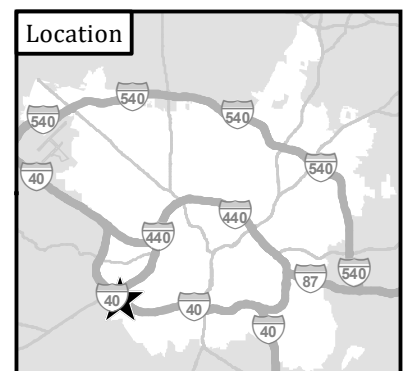


Property	1321 Jones Franklin Rd
Size	2.5 acres
Existing Zoning	R-4 w/SRPOD
Requested Zoning	OX-3-CU w/SRPOD





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

THRU: Ken Bowers AICP, Deputy Director

FROM: John Anagnost, Planner II

DEPARTMENT: Planning and Development

DATE: March 11, 2020

SUBJECT: City Council agenda item for April 7, 2020 – Z-52-19

On March 3, 2020, the City Council authorized a public hearing for the following item to be held on April 7, 2020:

Z-52-19: 1321 Jones Franklin Road. on its east side, at the northeast corner of its intersection with Penwood Drive, being Wake County PIN 0783121444. Approximately 2.5 acres are requested by Oak City Capital, Inc. to be rezoned from Residential-4 with Special Residential Parking Overlay District (R-4 w/ SRPOD) to Office Mixed Use-3 Stories-Conditional Use with Special Residential Parking Overlay District (OX-4-CU w/ SRPOD). Conditions prohibit certain uses, limits hours of operation for commercial and office uses, prohibit drive-throughs, require a 100-foot setback from the eastern property boundary, requires retail uses to be located within 200 feet of Jones Franklin Rd, limit retail uses to 10,000 square feet, and limit office uses to 35,000 square feet.

Current zoning: Residential-4 with the Special Residential Parking Overlay district (R-4 w/ SRPOD)

Requested zoning: Office Mixed Use-3 Stories-Conditional Use with the Special Residential Parking Overlay District (OX-3-CU w/ SRPOD)

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

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

The **West CAC** voted 9-4 with seven abstentions to recommend approval of the request. The **Planning Commission** voted to recommend approval of the request (7-0).

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

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)



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 11985

CASE INFORMATION: Z-52-19 1321 JONES FRANKLIN RD

Location	Jones Franklin Rd, at the northeast corner of its intersection with Penwood Dr Address: 1321 Jones Franklin Rd PINs: 0783121444 iMaps , Google Maps , Directions from City Hall
Current Zoning	R-4 w/ SRPOD
Requested Zoning	OX-3-CU w/ SRPOD
Area of Request	2.5 acres
Corporate Limits	The site is within Raleigh's corporate limits.
Property Owner	Oak City Capital, Inc. 10708 Suntree Court Raleigh, NC 27617
Applicant	Pamela Porter – TMTLA Associates 5011 Southpark Drive, Suite 200 Durham, NC 27713
Citizens Advisory Council (CAC)	West CAC Joshua Gill, Chair Jgill.nc01@gmail.com
PC Recommendation Deadline	May 25, 2020

SUMMARY OF PROPOSED CONDITIONS

1. Prohibits certain uses.
2. Limits hours of operation for commercial and office uses to 6 AM to 12 AM.
3. Prohibits drive-throughs.
4. Requires a 100-foot setback from the rear property line.
5. Requires retail uses to be located within 200 feet of Jones Franklin Rd.
6. Limits retail uses to 10,000 square feet.
7. Limits office uses to 35,000 square feet.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Moderate Density Residential (MoDR)
Urban Form	None
Consistent Policies	Policy LU 1.3—Conditional Use District Consistency Policy LU 2.2—Compact Development

	Policy LU 4.10—Development at Freeway Interchanges Policy LU 7.3—Single-family Lots on Major Streets Policy LU 7.4—Scale and Design of New Commercial Uses Policy LU 8.1—Housing Variety Policy LU 8.3—Conserving, Enhancing, and Revitalizing Neighborhoods Policy H 1.8—Zoning for Housing
Inconsistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 5.5—Transitional and Buffer Zone Districts Policy LU 8.12—Infill Compatibility Policy EP 8.4 — Noise and Light Impacts Policy UD 3.8—Screening of Unsightly Uses

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

Neighborhood Meeting	CAC	Planning Commission	City Council
12/18/2019 (7 attendees)	1/21/2019; 2/18/2019 (9-4-7)	2/25/2020	3/3/2020

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 request is consistent with the Comprehensive Plan and in the public interest because it would allow more options for business or housing.
Change(s) in Circumstances	The character of the surrounding area is transitioning to a blend of office and medium density housing.

Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel only from Moderate Density Residential to Office & Residential Mixed Use.
Recommendation	Approve. City Council may now schedule this proposal for a public hearing or refer it to committee for further study and discussion.
Motion and Vote	Motion: Geary Second: Tomasulo In Favor: Jeffreys, Geary, Lampman, McIntosh, Miller, Tomasulo and Winters

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.

Plan. Director Bowers Date

Plan. Comm. Chair Jeffreys Date

Staff Coordinator: John Anagnost: (919) 996-2638; John.Anagnost@raleighnc.gov



ZONING STAFF REPORT – CASE Z-52-19

Conditional Use District

OVERVIEW

The request is to rezone 2.5 acres at the northeast corner of Jones Franklin Road and Penwood Drive from Residential-4 with the Special Residential Parking Overlay District (R-4 w/ SRPOD) to Office Mixed Use-3 Stories-Conditional Use with the Special Residential Parking Overlay District (OX-3-CU w/ SRPOD). The area of the rezoning site is composed of a single, rectangular parcel approximately 200 feet in width and 500 feet in depth. Mature trees cover almost all of the site. A single-family home is present 100 feet from Jones Franklin Road and roughly centered within the lot's width. The site exhibits a notable change in grade, sloping downward and with increasing magnitude from west to east. The slope is lowest around 7% along Jones Franklin Road and reaches 20% in an emerging stream channel at the southeast corner.

The rezoning property is between I-40 and I-440/US 1 on Jones Franklin Road and about 2,000 feet southeast of the interchange of these two highways. The border of Lake Johnson Park is 600 feet east. The Crossroads Shopping Center in Cary lies on the opposite side of I-40. Other than Lake Johnson, the area surrounding the site is almost fully developed, with existing development being somewhat irregular in use and density. A separate zoning request has been filed for the property to the north, at 1315 Jones Franklin Road. That property is proposed to be rezoned to OX-3-CU w/ SRPOD with similar conditions to Z-52-19. The case number for the adjacent rezoning is Z-2-20.

The parcel immediately north of the rezoning site is a similarly sized, wooded lot also containing a single-family house. Low and moderate density detached houses and townhouses form the area to the south. To the east and west of the request are moderate density multi-family developments mostly in the form of garden apartments and larger apartment blocks. Three- and four-story office buildings are present farther west and to the northwest. Smaller scale offices front on Jones Franklin Road north of the site.

Zoning in the area generally aligns with the existing uses and densities. The home lot north of the rezoning property is zoned Residential-4. Residential-4, Residential-6, and Residential-10 zoning are mapped to the south. On the east and west, the zoning is Residential-10 and Residential Mixed Use-3 Stories. The office developments to the west and north are zoned Office Mixed Use with heights of three or four stories. Lake Johnson Park is zoned Conservation Management. A Special Highway Overlay District-2 covers the area between Jones Franklin Road, I-440, and I-40. The Special Residential Parking Overlay District extends from Jones Franklin Road to the east in the area around the site.

The Future Land Use Map matches the existing development and zoning. Lake Johnson is designated for Public Parks & Open Space. The Private Open Space designation is present over a low-lying area west of Lake Johnson and approaching the rezoning site to the southeast. Much of the area around the rezoning site on the east side of Jones Franklin Road is recommended to be Moderate Density Residential. There is an area of Medium Density Residential on the west side of Jones Franklin Road opposite the site, which corresponds to an existing apartment development. All of the remaining area west of Jones Franklin Road, south of I-440/US-1, and north of I-40 is mapped with the Office/Research & Development designation. This designation extends slightly to the east side of Jones Franklin Road near I-40 and I-440.

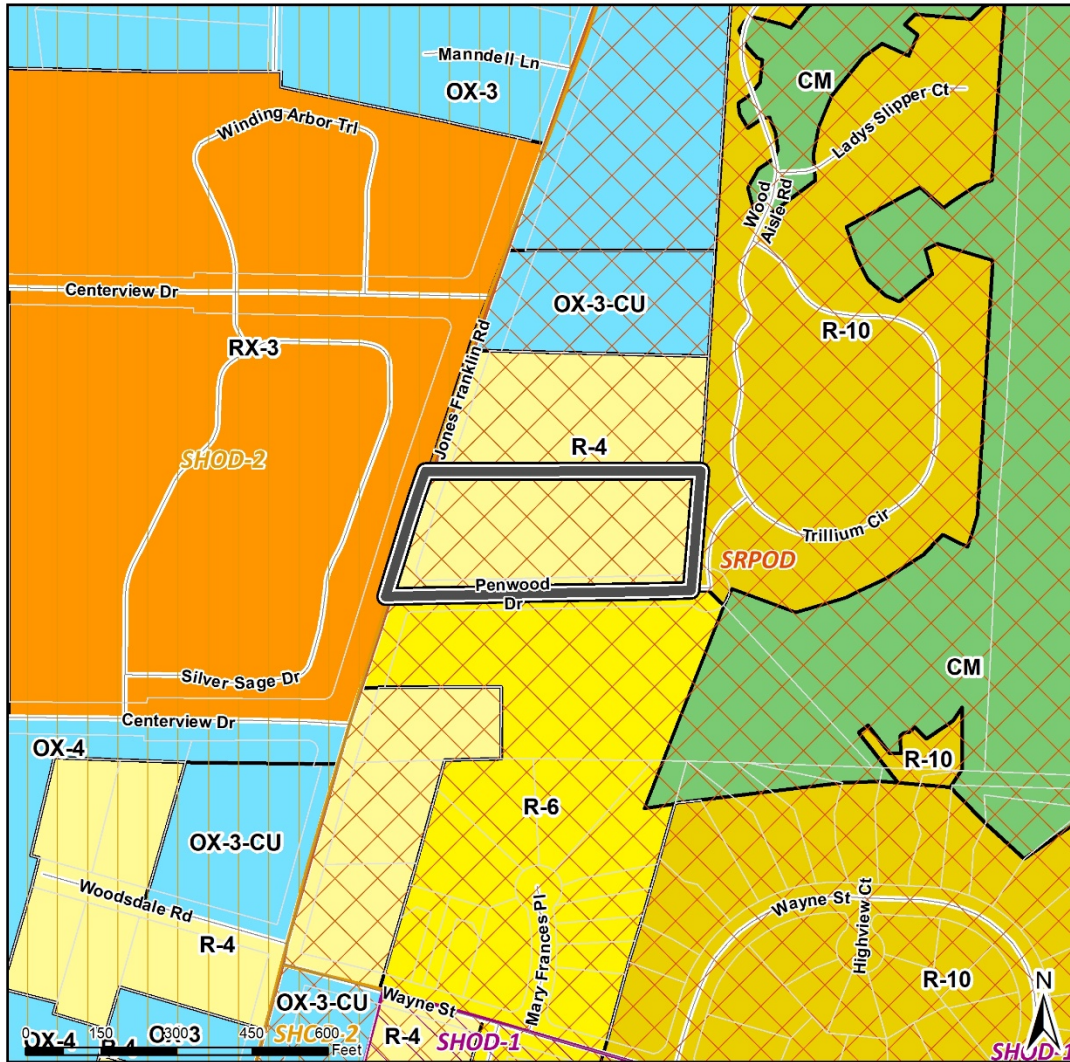
The requested base district of OX-3-CU would allow denser residential development on the rezoning site as well as office buildings and mixed-use developments which may contain some space for retail, restaurant, or personal service uses. Conditions have been offered that limit the total development to 45,000 square feet of non-residential space. If a residential development is pursued, the maximum number of units is estimated to be over 50, which would produce a density of around 20 dwelling units per acre. The conditions also limit hours of operation for commercial uses, require a building setback from the eastern property boundary, and restrict the location of retail uses. Compared to the existing zoning, the request would significantly increase density and the range of allowed uses.

OUTSTANDING ISSUES

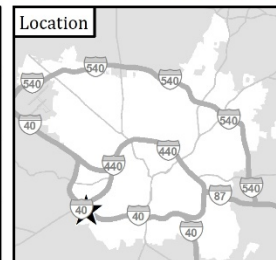
Outstanding Issues	1. Wording of some conditions may be unclear.	Suggested Mitigation	1. Revise conditions to improve clarity.
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Existing Zoning

Z-52-2019



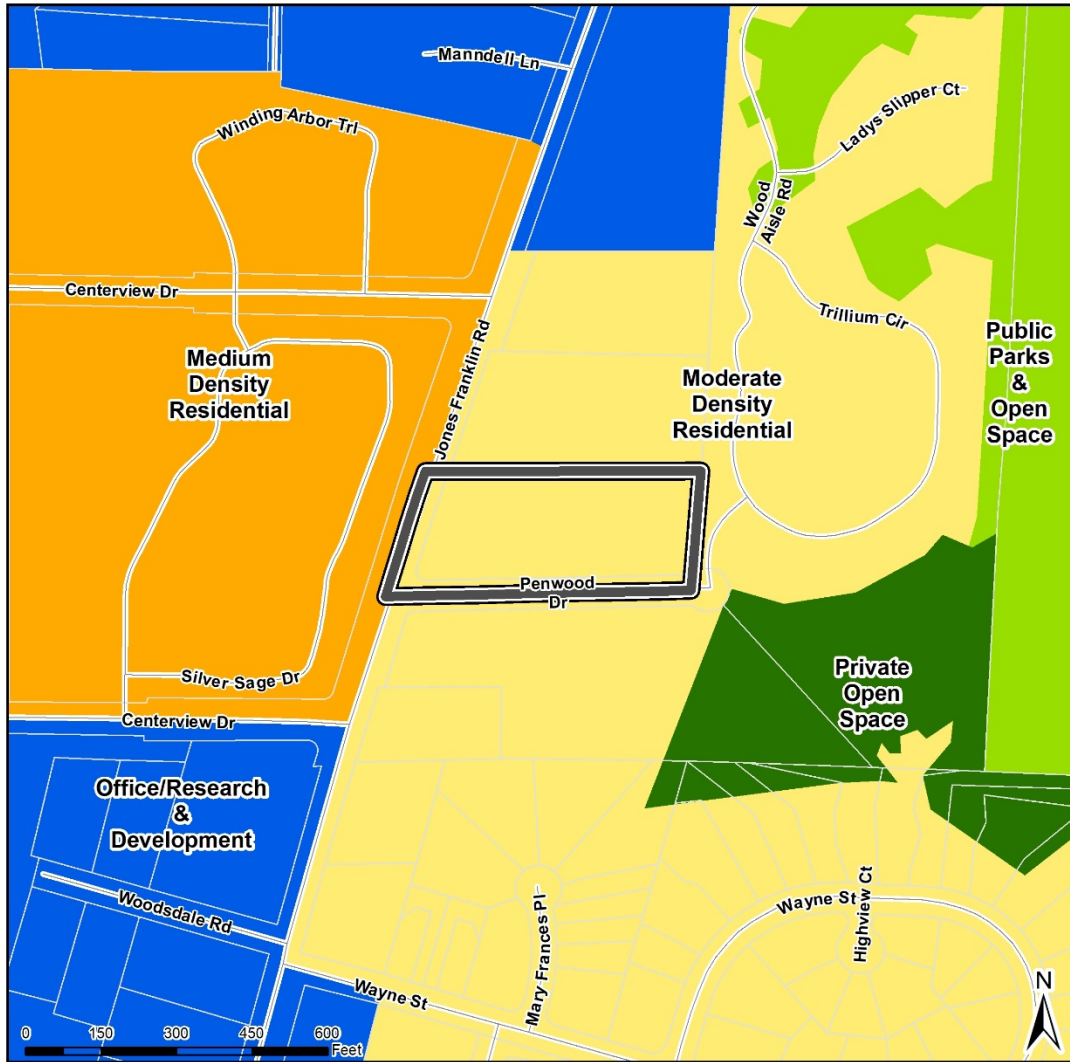
Property	1321 Jones Franklin Rd
Size	2.5 acres
Existing Zoning	R-4 w/SRPOD
Requested Zoning	OX-3-CU w/SRPOD



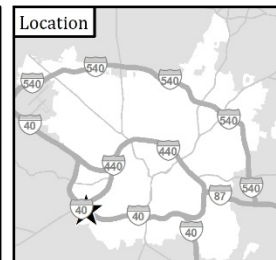
Map by Raleigh Department of City Planning (mansoff): 12/30/2019

Future Land Use

Z-52-2019



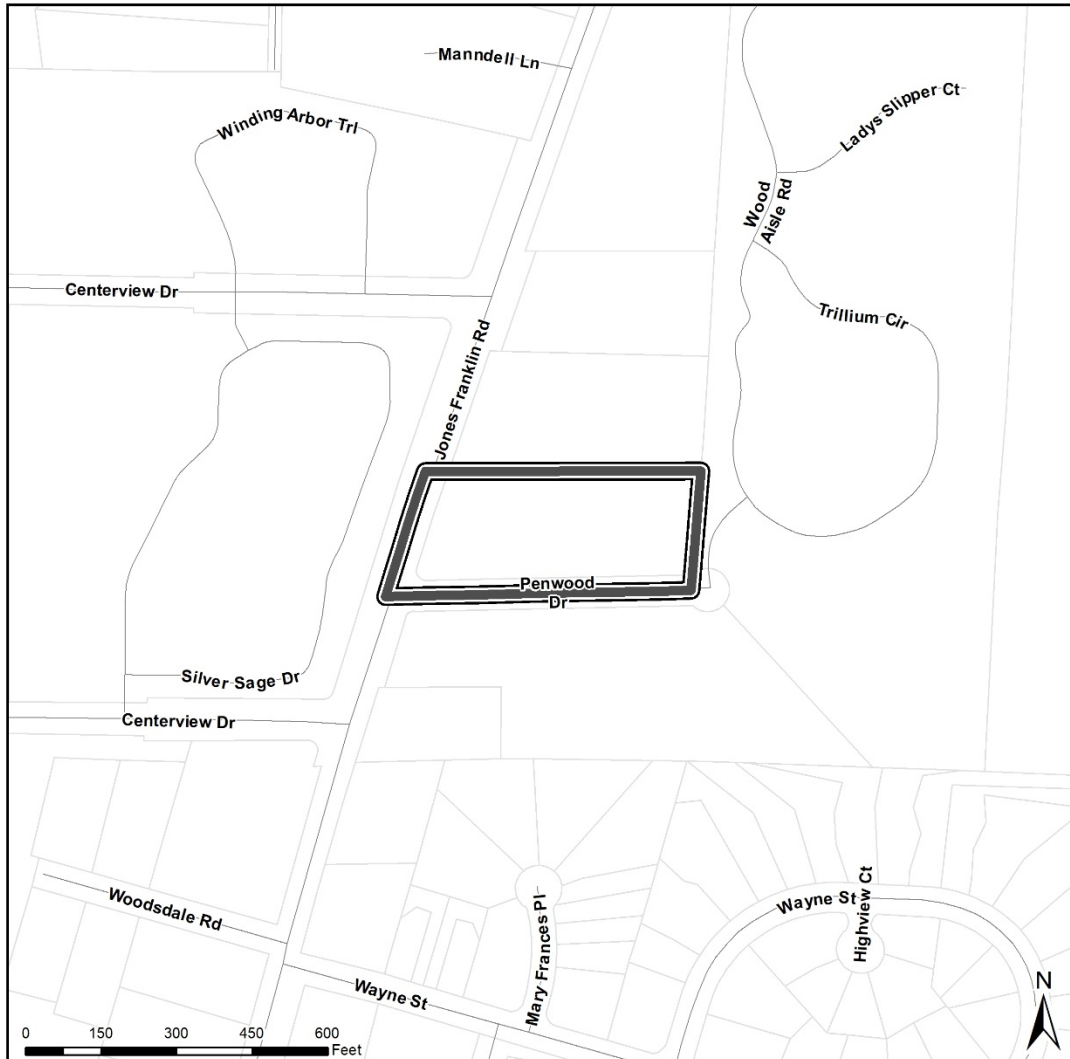
Property	1321 Jones Franklin Rd
Size	2.5 acres
Existing Zoning	R-4 w/SRPOD
Requested Zoning	OX-3-CU w/SRPOD



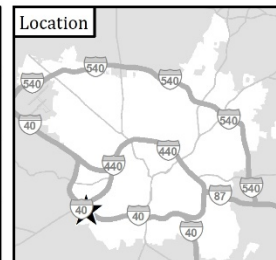
Map by Raleigh Department of City Planning (mansoff): 12/30/2019

Urban Form

Z-52-2019



Property	1321 Jones Franklin Rd
Size	2.5 acres
Existing Zoning	R-4 w/SRPOD
Requested Zoning	OX-3-CU w/SRPOD



Map by Raleigh Department of City Planning (mansoff): 12/30/2019

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 request is consistent with the Expanding Housing Choices Vision Theme because it would allow additional housing units and a greater variety of housing types than the current zoning. The proposed zoning also supports the Vision Theme of Managing Our Growth by allowing a mix of land uses in an area that is served by existing infrastructure, including transit service. The proximity to transit service contributes to the Coordinating Land Use and Transportation Vision Theme, with which the requested zoning is consistent. The rezoning site is adjacent to a transit stop and near the intersection of two major highways that allow vehicular access to multiple major employment centers in the region.

Finally, the rezoning request is consistent with the Growing Successful Neighborhoods and Communities Vision Theme because it increases the potential for “diverse” development with “access to . . . retail and employment” by allowing residential and commercial development in an area with existing residential and office development. The surrounding area does not have a strong historical or architectural character rooted in a distinct neighborhood. New development would not adversely affect the low-rise office and multi-family pattern that generally characterizes the area. The proposed zoning may have some impacts on the property directly to the north that make the request slightly less consistent with this Vision Theme. Much of these impacts are mitigated by offered zoning conditions and limited use standards. If the property to the north is successfully rezoned to OX-3-CU w/ SRPOD, this inconsistency would be resolved. Overall, the proposal is consistent with the Comprehensive Plan.

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

No, the Future Land Use Map recommends Moderate Density Residential development for the rezoning site. This designation envisions residential density of 6 to 14 units per acre and little to no non-residential development except as ancillary to residential development. The proposed zoning would allow residential of over 20 units per acre and would allow exclusively non-residential development of the site. The residential density and types of land uses enabled by the zoning request are inconsistent with the Future Land Map designation. The request would be more consistent with the Moderate Density Residential designation if it included zoning conditions to limit density to 14 dwelling units per acre and restricted commercial uses. Alternatively, changing the base zoning district to RX or R-10 would improve consistency with the Future Land Use Map.

- 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?

The uses permitted in the requested OX district are complementary to the existing land uses in the surrounding area and can be established without adversely affecting the character of the area. The surrounding area is mostly developed with multi-family residential and offices. These uses are similar to what is allowed by the OX district. Some commercial uses allowed in the proposed district, such as restaurants or retail, may create adverse impacts to neighboring residential development. The offered zoning conditions and limited use standards of OX require building setbacks, square footage limits, and limitations on hours of operation that significantly reduce the likelihood and magnitude of these impacts.

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

Yes, the site is in an urbanized area that is served by existing City infrastructure.

Future Land Use

Future Land Use designation: Moderate Density Residential

The rezoning request is

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

☒ **Inconsistent**

The Moderate Density Residential designation recommends residential development with density of up to 14 units per acre. A small amount of non-residential space may be appropriate in this designation if it is part of and intended to serve a larger residential development. The requested zoning district of OX would allow development that could be totally non-residential. The proposed zoning would also enable residential density in excess of 14 units per acre. Due to the exclusively non-residential development and amount of residential density that would be permitted by the request, it is not consistent with the Moderate Density Residential designation.

Urban Form

Urban Form designation: None

The rezoning request is

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

☐ **Inconsistent**

☒ **Other** (no Urban Form designation OR no Urban Form designation, but zoning frontage requested)

Analysis: Not applicable.

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The proposal is generally compatible with the uses and density in the surrounding area because it would allow a similar level of density and range of uses. The rezoning request would allow non-residential uses, including restaurants, adjacent to a property to the north that is zoned Residential-4. However, Neighborhood Transition standards require any building on the subject property containing a commercial use to be set back from the northern property boundary by at least 50 feet. In addition, any building containing a restaurant would have to be set back at least 150 feet from this property boundary. The zoning request also restricts hours of operation for non-residential uses and limits lighting impacts on neighboring properties. Due to these additional provisions for non-residential uses, the requested zoning is compatible with the R-4 zoning on the north and compatible with the surrounding area. The request could be more compatible if it restricted the placement of site elements like outdoor dining areas, solid waste receptacles, and drive aisles to further reduce potential impacts on nearby homes.

Public Benefits of the Proposed Rezoning

- The request would allow for an increase in the supply and variety of housing in the area.
- The request would allow new commercial uses that may expand employment and shopping opportunities in the area.

Detriments of the Proposed Rezoning

- The request may increase the amount of vehicle trips on nearby roads.
- The request may cause impacts on neighboring residential properties in the form of noise, odors, and light.

Policy Guidance

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

Policy LU 1.3 Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

The offered zoning conditions prohibit some of the more intense uses allowed in the proposed zoning district and limit the overall scale of commercial development. They also provide building and use setbacks and restrictions on hours of operation. These conditions make the request more consistent with the Comprehensive Plan policies in support of compatibility between adjacent uses and protection of neighborhoods.

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.

The rezoning site is in an urbanized area that is served by existing City infrastructure. Development enabled by the request could be denser than what is allowed by the existing zoning and would allow a mix of uses that may be complementary to each other and the surrounding area. This additional development potential would also be served by an existing transit route.

Policy LU 4.10 Development at Freeway Interchanges

Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mix of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

The interchange of Jones Franklin with I-440 is north of the rezoning property. The west side of Jones Franklin Road has an existing cluster of mixed-use development. The rezoning request would add to the cluster of development on a street planned to have six vehicle lanes in the future. The request would also allow vertical and horizontal mixing of uses.

Policy LU 7.3 Single-family Lots on Major Streets

No new single-family residential lots should have direct vehicular access from major streets, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to major streets.

The proposed zoning would encourage uses other than single family houses to front on Jones Franklin Road. The current zoning of R-4 does not allow commercial uses and only allows the Detached residential building type.

Policy LU 7.4 Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

The request includes zoning conditions that limit the square footage of commercial uses. The limited use standards for commercial uses within the requested OX district

further restrict the size of retail space and restaurant. The limited use standards in OX for Eating Establishment (restaurant) uses require a building containing a restaurant to be located at least 150 feet from any residential district. These standards help to ensure that the scale and location of commercial development under the proposal would be compatible with existing or potential residential development in the area.

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 requested zoning would allow up to 44 additional dwelling units on the rezoning site and would allow all residential building types. The existing zoning only allows the Detached building type for residential uses. The quantity and types of housing permitted by the proposal would be greater than those permitted by the current zoning.

Policy LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.

The area adjacent the rezoning site displays some uniformity of character, particularly to the south and east. However, the larger surrounding area is more varied in uses, scale, and architectural styles. The additional housing enabled by the request offers benefits to the community that outweigh the potential detriments to the moderate degree of character present nearby.

Policy 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.

The proposal would potentially allow for more than 40 additional housing units on the site. It would also expand the types of housing permitted on the site from only Detached under the current zoning to all housing types with the proposed zoning.

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.

The Moderate Density Residential designation recommends residential development with density of up to 14 units per acre. A small amount of non-residential space may be appropriate in this designation if it is part of and intended to serve a larger residential development. The requested zoning district of OX would allow development that could be totally non-residential. The proposed zoning would also enable residential density in excess of 14 units per acre. Due to the exclusively non-

residential development and amount of residential density that would be permitted by the request, it is not consistent with the Moderate Density Residential designation.

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.

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

The requested Office & Residential Mixed Use district fits the description of a transitional district found in this policy. The proposed district would be required to provide building setbacks and landscaping to buffer residential properties to the north and east from new development. Additionally, the offered zoning conditions limit the scale and location of commercial development. Nevertheless, the proposed zoning would allow for new development, particularly apartments, that may display significantly larger building masses and disparate architectural styles from the development to the east and south. Buildings in these areas largely exhibit brick facades, pitched roofs, heights of one- or two-stories, and horizontal dimensions not exceeding 150 feet in one direction and 60 feet in the other. Consistency with this policy can be improved through zoning conditions requiring new development to display massing and architectural styles that resemble the existing style of development in the nearby area.

Policy EP 8.4 Noise and Light Impacts

Mitigate potential noise and light pollution impacts from new development on adjoining residential properties.

Zoning conditions have not been offered to reduce the likelihood and magnitude of light and noise impacts on existing and future development on the R-4 zoned parcel to the south.

Policy UD 3.8 Screening of Unsightly Uses

The visibility of trash storage, loading, and truck parking areas from the street, sidewalk, building entrances and corridors should be minimized. These services should not be located adjacent to residential units and useable open space.

The requested zoning does not include conditions that would prohibit loading zones and other commercial service areas from facing adjacent residential developments, particularly the R-4 parcel to the north. The proposal would be more consistent with this policy if such a condition was offered, screening of such uses was required, or if additional commercial uses were prohibited.

Area Plan Policy Guidance

There is no area plan guidance for the rezoning site.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	32	Better than city average
Walk Score	30	9	Significantly worse than the 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: The WalkScore for the site is very low. There are few destinations within walking distance, and much of the surrounding street network does not have sidewalks. The site's TransitScore is somewhat better than the average for all of Raleigh. A regional bus, GoTriangle Route 305, stops in front of the site. The 305 bus provides service from Apex to downtown Raleigh with stops in Cary and at NC State University.

Carbon/Energy Footprint: Housing

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.

Summary: The proposed zoning allows all residential building types, whereas the existing zoning allows the Detached house building type. The request would allow additional housing types that are likely to produce fewer carbon emissions per dwelling unit.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	As many as 44 additional housing units could be built under the proposed zoning.
Does it include any subsidized units?	No	No subsidized units are required by the zoning request.
Does it permit a variety of housing types?	Yes	All residential building types are allowed by the proposed zoning.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	Not applicable. The proposed zoning is a mixed-use district.
Is it within walking distance of transit?	Yes	There is a bus stop for GoTriangle Route 305 located at the site.

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

Summary: The proposed rezoning would allow more dwelling units and a greater variety of housing types in an area that is served by transit.

IMPACT ANALYSIS

Historic Resources

1. 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 is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Lake Johnson Park (0.3 miles) and Kaplan Park (2.1 miles).
3. Nearest existing greenway trail access is provided by Walnut Creek Greenway Trail (0.3 miles).
4. Current park access level of service in this area is graded a B letter grade.

Impact Identified: None.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	250	2,500	13,500
Waste Water	250	2,500	13,500

Impact Identified:

1. The proposed rezoning would add approximately 11,000 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 & 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

Stormwater

Floodplain	n/a
Drainage Basin	Walnut
Stormwater Management	UDO 9.2
Overlay District	n/a

Impact Identified: No downstream structural impacts identified.

Transit

1. Further comments from Transit are pending a Site Plan submittal or any applied transit conditions to site development.

Impact Identified: None.

Transportation

Site Location and Context

Location

The Z-52-2019 site is located in west Raleigh on Jones Franklin Road at the intersection with Penwood Drive.

Area Plans

The Z-52-2019 site is not located within or near an area plan.

Other Projects in the Area

This site is adjacent to NCDOT project U-2719, which is currently under construction. The project's primary purpose is to widen I-440 between I-40 and Wade Avenue. The project is also widening and improving Jones Franklin Road between Centerview Drive (northern intersection) and Barringer Drive. These improvements will include new sidewalks.

Existing and Planned Infrastructure

Streets

Jones Franklin Road is a 4-lane divided avenue maintained by the North Carolina DOT.

In accordance with UDO section 8.3.2, the maximum block perimeter for OX-3 zoning districts is 3,000 feet, and the maximum length for a dead-end street is 400 feet. The block perimeter for this site is very large due to I-440, I-40, and Walnut Creek. A private street, Wood Aisle Road, extends from the end of Penwood Drive and connects to Jones Franklin

Road north of the site. Considering this street, the effective block perimeter is approximately 3,500 feet.

Pedestrian Facilities

There are no sidewalks on the east side of Jones Franklin Road near the subject site. Sidewalk is complete on the west side of the street from the southern intersection of Centerview Drive to approximately 265 feet north of the northern intersection of Centerview Drive. NCDOT project U-5219 will extend this sidewalk all the way to Barringer Drive. It will also build a sidewalk on the east side of Jones Franklin Road between Barringer Drive and the driveway of 2852 Jones Franklin Road. It will be approximately 870 feet between this new sidewalk and the subject property.

Bicycle Facilities

There are no bicycle facilities in the immediate vicinity of the site. The long-term bikeway plan calls for a separated bikeway on Jones Franklin Road.

Greenways

There is an unpaved loop greenway trail around the western half of Lake Johnson near the subject property.

Transit

GoTriangle provides service during morning and even peak period with route 305. The nearest transit stops are at Penwood Drive.

Access

Access to the subject site is Jones Franklin Road or Penwood Drive.

TIA Determination

Based on the Envision results, approval of case Z-52-19 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 38 more trips in the AM Peak Hour and 44 more trips in the PM Peak Hour. These values do not trigger a Traffic Impact Analysis based on the thresholds in the Raleigh Street Design Manual.

Z-52-19 Existing Land Use Vacant	Daily	AM	PM
	0	0	0
Z-52-19 Current Zoning Entitlements R-4	Daily	AM	PM
	94	7	10
Z-52-19 Proposed Zoning Maximums OX-3	Daily	AM	PM
	510	46	53
Z-52-19 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	415	38	44

Impact Identified: Vehicle trips on surrounding streets may be increased slightly by new development allowed by the proposed zoning.

Urban Forestry

1. The proposed rezoning does not affect how UDO 9.1 (Tree Conservation) would be applied to a development plan.

Impact Identified: None.

Impacts Summary

The request is not expected to have any significant impacts on City infrastructure or service provision. The rezoning site is in an urbanized area with adequate existing City facilities. Infrastructure improvements to serve development on the site will be required as part of a development plan approval.

Mitigation of Impacts

No mitigation is recommended beyond what will be required as part of a development plan review.

CONCLUSION

This case is a request to change the zoning of approximately 2.5 acres at the northeast corner of Jones Franklin Road and Penwood Drive from R-4 w/ SRPOD to OX-3-CU w/ SRPOD. The offered zoning conditions prohibit some uses and set limitations on the size, location, and hours of operation of non-residential uses. The site lies between I-40 and I-440 on Jones Franklin Road and is to the west of Lake Johnson Park. Existing development in the area is mostly moderate to medium density residential in the form of townhouses and apartments as well as office buildings. Some low-density residential development is present in the area, including immediately north of the rezoning site.

The request would increase the allowed density on the site from about 10 residential units to about 54. The proposed zoning would also allow 35,000 square feet of office space and almost 10,000 square feet of commercial space. The rezoning request is inconsistent with the Future Land Use Map designation of Moderate Density Residential in terms of allowed uses and density. The proposal is consistent with the 2030 Comprehensive Plan due to its consistency with policies that recommend infill and mixed-use development in urbanized areas that are served by available infrastructure.

In addition, the case includes zoning conditions that create consistency with policies encouraging non-residential development to be sensitive to existing homes and neighborhoods. Even so, there are potential impacts for nearby residential properties from development enabled by the request. These impacts could be mitigated by additional conditions to ensure that loading areas and other commercial site elements are set back from the residentially-zoned parcel to the north. Consistency with Comprehensive Plan policies may also be improved through conditions to require new development to be similar in style to existing development to the east and south.

CASE TIMELINE

Date	Action	Notes
12/30/2020	Application submitted	
1/2/2020	Application complete	
1/21/2019	Presented at West CAC	
2/18/2020	West CAC voted to recommend approval	
2/25/2020	Placed on Planning Commission agenda	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-4	R-4, OX-3-CU	R-4, R-6, R-10	CM, R-10	RX-3, OX-4
Additional Overlay	SRPOD	SRPOD	SRPOD	SRPOD	SHOD-2
Future Land Use	Moderate Density Residential	Moderate Density Residential, Office/Research & Development	Moderate Density Residential	Moderate Density Residential, Private Open Space	Medium Density Residential, Office/Research & Development
Current Land Use	Detached house	Detached house, Office	Multi-unit living	Multi-unit living, Park	Multi-unit living
Urban Form	None	None	None	None	None

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-4 w/ SRPOD	OX-4-CU w/ SRPOD
Total Acreage	2.5	2.5
Setbacks:		
Front	10'	5'
Side	10'	0' or 6'
Rear	20'	0' or 6'
Residential Density:	4	21.6
Max. # of Residential Units	10	54
Max. Gross Building SF	N/A	64,000
Max. Gross Office SF	Not permitted	35,000
Max. Gross Retail SF	Not permitted	10,000
Max. Gross Industrial SF	Not permitted	Not permitted
Potential F.A.R	N/A	0.59

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



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-52-19

OVERVIEW

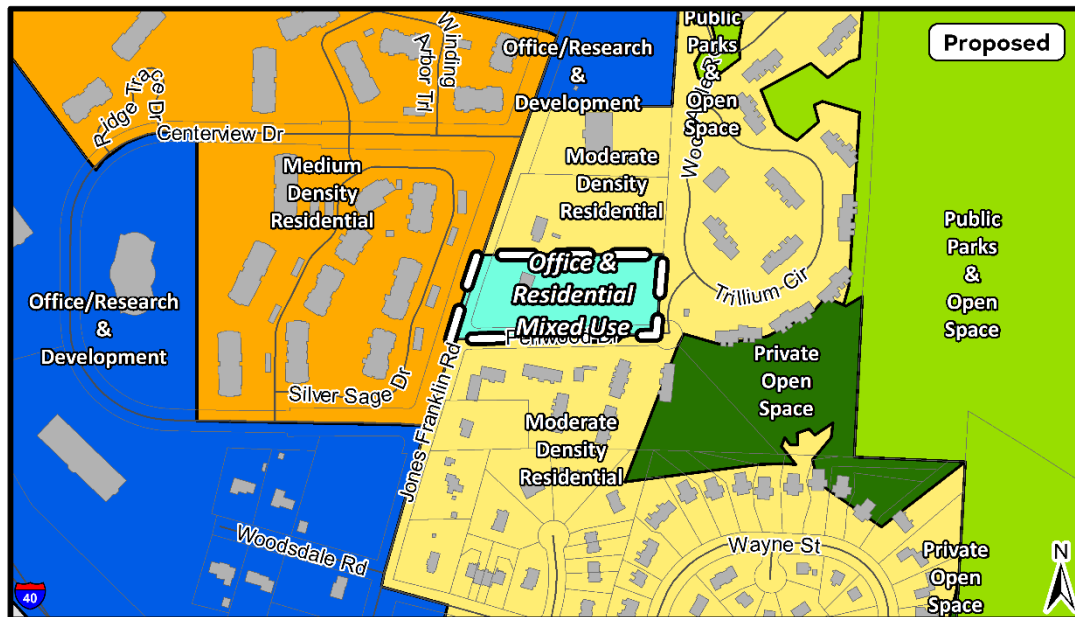
Approval of this case would cause an amendment to the Future Land Use Map for the subject property to a designation that recommends office uses and some retail.

LIST OF AMENDMENTS

1. Amend the Future Land Use Map from Moderate Density Residential to Office & Residential Mixed Use

AMENDED MAPS

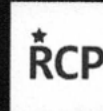
Proposed Designation: Office & Residential Mixed Use



IMPACT ANALYSIS

Amending the Future Land Use Map to Office & Residential Mixed Use for the rezoning site would give policy support to zoning such as the OX-3 district that is proposed by this petition. This would allow apartments, offices, and a small amount of retail in an area where these uses are generally compatible with existing and proposed uses. The newly designated uses could be incompatible with development on the parcel to the north, which is zoned for single-family development.

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 **N/A** Frontage **N/A** Overlay(s) **SRPOD**

Proposed Zoning Base District **OX** Height **3** Frontage Overlay(s) **SRPOD**

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 **12.19.2019** Date Amended (1) Date Amended (2)

Property Address **1321 Jones Franklin Road**

Property PIN **0783-12-1444**

Deed Reference (book/page) **DB 17090 PG 699**

Nearest Intersection **Jones Franklin Road and Penwood Drive**

Property Size (acres) **2.5**

For Planned
Development
Applications Only:

Total Units

Total Square Footage

Total Parcels

Total Buildings

Property Owner/Address

Oak City Capital, Inc.
10708 Suntime Court
Raleigh, NC 276017

Phone **919-890-3800** Fax **866-572-7551**

Email **dan@dkheadwear.com**

Project Contact Person/Address

Pamela Porter - TMTLA Associates
5011 Southpark Drive, Ste. 200
Durham, NC 27713

Phone **919-484-8880** Fax **N/A**

Email **pam@tmtla.com**


Owner/Registered Agent Signature


Email **dan@dkheadwear.com**

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 CONDITIONS		
Zoning Case Number Z-52-19	OFFICE USE ONLY Transaction # Rezoning Case #	
Date Submitted 2-28-2020		
Existing Zoning R-4 Proposed Zoning OX-3-CU-SRPOD		
Narrative of Zoning Conditions Offered <p>The following uses shall be prohibited on the property: Cemetery; College, Community College, University; School, Public or Private; 1. Telecommunication Tower (<250 Ft.); Telecommunication Tower (>250 Ft.); Outdoor Sports or Entertainment Facility; Commercial Parking Lot; Remote Parking Lot; Heliport, serving hospitals; Heliport, all others; Detention Center, Jail, Prison; Plant Nursery</p> <p>2. The hours of operation of any commercial or office use shall be between 6 am and 12 midnight unless a more restrictive UDO standard applies.</p> <p>3. Drive thru feature serving any uses shall not be allowed.</p> <p>4. There shall be a 100' building setback for primary structures for the site boundary shared with property having PIN 0783-13-7158 and being identified in Wake County Deed Book 8083 Page 500.</p> <p>5. Any retail use shall be located within 200 feet of Jones Franklin Road right of way.</p> <p>6. The maximum amount of area permitted for commercial uses other than office (UDO Sec. 6.4.4) and Medical (UDO Sec. 6.4.3) shall be 10,000 sf.</p> <p>7. The maximum amount of area permitted for office uses, including medical office, shall be 35,000 sf.</p> <p>8.</p> <p>9.</p> <p>10.</p>		

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 KHOI DANG TRUONG

RECEIVED
FEB 27 2020
BY: 

WWW.RALEIGHNC.GOV

REVISION 5.15.19

PAGE 2 OF 13

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p>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.</p>	
<p align="center">STATEMENT OF CONSISTENCY</p>	
<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>1. The Future Land Use Map designates this area as Moderate Density Residential. Although we are inconsistent with the FLU Map we are consistent with the development pattern in this part of Raleigh. Wetherill Engineering is located to the north of our site (1223 Jones Franklin Road) and has a moderate density residential FLU designation and OX-3-CU zoning district. Development on our site will be similar to this.</p>	
<p>2. There is no urban form designation for this property. This property is not located along a Main Street or a Transit Emphasis Corridor.</p>	
<p>3. Policy LU 5.1 - Reinforcing the Urban Pattern: we are proposing a rezoning that would allow for development of an office building which matches the development pattern of the surrounding area. There is a large area adjacent to our project with a FLU Designation of Office/Research and Development and an OX- zoning designation.</p>	
<p>4. Policy LU 7.4 - Scale and Design of New Commercial Uses: through our proposed rezoning we are limiting the height of any proposed building to be 3 stories to be consistent with the surrounding area.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. The rezoning request provides a public benefit by helping with the transitioning character along Jones Franklin Road to a more office-oriented character.</p>	
<p>2. The rezoning request provides a public benefit by ensuring the property will not be developed for incompatible uses adjacent to established uses in this area (office and high/medium density residential).</p>	
<p>3. Although we are not consistent with the Future Land Use Map, the rezoning provides a public benefit by being consistent with the 2030 Comprehensive Plan by reinforcing the urban pattern of development.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	OFFICE USE ONLY Transaction # Rezoning Case #
INVENTORY OF HISTORIC RESOURCES	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
There are no historic resources or landmarks located on the property to be rezoned.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
No mitigation is proposed because there are no historic resources or landmarks located on the property to be rezoned.	



November 19, 2019

Re: 1321 Jones Franklin Road

Dear Neighboring Property Owners:

Prior to the submittal of any rezoning application the City of Raleigh requires a neighborhood meeting that includes the property owners within 500 feet of the area requested for rezoning.

You are invited to attend this neighborhood meeting on Wednesday, December 18th, 2019. The meeting will be held in the Cardinal Meeting Room at the Doubletree Hotel located at 500 Caitboo Avenue in Cary. The meeting will begin at 6:00 pm.

The agenda for the meeting is to discuss a rezoning of the property located at 1321 Jones Franklin Road. The property is located near the intersection of Jones Franklin Road and Penwood Drive. This site is currently R-4 and has a SRPOD Overlay District. The site is proposed to be rezoned to OX-3-CU. The SRPOD Overlay District is not being removed as part of this rezoning request. The purpose of the new zoning designation will allow the site to be developed as a project to include commercial uses.

If you have any concerns or questions I can be reached at:

919-484-8880

pam@tmtla.com

For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at:

(919) 996-2682

rezoning@raleighnc.gov

We look forward to seeing you on December 18th.

Thank you,
Pamela Porter, PLA, LEED AP
TMTLA Associates

LIST OF ADJOINERS WITHIN 500' OF SUBJECT PROPERTY

PIN	Owner	Mail Address 1	Mail Address 2
0783-01-4897	FERRIS, DAVID J FERRIS, DEBRA G	4113 RIDGEBROOK BLUFFS DR	RALEIGH NC 27603-8819
0783-01-7899	2B FRANKLIN, LLC	5216 YATES MILL RD	RALEIGH NC 27606
0783-01-9841	HOFFMAN, PAUL PHILLIPS	1512 PARK DR	RALEIGH NC 27605-1730
0783-02-4533	DPR CENTERVIEW LLC	270 S SERVICE RD STE 45	MELVILLE NY 11747-2399
0783-02-8087	2B FRANKLIN, LLC	5216 YATES MILL POND RD	RALEIGH NC 27606-8921
0783-03-2117	DPR CENTERVIEW LLC	270 S SERVICE RD STE 45	MELVILLE NY 11747-2399
0783-11-0921	MOORE, MITCHELL MOORE, PEGGY F	6605 SECRET DR	RALEIGH NC 27612-2435
0783-11-1962	MOORE, MITCHELL MOORE, PEGGY F	6605 SECRET DR	RALEIGH NC 27612-2435
0783-11-2876	KOOB, JAMES S KOOB, BARBARA S	4113 LES ARBRES DR	APEX NC 27539-8904
0783-11-4749	GSK PROPERTIES LLC	2447 NEW BERN AVE	RALEIGH NC 27610-1816
0783-11-5824	NIKIFOROV, ALEXEY	5321 WAYNE ST	RALEIGH NC 27606-8100
0783-11-5886	COOPER, DANIEL A	5323 WAYNE ST	RALEIGH NC 27606-8099
0783-11-6867	STEIN, JARED TRUBIANO, PAOLO B	5325 WAYNE ST	RALEIGH NC 27606-8098
0783-11-7837	NIKIFOROV, ALEXEY MILLER, NATALIA URYEVNA	5327 WAYNE ST APT C	RALEIGH NC 27606-8131
0783-12-1444	OAK CITY CAPITAL INC	10708 SUNTREE CT	RALEIGH NC 27617-8427
0783-12-1780	CROSSROADS VETERINARY PROPERTIES LLC	1315 JONES FRANKLIN RD	RALEIGH NC 27606-3314
0783-12-2137	PEN&LIN WOOD, LLC	120 MORAVIA LN	CARY NC 27513-5740
0783-12-2932	DEEJA LLC	1223 JONES FRANKLIN RD	RALEIGH NC 27606-3312
0783-13-2295	FRANKLIN ROAD PROPERTIES	2853 JONES FRANKLIN RD STE A	RALEIGH NC 27606-4880
0783-13-7158	WILDWOODS OF LAKE JOHNSON LLC	1200 TRILLIUM CIR	RALEIGH NC 27606-8109

FERRIS, DAVID FERRIS, DEBRA G
4113 RIDGEBROOK BLUFFS DR
RALEIGH NC 27603-8819

HOFFMAN, PAUL PHILLIPS
1512 PARK DR
RALEIGH NC 27605-1730

DPR CENTERVIEW LLC
270 S SERVICE RD STE 45
MELVILLE NY 11747-2399

2B FRANKLIN, LLC
5216 YATES MILL POND RD
RALEIGH NC 27606-8921

WILDWOODS OF LAKE JOHNSON LLC
1200 TRILLIUM CIR
RALEIGH NC 27606-8109

MOORE, MITCHELL MOORE, PEGGY F
6605 SECRET DR
RALEIGH NC 27612-2435

FRANKLIN ROAD PROPERTIES
2853 JONES FRANKLIN RD STE A
RALEIGH NC 27606-4880

KOOB, JAMES S KOOB, BARBARA S
4113 LES ARBRES DR
APEX NC 27539-8904

GSK PROPERTIES LLC
2447 NEW BERN AVE
RALEIGH NC 27610-1816

NIKIFOROV, ALEXEY
5321 WAYNE ST
RALEIGH NC 27606-8100

COOPER, DANIEL A
5323 WAYNE ST
RALEIGH NC 27606-8099

STEIN, JARED TRUBIANO, PAOLO B
5325 WAYNE ST
RALEIGH NC 27606-8098

NIKIFOROV, ALEXEY
MILLER, NATALIA URYEVNA
5327 WAYNE ST APT C
RALEIGH NC 27606-8131

OAK CITY CAPITAL INC
10708 SUNTREE CT
RALEIGH NC 27617-8427

CROSSROADS VETERINARY
PROPERTIES LLC
1315 JONES FRANKLIN RD
RALEIGH NC 27606-3314

PEN & LIN WOOD, LLC
120 MORAVIA LN
CARY NC 27513-5740

DEEJA LLC
1223 JONES FRANKLIN RD
RALEIGH NC 27606-3312

[illegible]

SUMMARY OF ISSUES

A neighborhood meeting was held on December 18th (date) to discuss a potential rezoning located at 500 Caitboo Avenue, Cary NC (property address). The neighborhood meeting was held at Doubletree Hotel - Cardinal Room (location). There were approximately 7 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

The meeting attendees were there mostly for information on our rezoning. There were two people from the adjacent apartment complex, one person from the engineering firm two lots away, the attorney for the rezoning that will be submitted next to our project, and three people for the owner.

The meeting attendee from the engineering firm mentioned that traffic certain times of the day can be intense just as an FYI to us as we develop the site plan and consider our access points. No one else had any concerns.

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY 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"/>			
2. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned (all applications)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
14. Copy of ballot and mailing list (for properties requesting Accessory Dwelling Unit Overlay)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

MASTER PLAN SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the 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"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
4. Completed application; Include electronic version via cd or flash drive	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			



Pre-Application Conference Meeting Record

Department of City Planning | One Exchange Plaza, Suite 300 | (919) 996-2682

Meeting Date: 8/23/19, 11:30 am	
Attendees: JP Mansolf, John Anagnost, Ira Mabel, Rick Rainer, Tony Tate	
Site Address/PIN: 1321 Jones Franklin Rd	
Current Zoning/Designation: R-4	
Proposed Zoning/Designation: OX-3-CU	
CAC Contact Information: West, Jonathan Edwards, jonathan.edwards@raleighnc.gov	
Notes: Could make a case that character is transition along Jones Franklin to a more office oriented character. Residential mix is in consideration. Neighborhood transition would be required. Additional controls on lighting, solid waste facilities, entrances, can be resolved more easily if other property is in the case. Having residential closer to r-10 would create a good transition. Condition could place height closer to jones franklin, tapering down towards residential to the east. SRPD district overlay applies here. Public meetings must include the maximum possibility which means buying property to the north. OX does allow retail in a larger building. Retail uses are not limited by location, maximum floor area is a percentage of total building floor area. Conditions limiting floor area and locating could mitigate concerns. Can be consistent with Plan overall while being inconsistent with FLU Map.	
Department & Staff	Notes
Transportation <input type="checkbox"/> Jason Myers Jason.Myers@raleighnc.gov 919-996-2166	

Pre-Application Conference

(this form must be provided at the time of formal submittal)



**DEVELOPMENT
SERVICES
DEPARTMENT**

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831
Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review*
- ☐ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

* Optional conference

GENERAL INFORMATION

Date Submitted August 14, 2019

Applicant(s) Name Tony Tate

Applicant's Mailing Address 5011 Southpark Drive, Suite 200, Durham, NC 27713

Phone 919-819-7394

Email tony@tmtla.com

Property PIN #0783-12-1444

Site Address / Location 1321 Jones Franklin Road, corner of Penwood Drive

Current Zoning R-4

Additional Information (if needed) :

Proposed rezoning to OX-3-CU

OFFICE USE ONLY

Transaction #: 8/23/19

Date of Pre-Application Conference: 8/23/19

Staff Signature Don Maller

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$1,600.00

Parcel Identifier No. 0008943 Verified by _____ County on the ____ day of _____, 20 ____

By: _____

Mail/Box to: Oak City Capital, Inc., 10708 Suntree Court, Raleigh, NC 27617

This instrument was prepared by: North Carolina Real Estate Law Firm, 6739 Falls of Neuse Rd, Suite 201, Raleigh, NC 27615

Brief description for the Index: _____

THIS DEED made this 5th day of April, 2018, by and between

GRANTOR

James W Daughtry and Betty B Daughtry, Trustees of their Successors in Trust under the Daughtry Living Trust, dated January 21, 1998 and any amendments thereto, a one half interest
 and Dayne H. Brown and wife, Stephane Martin Swisher, a one half interest

GRANTEE

Oak City Capital, Inc., a North Carolina corporation
 10708 Suntree Court
 Raleigh, NC 27617

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Raleigh, _____ Township, Wake County, North Carolina and more particularly described as follows:

See attached Legal Description

The property hereinabove described was acquired by Grantor by instrument recorded in Book 13722 page 2062.

All or a portion of the property herein conveyed ____ includes or ☒ does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book ____ page ____.

Submitted electronically by "The North Carolina Real Estate Law Firm"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Wake County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

James W Daughtry and Betty B Daughtry, Trustees of their Successors
in Trust under the Daughtry Living Trust, dated January 21, 1998 and
any amendments thereto

(Entity Name)

By: Betty B. Daughtry, as Trustee
 Print/Type Name & Title: Betty B. Daughtry, Trustee

James W. Daughtry as Trustee
JAMES W. DAUGHTRY, Trustee

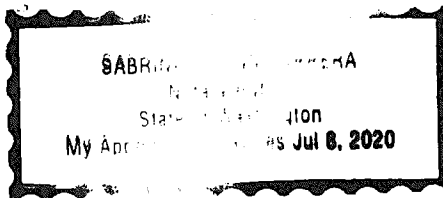
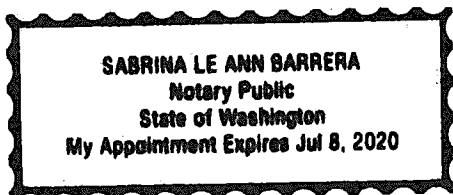
Washington
 State of North Carolina - County of Benton

I, the undersigned Notary Public of the County and State aforesaid, certify that James W. & Betty B. Daughtry personally appeared before me this day and acknowledged that he is the co-trustees of James W Daughtry and Betty B Daughtry, Trustees of their Successors in Trust under the Daughtry Living Trust, dated January 21, 1998 and any amendments thereto, a Washington or

corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 23rd day of March, 2019.

My Commission Expires: July 8, 2020

[Signature]
 Notary Public



TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

x Dayne H. Brown (SEAL)
Print/Type Name: Dayne H. Brown

x Stephanie Martin Swisher (SEAL)
Print/Type Name: Stephanie Martin Swisher

State of North Carolina – County of Wake

I, the undersigned Notary Public of the County and State aforesaid, certify that Dayne H. Brown, and Stephanie Martin Swisher personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 5th day of April, 20 18.

My Commission Expires: 10/24/21

[Signature]
Notary Public

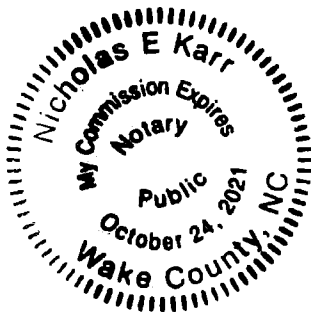


Exhibit A

LEGAL DESCRIPTION

Being all of that certain tract or parcel of land located in the Swift Creek Township, Wake County North Carolina, and being more particularly described as follows:

BEGINNING at a point in the Eastern right of way line of the Jones-Franklin Road, said point being marked by an iron stake placed at the Northwest corner of the L.M. Edwards lot and in the Eastern line of the right of way of said road, runs thence along the Eastern right of way line of said road North 21 degrees 45 minutes East 11.7 feet, thence continuing along the Eastern line of the right of way of said road North 22 degrees 45 minutes East 238.3 feet to a point in the Eastern right of way line of said road, said point being marked by an iron stake; runs thence a new line South 88 degrees 00 minutes East 510 feet (plus or minus .1) to an iron stake, corner in the Newton line; runs thence along the Newton line South 5 degrees 30 minutes West 228.5 feet to an iron stake, corner of the Edwards lot in the Newton line; runs thence along the Northern line of the Edwards lot North 87 degrees 15 minutes West 585 feet to an iron stake to the point and place of BEGINNING.