.

Pedestrian Facilities

There are few existing sidewalks in the vicinity of this site. Both Dalcross Road and Elkton Drive have sidewalks on one side of the street. Subdivisions and tier three site plans require the addition of sidewalks on all public street frontages.

Bicycle Facilities and Greenways

There are no existing bikeways near the subject property.

Transit

GoRaleigh Route 18 serves Barwell Road; the nearest stop is approximately 1/4 mile from the Z-44-21 site at the Rock Quarry-Battle Bridge Neighborhood Center. It has hourly service.

3. Traffic Impact Analysis (TIA)

TIA Determination

Based on the Envision results, approval of case Z-44-21 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from R-4 to R-10-CU is projected to generate 4 new trips in the AM peak hour and 5 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual. A TIA may be required during site permit review.

Z-44-21 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-44-21 Current Zoning Entitlements	Daily	AM	PM
Residential	1,849	114	133
Z-44-21 Proposed Zoning Maximums	Daily	AM	PM
Residential	1,925	118	138
Z-44-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	76	4	5

Urban Forestry

1. Proposed rezoning does not impact Urban Forestry (UDO 9.1) requirements.

Impact Identified: None.

Impacts Summary

Development of this tract at the proposed entitlement would result in some loss of open space and forested areas at this greenfield site, but there is the opportunity for a more compact building footprint given the applicant's proposal to develop affordable senior apartments. This proposal would introduce the apartment building type in an area that is predominantly single family residential, and additional buffering and physical separation of new development from existing residential areas could lessen the adverse impacts to adjoining residential neighborhoods. The area currently has a 'D' letter grade for Park & Greenway Access Level of Service (LOS), significantly below target service standards. The nearest park access is one mile away, and the closest point of greenway access is 1.4 miles away. Water infrastructure appears sufficient to serve this location. The change in entitlement will result in a modest increase in AM and PM trip counts.

Mitigation of Impacts

The applicant has proposed conditions to limit development density and building height in an effort to lessen the impact of the proposed rezoning on the surrounding single-family residential character of adjoining properties. However, additional zoning conditions that specify areas of protected open space along the stream corridors at the western and eastern property boundaries could provide additional buffering from adjoining single-family areas.

With regard to transportation impacts, a traffic impact analysis may be required during the site plan review process.

CONCLUSION

This proposal would rezone the subject parcel from R-4 to R-10-CU for the purpose of developing affordable senior housing, including the apartment building type. However, the proposal would result in a relatively modest increase in residential density and vehicular trip generation from the current entitlement. It would improve housing variety and increase the housing supply. The applicant has offered zoning conditions to help mitigate the adverse impacts of introducing the apartment building type into an area of predominantly single-family detached home by limiting the total number of units and building height, but additional buffering between developments would further lessen these impacts and improve the overall consistency of this proposal.

Z-44-21 is inconsistent with the Future Land Use Map, which designates this area for Low Density Residential. The proposal is consistent overall with the 2030 Comprehensive Plan.

CASE TIMELINE

Date	Action	Notes
May 24, 2021	Pre-Application Neighborhood Meeting	15 persons attended this meeting, which was held virtually.
June 29, 2021	Submitted as Conditional Use rezoning proposal.	
August 31, 2021	2 nd Neighborhood Meeting	20 persons attended this meeting at the Barwell Community Center.
October 26, 2021	Planning Commission Meeting	New Business; however, the case was not discussed as meeting was adjourned due to lack of quorum.
November 9, 2021	Planning Commission Meeting	Old Business. Planning Commission recommends approval 7-0.
November 16, 2021	City Council	Report of the Planning Commission
December 7, 2021	City Council	Public Hearing

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-4	R-4	R-4 & NX-3-CU	R-4	R-4
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Low Density Residential & Public Parks and Open Space	Low Density Residential	Low Density Residential & Moderate Density Residential	Low Density Residential & Public Parks and Open Space	Neighborhood Mixed Use & Moderate Density Residential
Current Land Use	Undeveloped	Detached Residential	Detached Residential & Commercial	Detached Residential	Detached Residential
Urban Form	None	None	Mixed Use Center & Urban Thoroughfare	None	None

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-4	R-10-CU
Total Acreage	31.98	31.98
Setbacks:		
Front	20'	10'
Side	20'	10'
Rear	30'	5'
Residential Density:	7.82	8.13
Max. # of Residential Units	250	260
Max. Gross Building SF	130,139	264,182
Max. Gross Office SF	--	--
Max. Gross Retail SF	--	--
Max. Gross Industrial SF	--	--
Potential F.A.R	0.09	0.19

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

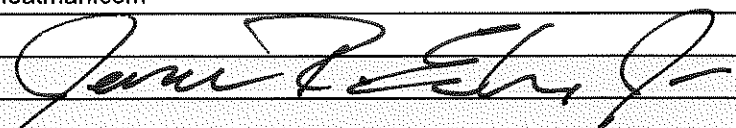
Rezoning Application and Checklist

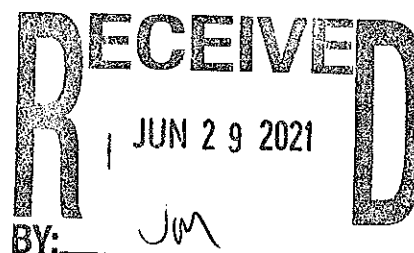
Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district:	R-4	Height: N/A	Frontage: N/A	Overlay(s): N/A
Proposed zoning base district:	R-10	Height: N/A	Frontage: N/A	Overlay(s): N/A
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information		
Date: June 29, 2021	Date amended (1):	Date amended (2):
Property address: 6525 Battle Bridge Road, Raleigh, North Carolina 27610		
Property PIN: 1731690254		
Deed reference (book/page): 17420/1371		
Nearest intersection: Battle Bridge Road and Rock Quarry Road		Property size (acres): 31.98
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: DMM Properties LLC - 5523 Linkside Court, Fuquay Varina, NC 27526		
Property owner email: todddriver3@gmail.com		
Property owner phone: 919-427-6462		
Applicant name and address: Jerome R. Eatman, Jr., Lynch & Eatman, LLP		
Applicant email: jeatman@lyncheatman.com		
Applicant phone: 919-571-9714		
Applicant signature(s): 		
Additional email(s):		



Conditional Use District Zoning ConditionsZoning case #: **Z-44-21**

Date submitted: July 1, 2021

OFFICE USE ONLY
Rezoning case #

Existing zoning: R-4

Proposed zoning: R-10-CU

Narrative of Zoning Conditions Offered

1. Dedication of greenway in area shown on the Capital Greenway Corridor Master Plan.
2. No more than 200 dwelling units will be constructed on the property.
3. The following land uses shall be prohibited: (i) Cemetery; (ii) Outdoor Sports and Entertainment Facility; (iii) Remote Parking Facility; (iv) Telecommunications Towers; and (v) Schools
4. All units constructed on the Property would be affordable for and leased to seniors (age 55 and over), having income at 80% or less of the applicable area median income for a period of not less than 40 years from the date of issuance of a certificate of occupancy. A deed restriction setting forth the foregoing conditions consistent with any requirements of the North Carolina Housing Finance Agency will be placed on the Property prior to issuance of a certificate of occupancy.
5. All buildings on the property shall be limited to two (2) stories and forty (40) feet in height.

RECEIVED*By Donald R. Belk at 9:12 am, Sep 28, 2021*

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

DocuSigned by:

Todd Driver

Property Owner(s) Signature

0BFBD3371DC3460...

Printed Name: Wallace Todd Driver, Manager, DMM Properties, LLC

Rezoning Application Addendum #1	
<div style="background-color: #d3d3d3; text-align: center; padding: 5px; margin-bottom: 5px;">Comprehensive Plan Analysis</div> <p>The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.</p>	<div style="background-color: #d3d3d3; text-align: center; padding: 5px; margin-bottom: 5px;">OFFICE USE ONLY</div> <p style="text-align: center;">Rezoning case # _____</p>
Statement of Consistency	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p><small>1. The rezoning request is consistent with the following policies contained in the 2030 Comprehensive Plan: Section 3.1 - The proposed condition limiting density is consistent with the subject property's designation as Low Density Residential on the Future Land Use Map. LU 1.2 - The Future Land Use Map and the policies of the 2030 Comprehensive Plan support the proposed rezoning with conditions, as noted in Policy LU 1.3. LU 1.3 - The proposed conditions are consistent with the Comprehensive Plan. LU 1.8 - Introduction of multi-family housing would provide needed variety in housing in the area of the subject property, and proposed conditions will ensure affordability. LU 2.2 - Increasing density with a limit on the maximum number of units supports compact development and preservation of open space. LU 2.4 - Dedication of greenway and limiting the maximum number of units is consistent with offsetting impacts of large site developments. LU 2.5 - Dedication of greenway will promote enhanced bicycle and pedestrian activity. LU 2.6 - Conditions proposed are designed to mitigate impacts of increase in permitted density, including impacts on existing infrastructure. Water, sewer and road infrastructure will be further evaluated during the site planning process to ensure the subject property is adequately served. LU 3.2 - Rezoning of the subject property, which is surrounded by the City's corporate limits, is consistent with the Comprehensive Plan in that it will facilitate development of vacant property within the City's planning jurisdiction and in close proximity to the City's Southeast Special Study Area prior to expanding development into the Urban Service Area. LU 4.7 - The subject property is in close proximity to transit access. Transit stop #8508, which is served by the #17 and #18 routes and provides daily service from 6 AM to midnight, is within the pedestrian shed of the subject property (less than 1/4 of a mile from the subject property and within a five minute walk). LU 4.11 - The proposed rezoning includes a condition requiring that the subject property be used exclusively for affordable housing. LU 5.4 - The zoning surrounding the subject property provides adequate transition to R-10 designation. LU 1.8 - The proposed rezoning is consistent with ensuring that zoning policy provides developers ample opportunity to build a variety of housing types. PR 3.13 - Conditions are consistent with a greenway-oriented development. PU 2.2 - Development of the subject property would not require extension of utilities beyond the City's planning jurisdiction.</small></p> <p><small>2. The request is consistent with the vision themes of "Expanding Housing Choices", "Managing Our Growth", "Coordinating Land Use and Transportation" and "Growing Successful Neighborhoods and Communities" since the request would allow for the development of vacant land with a moderate increase in permissible density that is consistent with an emerging growth pattern in the area and which will preserve and provide convenient access to (i) green space, (ii) nearby retail developments, and (iii) pedestrian, bicycle, and vehicle transportation.</small></p> <p><small>3. The subject property is not subject to any Urban Form Map designation.</small></p>	
Public Benefits	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p>	
<p>The rezoning request is reasonable because it involves only a moderate increase in density which is consistent with neighboring single-family and multi-family housing developments in close proximity to the subject property. The request is in the public interest because it will help expand and diversify available housing, and will have no adverse impact on public health, safety and welfare. In addition, the subject property is located within the City of Raleigh jurisdiction and is currently surrounded by parcels within the City's corporate limits. The development of a site already served by water, sewer, a transit stop and stub streets is in the public interest as it does not require the City to extend its services.</p>	

Rezoning Application Addendum #2	
Impact on Historic Resources	OFFICE USE ONLY Rezoning case # _____
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.	
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.	
According to the HPOWEB web mapping service, no historic resources are located on the subject property.	
Proposed Mitigation	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A.	

Urban Design Guidelines	
The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if: a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", OR; b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.	
Urban form designation: None	Click here to view the Urban Form Map.
1	<p>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.</p> <p>Response: N/A</p>
2	<p>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.</p> <p>Response: N/A</p>
3	<p>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.</p> <p>Response: N/A</p>
4	<p>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.</p> <p>Response: N/A</p>
5	<p>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.</p> <p>Response: N/A</p>
6	<p>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.</p> <p>Response: N/A</p>

7	<p>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.</p> <p>Response: N/A</p>
8	<p>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.</p> <p>Response: N/A</p>
9	<p>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.</p> <p>Response: N/A</p>
10	<p>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.</p> <p>Response: N/A</p>
11	<p>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.</p> <p>Response: N/A</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Response: N/A</p>
13	<p>New public spaces should provide seating opportunities.</p> <p>Response: N/A</p>

14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Response: N/A</p>
15	<p>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.</p> <p>Response: N/A</p>
16	<p>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.</p> <p>Response: N/A</p>
17	<p>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.</p> <p>Response: N/A</p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response: N/A</p>
19	<p>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.</p> <p>Response: N/A</p>
20	<p>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.</p> <p>Response: N/A</p>

21	<p>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.</p> <p>Response: N/A</p>
22	<p>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.</p> <p>Response: N/A</p>
23	<p>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.</p> <p>Response: N/A</p>
24	<p>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.</p> <p>Response: N/A</p>
25	<p>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.</p> <p>Response: N/A</p>
26	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response: N/A</p>

Rezoning Checklist (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning	Yes	N/A	Yes	No	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see Fee Guide for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:					
11. Completed zoning conditions, signed by property owner(s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 11:					
12. Proof of Power of Attorney or Owner Affidavit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:					
14. Redline copy of zoning conditions with proposed changes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

SUMMARY OF ISSUES

A neighborhood meeting was held on May 24, 2021 (date) to discuss a potential rezoning located at 6525 Battle Bridge Road, Raleigh, NC 27610 (property address). The neighborhood meeting was held at virtual/WebEx (location). There were approximately 14 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

See attached minutes of meeting. Issues raised by neighbors included: 1. Proposed density of
up to 260 units; 2. Additional traffic; 3. Affect of multi-family development on the value of the
surrounding single family homes; and 4. Removal of existing tree buffers.



May 10, 2021

TO: Neighboring Property Owners and residents of Subject Property; 6525 Battle Bridge Rd (PIN # 1731690254)
RE: Rezoning Request – Neighbor Notice Virtual Meeting
FR: Brendie Vega, WithersRavenel

Neighboring Property Owners:

As a property owner or resident within five hundred feet of the subject property, you are invited to attend a Neighbor Notice Meeting where information on a proposed rezoning and annexation request will be provided. Due to the COVID-19 Pandemic, this meeting will be a virtual format where you can join the meeting by telephone, computer, or smartphone.

The Neighbor Notice Meeting will be held as follows:

Meeting Date: Monday, May 24, 2021

Meeting Time: 5:00 PM to 7:00 PM

Webex allows you to join via a computer or smartphone, and there is a dial-in option for telephone access. We have created an information page on our website for this meeting, to access information on the project, the Neighbor Notice Meeting, and how to connect to WEBEX on the internet, please register here:

To Join by Computer/Mobile Device:

<https://withersravenel.com/meeting/6525-battle-bridge-road-rezoning/>

To Join by Phone:

Call-in phone number: +1-415-655-0001 US Toll

Access Code: 185 653 8275

We recommend registering prior to the day of the meeting. To register, please visit the website above and click on your meeting name. Once there, you will see the details of this meeting. Please click on the registration link, which will direct you to WEBEX, where you will enter your information to register for this meeting. A guide to WEDEX is also provided should you have questions about this meeting platform.

Attached to this invitation we are including the following materials:

1. Subject Property Location Exhibit;
2. Subject Property Current Zoning Exhibit;
3. A draft of the proposed rezoning application, including proposed zoning conditions.

The purpose of this meeting is to discuss a proposed rezoning of the property located at 6525 Battle Bridge Road. This site is currently located in Wake County and is zoned as R-4. The property is proposed to be rezoned to R-10-CU in order to be annexed into the City of Raleigh jurisdiction.

If you have any comments/questions please contact us:

Brendie Vega, 919-535-5212, bvega@withersravenel.com or

James Eatman, jaeatman@lyncheatman.com

For more information about rezoning, you may visit www.raleighnc.gov or contact JP Mansolf at the Raleigh City Planning Department by email at rezoning@raleighnc.gov or by telephone at (919) 996-2180.

LYNCH & EATMAN, L.L.P.

LAWYERS
SUITE 100, GLENLAKE SIX
4130 PARKLAKE AVENUE
RALEIGH, NORTH CAROLINA 27612
919/571-3332
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MARIA M. LYNCH *
JEROME R. EATMAN, JR.
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MAILING ADDRESS:
POST OFFICE BOX 30515
RALEIGH, NC 27622-0515

WRITER'S DIRECT DIAL:
919/571-9714
jeatman@lyncheatman.com

MINUTES OF NEIGHBORHOOD MEETING

6525 Battle Bridge Road

Rezoning

5/24/2021

5:00 PM – 7:00 PM

Hosts:

ECCDI- Keith Walker

Lynch & Eatman- Jerry Eatman

James Eatman

WithersRavenel- Brendie Vega

Brendie commenced the presentation with housekeeping items about Webex. She gave brief information about how Webex works and how attendees can submit their questions to the Question and Answer box. Brendie shared the WithersRavenel website where contact information can be found regarding the case. She also showed attendees how to access other zoning cases in the City of Raleigh.

Brendie introduced herself in the beginning of the presentation. Jerry Eatman proceeded to introduce himself and gave a brief background about his experience. Jim Eatman followed with an introduction about himself.

Keith Walker with ECCDI introduced himself as the executive director. He offered an insight to the East Carolina Community Development and offered any assistance.

The presentation included information about Raleigh's Rezoning Process, showing the steps proceeding this case. The following slide included information about the Development Process, allowing attendees

to see what part of the process this case is currently at. A site subdivision plan will proceed the rezoning process.

Brendie presented site information, providing the address, acreage, current and proposed zoning. The aerial exhibit allowed the attendees to locate themselves to the site. Subdivisions and commercial areas were labeled on the exhibit. The zoning exhibit displayed the current zoning of R-4. The Future Land Use Map presents Low Density Residential for the subject site as well as Public Parks. Brendie mentioned the Raleigh Zoning Ordinance does not allow Multi-Family in the current zoning. The proposal is to zone the property higher and place conditions. The Floodplains map shows great distance from the subject site. Lastly, contact information for Jerry Eatman, James Eatman and Brendie Vega were provided.

Questions:

- What chance do we have in this not happening in our backyard? We currently have a peaceful area. Everything in our backyard is pristine. Is this a done deal? Or is this a waste of time? We prefer this remains at it is? We chose to live here and selected our homes based on the quietness and nature in my backyard. Apartments will cause people to walk in our backyards.
 - This is not a done deal. We have to go through the City's rezoning process.
 - We have opportunities to buffer this area.
 - This is absolutely the first step. This is the purpose of the meeting, to make your concerns known. We are taking those concerns into account tonight.
- I shared concerns with the last one who just spoke. The last thing we want is an apartment building that brings 500 people to my backyard. We all know apartments bring crime and lowers the property value. I do not see it as a benefit to the community. This is a benefit to the tax collector and the developer. I will do everything in my power to fight this. I can lose six figures of my property, so I do not see the benefit to me. It will drive out the people all around.
 - Thank you for your comments. It is our first-time receiving comments so it is good to hear those.
- I back up against the wooded area where the development will take place. What is the process of us fighting this from happening?
 - We will try to gain your support. We will try to make this development compatible with the community. If we cannot gain your support, you can make your concerns heard with the staff and Council. The engagement portal allows you to participate and comment on the case. The case planner is the contact from the City. This is Councilman Corey Branch's area. We welcome a dialogue.
- Is there any information on how the loss of pervious area will impact the surrounding properties? How will that be mitigated?
 - There is a maximum amount of impervious service that one can build on in Raleigh. There is a required Tree Conservation Area. During the Site Subdivision Plan we will look at the site layout and access points.
- I agree with the other homeowners. What are the conditions attached to R-10?
 - The conditions are actually limitations of what can be placed on the property if it is rezoned R-10. One conditions is no more than 260 dwelling units constructed on the

property. The applicant has offered these conditions to keep it closer to the moderate/lower density. A greenway dedication is another condition.

- I want to confirm this is for low-income apartment complex.
 - At this time we do not know what we are developing. Multi-family means 3 or more units. It could be multiple buildings.
- What infrastructure is planned in reference to the roads?
 - A lot of those questions are addressed in the Site Subdivision Plan. There are regulations that will need to be complied with. NCDOT will have to grant driveway access permits. The Transportation Department at the City will review it.
- Is Site plan after zoning? We will not know the infrastructure until after it is rezoned. Are there plans from NCDOT from the Multi-Family structure on the corner (speaking of another project)?
 - The developer will be required to make road improvements to Battle Bridge Road once the rezoning is approved. The exact improvements are undetermined at the time.
- What is the justification that you brought to the pre-application meeting?
 - To bring forward something that is consistent with low density residential by placing a limit to units.
- Why can you not build R-4?
 - A reason we are asking for R-10 is because that is the district that allows Multi-Family units. That is a part of discussion we are having with you now.
- What sort of feedback from the pre-application meeting?
 - Not many comments other than what is in the application we shared. A greenway dedication from the City. This is very early in the process. Until we submit and gather comments from staff, we do not have a lot to go off on. Corey Branch is the representative of this district.
- There are still requirements the city can put. What is the plan? What is the vision of this development?
 - I understand the issue of whether or not the development will be attractive or the impact on property development. Our vision is to look at developing senior housing, 65 years old and above. We are looking at a retirement community and it has the least potential impact to our environment. We are available for any type of communication.
- Is there a possibility to extend from the back and not deal with the frontages?
 - City of Raleigh requires as many connections as possible. The more connections, the better. There are requirements that will be met through the site plan process.
- Tax value. The property in question is considered County. If we are annexed what is the value of city taxes?
 - The only thing that will be annexed is the property, so you're property will not be annexed.
- Density is the number of units within the certain amount of space. How is density made up?
 - The number of dwelling units divided by the acreage equals the density.
- What is the density for R-4?
 - 4 units per acre.
- Would any of you people buy a house that is butted up to an apartment complex?
 - I do not know where you are in this context, but I have lived next to an apartment complex. This is not about us, we want to hear your concerns.

- The plan shows the trees being cut down, so there cannot be a concern for the greenway area.
 - Confusion over the red line being a tree removal line was clarified that it is actually the property boundary.
 - We are required to provide a buffer on the stream, and any perimeter buffers, as well as a Tree Conservation area.
- Who owns the land that the pond is in?
 - It is a part of this property we are talking about today.
- Why is Corey Branch not on the meeting?
 - We cannot speak for Mr. Branch, you are welcome to call him with your concerns. We will be calling him as a courtesy to let him know we are proceeding with this application in his area.
- What would cause the plans to change from a senior only housing development to another set of apartments like all the others going in around the area?
 - We have never done that. Our plan to go elderly to high density to multi-family has never happened. I do not see that happening in this case. We have designed a housing type that fits nicely in a single-family neighborhood. It gives another housing type. The housing cost in Raleigh is astronomical.
- We are already dealing with people walking in our neighborhood. I have encountered a bad situation and ended up with a broken wrist. How will they get into this apartment complex? Will the access be off Rock Quarry? We are concerned about our safety. The kids walking through the property are nasty kids and throw trash everywhere. We do not want these houses here. Let the poor and old people live in Rocky Mount.
 - Thank you for your comments.
- There are no pictures of developments by ECCDI. If the zoning changes, you do not have to listen to us anymore. It takes away any of our concerns. I do share those reservations. What are the proposed benefits to us in this community? Why should we be on board with this?
 - We ask you to focus on the bigger picture. This will allow a use of multi-family. That will increase availability of housing for everybody. We have reason to believe it will result in any detriment to the surrounding neighborhoods . At some point there will be a development of this property.
- Thank you for that, it is not exactly encouraging. It is more like passive aggressive. Sounds like you are suggesting we could have something worse if you do not get your way.

No we are just stressing that the density limitation offered as a condition is designed to make the density being requested closer to what can be done on the property now by right
- I can see trees when I step out of my home. There are a lot of things that live in the woods, we currently have a lot of homes in this area. The point of us moving here was because it will be our retirement home. We did not want to live very close. There is trash everywhere, we are always picking up trash. There is no respect for the property line. Everyone will be packed in this area, were not conserving any of this green life. When is it ever enough? Can we purchase land to push back the property?
 - ECCDI has not purchased the property, it is under contract.
- There is an empty lot on Battle Bridge, why could that site be developed? We are too tight.

- I cannot speak to the site selection. Tax credit has to be within certain distance of grocery. That is met by being across the street. The other sites are being looked at by other developers. There is a lot of growth and construction in Wake County. It is a desirable area to be in. A lot of people want to call Raleigh home.
- You keep saying our community. You do not live here, you live outside of this area. You say most of these people cannot afford to live in this area, so you put them in my backyard. You're trying to sweet talk us into this development, you're doing this just for money.
 - Thank you for your comments.
- I agree with the comment before. This is a little too iffy and I am not happy about this at all.

Brendie reiterated her thanks for all of the questions and concerns that will allow reflection for an effective community. She showed the slide where all the contact information can be found. She mentioned all comments can be sent to the city.

Keith mentioned the people moving to this development would be locals who cannot afford to live in their current situation. This is a more affordable situation.

Don Belk spoke about the next step in the process. The application will be submitted and reviewed for completeness. A Traffic Impact Analysis may need to be completed and reviewed by the city. That could resolve in a longer time period before the application comes before the Planning Commission. If you receive a letter about this neighborhood meeting, you will also receive a letter from the Planning Commission meeting. A second neighborhood meeting will be held at a later date.

The meeting concluded with thanks to the attendees and reassured them their opinions and concerns and being taken into consideration.

ATTENDANCE ROSTER

[illegible]

<u>User Type</u>	<u>FirstName</u>	<u>LastName</u>	<u>Address 1</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
Panelist	Jerry	Eatman	4130 Parklake Ave., Ste 100	Raleigh	NC	27612
Panelist	Jim	Eatman	4130 Parklake Ave., Ste 100	Raleigh	NC	27612
Panelist	Brendie	Vega	137 S. Wilmington St., Ste 200	Raleigh	NC	27601
Panelist	Keith	Walker	108 Professional Park Dr.	Beaufort	NC	28516
Attendee	Cynthia	Whitney				
Attendee	Jennifer & Elliot	Palmer	6551 Battle Bridge Rd	Raleigh	NC	27610
Attendee	Shanteria	Wilkins				
Attendee	Victoria	Blackwell	6601 Battle Bridge Rd.	Raleigh	NC	27610
Attendee	Donald	Belk	PO Box 590	Raleigh	NC	27602
Attendee	Lisa	Dockery	4265 Offshore Dr.	Raleigh	NC	27610
Attendee	Crystal	Leftwich	4152 Dalcross Rd.	Raleigh	NC	27610
Attendee	Catrice	Murrell				
Attendee	Barbara	Long	4148 Dalcross Rd.	Raleigh	NC	27610
Attendee	Dariel	Dixon				
Attendee	Brett	Hodsden	6627 Battle Bridge Rd.	Raleigh	NC	27616
Attendee	Dan	Rolando	6529 Battle Bridge Rd.	Raleigh	NC	27610
Attendee	Janet	Robles				
Attendee	Shaneetra	Bobbitt	6614 Frogstool Ln.	Raleigh	NC	27610
Attendee	Cynthia	Hunter	6603 Battle Bridge Rd.	Raleigh	NC	27610

OWNER AFFIDAVIT

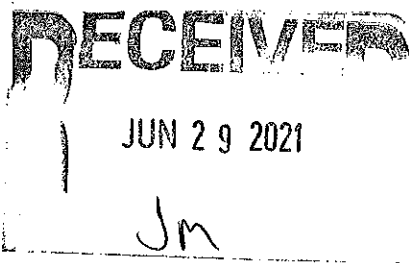
The undersigned, being duly sworn, hereby states as follows:

1. That he is the Manager of DMM Properties, LLC, a North Carolina limited liability company (the "Company").
2. That the Company is the owner of that certain property located at 6525 Battle Bridge Road, Raleigh, North Carolina 27610, having PIN 1731690254, and being described in a deed recorded at Deed Book 17420, Page 1371, of the Wake County, North Carolina Registry.
3. That Jerome R. Eatman, Jr. is hereby authorized to act on behalf of the Company as the applicant to the City of Raleigh for rezoning of the Property. Jerome R. Eatman, Jr. is a partner with the law firm of Lynch & Eatman, L.L.P.
4. The Company, as the legal owner of the Property, hereby gives authorization and permission to Jerome R. Eatman, Jr. with Lynch & Eatman, L.L.P. to submit to the City of Raleigh an application to rezone the Property.
5. The undersigned understands and acknowledges that zoning conditions must be signed, approved, and consented to by it as owner of the Property.

IN WITNESS WHEREOF, the undersigned has executed the foregoing as of this
23rd day of June, 2021

DMM PROPERTIES, LLC, a North Carolina
limited liability company

 (SEAL)
By: Wallace Todd Driver, Manager

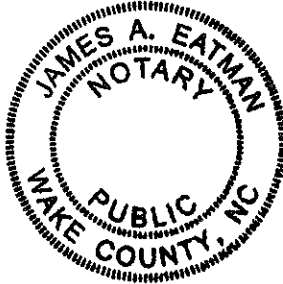


STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned Notary Public of the County and State aforesaid, certify that Wallace Todd Driver, Manager of DMM Properties, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument in the capacity and for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 23rd day of June, 2021.



(Notarial Seal)

James A. Eatman
Notary Public
James A. Eatman
Type or Print Name

My Commission Expires: April 2, 2022

RECEIVED
JUN 29 2021
BY: JM



August 16, 2021

Re: 6525 Battle Bridge Road (PIN # 1731690254)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on August 31st at 7pm. The meeting will be held in person. To participate, visit:

Barwell Road Community Center
5857 Barwell Park Dr, Raleigh, NC 27610

Due to the possibility of changing COVID-19 protocols, please check the WithersRavenel website prior to the day of the meeting for any updates on COVID restrictions.

The purpose of this meeting is to discuss a proposed rezoning of the property located at 6525 Battle Bridge Road. This site is currently located in Wake County and is zoned as R-4. The property is proposed to be rezoned to R-10-CU in order to be annexed into the City of Raleigh jurisdiction.

Prior to review by the Planning Commission, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 1,000 feet of the area requested for rezoning. After the meeting a report will be submitted to the Raleigh Planning and Development Department. Any other person attending the meeting can submit written comments about the meeting or the request in general, but to be included in the Planning Commission agenda packet written comments must be received at least 10 days prior to the date of the Planning Commission meeting where the case is being considered.

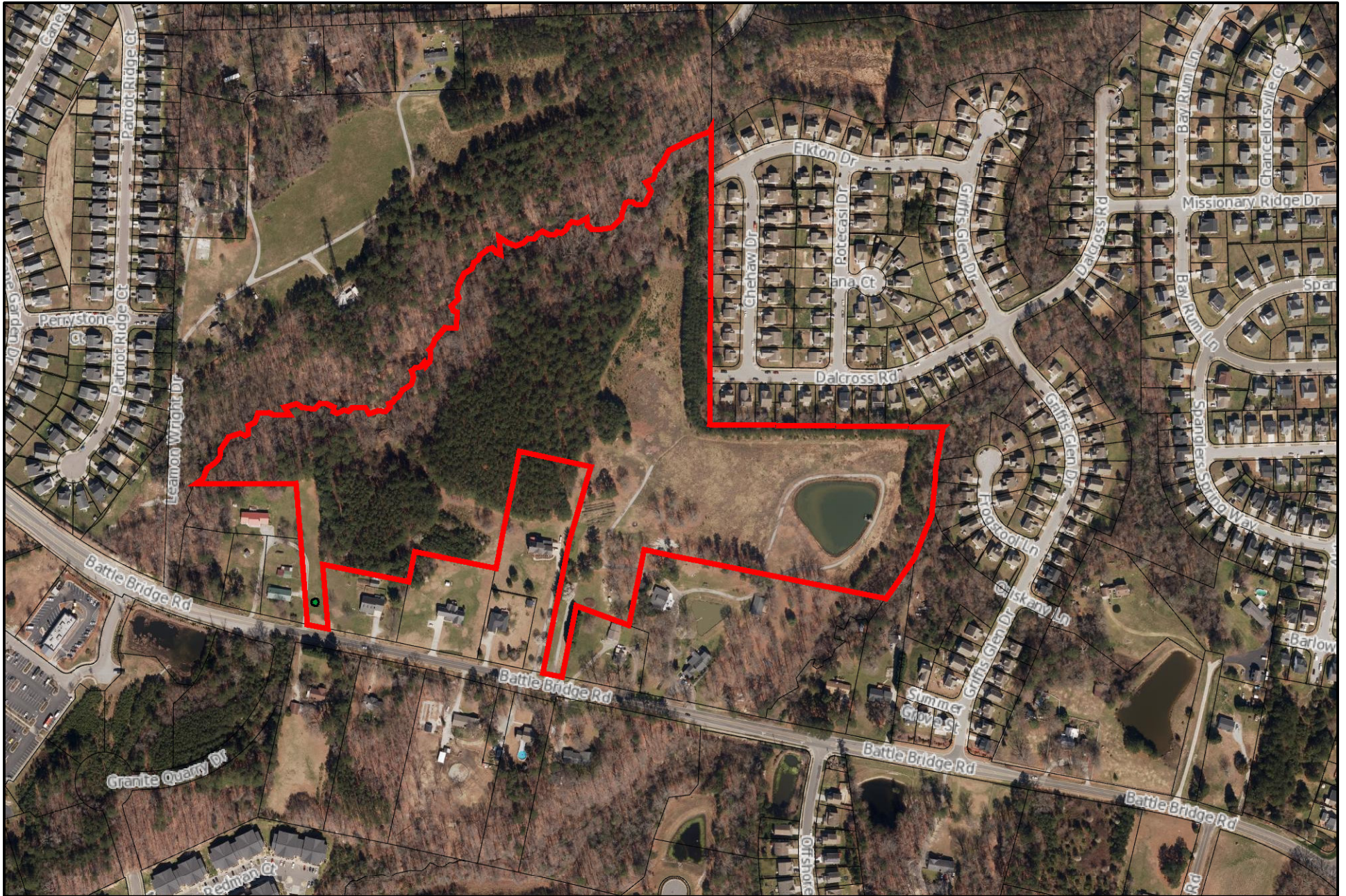
Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, or would like to submit written comments after the meeting please contact:

Sara Ellis
Raleigh Planning &
Development (919)996-2234
Sara.ellis@raleighnc.gov

If you have any concerns or questions about this potential rezoning we can be reached at:

Brendie Vega, 919-535-5212, bvega@withersravenel.com or
Jerry Eatman, jeatman@lyncheatman.com
Jim Eatman, jaeatman@lyncheatman.com

For more information about rezoning, you may visit www.raleighnc.gov or contact JP Mansolf at the Raleigh City Planning Department by email at rezoning@raleighnc.gov or by telephone at (919) 996-2180.



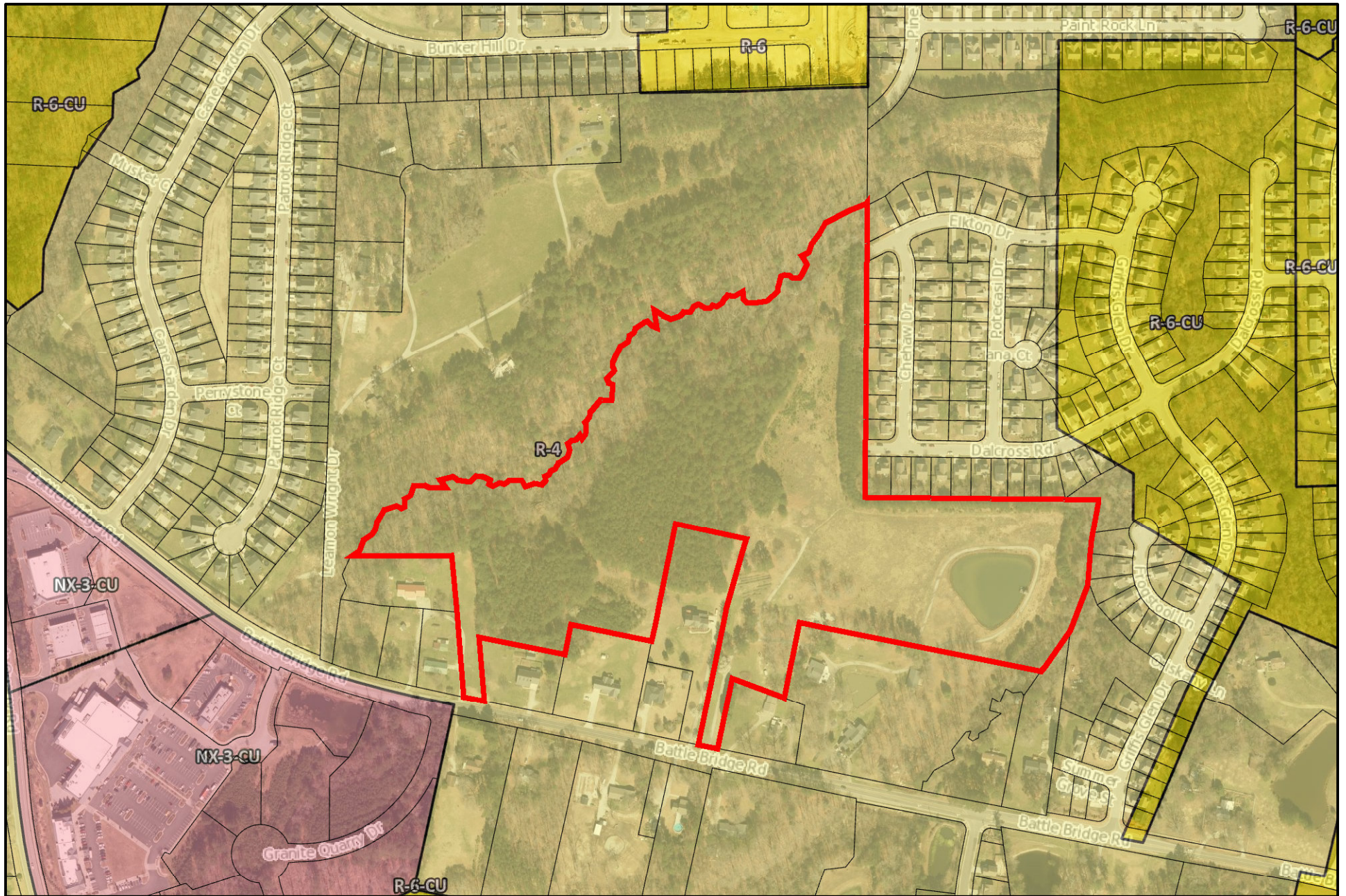
Aerial Exhibit



0 215 430 860 ft
1 inch = 400 feet

Disclaimer

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



Zoning Exhibit



0 215 430 860 ft
1 inch = 400 feet

Disclaimer

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SUMMARY OF ISSUES

A neighborhood meeting was held on 08/31/2021 (date) to discuss a potential rezoning located at 6525 Battle Bridge Rd. (property address). The neighborhood Meeting was held at Barwell Road Community Center (5857 Barwell Park Dr.) (location). There were approximately 13 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Density and Number of Units. Some neighbors were concerned that the proposed density and maximum number of units (260) were too high. The applicant has responded by reducing the proposed number of units on the site.

Affordable Senior Housing Restrictions. Neighbors wanted to ensure that only persons aged 55 and older would be permitted to rent these units. The age restriction will be enforced through the leasing process and terms. Neighbors also were curious about the terms of the affordable housing. The team representing the applicant explained that applicants must earn under 80% of the Area Median Income (AMI). The units will remain affordable for at least forty years. Residents also mentioned that there was already a senior facility nearby on Auburn Knightdale Road.

Crime. Some neighbors speculated that crime would increase around the development. The applicant has no knowledge that this development would increase crime rates. Furthermore, this development will benefit the area by offering a peaceful, safe community of high-quality for those in residence. The applicant has a track record of producing high-quality residences and has enjoyed successes in similar ventures throughout North Carolina.

Traffic Impacts. Neighbors expressed concern regarding potential increases in trips during peak hours. The development team advised that trips by the target demographic have different characteristics than those of adults in the workforce. In general, seniors and active adults generate fewer car trips than working adults and have different peak hours of activity. Residents were worried that if Battle Bridge Road needed widening they would lose property due to right-of-way acquisition. One resident wanted a single entrance.

Property Values. Neighbors worried that proximity to affordable, age-restricted development would hurt their property values. Representatives for the applicant shared that there are many studies contradicting this notion. The applicant does not anticipate any impacts on value, sales, or demand for neighboring properties as a result of the proposed development.

Environmental Constraints. Some neighbors shared fears that development would increase stormwater runoff. The development team explained that new developments are required to offset these impacts with stormwater control measures. Residents expressed concerns about displacement of wildlife and ecosystem disturbance. Residents worried that required blasting activity would impair the structural integrity of residences.

Height. Neighbors asked for a condition restricting building height in the development. They felt that a product with three stories would be out of place. When shown images of previous products, attendees preferred the one- and two-story products.

Availability of Amenities and Infrastructure. Neighbors expressed concerns about the availability of amenities and food in the area. They also were interested in the location of the sewer lines and availability to their properties.

Involuntary Annexation. Neighbors asked if they would be annexed into the City of Raleigh as part of the project. The project team explained that involuntary annexation is not part of this project.

ECDDI - Battle Bridge

Jerry Eatman, Lynch & Eatman, L.L.P.

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August 31, 2021

ECCD1 - Battle Bridge

[illegible]

August 31, 2021

ECCDI-Battle Bridge

[illegible]



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-44-21

OVERVIEW

The Future Land Use Map (FLUM) requires an amendment to change the designation for 6525 Battle Bridge Road to achieve consistency between the map and the rezoning request for a Residential-10 (R-10) base district. The map currently designates the parcel for Low Density Residential, which applies to vacant or agricultural land where single-family residential use is planned over the next 20 years.

An amendment to the FLUM from Low Density Residential to Moderate Density Residential would appropriately correspond to the development of the apartment building type for the purpose of creating affordable housing stock for the City's growing senior population. It would also create a transitional land use designation between existing single-family neighborhoods and an existing mixed-use activity center (Rock Quarry-Battle Bridge) and areas designated for Moderate Density Residential adjacent to the property to the south of Battle Bridge Road.

LIST OF AMENDMENTS

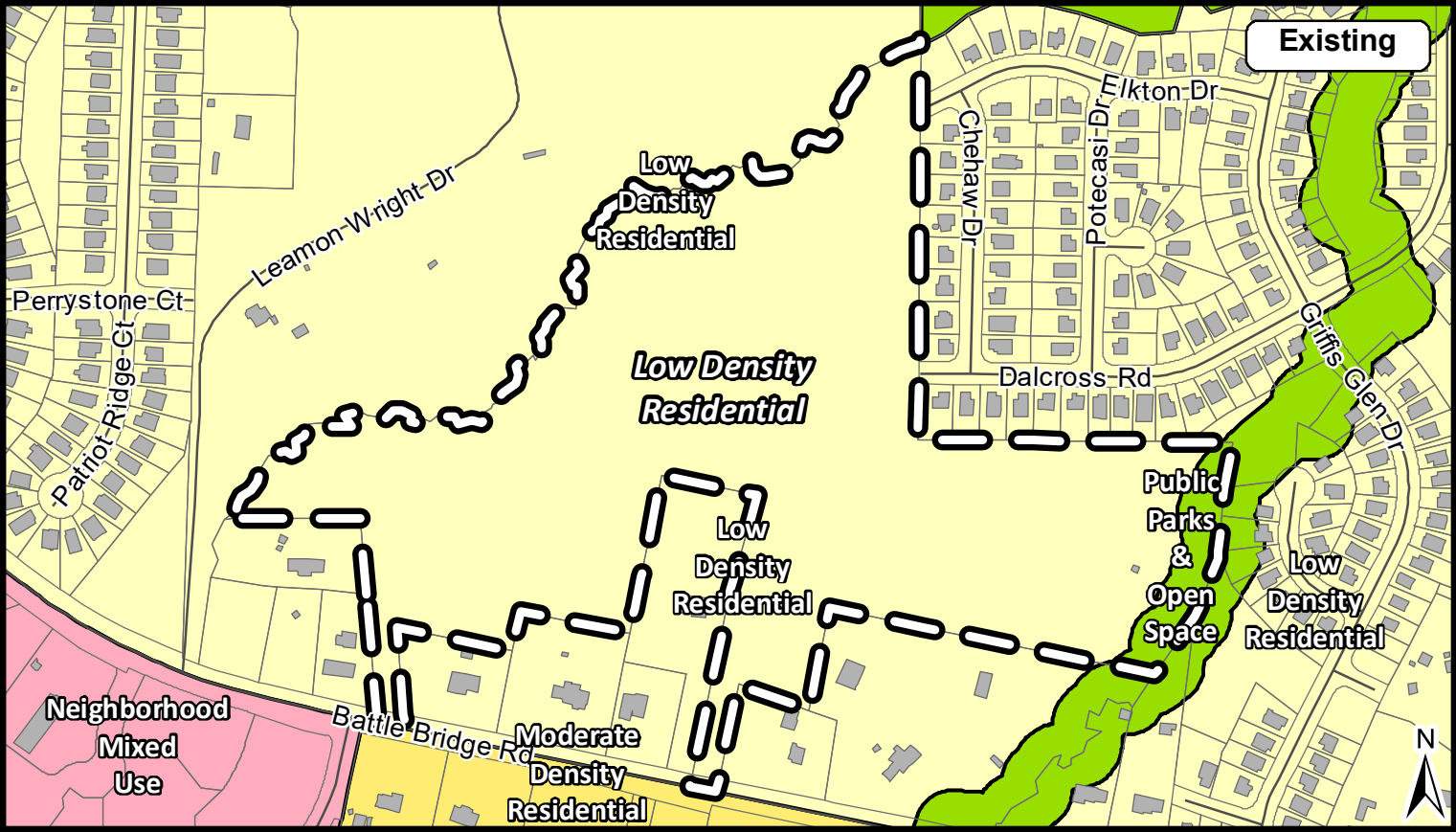
1. Amend the Future Land Use Map for 6525 Battle Bridge Road from Low Density Residential to Moderate Density Residential.

AMENDED MAPS

[Insert images of amendments to policy maps which may need to accompany approval of this case in order to resolve inconsistency.]

Z-44-2021: Required Amendment to the Future Land Use Map

Existing Designation: Low Density Residential



Proposed Designation: Moderate Density Residential

