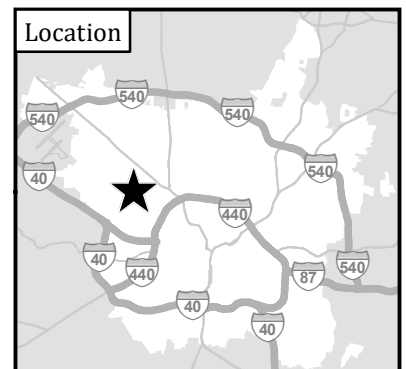


| | |
|-------------------------|-------------------|
| Property | 4800 Duraleigh Rd |
| Size | 26.39 acres |
| Existing Zoning | R-4 |
| Requested Zoning | RX-5-CU |





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Jason Hardin, AICP

DEPARTMENT: Planning and Development

DATE: Sept. 28, 2020

SUBJECT: Special Item for October 6, 2020 – Rezoning Z-47-19

On September 15, 2020, City Council closed the public hearing for the following item and deferred action in order to allow new conditions to be submitted:

Z-47-19 4800 Duraleigh Road, on the east side south of Crabtree Creek, consisting of Wake County PIN 0786512559. Approximately 26.4 acres are requested by Hanson Aggregates Southeast LLC to be rezoned.

Current zoning: Residential-4 (R-4)

Requested zoning: Residential Mixed Use-Five Stories-Conditional Use (RX-5-CU)

The applicant submitted new signed **zoning conditions** on Sept. 25. The added conditions include the following:

- Retaining walls will not be placed within 50' of adjacent residential properties (those containing a detached house).
- The 50' neighborhood transition yard will include a 15-foot minimum and 25-foot average width natural buffer or Tree Conservation Area.
- Planting materials are specified along the adjacent residential parcels.
- Buildings will not be closer than 55 feet from adjacent residential parcels.
- A pedestrian connection will be constructed on the property from Duraleigh Road to the future greenway trail, provided that it is not required to be ADA accessible
- All stormwater drainage from the new impervious surfaces will be directed away from adjacent residential parcels to proposed stormwater control facilities and released to Crabtree Creek.

The added conditions **supplement the previously submitted conditions**, which:

- Limit uses to residential.
- Limit density to 14 units per acre.
- Prohibit apartment buildings within 150 feet of the southern and eastern property line.
- Specify that buildings will be no more than 68 feet tall in feel and no more than four stories or a four/four split in height, meaning what while a building might have five total floors, it would have no more than four on the downhill side and no more than four on the uphill side.

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

- Specify an average landscaped yard width of 50 feet along the southern and eastern property lines.
- Provide a pedestrian easement from a public street to the property along the northeast border of the site that is owned by the City of Oaks Foundation.

The request **does not have** a specific Future Land Use Map designation.
The request is **consistent** with the Comprehensive Plan.

The **Planning Commission** voted 10-0 to refer the request to City Council with no recommendation, finding that the request is consistent with some elements of the Comprehensive Plan, including allowing more housing and expanding housing choice, but is inconsistent with other elements, including that the area is designated as a Special Study Area. The Commission's vote to refer without recommendation followed a 5-5 vote to recommend approval of the rezoning.

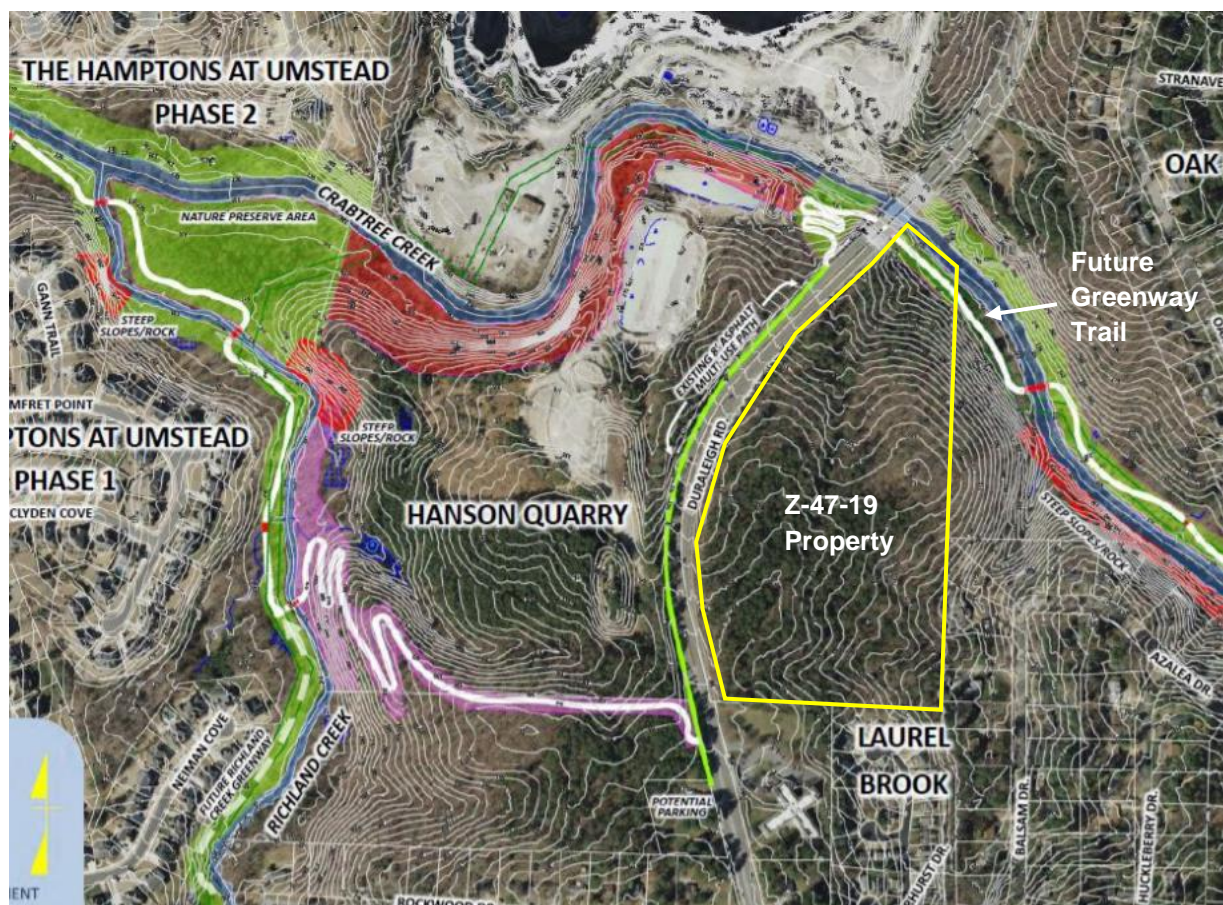
The **Northwest CAC** voted against the rezoning (Yes-0, No-50) on March 11, 2020.

Attached are the Planning Commission Certified Recommendation (including Staff Report and Traffic Study Worksheet), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report. Also included below is information on greenway improvements in the area and the relationship to this project.

Additional Information on the Crabtree Creek West Greenway

The [Crabtree Creek West Greenway Trail Project](#), funded by the 2014 Parks Bond and supplemented with federal funding, is the last remaining trail section of the Crabtree Creek Greenway corridor. It will extend from the existing terminus at Lindsay Drive to the eastern boundary of Umstead State Park on Ebenezer Church Road. This proposed trail section is approximately two miles in length and is a critical link in a regional greenway system, connecting multiple neighborhoods and business centers in Raleigh. This project is important both locally and regionally. From a regional perspective, the completion of the project will connect the Neuse River Trail, on the eastern side of Wake County, to the American Tobacco Trail, on the western side of Wake County. By completing this trail, residents and visitors will be able to travel across Wake County, from north to south on the American Tobacco Trail or the Neuse River Trail, or east to west between the two trails on the Crabtree Creek Trail and White Oak Creek Trail. The project scope includes a 12-foot wide trail facility linked by five pedestrian bridges that cross over Crabtree and Richland Creeks. The project is scheduled to be completed in Summer of 2022.

The proposed trail alignment parallels the west side of Crabtree Creek and the northeast side of the subject property (Z-47-19), currently owned by Hanson Aggregates Southeast, within a greenway easement that was acquired through a deed of easement (BK015580 PG 00938) in 2014.



To the east, the trail alignment parallels the west side of Crabtree Creek along a portion of the City of Oaks property (PIN No. 0786519537) and crosses over to the east side of the creek just before the existing sewer crossing. The City of Oaks dedicated two separate greenway easements to the City with the first being in 2017 and additional easement to address additional project needs in 2020. The City of Oaks and the City worked together to reach common goals in the project alignment design so that natural resources on the City of Oaks property were preserved.

To the west of the subject property, the trail alignment is grade separated from Duraleigh Road paralleling Crabtree Creek beneath the Duraleigh vehicular bridge. On the west side of Duraleigh Road the trail alignment is ADA accessible and consist of three switchbacks and retaining wall structures confined in a narrow greenway easement with steep slopes. The topography on the west and east side (subject property) of Duraleigh Road is similar.

As part of the rezoning application, PRCR staff have been requested to provide input on the case and evaluate it for consistency of the petition with the City's Comprehensive Plan particularly policy **PR 3.13 Greenway-oriented Development**, which states:

Development adjacent to or encompassing a designated greenway corridor or greenway connector should provide links between internal pedestrian infrastructure and the greenway network, where appropriate. The development should pro-actively respond to greenways as an amenity, incorporating and maintaining greenway viewsheds and aesthetic character, as well as storm water management and flood control benefits.

The applicant has offered two conditions that relate to greenway access.

Condition 6: A public pedestrian access easement shall be provided from a public street to the property line shared with Lot 2 shown on Book of Maps 2016, page 1713 (the “City of Oaks Parcel”).

Condition 11: Developer will construct a pedestrian connection from Duraleigh Road to the City of Raleigh Greenway Easement recorded in Deed Book 15580, page 938 of the Wake County Registry, as long as such connection is not required by the City of Raleigh or by federal law to be ADA-accessible.

It should be noted that Condition 6 does not specify that a connection will be constructed and does require the City of Oaks to create a connection or provide an easement. Condition 11 was added following discussion of greenway connection options, but Condition 6 remains, as conditions cannot be made less restrictive following the public hearing.

Staff will be available at the meeting to answer any questions.



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 12017

CASE INFORMATION: Z-47-19 DURALEIGH ROAD

| | |
|---------------------------------|--|
| Location | Duraleigh Road, on the east side, beginning on the south side of Crabtree Creek. Address: 4800 Duraleigh Road PIN: 0786512559 iMaps , Google Maps , Driving/transit directions from City Hall |
| Current Zoning | Residential-4 |
| Requested Zoning | Residential Mixed Use-Five Stories-Conditional Use (RX-5-CU) |
| Area of Request | 26.4 acres |
| Corporate Limits | The subject site is located within the corporate limits. |
| Property Owner | Hanson Aggregates Southeast LLC |
| Applicant | Hanson Aggregates Southeast LLC |
| Citizens Advisory Council (CAC) | Northwest CAC |
| PC Recommendation Deadline | August 10, 2020 |

SUMMARY OF PROPOSED CONDITIONS

1. Uses limited to residential and building types limited to townhouses and apartments.
2. Residential density no more than 14 units per acre.
3. Apartment buildings will not be within 150 feet of the southern and eastern property lines.
4. Buildings will be no more than 68 feet tall. In terms of stories, buildings will be a maximum of 4 stories or a 4/4 split, which means that while a building could have five floors in total, it would have a maximum of four occupiable floors above finished grade on its uphill facade, and four occupiable floors above finished grade on its downhill facade.
5. There will be a landscaped yard with an average width of at least 50 feet along the eastern property line and the southern property line.
6. Provide a pedestrian easement from a public street to the property along the northeast border of the site that is owned by the City of Oaks Foundation.

COMPREHENSIVE PLAN GUIDANCE

| | |
|-----------------------|--|
| Future Land Use | Special Study Area; Public Parks and Open Space |
| Urban Form | None |
| Consistent Policies | LU 2.2 Compact Development LU 5.4 Density Transitions LU 8.1 Housing Variety LU 8.10 Infill Development H 1.8 Zoning for Housing |
| Inconsistent Policies | LU 5.6 Buffering Requirements LU 12.1 Planning Process for Large Sites PR 3.13 Greenway-oriented Development |

FUTURE LAND USE MAP CONSISTENCY

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

Note: The area does not have a specific designation on the Future Land Use Map.

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

| Neighborhood Meeting | CAC | Planning Commission | City Council |
|---|---|--|--------------|
| August 20, 2019 (24 attendees) October 22, 2019 (16 attendees) | January 8, 2020 March 11, 2020 (Yes, 0, No, 50) | May 12, 2020 (for deferral); June 9; June 23; June 30 (no recommendation) | 7/7/20 |

PLANNING COMMISSION RECOMMENDATION

The rezoning case is designated as a **Special Study Area** on the Future Land Use Map and **Consistent** with some relevant policies and **Inconsistent** with others in the Comprehensive Plan. The Planning Commission refers the rezoning to Council **without a recommendation**.

| | |
|------------------------------------|------------|
| Reasonableness and Public Interest | No finding |
|------------------------------------|------------|

| | |
|---|---|
| Change(s) in Circumstances | No finding |
| Amendments to the Comprehensive Plan | If approved, the Future Land Use Map will be amended as to the subject parcel only from Special Study Area to Medium Density Residential |
| Recommendation | Refer to the City Council with no recommendation. The request is consistent with some elements of the Comprehensive Plan, including allowing more housing and expanding housing choice, but is inconsistent with other elements, including that the area is designated as a Special Study Area. The proposal also received a negative CAC vote. |
| Motion and Vote | Motion: O'Haver Second: Hicks In Favor: Bennett, Fox, Hicks, Lampman, Mann, McIntosh, Miller, O'Haver, Tomasulo, Winters Opposed: None |
| Reason for Opposed Vote(s) | |

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original 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.

| | | | |
|---|---------|------------------------------------|---------|
| | 6/30/20 | | 6/30/20 |
| _____ Planning Director | Date | _____ Planning Commission Chair | Date |
| Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov | | | |



ZONING STAFF REPORT – CASE Z-47-19

Conditional Use

OVERVIEW

The proposal seeks to rezone a 26.39-acre parcel on Duraleigh Road in northwest Raleigh, near Umstead State Park. The property is on the east side of the road, with Crabtree Creek forming its northern boundary.

The property is currently zoned Residential-4 (R-4); the request is for Residential Mixed Use-Five Stories-Conditional Use (RX-5-CU) zoning. Conditions limit density to no more than 14 units per acre and limit height to four stories or a “four-four split,” which means that while a building could have five floors in total, it would have a maximum of four floors above finished grade on its uphill facade, and four floors above finished grade on its downhill façade. Conditions also limit building types to apartments and townhouses, address transitions to adjacent residential properties, and include an easement for pedestrian access to an adjacent parcel owned by the City of Oaks Foundation.

The property is currently vacant and wooded. It slopes downward significantly from Duraleigh Road to adjacent properties to the east, as well as down from the center of the property to the Crabtree Creek on the north.

The area is bordered by a range of uses. Along the eastern edge, the property to the north is vacant and is owned by the City of Oaks Foundation, which works to preserve natural areas. The remainder of the eastern edge is occupied by detached houses. On the southern edge there are detached houses and a rest home.

The parcel directly across Duraleigh Road to the west contains an active quarry. The quarry itself is north of Crabtree Creek. Expansion of the quarry to the south was prohibited by a legal settlement with the quarry owner, which also owns the rezoning site.

The subject property, quarry property, and adjacent properties to the east are all zoned R-4. Property to the south is zoned R-6. Residential Mixed Use-Three Story (RX-3) zoning is present 0.2 miles to the south along Duraleigh Road. More broadly, much of Duraleigh Road between Glenwood Avenue and Edwards Mill Road comprises a range of zoning categories. Commercial nodes are present at each end of Duraleigh; in between, much of the zoning permits apartments and townhouses, with lower-density zoning farther back from the corridor. However, portions of the corridor are zoned for lower densities and occupied by detached houses.

The Future Land Use Map designation for the area is Special Study Area and on a sliver of the northern portion of the property, Public Parks and Open Space. The Special Study Area designation has been applied to a handful of locations across the city currently occupied by quarries, landfills, large areas outside the city’s jurisdiction but inside its urban services area,

and significant publicly-owned sites. In this case, the designation correlates with an active quarry and adjacent property owned by the quarry operator.

The area does not have a designation on the Urban Form Map.

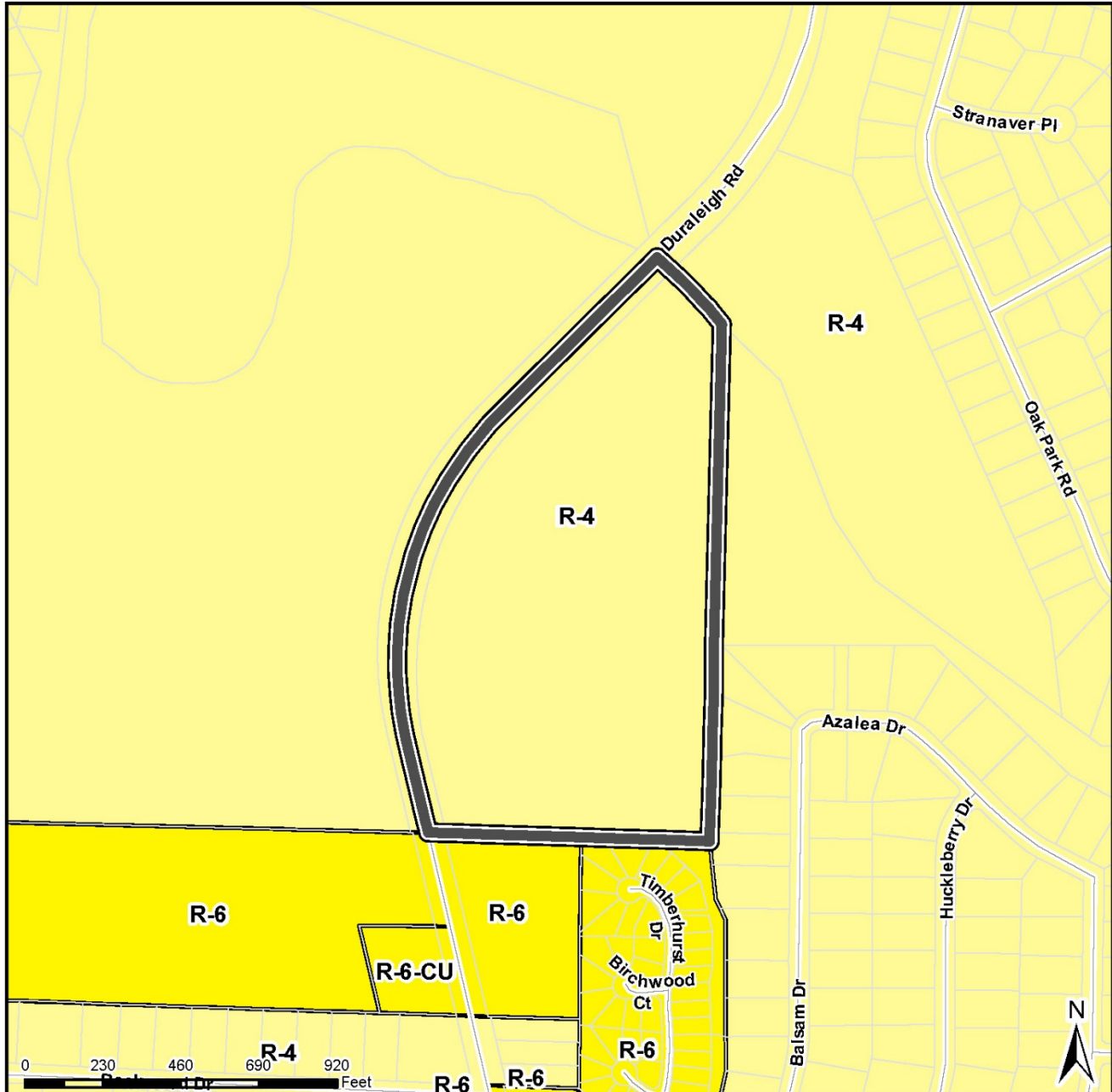
The rezoning request would permit additional residential density on the site – increasing from four units per acre to allow up to 14 units per acre. It also would permit the Apartment building type. The current R-4 zoning would allow townhouses, but only in the form of a Conservation Development and only as a portion of overall housing on the site; the rezoning would allow townhouses without those limitations.

OUTSTANDING ISSUES

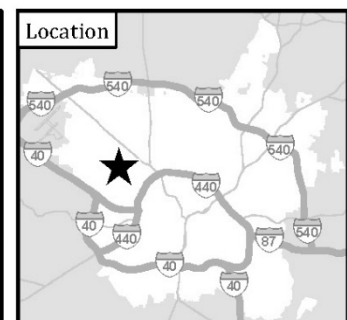
| Outstanding Issues | 1. None | Suggested Mitigation | 1. N/A |
|---------------------------|----------------|-----------------------------|---------------|
|---------------------------|----------------|-----------------------------|---------------|

Existing Zoning

Z-47-2019



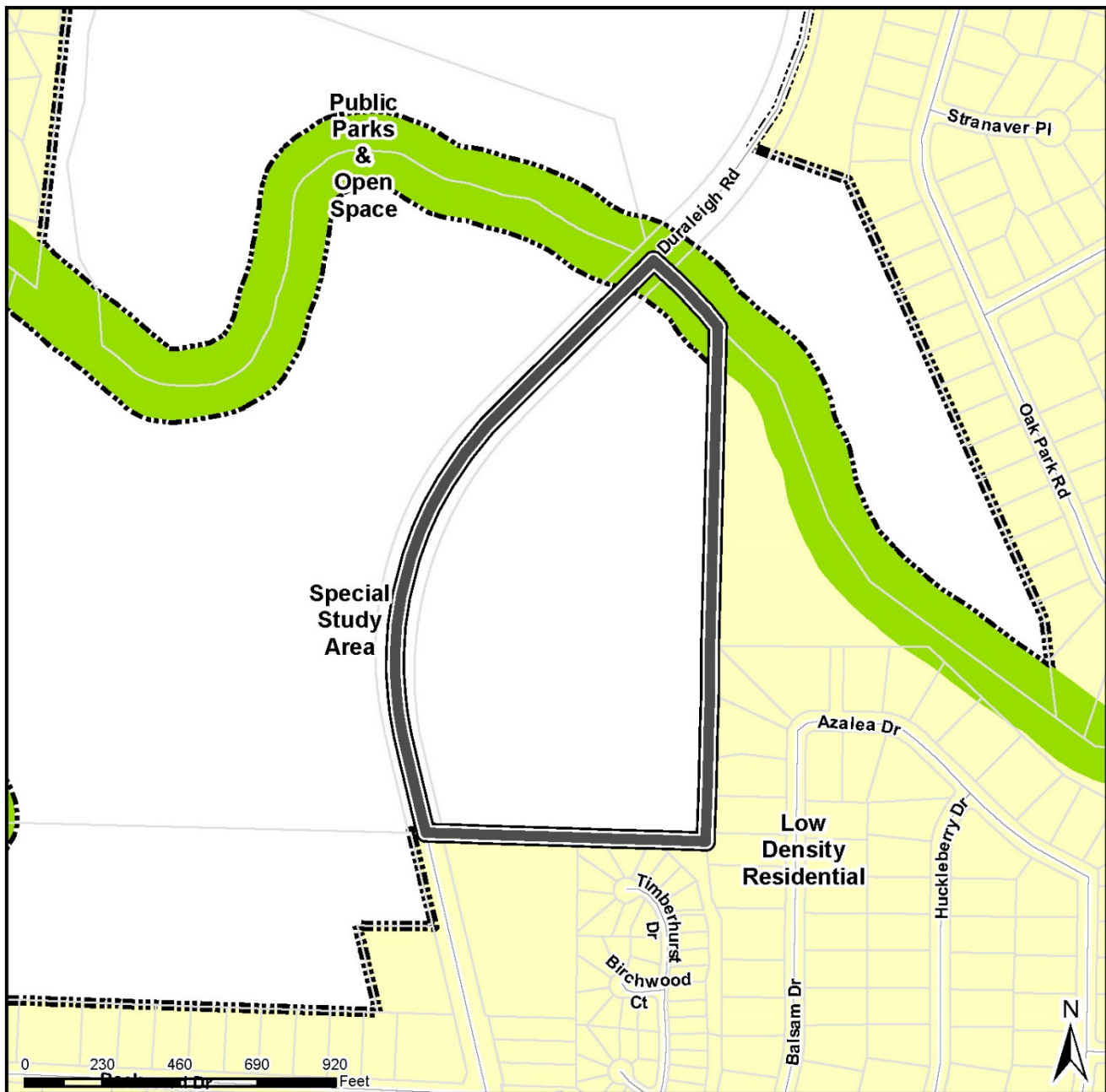
| | |
|-------------------------|-------------------|
| Property | 4800 Duraleigh Rd |
| Size | 26.39 acres |
| Existing Zoning | R-4 |
| Requested Zoning | RX-5-CU |



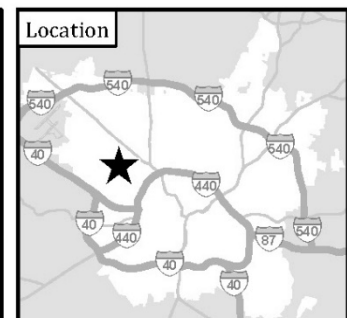
Map by Raleigh Department of City Planning (reckhowh): 11/26/2019

Future Land Use

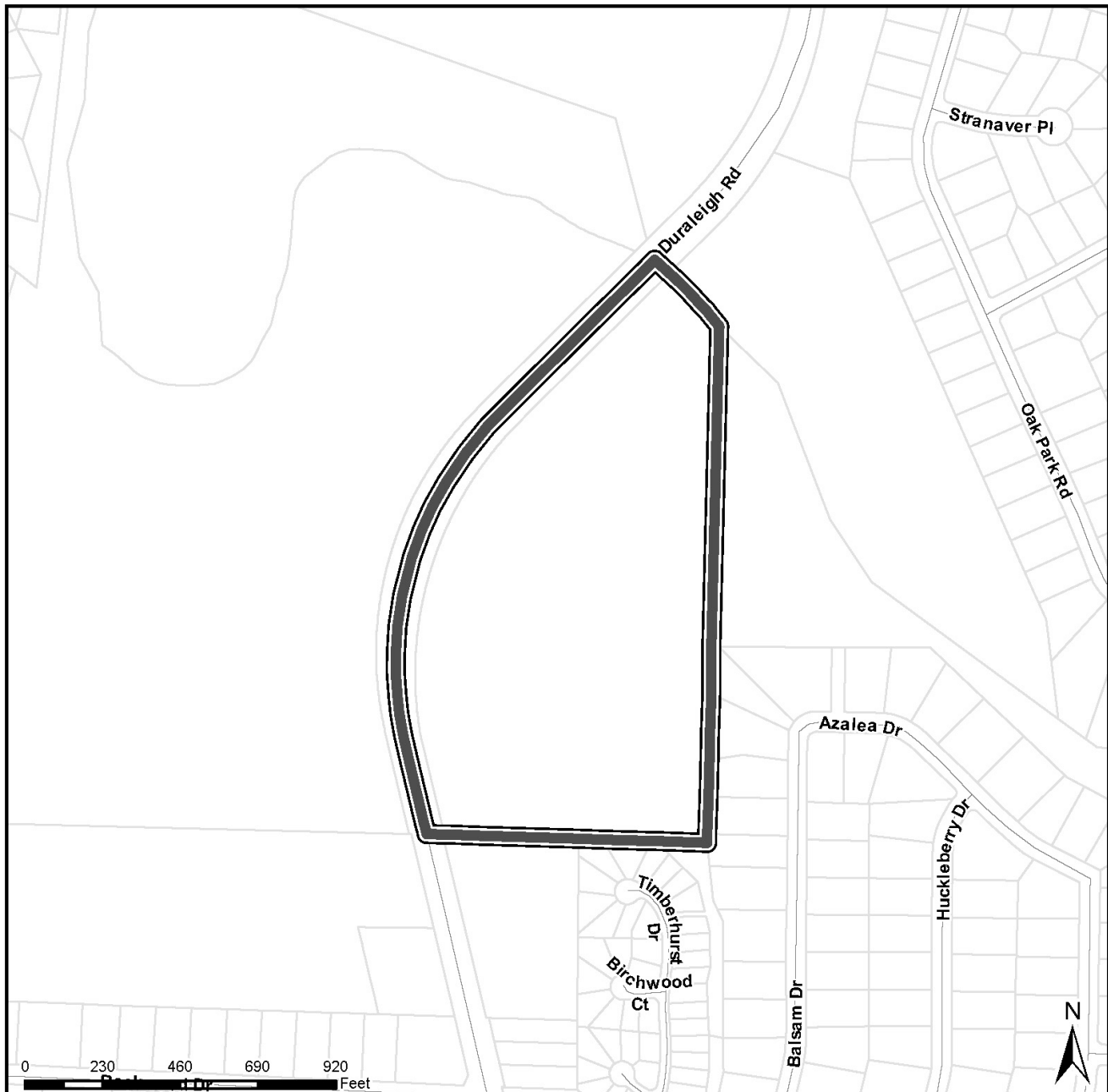
Z-47-2019



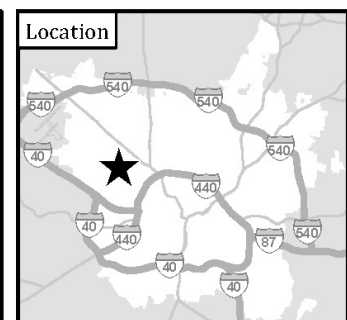
| | |
|-------------------------|-------------------|
| Property | 4800 Duraleigh Rd |
| Size | 26.39 acres |
| Existing Zoning | R-4 |
| Requested Zoning | RX-5-CU |



Map by Raleigh Department of City Planning (reckhowh): 11/26/2019



| | |
|-------------------------|-------------------|
| Property | 4800 Duraleigh Rd |
| Size | 26.39 acres |
| Existing Zoning | R-4 |
| Requested Zoning | RX-5-CU |



Map by Raleigh Department of City Planning (reckhowh): 11/26/2019

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 generally consistent with the Comprehensive Plan, particularly with the theme of Expanding Housing Choices and several related policies. It would allow additional housing supply and additional housing types. It would allow new growth to take a more compact form, rather than requiring more land area on the edge of the region.

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

No. The Future Land Use Map designates the area and adjacent parcels as a Special Study Area, which does not specify uses. However, the request would allow residential uses only, which is consistent with uses along the Duraleigh Road corridor.

- 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 use can be established without adversely altering the character of the area, as much of Duraleigh Road consists of higher-density housing directly along the road and lower-scale detached houses farther back.

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

Yes, existing infrastructure is sufficient.

Future Land Use

Future Land Use designation: Special Study Area

The rezoning request is

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

☐ **Inconsistent**

☒ **Other**

The Future Land Use Map designation for the area is Special Study Area. That designation has been applied to a handful of locations across the city currently occupied by quarries, landfills, large areas outside the city's jurisdiction but inside its urban services area, and significant publicly-owned sites. In this case, the designation correlates with an active quarry and adjacent property owned by the quarry operator.

The concept of the Special Study Areas is that future land uses have yet to be determined and that additional process and outreach is needed to determine the appropriate use and pattern. It does not prohibit rezoning in the absence of such a study. Instead, at least for land uses similar to the existing pattern or for smaller portions of an area, a rezoning process itself can reasonably serve as the additional process and outreach the designation contemplates.

Urban Form

Urban Form designation: None

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The Duraleigh Road corridor between Edwards Mill Road and Glenwood Avenue is characterized by commercial nodes at each end, with largely residential uses in between. The significant exception is the quarry across Duraleigh Road from the subject property.

In terms of residential uses, much of Duraleigh Road is characterized by higher-density residential development alongside the road itself, with detached houses farther back. Nearly the entire west side of Duraleigh Road south of the subject site is occupied by townhouses or apartments, some at higher densities than what is proposed here. The east side is more varied. A rest home is immediately south of the subject property, with detached houses fronting the corridor further south, followed by another rest home and then commercial uses. The pattern to the north is similar.

These patterns – relatively higher density and/or a mix of uses along busier corridors with lower-scale development behind – are common across Raleigh. While this proposal would include one story of additional height beyond that allowed by current zoning along the corridor, given the existing patterns, the proposed development is compatible with the property and surrounding area.

Public Benefits of the Proposed Rezoning

- The rezoning would allow for additional housing supply, helping to moderate the costs of housing.
- The rezoning would allow additional development in an area where infrastructure and services already exist.
- The rezoning would allow for new development in an area relatively close to job and shopping centers, meaning many trips would be relatively short.

- The rezoning would allow for housing types other than detached houses along a busy corridor.
- The site is adjacent to the planned Crabtree Creek Trail extension. If direct access from the site to the greenway is provided, the greenway would provide an additional recreational and transportation opportunity for residents.

Detriments of the Proposed Rezoning

- The site is not currently served by transit. While high-frequency transit is planned along Glenwood Avenue (15 minutes or less between buses), the closest stop is approximately two-thirds of a mile from the site.
- The site is not within an easy walk of many destinations. This may be mitigated somewhat by the creation of the Crabtree Creek Trail.
- The slope of the site (sloping significantly down from Duraleigh Road to the east) exacerbates the perceived scale of buildings on the site, making careful transitions particularly important.

Policy Guidance

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

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.*

- The rezoning would allow a moderate amount of residential density (14 units per acre) in an area where infrastructure and services already exist, reducing the demand for new development on the edges of the city.

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 rezoning would permit moderate-density development in an area between a current industrial use – the quarry on the west side of Duraleigh Road – and lower-density residential uses to the east and south of the site.

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 rezoning would not permit a mix of uses, but would permit housing types other than detached houses.

LU 8.10 Infill Development - *Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.*

- The request would facilitate infill development on the parcel. Much of Duraleigh Road between Glenwood Avenue and Edwards Mill Road is characterized by moderate density residential development fronting the corridor itself, with detached houses farther back from the corridor. This rezoning generally would be consistent with that pattern. However, the zoning along the corridor currently is characterized by three-story heights, while this proposal would allow four stories, as well as buildings that go beyond four-story heights in feet. While the city’s development code includes provisions for transitions, adding some additional provisions to transition to lower-scale adjacent areas would improve consistency with this policy and overall.

H 1.8 Zoning for Housing - *Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well-supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.*

- The request would allow for additional housing supply. It also would allow housing types other than detached houses, which tend to be less expensive than new detached houses.

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

LU 5.6 Buffering Requirements - *New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.*

- The city’s development code includes provisions for transitions from mixed-use zones to adjacent residential zones. These include a 50’ transition where no buildings can be placed, a height limit of 40’ at the edge of that transition area, and a transition landscaping yard requirement. This request goes beyond those requirements by specifying the type of landscaped yard and by specifying that townhouses would serve as a transition between potentially bulkier apartment buildings on the site and detached houses adjacent to the site. However, as the site

slopes down significantly from Duraleigh Road to adjacent residential areas to the east and south, additional provisions for transitioning would improve consistency with this policy. This could include some combination of the tools mentioned above: larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures.

PR 3.13 Greenway-oriented Development - *Development adjacent to or encompassing a designated greenway corridor or greenway connector should provide links between internal pedestrian infrastructure and the greenway network, where appropriate. The development should pro-actively respond to greenways as an amenity, incorporating and maintaining greenway viewsheds and aesthetic character, as well as storm water management and flood control benefits.*

- This policy encourages properties adjacent to greenway trails to create a pedestrian connection to the trail. The Crabtree Creek West trail will run along the southern side of the creek at the northern end of the rezoning site. While nothing in the rezoning prevents a formal pedestrian connection to the greenway trail, there is no code requirement that such a connection be created. However, this can be ensured in this case with a zoning condition that specifies that such a connection would occur.

The rezoning does include a condition specifying a pedestrian easement to the City of Oaks property to the east. However, that property is steeper than the subject site, and no guarantee exists that a connection would ever be created on that property.

Without a specific pedestrian connection, access to the greenway from the site could only be achieved by crossing Duraleigh Road or through an informal (user-created) path down the slope to the trail.

LU 12.1 Planning Process for Large Sites - *Ensure the appropriate development of large sites proposed for redevelopment within Raleigh through visioning, design workshops, special studies, and iterative public involvement processes that build consensus as part of the site's special study process.*

- This policy applies because the site is within what the plan calls a "Special Study Area." No processes of the above types, which are designed to foster consensus, have taken place. If the proposed rezoning included the entirety of the Special Study Area, this inconsistency likely would be large enough to mean that the proposal was inconsistent with the Comprehensive Plan. However, the rezoning request represents roughly a tenth of the overall area and is separated from the bulk of the area by Duraleigh Road. For an area of that size, and for a use (residential) that is the same as adjacent properties, a rezoning process provides a significant level of public involvement and analysis.

Area Plan Policy Guidance

- Not applicable

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

| | City Average | Site | Notes |
|---------------|--------------|------|-------------------------------|
| Transit Score | 30 | 0 | Much lower than city average. |
| Walk Score | 30 | 7 | Much lower than city average. |

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

Summary: Both the walk and transit scores are very low, much lower than the city average, indicating that trips are more likely here than elsewhere to be in the form of driving. However, this is less an indication that the site is a remote area on the city's edge and more of a function of its location next to Umstead Park. The site is relatively close to major employment and retail centers such as Crabtree Mall, UNC Rex Hospital, and portions of North Carolina State University, many driving trips associated with the site may be relatively short. Overall, however, the carbon impact from transportation is likely to be relatively higher than from other locations for housing in Raleigh.

Carbon/Energy Footprint: Housing

| Housing Type | Average Annual Energy Use (million BTU) | Permitted in this project? |
|-----------------------------|--|----------------------------|
| Detached House | 82.7 | No |
| 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.

Summary: In terms of carbon emissions, the site performs better from a building efficiency perspective than a transportation perspective. The only permitted building types are the most efficient residential types – townhouse and apartment. Allowing these types mean the per-

unit carbon emissions associated with building construction and operation would be less than with detached housing types, which are less energy-efficient.

Housing Supply and Affordability

| | | |
|---|------|---|
| Does it add/subtract from the housing supply? | Adds | The site currently allows four units per acre; the request would allow up to 14 per acre. |
| Does it include any subsidized units? | No | |
| Does it permit a variety of housing types beyond detached? | Yes | Townhouses and apartments are allowed. |
| If not a mixed-use district, does it permit smaller lots than the average?* | N/A | |
| Is it within walking distance of transit? | No | The site is two-thirds of a mile from transit, longer than typically considered walking distance. |

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

Summary: The rezoning would add to housing supply by increasing the number of potential housing units on the site. It also allows housing types that tend to be less expensive than new detached houses.

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 it adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

Parks and Recreation

1. This site contains the Crabtree Creek Greenway Corridor.
2. At the time of a subdivision or site plan, this corridor will require the dedication of a 100-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).
3. Nearest existing park access is provided by Brookhaven Park (2.5 miles) and Wooten Meadow Park (2.7 miles).
4. Nearest existing greenway trail access is provided by Crabtree Creek Greenway Trail (1.0 miles). The Crabtree Creek West Extension Project will begin in 2020 and that segment of the Greenway Trail will traverse the northern portion of this site.
5. Current park access level of service in this area is graded a B letter grade.
6. Crabtree Creek West Greenway Trail Extension Project (construction estimated to begin in Spring 2020) will run through this property, along the southern bank of the Crabtree Creek and under the Duraleigh bridge. The City of Raleigh Comprehensive Plan PR-3.13 Greenway-oriented Development states "Development adjacent to a designated greenway corridor or greenway connector should provide links between internal pedestrian infrastructure and the greenway network, where appropriate. The development should proactively respond to greenways as an amenity, incorporating and maintaining greenway viewsheds and aesthetic character, as well as storm water management and flood control benefits."

Impact Identified: Increased demand for parks in the area. No direct connection to the greenway provided.

Public Utilities

| | Maximum Demand (current use) | Maximum Demand (current zoning) | Maximum Demand (proposed zoning) |
|-------------|---------------------------------|------------------------------------|-------------------------------------|
| Water | 0 | 24,500 | 99,500 |
| Waste Water | 0 | 24,500 | 99,500 |

1. The proposed rezoning would add approximately 99,500 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit and 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.

Impact Identified: None requiring mitigation beyond code requirements

Stormwater

| | |
|-----------------------|---|
| Floodplain | FEMA floodplain/floodway on north end of site |
| Drainage Basin | Crabtree |
| Stormwater Management | UDO 9.2 |
| Overlay District | None |

Site subject to Stormwater regulations under UDO 9.2 for runoff and nitrogen. FEMA floodway/floodplain exists onsite. Possible Neuse Buffers exist.

Impact Identified: None requiring mitigation beyond code requirements

Transportation

Site Location and Context

Location

The Z-47-19 site is located in northwest Raleigh where Duraleigh Road crosses Crabtree Creek.

Area Plans

The Z-47-19 site not located in or near an area plan.

Other Projects in the Area

The City of Raleigh has designed an extension of the Crabtree Creek Greenway Trail that will extend it from its current terminus at Lindsay Drive to the Ebenezer Church Road Bridge Gate of Umstead State Park. The project is currently in the permitting and bidding phase; construction should start by the summer of 2020. Near the Z-47 site, the greenway trail will follow the south bank of the creek. It will cross under Duraleigh Road near the creek, climb to the elevation of Duraleigh Road, following the existing shared use path on the west side of Duraleigh Road. Approximately 150 feet south of the Z-47 site, the greenway trail will deviate from Duraleigh Road and return to the creek.

As this conditional use zoning district is currently structured, access to the greenway trail from the site requires either crossing Duraleigh Road at an unsignalized location or the construction of a connection through an adjacent property owned by the City of Oaks Foundation. The slopes on the City of Oaks Foundation property are steeper than the Z-47 site; it is unlikely to be feasible to construct a paved connection to the greenway trail at this location.

A project to improve Pleasant Valley Road between Glenwood Avenue and Duraleigh Road is also under construction at this time.

Existing and Planned Infrastructure

Streets

The site is located on Duraleigh Road which is designated as a 4-lane divided avenue on map T-1 of the comprehensive plan; it is maintained by NCDOT.

The maximum block perimeter for an RX-5 zoning district is 2,500 feet. The existing block perimeter is over 30,000 feet due to Crabtree Creek and several poorly connected areas in the triangle bounded by Glenwood Avenue, Duraleigh Road, and Edwards Mill Road.

Pedestrian Facilities

Sidewalks are complete on both sides of Duraleigh Road near the site.

Bicycle Facilities

The west side of Duraleigh Road has an eight-foot-wide asphalt shared use path from Rockwood Drive to the Crabtree Creek bridge.

Transit

This site is not proximal to existing or planned transit service.

Access

Access to the subject will be via Duraleigh Road.

TIA Determination

Approval of case Z-47-19 would increase the amount of projected vehicular trips for the site. The projected increase from the current entitlements to the Proposed Zoning Maximums would be 60 more trips in the AM Peak Hour and 70 more trips in the PM Peak Hour. The net new trips generated due to the rezoning case would not trigger a Traffic Impact Analysis based on the thresholds in the Raleigh Street Design Manual. However, a Traffic Impact Analysis would be required at site plan review.

| | | | |
|--|-------|-----|-----|
| Z-47-19 Existing Land Use | Daily | AM | PM |
| Vacant | 0 | 0 | 0 |
| Z-47-19 Current Zoning Entitlements | Daily | AM | PM |
| R-4 | 925 | 73 | 97 |
| Z-47-19 Proposed Zoning Maximums | Daily | AM | PM |
| RX-5-CU | 2,167 | 133 | 167 |
| Z-47-19 Trip Volume Change (Proposed Maximums minus Current Entitlements) | Daily | AM | PM |
| | 1,242 | 60 | 70 |

Impact Identified: Additional trips on Duraleigh Road, though less than the threshold for performing a traffic impact analysis at the time of rezoning.

Urban Forestry

The site is wooded and is larger than two acres, so tree conservation regulations apply.

Impact Identified: None requiring mitigation beyond code requirements

Impacts Summary

Additional transportation demand and use of other services.

Mitigation of Impacts

None requiring additional mitigation beyond code requirements. A more direct connection to the greenway would allow residents to access the greenway system without crossing Duraleigh Road.

CONCLUSION

The proposed rezoning is within a Special Study Area, which does not provide specific land use guidance. The rezoning has been reviewed with respect to relevant policies within the Comprehensive Plan. The rezoning is consistent with policies that address the importance of allowing more housing, a critical need in Raleigh. While the proposed building types, apartments or townhouses of multiple stories (up to four), are not unusual along the Duraleigh Road corridor, additional attention to the transitions to lower-scale housing nearby would increase consistency with the Comprehensive Plan. Additionally, an offer of a direct connection to the future greenway would create consistency with plan policy regarding development next to greenways.

The special study designation, as the name suggests, calls for additional study before final decisions are made regarding land use. While a rezoning process may be reasonable for this smaller portion of the study area, additional study should take place before any larger portions of the area are developed.

Because the request does not have a specific designation on the Future Land Use Map, it is neither consistent nor inconsistent with the map. Given the significance that the Comprehensive Plan places on allowing an adequate housing supply and providing additional housing options, the request is generally consistent with Plan overall. However, additional provisions that address scale and transitions would improve consistency with the Plan.

CASE TIMELINE

| Date | Action | Notes |
|----------|-----------------------------------|--|
| 8/20/19 | Neighbor meeting | |
| 10/22/19 | Neighbor meeting | |
| 11/2/19 | Petition filed | |
| 2/11/20 | Conditions revised | Height limited, block perimeter waiver removed |
| 3/24/20 | Planning Commission review begins | Meeting cancelled. |
| 5/12/20 | On Planning Commission agenda | On consent for deferral |
| 6/9/20 | On Planning Commission agenda | Not heard |
| 6/23/20 | On Planning Commission agenda | Deferred |
| 6/30/20 | On Planning Commission agenda | |

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

| SUBJECT PROPERTY | | NORTH | SOUTH | EAST | WEST |
|--------------------|--------------------|--|-------------------------|-------------------------|--------------------|
| Existing Zoning | R-4 | R-4 | R-6 | R-4 | R-4 |
| Additional Overlay | - | - | - | - | - |
| Future Land Use | Special Study Area | Special Study Area & Public Parks and Open Space | Low Density Residential | Low Density Residential | Special Study Area |
| Current Land Use | Vacant | Quarry | Residential | Residential | Quarry |
| Urban Form | - | - | - | - | - |

CURRENT VS. PROPOSED ZONING SUMMARY

| EXISTING ZONING | | PROPOSED ZONING |
|-----------------------------|--|-------------------------------|
| Zoning | R-4 | RX-5-CU |
| Total Acreage | 26.4 | 26.4 |
| Setbacks: | | |
| Front | 20' | 10'-55' build-to |
| Side | 10' | 50' (transition requirements) |
| Rear | 30' | 50' (transition requirements) |
| Residential Density: | 4 units/acre (6 if Conservation Development option used) | 14 units/acre |
| Max. # of Residential Units | 105 (158 if Conservation Development used) | 369 |
| Max. Gross Office SF | - | - |
| Max. Gross Retail SF | - | - |
| Max. Gross Industrial SF | - | - |



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-47-19

OVERVIEW

The area is currently designated as a Special Study Area on the Future Land Use Map. The request is to rezone the property from Residential-4 (R-4) to Residential Mixed Use-Five Stories-Conditional Use (RX-5-CU). While in theory the map could retain the Special Study Area designation, approval of the rezoning in practice effectively decides the matter, designating the area as appropriate for residential uses. In terms of the specific category, two considerations exist. The density permitted by the rezoning is consistent with the Moderate Density Residential category, which permits up to 14 units per acre. The requested height of four stories, however, is more consistent with the Medium Density Residential category, as Moderate typically envisions three stories. Therefore, a Medium Density Residential designation is appropriate here.

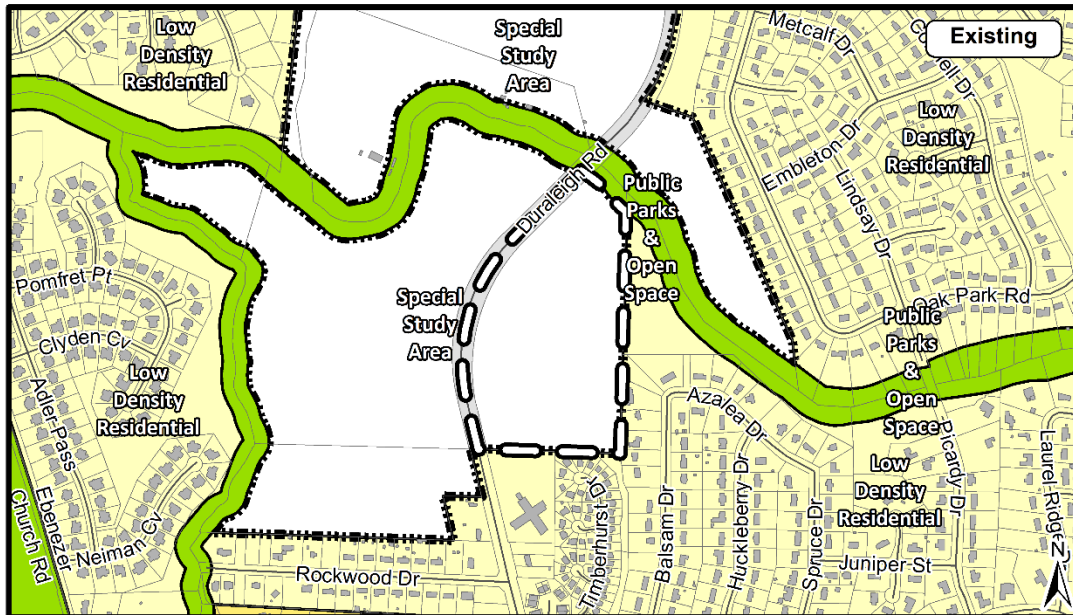
AMENDED MAPS (SHOWN ON FOLLOWING PAGE)

IMPACT ANALYSIS

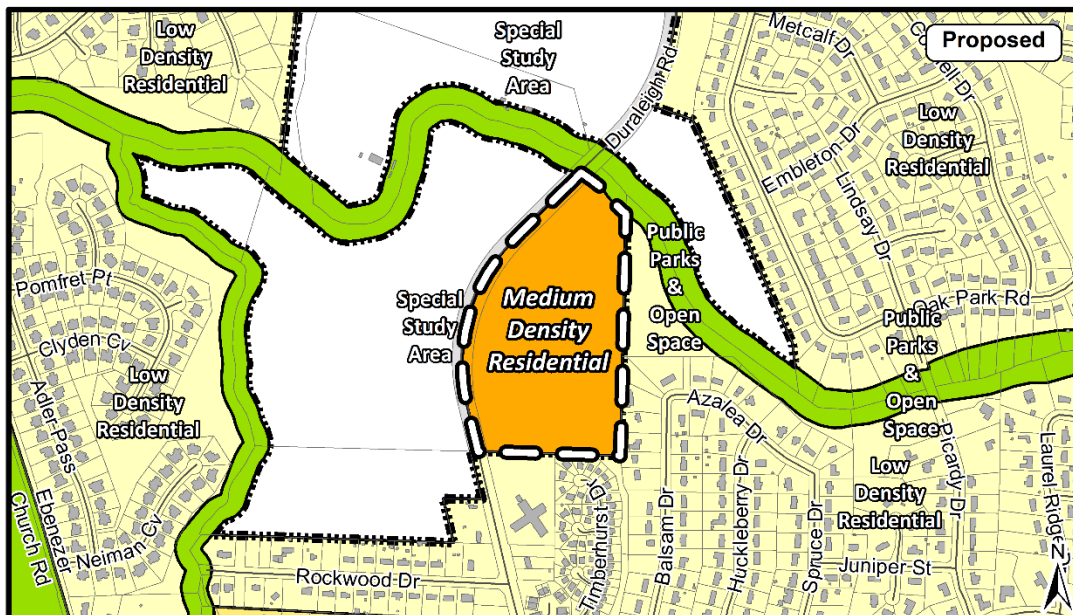
The amendment would reflect the decision about the appropriateness of the requested zoning category. It would align with a general pattern of allowing higher densities directly along busier multilane roads.

Z-47-2019: Required Amendment to the Future Land Use Map

Existing Designation: Special Study Area



Proposed Designation: Medium Density Residential



Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **R-4** Height Frontage Overlay(s) _____

Proposed Zoning Base District **RX** Height **5** Frontage Overlay(s)

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE
USE ONLY

Transaction #

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

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

GENERAL INFORMATION

Date **11/22/2019** Date Amended (1) Date Amended (2)

Property Address **4800 Duraleigh Road, Raleigh, NC 27612**

Property PIN **0786512559** Deed Reference (book/page) **1592/361**

Nearest Intersection **Duraleigh Rd and Rockwood Dr**

Property Size (acres) **26.39** For Planned Development Applications Only: Total Units Total Square Footage

Total Parcels Total Buildings

Property Owner/Address
Hanson Aggregates Southeast LLC
3237 Satellite Blvd, Building 300, Suite 210
Duluth, Georgia 30096

Phone **770-491-2790** Fax

Email **Tony.Garino@LehighHanson.com**

Project Contact Person/Address
Jamie Schwedler
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Phone **919-835-4529** Fax

Email **jamieschwedler@parkerpoe.com**

Owner/Registered Agent Signature

Email 

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

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-47-19****OFFICE USE ONLY**Date Submitted **September 25, 2020**

Transaction #

Existing Zoning **R-4**Proposed Zoning **RX-5-CU**

Rezoning Case #

Narrative of Zoning Conditions Offered

1. Uses shall be limited to residential and accessory uses. Building types shall be limited to townhouses and apartments.
2. Residential density shall not exceed 14 units per acre.
3. Apartment building types shall not be placed within 150 ft of the southern and eastern property lines.
4. Buildings shall be no more than 68 ft in height, and shall be a maximum of 4 stories or a 4/4 split. A 4/4 split is a building that, for purposes of measuring height, may classify as 5 stories under the UDO but is a maximum of 4 occupiable floors above finished grade on the uphill facade of the building, and four occupiable floors above finished grade on the downhill facade of the building.
5. Along the eastern and southern property lines, the protective yard within Zone A of the Neighborhood transition will meet the planting requirements of the Type 3 (Wide) yard.
6. A public pedestrian access easement shall be provided from a public street to the property line shared with Lot 2 shown on Book of Maps 2016, page 1713 (the "City of Oaks Parcel").
7. No retaining walls will be placed within 50 feet of an adjacent parcel containing a Detached house, more specifically Lots 26, 28, and 29 shown on Book of Maps 1991 page 1302, and Lots 90, 91, 92, 93 and 95 shown on Book of Maps 1963, page 202 in the Wake County Registry (the "Adjacent Residential Parcels").
8. Along the Adjacent Residential Parcels, the neighborhood transition yard shall include a natural buffer or Tree Conservation Area, in a width of twenty-five (25) feet, averaged, and a minimum width of fifteen (15) feet. For the portion of the site that is adjacent to the City of Oaks Parcel and where residential buildings are adjacent to the City of Oaks Parcel, and in no event fewer than 500' from the intersection of the southwest corner of the City of Oaks Parcel with the site, the neighborhood transition yard shall include a natural buffer or Tree Conservation Area, in a width of twenty-five (25) feet, averaged.
9. Along the Adjacent Residential Parcels, new planting materials within the neighborhood transition yard shall not include Leyland Cypress or Arborvitae. New planting materials shall include one or more of: Japanese Cedar (*Cryptomeria japonica*), Nelly Stevens Holly (*Ilex* x "Nellie R. Stevens"), American Holly (*Ilex opaca*), Eastern Red Cedar (*Juniperus virginiana*), Brackens Brown Beauty Magnolia (*Magnolia grandifolia* 'Bracken's Brown Beauty'), Native Oak Trees, Chinese Fringe Flower (*Loropetalum chinense* 'Ruby'), Chindo Viburnum (*Viburnum awabuki* 'Chindo'), Virginia Sweetspire (*Itea virginia*), and Winterberry (*Ilex verticillata*).
10. No building shall be placed closer than 55 feet from the Adjacent Residential Parcels.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Registered Agent Signature



Print Name

SCOTT DICKSON

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-47-19****OFFICE USE ONLY**Date Submitted **September 25, 2020**

Transaction #

Existing Zoning **R-4**Proposed Zoning **RX-5-CU**

Rezoning Case #

Narrative of Zoning Conditions Offered

11. Developer will construct a pedestrian connection from Duraleigh Road to the City of Raleigh Greenway Easement recorded in Deed 1. Book 15580, page 938 of the Wake County Registry, as long as such connection is not required by the City of Raleigh or by federal law to be ADA-accessible.

12. All stormwater drainage from the newly developed impervious surfaces onsite will be directed away from the Adjacent Residential 2. Parcels to proposed storm water control facilities and released to Crabtree Creek.

3.

4.

5.

6.

7.

8.

9.

10.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Registered Agent Signature  Print Name SCOTT DICKSON

Relevant Minutes: June 30, 2020 Planning Commission

AGENDA ITEM (D) 2: Z-47-19 – 4800 Duraleigh Road

This case is located at Duraleigh Road, east side, south of Crabtree Creek.

This request is for approximately 26.4 acres to be rezoned from Residential-4 (R-4) to Residential-Five Stories-Conditional Use (RX-5-CU). Conditions limit uses to residential; limit density to 14 units per acre; prohibit apartment buildings within 150 feet of the southern and eastern property lines; specify that buildings will be no more than 68 feet tall in feel and no more than four stories or a four/four split in height, meaning what while a building might have five total floors, it would have no more than four on the downhill side and no more than four on the uphill side; specify an average landscaped yard width of 50 feet along the southern and eastern property lines; and provide a pedestrian easement from a public street to the property along the northeast border of the site that is owned by the City of Oaks Foundation. Planner Hardin gave a brief overview of the case.

Jamie Schwedler representing the applicant gave a brief overview of the case. She asked that the commission vote today in approval of the request and allow them to work on conditions and they can add additional conditions in due time without holding up the case.

Shawn Sowers representing the neighbors spoke regarding opposition to case regarding grading; stormwater flow; inconsistent LU 5.4 density transition and not being opposed to all development. Asking for additional design concepts and asks the commission to recommend denial of case.

Chris Heagarty, director of City of Oaks Foundation, representing property at 1483 Azalea Drive also spoke in opposition regarding buffers and the need to prevent stormwater run-off.

Commissioner O'Haver spoke regarding going out to walk the site over the weekend. He stated he spent about three hours in the area to understand the concerns of the neighbors. He spoke regarding some of the neighbors' concerns were of grading and stormwater; tree conservation area; traffic and wider buffers.

Mr. Heagarty spoke regarding the proposed conditions for the greenway and thinks that the idea to put a greenway connection near that bridge is infeasible.

Mr. O'Haver made a motion to recommend approval of the case. Ms. Miller seconded the motion. Commissioners how do you vote?

Bennett (Nay) Fox (Nay) Hicks (Aye) Lampman (Nay) Mann (Aye) McIntosh (Nay) Miller (Aye) O'Haver (Aye) Tomasulo (Aye) Winters (Nay). The vote was not unanimous 5-5. In favor was Hicks, Mann, Miller, O'Haver and Tomasulo. Opposed: Bennett, Fox, Lampman, McIntosh and Winters. The motion fails

Mr. O'Haver made a motion to move the case forward without recommendation, the Commission has found certain elements to be consistent with Comp Plan and some elements inconsistent with the Comprehensive Plan. Ms. Hicks seconded the motion.

Commissioners how do you vote?

Bennett (Aye) Fox (Aye) Hicks (Aye) Lampman (Aye) Mann (Aye) McIntosh (Aye) Miller (Aye) O'Haver (Aye) Tomasulo (Aye) Winters (Aye). The vote was unanimous 10-0.

Relevant Minutes: June 23, 2020 Planning Commission

AGENDA ITEM (D) 2: Z-47-19 – 4800 Duraleigh Road

This case is located at Duraleigh Road, east side, south of Crabtree Creek.

This request is for approximately 26.4 acres to be rezoned from Residential-4 (R-4) to Residential-Five Stories-Conditional Use (RX-5-CU). Conditions limit uses to residential; limit density to 14 units per acre; prohibit apartment buildings within 150 feet of the southern and eastern property lines; specify that buildings will be no more than 68 feet tall in feel and no more than four stories or a four/four split in height, meaning what while a building might have five total floors, it would have no more than four on the downhill side and no more than four on the uphill side; specify an average landscaped yard width of

50 feet along the southern and eastern property lines; and provide a pedestrian easement from a public street to the property along the northeast border of the site that is owned by the City of Oaks Foundation. Planner Hardin presented the case.

Jamie Schwedler representing the applicant gave a brief overview of the case.

Steve Driggers 4105 Balsam Drive spoke in opposition of the project.

Chris Heagarty, Director of City of Oaks Found, representing property at 1483 Azalea Drive spoke in opposition, stating that a special study is needed before moving forward with a project such as this.

Jessica Miller, 4637 Timberhurst Drive spoke regarding being opposed because she believes it is inconsistent with several policies.

Shawn Sowers of Laurelbrook and spoke in opposition of the proposal regarding the medium density proposal being out of character for this area and asking the commission to reject this request.

Ms. Bennett spoke regarding concerns of environmental and traffic impacts to community, additionally having concerns that the area is designated as a special study area and seemingly not being followed.

Ms. Miller spoke regarding possibly putting homes near a quarry would affect habitability and asked if from a legal standpoint, if there was anything limiting individual the ability to bring some kind of a nuisance suit against the quarry if they were to damage the property.

City Attorney York responded that there is no condition to prohibit it and there is nothing to prohibit someone from bring an action but whether that action is successful is or not is a totally different issue.

Ms. Schwedler responded regarding looking at this in terms of market study and desirability of this area and whether the sound would be an issue. The applicant believes this area is very attractive and believes the quarry operation would not detract from person wanting to live there.

Ms. Miller made a motion to defer case until the June 30, 2020 Planning Commission Meeting to allow applicant to bring additional conditions forward. Ms. Lampman seconded the motion.

Commissioners how do you vote?

Bennett (Aye) Fox (Aye) Lampman (Aye) Mann (Aye) McIntosh (Aye) Miller (Aye) O'Haver (Aye) Tomasulo (Aye) Winters (Aye). The vote was unanimous 9-0.

| REZONING APPLICATION ADDENDUM #1 | |
|--|--|
| Comprehensive Plan Analysis The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest. | OFFICE USE ONLY Transaction # Rezoning Case # |
| STATEMENT OF CONSISTENCY | |
| Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan. | |
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| PUBLIC BENEFITS | |
| Provide brief statements regarding the public benefits derived as a result of the rezoning request. | |
| 1. | |
| 2. | |
| 3. | |
| 4. | |

| REZONING APPLICATION ADDENDUM #2 | |
|---|---|
| Impact on Historic Resources | OFFICE USE ONLY Transaction # 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. | |
| | |
| PROPOSED MITIGATION | |
| Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above. | |
| | |

August 5, 2019

Re: 4800 Duraleigh Road Notice of Neighborhood Meeting

Neighboring Property Owners:

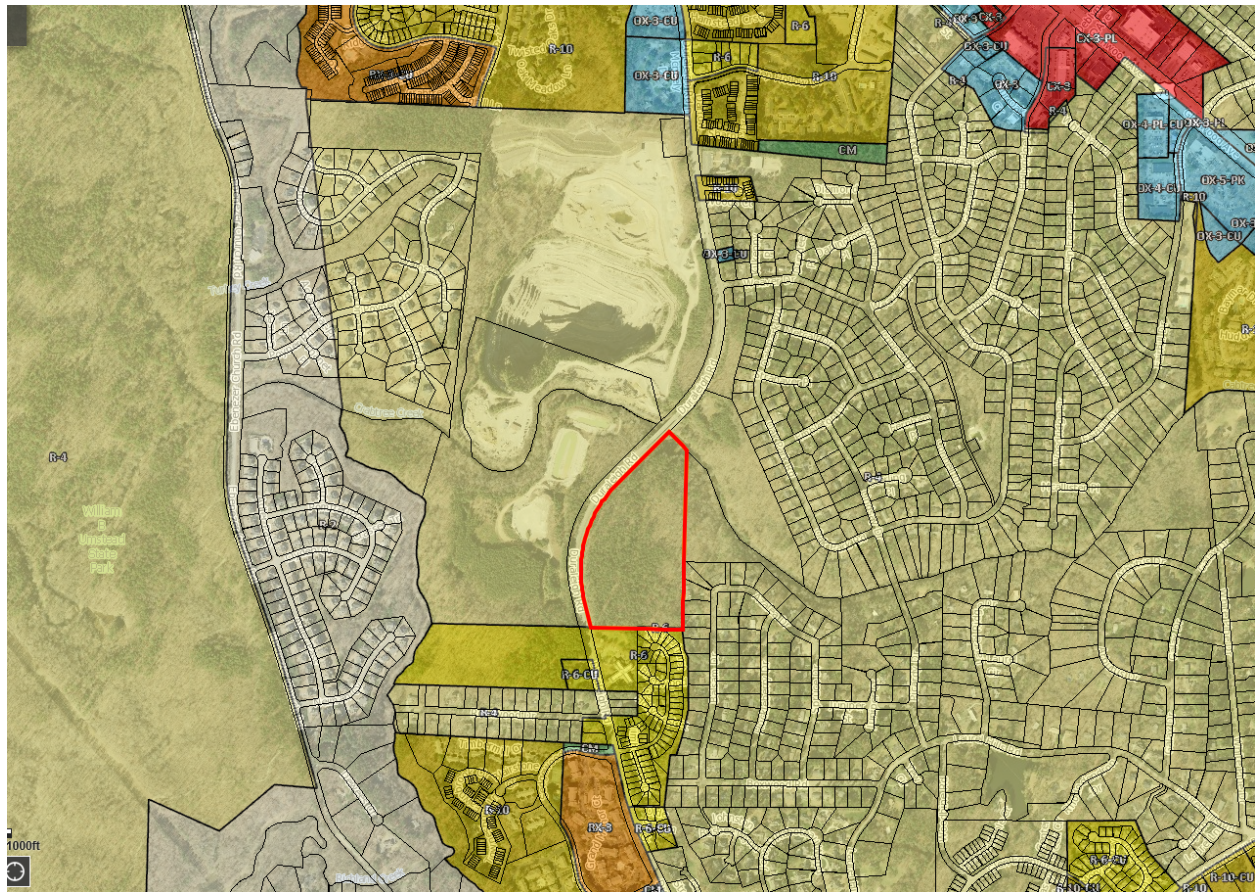
A neighborhood meeting will be held at 6:30pm on Tuesday, August 20, 2019 at St. Paul's Christian Church at 3331 Blue Ridge Rd, Raleigh, NC 27612. The purpose of the meeting is to discuss an upcoming application to rezone a parcel of land located at 4800 Duraleigh Road (PIN: 0786512559). Attached is a vicinity map outlining the location of the parcel. The parcel is currently zoned R-4. We propose to rezone the parcel to RX-5. The applicant will describe the nature of this rezoning request and field any questions from the public. The City of Raleigh requires a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning prior to the submittal of any rezoning application. Any landowner who is interested in learning more about this project is invited to attend.

If you have any questions please contact Bahati Mutisya at 919-835-4686 or via email at bahatimutisya@parkerpoe.com. You may also contact the Raleigh Department of City Planning at 919-996-2682, via email at rezoning@raleighnc.gov, or visit the City's web portal at <http://www.raleighnc.gov>.

Thank you,

Bahati Mutisya

4800 Duraleigh Road Vicinity Map



SUMMARY OF ISSUES

A neighborhood meeting was held on _____(date) to discuss a potential rezoning located at _____(property address).
The neighborhood meeting was held at _____(location).
There were approximately _____(number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

| |
|--|
| |
| |
| |
| |
| |
| |
| |
| |
| |

August 22, 2019
First Neighborhood Meeting
4800 Duraleigh Rd

| ATTENDANCE ROSTER | |
|------------------------------------|----------------------------|
| NAME | ADDRESS |
| Joe Doman | 4600 LINDSAT DR 27612 |
| John Wallace | 4121 Balsam Dr. |
| DAVID HUMPHREY - UMSTEAD COALITION | 108 SILVERRIDGE CT 27513 |
| Lauree - Ron King | 4100 Balsam Dr. |
| Steve & Kathy Driggers | 4105 Balsam Dr. |
| Tip & Heather Iulucci | 4109 Balsam DR. |
| Don & Lissa Rader | 4000 Oak Park Rd. |
| Betsy Roberts | 4108 Stranaver Place |
| William Stanley | 4101 BALSAM DR. |
| Jessica Miller → and Pete | 4037 Timberhurst Dr. |
| Eric and Shawn Sowers | 4636 Timberhurst Dr. |
| BARRY ENGBER | 4232 ARBUTUS DR. |
| David Crawford | 4109 Juniper Ct |
| Molly Batis | 4136 Azalea Dr, Raleigh NC |
| MARION FORAN | 4012 ENGLISH LAUREL |
| Kalene Orndorff | 4028 Balsam Dr. |
| Paul Orndorff | 4028 Balsam Dr. |
| ROY SHELTON | 4417 EMBLETON |
| | |
| | |
| | |
| | |
| | |
| | |

October 11, 2019

Re: 4800 Duraleigh Road Notice of Second Neighborhood Meeting

Neighboring Property Owners:

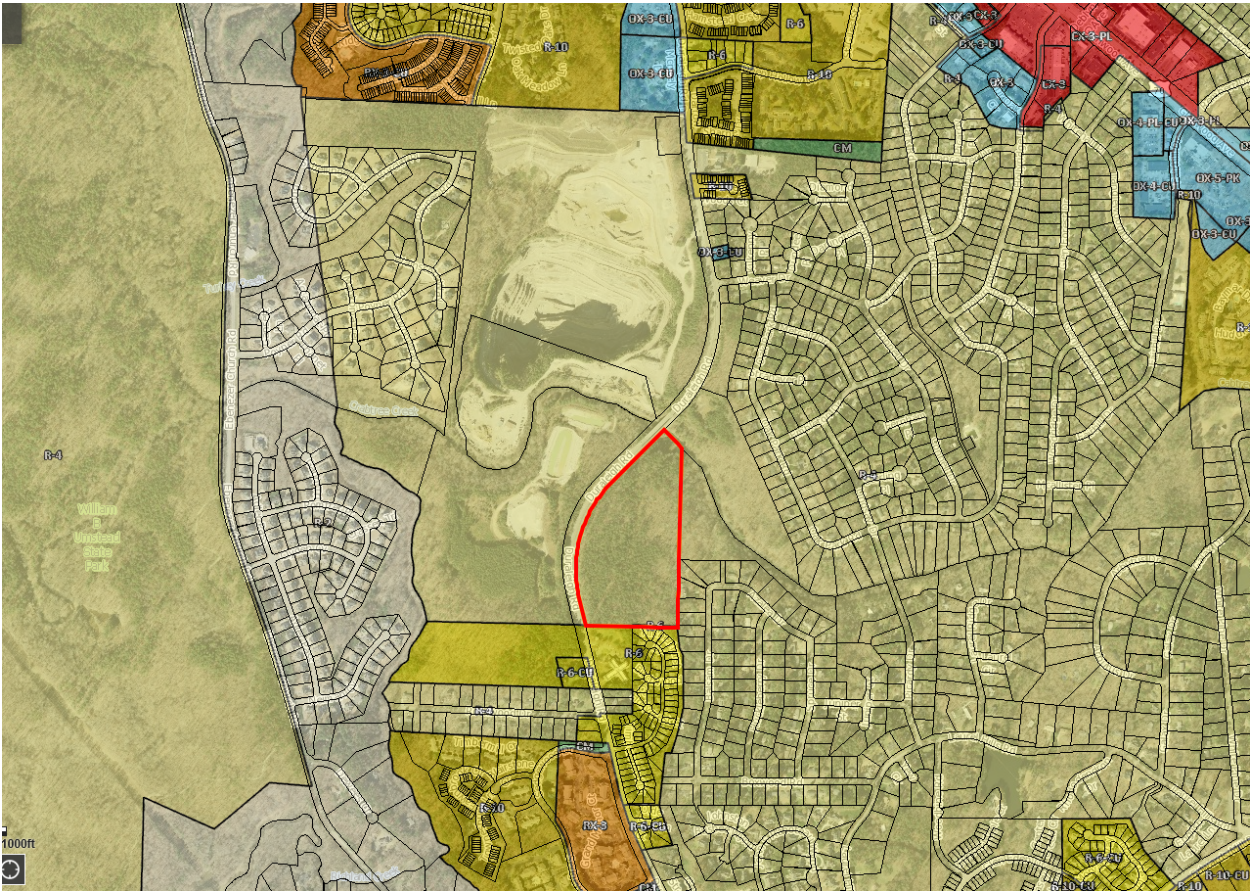
A second neighborhood meeting will be held at 6:30pm on Tuesday, October 22, 2019 at St. Paul's Christian Church at 3331 Blue Ridge Rd, Raleigh, NC 27612 to discuss an upcoming application to rezone the parcel of land located at 4800 Duraleigh Road (PIN: 0786512559). Attached is a vicinity map outlining the location of the parcel. The parcel is currently zoned R-4. We propose to rezone the parcel to RX-5. The applicant will describe the nature of this rezoning request, discuss concerns raised at the first neighborhood meeting held on August 20, 2019, and field any questions from the public. While the City of Raleigh does not require a second neighborhood meeting, the applicant would like to continue the conversation with the neighbors. Any landowner who is interested in learning more about this project is invited to attend.

If you have any questions please contact Bahati Mutisya at 919-835-4686 or via email at bahatimutisya@parkerpoe.com. You may also contact the Raleigh Department of City Planning at 919-996-2682, via email at rezoning@raleighnc.gov, or visit the City's web portal at <http://www.raleighnc.gov>.

Thank you,

Bahati Mutisya

4800 Duraleigh Road Vicinity Map



SUMMARY OF ISSUES

A neighborhood meeting was held on October 22, 2019 (date) to discuss a potential rezoning located at 4800 Duraleigh Road (property address).
The neighborhood meeting was held at 3331 Blue Ridge Rd, Raleigh, NC 27612 (location).
There were approximately 16 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

| |
|--|
| Applicant shared proposed conditions to address concerns from first meeting. |
| Neighbors want larger thicker buffers along southern and eastern boundary lines. |
| Neighbors desire an HOA to require owner occupancy. |
| Applicant shared the proposed density would be close to 14 units/acre. |
| Applicant shared the development may have retaining walls. |
| Applicant shared the location of sewer connection, and the stormwater control mechanism. |
| |
| |

October 22, 2019
Second Neighborhood Meeting
4800 Duraleigh Rd

ATTENDANCE ROSTER

[illegible]

**Rezoning Application Addendum #1
4800 Duraleigh Rd, Raleigh, NC 27612**

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

This request will make a productive use of a vacant site while adding to the housing supply to meet Raleigh's increasing housing demand. The subject parcel, located at 4800 Duraleigh Road, Raleigh, NC 27612, is a 26.39 acre parcel with PIN# 0786512559 (the "Site"). The Site is currently zoned R-4, a residential district with a maximum density of 4 dwelling units/acre. The Future Land Use Map ("FLUM") of the 2030 Comprehensive Plan ("Comp Plan") designates the Site as a part of the Duraleigh Quarry Special Study Area, which is associated with the quarry located to the west of the Site, across Duraleigh Road. The Special Study Area designation means that the future land use pattern has yet to be determined, and thus has no associated height or density. (Comp Plan p. 36). The surrounding residential parcels are designated as Low Density Residential ("LDR") and Moderate Density Residential ("MDR") on the FLUM. LDR allows developments with 1-6 units per acre, and encompasses mostly single family detached homes zoned R-2, R-4, and R-6. (Comp Plan p. 32-33). MDR, just one intensity level above LDR, permits 6-14 units per acre, and allows townhouses and apartments, as long as the overall gross density does not exceed 14 units per acre. (Comp Plan p. 33). Recommended corresponding zoning districts for MDR include RX conditioned to limit density. (Comp Plan p. 33).

Crabtree Creek runs along the Site's northern border. The City is in the design stages of expanding the Crabtree Creek West Trail, near the northern property line of the Site. To the south and east of the Site are residential neighborhoods including Oak Park, Laurel Hills, and Timberhurst – Laurel Brook, which are zoned R-4 and R-6. Placing a residential use on the Site fits with the land use pattern in this area. There are also other townhome and apartment developments along Duraleigh Road to the north and south, so the proposed building types are also consistent with the existing land use pattern.

The proposed development will have approximately 369 dwelling units, which will be a mix of apartments and townhouses. This overall density is about 14 units/acre, which fits within the MDR FLUM designation. This designation is appropriate in this location given the surrounding LDR parcels and MDR parcels nearby. The MDR designation on this Site will provide an appropriate transition between the quarry and nearby neighborhoods.

The proposed development is also consistent with the following policies in the 2030 Comprehensive Plan:

Policy LU 2.1 Placemaking. *Development within Raleigh's jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.* (Comp Plan p. 40). The applicant intends to develop a quality townhouse and apartment residential community that will bring housing variety to this

area, which is made up of mostly single family homes. The units will provide homes for Raleigh's growing population in a format available to renters and owners at all stages of life.

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.* (Comp Plan p. 42) The applicant intends to preserve open space near the northern portion of the Site.

Policy LU 2.6 Zoning and Infrastructure Impacts. *Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.* (Comp Plan p. 41) The applicant will take measures to mitigate adverse impacts resulting from the increased density. In response to the comments made at the first neighborhood meeting and the second voluntary neighborhood meeting, the applicant is offering the following conditions: (1) Uses shall be limited to residential and accessory uses. Building types shall be limited to townhouses and apartments; (2) Residential density shall not exceed 14 units per acre; (3) Apartment buildings shall not be placed within 150 ft of the southern and eastern property lines; (4) Buildings within 150 ft of the southern and eastern property lines shall be no more than 70 ft in height; (5) There shall be a protective yard with an average width of at least 50 feet along the eastern property line and a protective yard with an average width of at least 50 feet along the southern property line. The protective yard will be located within Zone A of the Neighborhood transition and will meet the planting requirements of the Type 3 (Wide) yard in accordance with the current UDO Section 3.5.3.C. Where any existing or required encroachment or access easement occurs within the neighborhood transition zone A, the protective yard shall not be required. Any impacts resulting from the increased density are thus offset by these conditions, which commit to a certain density, building type, height, and separation from neighboring properties.

Policy LU 5.1 Reinforcing the Urban Pattern. *New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.* (Comp Plan p. 48) While the Site is not in an urban center, the applicant will implement the benefits intended of this policy. Apartment buildings will not be placed within 150 ft of the southern and eastern property lines of the Site and buildings near the southern and eastern boundary lines will be no more than 70 feet in height. Aside from permitted accessory uses, there will be no retail or commercial use on the Site. These proposed conditions will allow the development to be visually integrated with the surrounding neighborhoods and limit the adverse impact on the local character and appearance.

Policy LU 5.5 Transitional and Buffer Zone Districts. *Maintain and enhance zoning districts which serve as transitional or buffer areas between residential and commercial districts and which also may contain institutional, non-profit, and office-type uses. Zoning regulations and conditions for these areas should ensure that development achieves appropriate height and density transitions, and protects neighborhood character.* (Comp Plan p. 50-51) Placing a higher density development on the Site will provide a buffer between the quarry and the neighboring residents. The surrounding single family homes are designated as LDR in the FLUM and zoned

R-4 and R-6, both of which permit 3-story single family homes. See UDO § 2.4.2. The Site falls within the definition of an “Edge” area in the Comp Plan, which is an area “located within 100 to 150 feet of a low- to moderate-density residential area zoned for 3-story development.” (Comp Plan p. 36). “Permitted height in edge areas should generally match the surrounding area and not exceed 4 stories when located directly adjacent to existing three story structures.” (Comp Plan p. 36). While the request is RX-5, the applicant has proposed a condition that will limit the height of buildings directly adjacent to the neighboring homes to 70 feet in height instead of the 75 feet height allowed for 5 story buildings. The Site has many challenging topographic and drainage constraints that prevent the applicant from offering any more restrictive conditions at this stage.

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.* (Comp Plan p. 48). This moderate density development will serve as a transition between the surrounding LDR residential uses and the quarry to the west. Additionally, not placing apartments within 150 ft of the southern and eastern property lines will provide appropriate distance between the neighboring homes and the apartment buildings. Thus, the applicant will implement distance between buildings or uses, and compatible height where possible to allow for a successful transition between neighboring properties. (Comp Plan p. 51)

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.* (Comp Plan 49). The applicant has added a condition to provide an average of 50 feet of protective yard along the eastern and southern property lines to provide an effective physical buffer and avoid adverse effects to the surrounding neighbors.

Policy LU 8.12 Infill Compatibility. *Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.* (Comp Plan 55). The applicant has limited height and applied increased building setbacks along the southern and eastern boundaries to complement the massing and scale of the existing neighborhoods.

Policy AP-C 3 Crabtree Creek. *Crabtree Creek and its tributaries should be left in a natural state with floodways, water quality, and steep slopes protected from further environmental degradation* (Comp Plan 193). The applicant will leave Crabtree Creek in its natural state and will comply with all requirements to avoid adverse impacts to the water quality of Crabtree Creek.

PUBLIC BENEFITS

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

The applicant intends to make a productive use of this Site with a quality development that will add to the value of the existing neighborhoods. This use will serve as a buffer between the existing quarry operations and the single family homes to the north, south, and east. The applicant intends to provide road improvements that include a full movement southern access with a southbound left turn lane and appropriate tapers to avoid increasing traffic congestion along Duraleigh Rd. Road improvements will also include construction of a north site driveway as a right-in/right-out driveway with one ingress lane and one egress lane. Development of the Site will require compliance with the City's stormwater regulations, which should improve the current sheet flow drainage of the site.

This development will add a significant number of units to the City's housing supply. Despite several challenging site constraints, the applicant intends to develop a quality residential community that will add to the character of the surrounding neighborhood while meeting the City of Raleigh's growing housing demand.