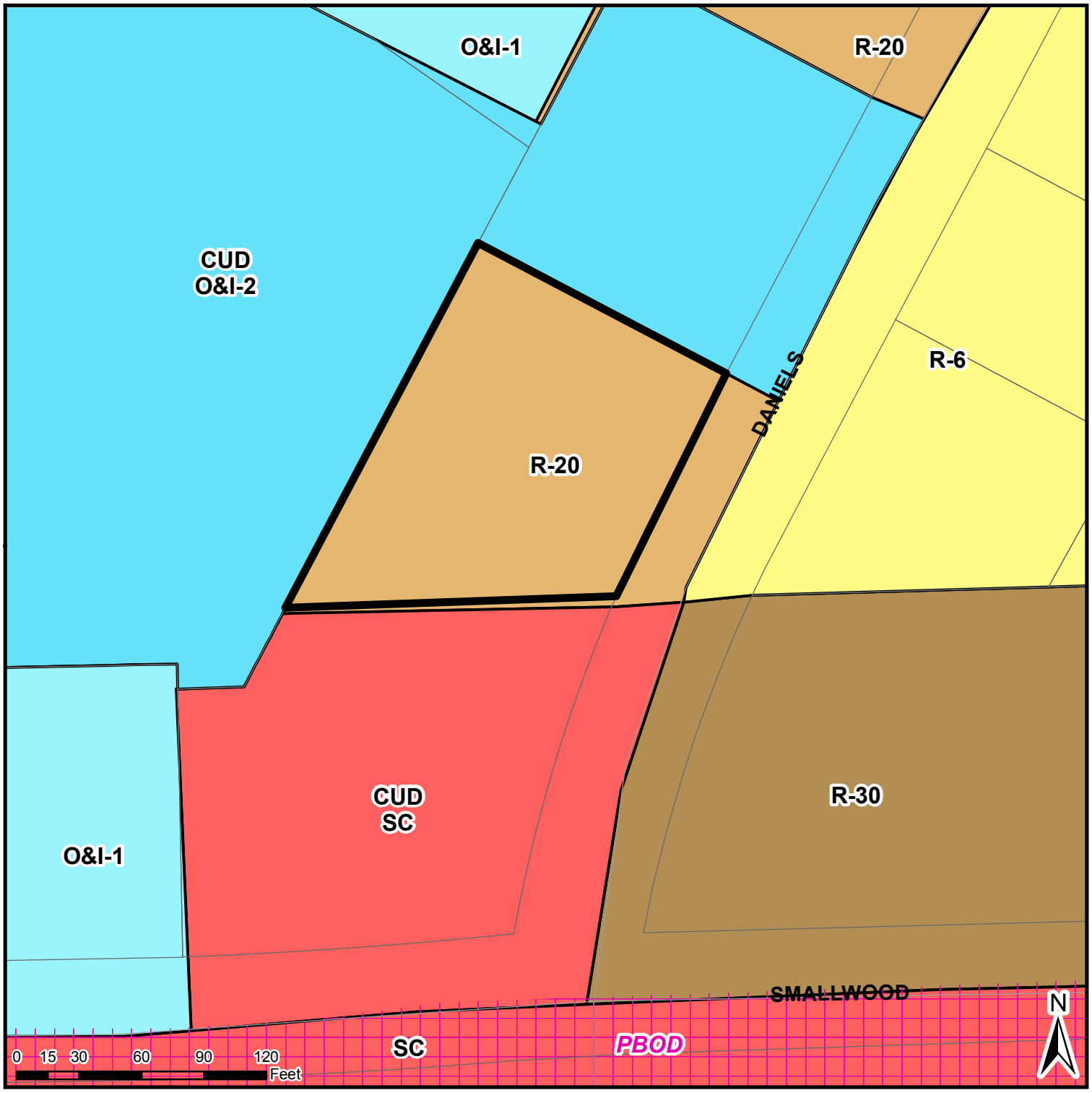
Existing Zoning Map

Z-22-2013

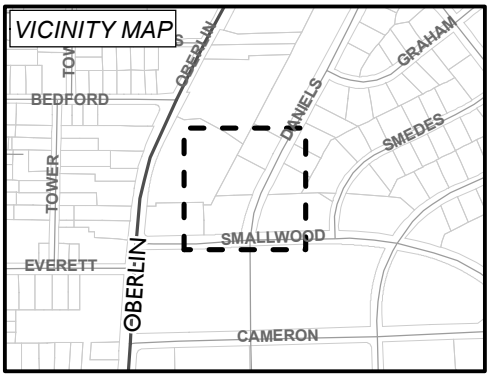


Submittal Date

5/14/2013

Request:

0.52 acre from R-20 to R-10



Certified Recommendation

Raleigh Planning Commission

CR# 11552

Case Information Z-22-13 Daniels Street

Location	Daniels Street, west side, just northeast of the intersection of Oberlin Road and Smallwood Drive, north of Cameron Village Shopping Center Address: PIN:
Request	Rezone property from R-20 to R-10
Area of Request	.52 acres
Property Owner	Michael T. and Iris B. Mettrey
Applicant	Same as property owners
Citizens Advisory Council	Hillsborough, Will Allen III chair will@allenheuer.com
PC Recommendation Deadline	December 24, 2013

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

FUTURE LAND USE	Medium Density Residential
CONSISTENT Policies	LU 8.2 Neighborhood revitalization LU 8.3 Conserving, enhancing and revitalizing neighborhoods LU 8.5 Conservation of single-family neighborhoods
INCONSISTENT Policies	LU 1.1 Future Land Use Map purpose

Summary of Proposed Conditions

1. General use case: no conditions

Public Meetings

Neighborhood Meeting	***Public Hearing***	***Committee***	***Planning Commission***
May 13, 2013		Date: Action	Initial public meeting: Sept. 24, 2013

☒ ***Valid Statutory Protest Petition***

Attachments
1. Staff report
2. Existing Zoning/Location Map
3. Future Land Use

Planning Commission Recommendation

Recommendation	The Planning Commission recommends denying this rezoning request.
Findings & Reasons	The proposed rezoning is not consistent with the Future Land Use Map and is not reasonable or in the public interest.
Motion and Vote	Motion: Braun Second: Fleming In Favor: Braun, Buxton, Fleming, Lyle, Mattox, Schuster, Sterling Lewis, Swink and Terando Opposed: Excused: Recused: Fluhrer

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.

_____		_____	10/8/13
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: James Brantley james.brantley@raleighnc.gov

Zoning Staff Report – Case

Conditional/General Use District

Case Summary

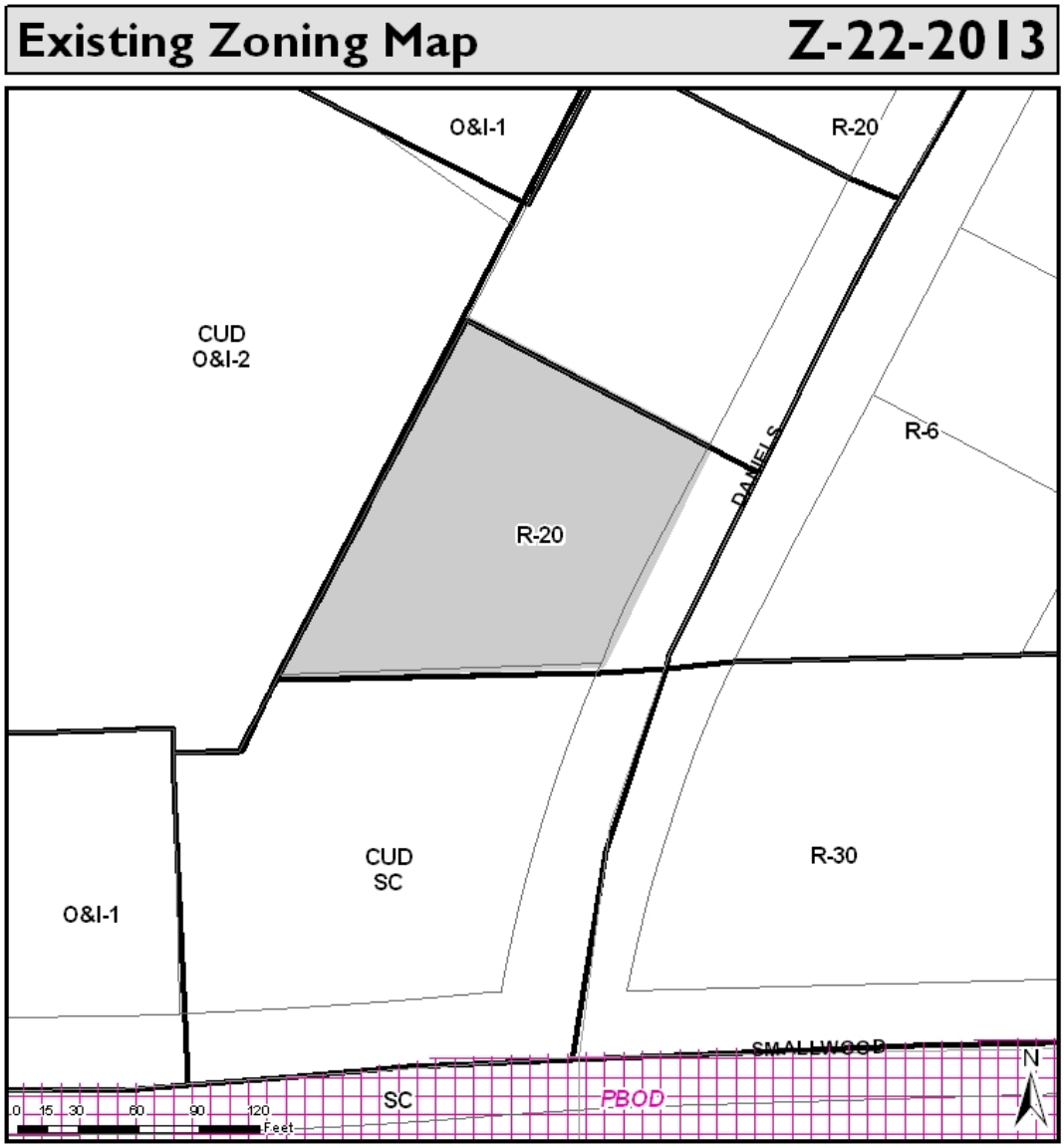
Overview

The request is to downzone approximately .52 acres from R-20 to R-10. The site contains a single family house that was built as part of the Cameron Village neighborhood. The rest of this neighborhood is zoned R-6. The property owner wants to bring his zoning more into conformance with that of the rest of the neighborhood.

Outstanding Issues

Outstanding Issues	1. The site is designated for medium density residential uses. The proposed rezoning would limit density to 10 dwellings per acre.	*Suggested Mitigation*	1. None suggested.

ZONING REQUEST

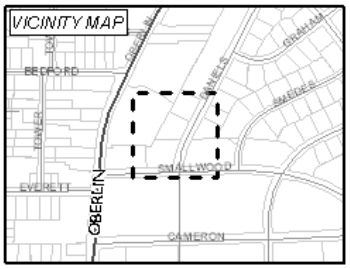


Submittal Date

5/14/2013

Request:

0.52 acre from R-20 to R-6



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	***North***	***South***	***East***	***West***
Existing Zoning	R-20	R-20-	SC CUD	R-6	O&I-1 CUD
Additional Overlay	n/a	n/a	n/a	n/a	(PBOD)
Future Land Use	Medium density residential	Medium density residential	Office & residential mixed use	Low density residential	Office & residential mixed use
Current Land Use	Single family house	Multi family residential	Retail	Single family houses	Office
Urban Form	n/a	n/a	n/a	n/a	n/a

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	***Proposed Zoning***
Residential Density:	20 DU/Ac	10 DU/Ac
Setbacks: *Front:* *Side:* *Rear:*	 20 feet 5 feet 20 feet	 20 feet 5 feet 20 feet
Retail Intensity Permitted:	n/a	n/a
Office Intensity Permitted:	n/a	n/a

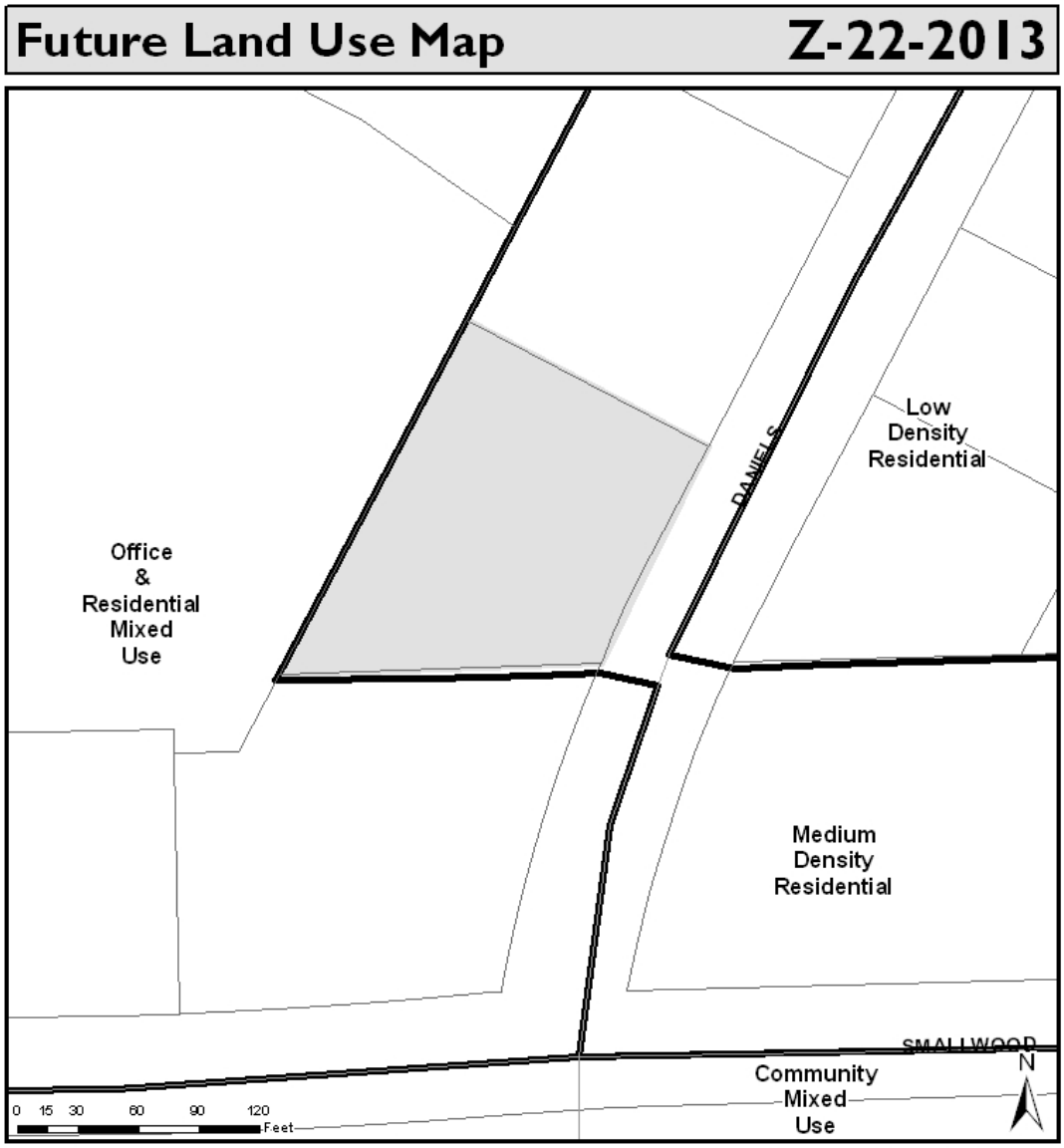
The proposed rezoning is:

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

☒ **Incompatible.**
Analysis of Incompatibility:

The subject property is surrounded on three sides by significantly more intense development, zoning and Future Land Use Map designations than the subject property.

FUTURE LAND USE MAP



Submittal Date

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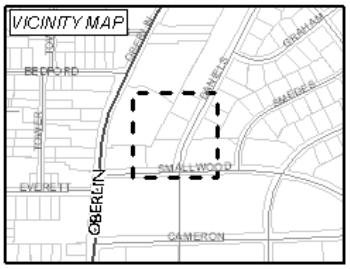
Request:

0.52 acre from R-20 to R-6



2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation: Medium Density Residential

The rezoning request is:

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

☒**Inconsistent**
Analysis of Inconsistency:

The site is designated for medium density residential uses. The proposed rezoning would limit density to 10 dwellings per acre.

2.2 Policy Guidance

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

LU 1.1 Future Land Use Map purpose

Given the surroundings, it is unlikely that a single family house will continue to be a viable use of this property.

2.3 Area Plan Policy Guidance

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

AP-WO 3 **Protecting Wade-Oberlin's Neighborhood Character** Per the "Land Use Intensity" map attached to the Wade Oberlin Small Area Plan, the site is designated for "lower intensity" land uses.

"Lower intensity," is not defined in the small area plan. The R-20 properties to the north of the site are also designated for lower intensity land uses.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

Downzoning will conserve the Cameron Village neighborhood and give clearer definition of that neighborhood's boundaries. Lower intensity land uses here will not burden the water and sewer network, which is nearing capacity in this locale.

3.2 Detriments of the Proposed Rezoning

Over the long term it is unlikely that this site will continue to be viable as a single family house. It is likely that a request to upzone the property will be submitted within a few years.

4. Impact Analysis

4.1 Transportation

	Classification	2009-2012 NCDOT Traffic Volume (ADT)	2040 Traffic Volume Forecast (CAMPO)
Daniels Street	Neighborhood Street	N/A	N/A
Oberlin Road	Avenue, 2 Lane Divided	20,999	16,791
Smallwood Drive	Avenue, 2 Lane Undivided	N/A	14,344

Street Conditions						
Daniels Street	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	2	35'	Yes	60'	5' sidewalks on west side	None
City Standard	2	36'	Yes	64'	minimum 6' sidewalks on both sides	None
Meets City Standard?	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**
Oberlin Road	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	4	55'	Yes	60'	segments of 5' sidewalk on both sides	None
City Standard	2	48'	Yes	75'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**No**	**No**	**Yes**	**No**	**No**	**No**
Smallwood Drive	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	2	35'	Yes	55'	5' sidewalks on north side	None
City Standard	2	36'	Yes	64'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Expected Traffic Generation [vph]	Current Zoning	Proposed Zoning	Differential
AM PEAK	N/A	N/A	N/A

PM PEAK	N/A	N/A	N/A
Suggested Conditions/ Impact Mitigation:	Traffic Study Determination: Staff received a trip generation waiver request for Z-22-13 due to the nature of the zoning change. The waiver request has been approved.		
Additional Information:	NCDOT does not have any roadway projects scheduled in the vicinity of this case. The City of Raleigh has recently completed a Streetscape Improvements Plan for Oberlin Road in the vicinity of this case. The Cameron Village Small Area Study will analyze the transportation network and alternative land use development scenarios for this area. The study is tentatively scheduled to begin in Fall of 2013 or Spring 2014.		

Comparison, R-20 vs. R-10 zoning

Zoning	Daily			AM Peak			PM Peak		
	In	Out	Total	In	Out	Total	In	Out	Total
Current R-20 (10 SF Dwellings)	63	63	126	4	13	17	8	5	13
Proposed R-10 (5 SF Dwellings)	33	33	67	3	10	13	4	3	7
Change	-30	-30	-60	-1	-3	-4	-4	-2	-6

Impact Identified: None

4.2 Transit

This area is served by Route 12 Method which travels in both directions on Cameron Street and to the south on Oberlin Road and Route 16 Oberlin which travels in both directions on Cameron Street and to the north on Oberlin Road. The closest stops are on Cameron Street at Daniels Street.

Impact Identified: This project should not have significant impact on the current transit system.

4.3 Hydrology

Floodplain	None
Drainage Basin	Pigeon House
Stormwater Management	Subject to Part 10, Chapter 9
Overlay District	None

Impact Identified: None - No FEMA floodplain, no alluvial/floodprone soils, no Neuse Riparian Buffer, No watershed protection overlay

4.4 Public Utilities

	Maximum Demand (current)	***Maximum Demand (proposed)***	***Estimated Remaining Capacity***
Water	5,460 gpd	3500 gpd	
Waste Water	5,460 gpd	3500 gpd	

Impact Identified: The proposed rezoning would not impact the wastewater collection and water distribution systems of the City.

4.5 Parks and Recreation

The proposal will decrease potential loading of the parks and greenways system.

4.6 Urban Forestry

1. The subject parcel is smaller than 2 acres. There will be no urban forestry impacts from this rezoning.

4.7 Designated Historic Resources

N/A

4.8 Community Development

N/A

4.9 Appearance Commission

N/A

4.10 Impacts Summary

The proposed rezoning will prevent the loading of infrastructure that would occur if the site were developed at twenty dwellings per acre.

4.11 Mitigation of Impacts

None determined by staff.

5. Conclusions

The proposed rezoning is not in compliance with the Comprehensive Plan's Future Land Use Map. Given the growth in the vicinity and the fact that the property is surrounded on three sides with more intense zoning, development and Future Land Use Map designations, it is likely that in the future viability of the site for single family housing will diminish.

Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application

Rezoning Request	OFFICE USE ONLY
☒ General Use ☐ Conditional Use Existing Zoning Classification R-20 Proposed Zoning Classification Base District R-10 Height Frontage 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.	Transaction Number

GENERAL INFORMATION		
Property Address 611 Daniels Street, Raleigh, NC 27605		10-03-2013
Property PIN 1704-03-4664		
Nearest Intersection Daniels Street and Smallwood Drive		Property size (in acres) .52
Property Owner Michael T. Mettrey Iris B. Mettrey	Phone 919-833-9460	Fax
	Email METTECH919@yahoo.com	
Project Contact Person Robin T. Currin	Phone 919-832-1515	Fax 919-836-8484
	Email robincurrin@aol.com	
Owner/Agent Signature Michael T. Mettrey 10/3/13 Iris B. Mettrey 10-3-13	Email	

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

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Conditional Use District Zoning Conditions	OFFICE USE ONLY
Zoning Case Number	Transaction Number
Date Submitted	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	
2.	
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/Agent Signature	Print Name

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Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
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.	**Transaction Number** **Zoning Case Number**

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.	**This property is a single family residence and will remain so on Wade Oberlin Land use intensity AP WOL; the property is in the lower intensity zone and will be consistent with other single family residences in that zone.**
2.	**The subject property is in the Wade Oberlin Small Area Plan and is in the lower intensity area.**
3.	**The map amendment is consistent with the Small Area Plan policy AP WO-2, and will not have an adverse impact on surrounding low intensity neighborhood.**
4.	

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	**The property rezoning will have the same zoning as all other single family residences in the area.**
2.	**The proposed rezoning will buffer from higher intensity development into the single family area.**
3.	**The proposed rezoning will maintain the residential nature of the neighborhood.**
4.	**The proposed rezoning will make this property consistent with all other single family properties in the Cameron Village neighborhood. The subject property is the only single family residence zoned differently from other single family residences in Cameron Village.**

URBAN DESIGN GUIDELINES	
If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.	
1.	*All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.*
2.	*Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.*
3.	*A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*
4.	*Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*
5.	*New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.*
6.	*A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.*
7.	*Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.*
8.	*If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.*
9.	*To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.*
10.	*New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.*
11.	*The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.*
12.	*A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*
13.	*New public spaces should provide seating opportunities.*
14.	*Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*
15.	*Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.*
16.	*Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements cane make a significant improvement.*

17.	*Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.*
18.	*Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*
19.	*All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.*
20.	*It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.*
21.	*Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.*
22.	*Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.*
23.	*Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.*
24.	*The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.*
25.	*The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.*
26.	*The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

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Rezoning Application Intake Requirements

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
	YES	N/A	YES	NO	N/A
General Requirements – Rezoning					
1. I have referenced the **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	☐				
2. Rezoning application review fee (see **Fee Schedule** for rate)	☐				
3. Completed application	☐				
4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned	☐				
5. Pre-Application Conference	☐				
6. Neighborhood Meeting notice and report	☐				
7. Trip Generation Study	☐	☐			
8. Traffic Impact Analysis	☐	☐			
9. Completed and signed zoning conditions	☐	☐			
10. Completed Comprehensive Plan Consistency Analysis	☐				
11. Completed Response to the Urban Design Guidelines	☐	☐			
12. For applications filed by a third party, proof of actual notice to the property owner	☐	☐			
13. Master Plan (for properties requesting Planned Development or Campus District)	☐	☐			

Date:

Re: *(site location)*

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on ___ (date) ____. The meeting will be held at _____(location)_____ and will begin at ____(time)____.

The purpose of this meeting is to discuss a potential rezoning of the property located at ____(site address)_____. This site is current zoned ____(zoning)_____ and is proposed to be rezoned to _____, (*Please provide any relevant details regarding the request*.)

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

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

Thank you

At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning & Development prior to the aforementioned 10 day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning & Development at time of application submittal.

SUBMITTED DATE: _____

SAMPLE

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:

SAMPLE

Attendance Roster:

Name	Address

SAMPLE

Z-22-13

DATE SUBMITTED May 14 2013

A SUMMARY OF ISSUES

A neighborhood meeting was held on May 13, 2013 at 7:00 pm to discuss a potential rezoning located at 611 Daniels St. Raleigh, NC, 27605. The neighborhood meeting was held at 611 Daniels St. There were approximately 6 neighbors in attendance.
The general issues discussed were:

To down zone 611 Daniels St from R-20 to R-6 so as to have the same zoning as all other single family homes in Cameron Village.

Mr. Farkas stated that down zoning should not be an issue since down zoning would help protect the neighborhoods from having businesses migrate into the neighborhoods all along Daniels St., Smedes Place and Sutton Dr.

Mr. Anthony objected to the proposed down zoning since 611 Daniels St would be R-6 and would be bounded by properties with higher zoning.

The point was brought up by Mr. Farkas that all single family homes that are zoned R-6 behind the apartments along Smallwood Dr. are all bounded by higher zoning.

Mr Wilson stated 611 Daniels St as being the home of the legendary NC State basketball coach Everett Case who was instrumental forming the Atlantic Coast Conference ACC, has local historic value and should be maintained.

Mr. Wilson, Mr & Mrs Farkas, Mr & Mrs Mettrey are in favor of down zoning 611 Daniels St. to R-6, Mr Anthony is opposed.

Attendance Roster:

Name	Address
Michael Methey	611 DANIELS ST RAL
Lisa Methey	" "
DANIEL FUFARKAS	612 DANIELS ST.
Ac Bridgetta Farkas	612 Daniels St.
Jim Cathey	202 OBERLIN RD, #400, RALEIGH, NC 27605
Barrett D Wilson	618 Daniels St