

**Submittal
Date**

8/14/2015

Request:

**0.69 acres from
CUD O&I-2
to R-4**

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11668

Case Information Z-33-15 3119 Hines Drive

<i>Location</i>	Hines Drive, northwest side, south of Wake Towne Dr. Address: 3119 Hines Drive PIN: 1715059271
<i>Request</i>	Rezone property from O&I-2 CUD to R-4
<i>Area of Request</i>	0.69 acres
<i>Property Owner</i>	Malcolm W. and Helen H. Green
<i>Applicant</i>	Helen Green
<i>Citizens Advisory Council (CAC)</i>	Midtown (Patrick Martin, Chair)
<i>PC Recommendation Deadline</i>	December 21, 2015

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Low Density Residential (LDR)
<i>URBAN FORM</i>	City Growth Center
<i>CONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy UD 5.4 – Neighborhood Character and Identity Policy LU 8.12 Infill Compatibility
<i>INCONSISTENT Policies</i>	None

Summary of Proposed Conditions

N/A

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
8/12/2015		9/22/2015	

☐ **Valid Statutory Protest Petition (Date Filed:)**

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	Approve City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	The following topics should be addressed: <ul style="list-style-type: none">• The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan.• The proposed rezoning provides for a higher and more efficient use of the site.• The proposal removes conditions that prohibit development on the site and brings the site back into productive use
<i>Motion and Vote</i>	Motion: Braun Second: Whitsett In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando and Whitsett

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.

_____	_____	_____	9/22/15
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: Charles Dillard: (919) 996-2651; charles.dillard@raleighnc.gov



Zoning Staff Report – Case

Conditional/General Use District

Case Summary

Overview

The subject site is composed of one 0.69 acre parcel, which is currently vacant and used as a side yard for the adjacent residential property, 3115 Hines Drive. Both 3115 and 3119 Hines Drive are owned by the applicant.

The subject property slopes down gently from Hines Drive to a depression in the center of the site, from which the topography rises to the back of the lot. The central depression gives birth to a drainage channel, which courses in a southwest direction to Big Branch, itself a tributary of Crabtree Creek. A steep embankment of roughly 10 feet lines the northeastern edge of the site, along its border with Wake Towne Drive. The site is heavily wooded, primarily with deciduous species.

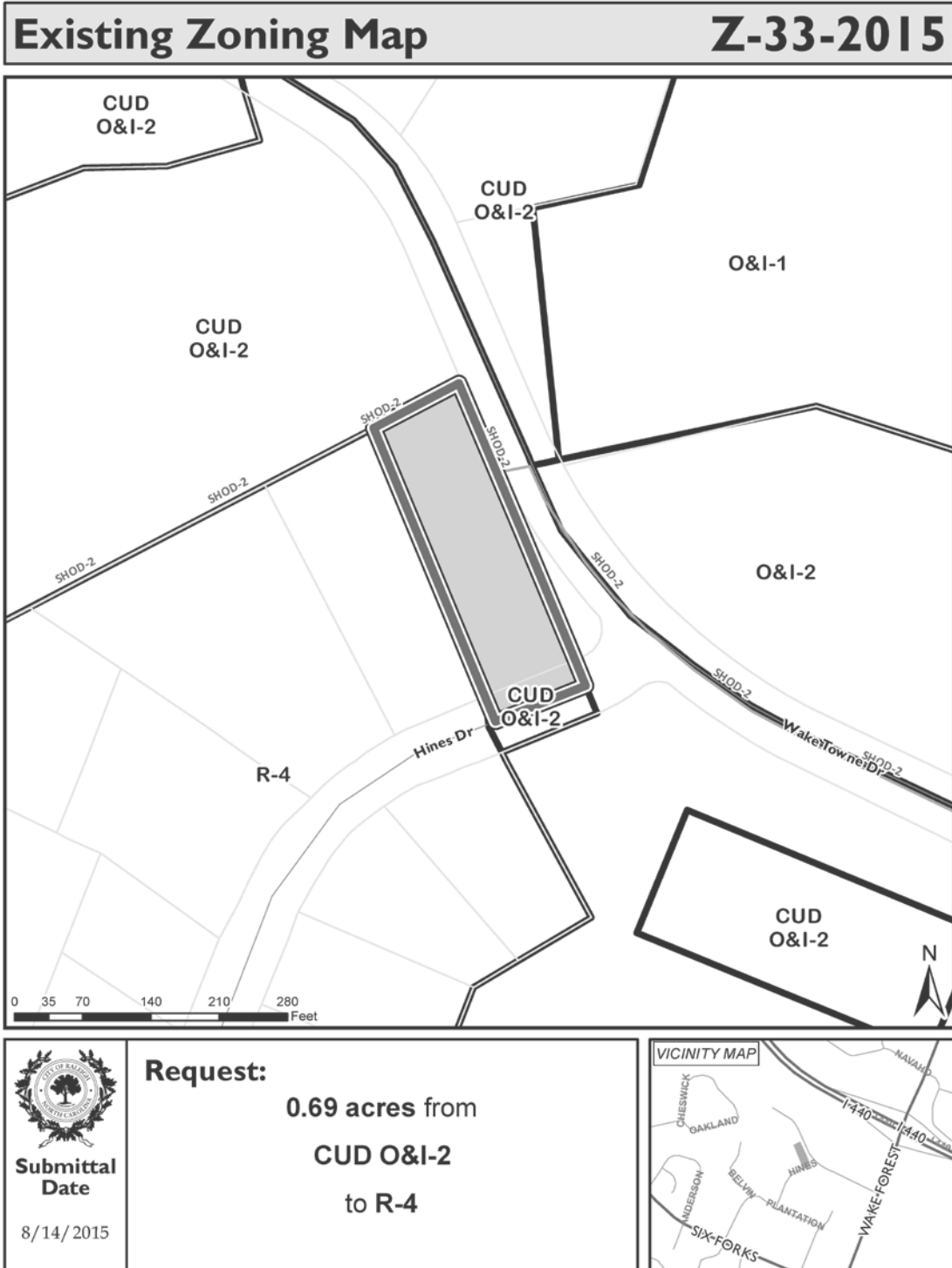
The site is located one-eighth of one mile from the recently relocated Crabtree Jones House, which itself was moved to make way for the Jones Grant Apartments, on Wake Forest Road and Wake Towne Drive. To the west of the site are additional multi-family residential sites, including the Townes at Cheswick. The site is 1.5 miles from North Hills and is under one mile from the Wake Forest Road-Six Forks Road intersection. Furthermore, the property is under one mile from a potential fixed-rail transit stop along the CSX corridor.

The site is zoned Conditional Use, Office and Industrial, two stories. Conditions on the site, placed in 1995 via Z-51-95, preclude development of any kind. The parcel is part of a large Office and Industrial zoning district that is proposed for rezoning to Residential Mixed Use, seven stories, under the Z-27-14 remapping. However, the site shares characteristics in common with the adjacent Hines Drive and surrounding parcels, which are zoned Residential-4 (R-4). Accordingly, the Future Land Use Map identifies the subject site as a Low Density Residential area. The site is part of a City Growth Center on the Urban Form Map.

Outstanding Issues

<i>Outstanding Issues</i>	None	<i>Suggested Mitigation</i>	N/A
---------------------------	------	-----------------------------	-----

ZONING REQUEST



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	CUD O&I-2	CUD O&I-2	CUD O&I-2	CUD O&I-2	R-4
<i>Additional Overlay</i>	n/a	SHOD-2	n/a	SHOD-2	n/a
<i>Future Land Use</i>	Low Density Residential	Office and Residential Mixed Use	Office and Residential Mixed Use	Office and Residential Mixed Use	Low Density Residential
<i>Current Land Use</i>	Vacant	Multi-Family Residential	Multi-Family Residential	Hotel	Low Density Residential
<i>Urban Form (if applicable)</i>	City Growth Center	City Growth Center	City Growth Center	City Growth Center	City Growth Center

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning*	Proposed Zoning
<i>Residential Density:</i>	N/A	2.89 units/acre (Max 2 Units)
<i>Setbacks:</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	N/A	20' 10' 30'
<i>Retail Intensity Permitted:</i>	N/A	N/A
<i>Office Intensity Permitted:</i>	N/A	N/A

*Existing zoning conditions prohibit development

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	0.69	0.69
<i>Zoning</i>	CUD O&I-2	R-4
<i>Max. Gross Building SF (if applicable)</i>	N/A	N/A
<i>Max. # of Residential Units</i>	N/A	2
<i>Max. Gross Office SF</i>	N/A	N/A
<i>Max. Gross Retail SF</i>	N/A	N/A
<i>Max. Gross Industrial SF</i>	N/A	N/A
<i>Potential F.A.R</i>	N/A	N/A

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

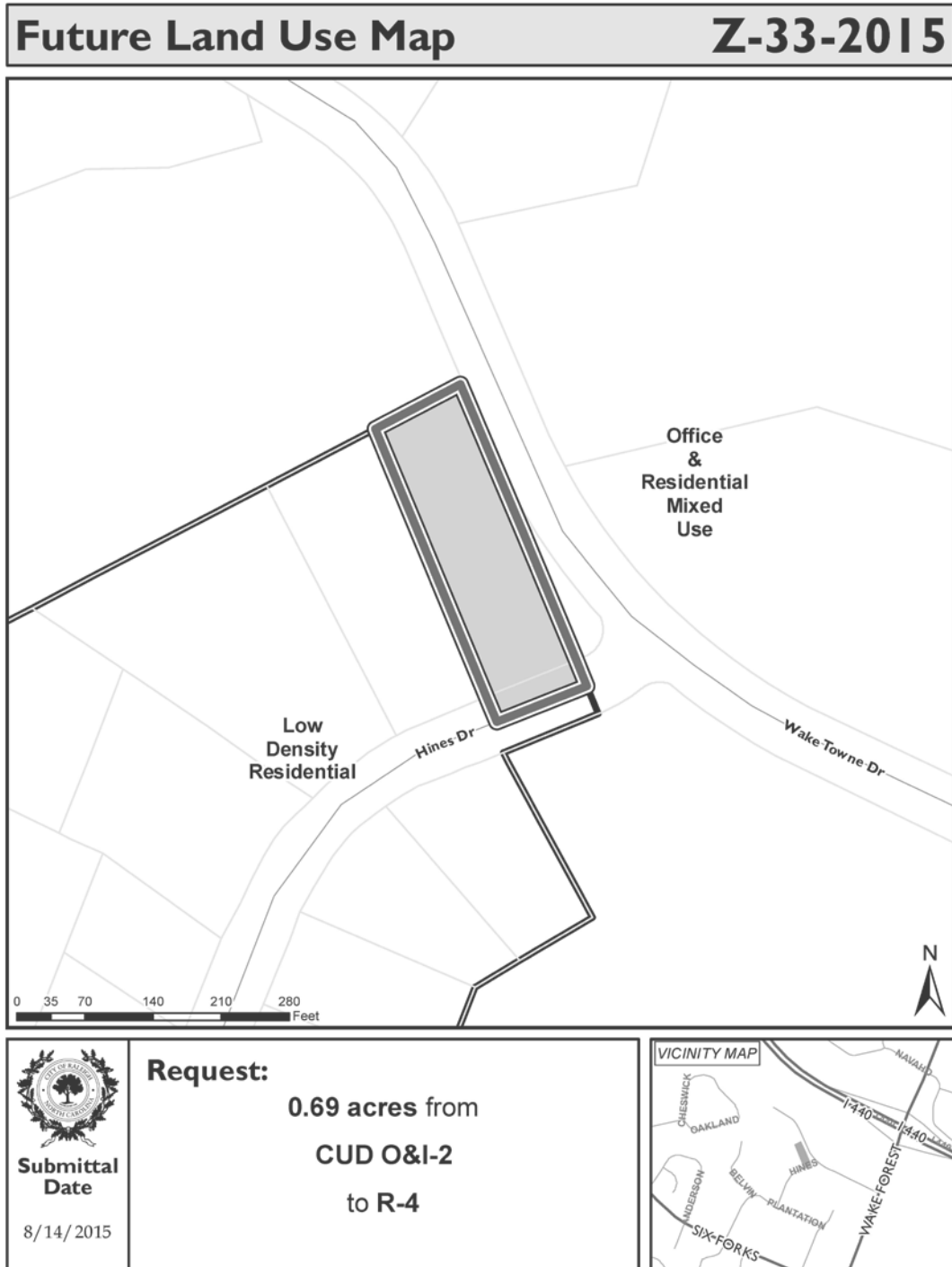
The proposed rezoning is:

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

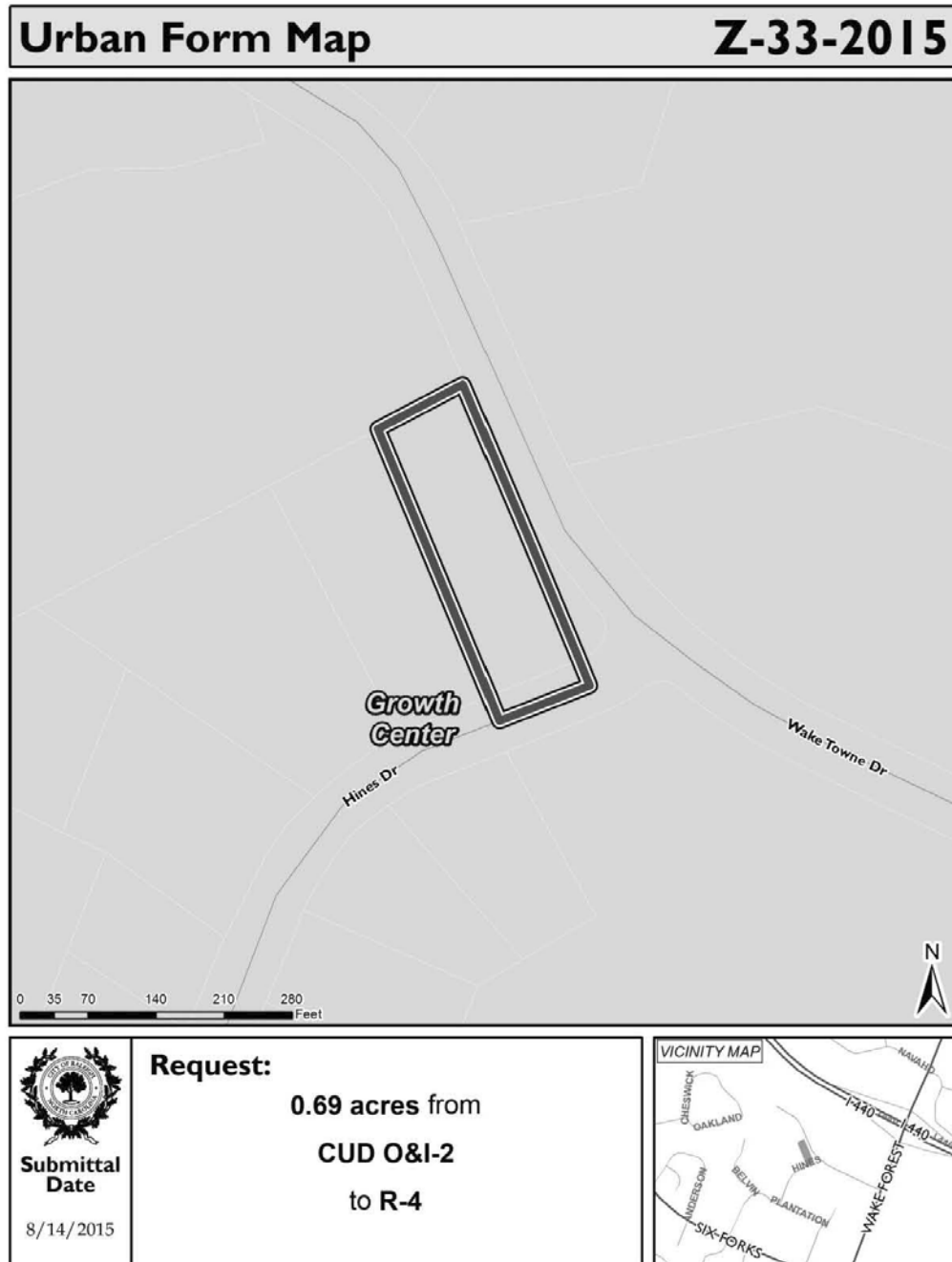
☐ **Incompatible.**

Analysis of Incompatibility:

FUTURE LAND USE MAP



URBAN FORM MAP



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

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

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

The proposal can be considered consistent with the vision, themes, and policies contained in the Comprehensive Plan and the Future Land Use Map designation for this property. The proposal to change the zoning from CUD O&I-2 to R-4 reflects the Future Land Use Map's designation of the property as part of a Low Density Residential Area.

City infrastructure and services appear sufficient to accommodate the redevelopment possible under the proposed rezoning.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

n/a

2.3 Urban Form

Urban Form designation:

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

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

While the Urban Form Map identifies the property as part of a City Growth Center, and thus subject to policies promoting significant infill development and urban or hybrid frontage, the Comprehensive Plan recognizes built environment conditions that require alternative approaches. The subject property is such an area that requires an alternative approach, due to its similarities to adjacent low density residential properties and grade changes that separate the property from more intense development along Wake Towne Drive.

2.4 Policy Guidance

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

None

[Staff response to policy guidance. Include any applicable policies, and discuss relevancy and consistency. NOTE: If Table UD-1 applies, include applicant responses as attachment; only provide summary of inconsistencies here.]

2.5 Area Plan Policy Guidance

The proposal is not within a portion of the City subject to an Area Plan.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Consistent with the Future Land Use Map designation
- Proposal allows for development that conforms to the existing neighborhood character and identity
- Proposal to rezone under Z-27-14 (UDO Remapping) would make the property's zoning inconsistent with Future Land Use Map. Proposal precludes inconsistencies in city policy.

3.2 Detriments of the Proposed Rezoning

- None

4. Impact Analysis

[Assess impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.]

4.1 Transportation

The site fronts upon the public right-of-way for Hines Drive but the pavement, curb and gutter terminate just before reaching the subject property. There is a narrow strip of adjacent parcel that separates the Z-33-2015 property from Wake Towne Drive.

There are no CIP projects planned for Hines Drive or Wake Towne Drive. This site does not lie within a 1/2 mile buffer for future fixed-guideway transit. Site access shall be in accordance with the Raleigh Street Design Manual section 6. A traffic impact analysis report is Not required for Z-33-2015.

Impact Identified: None

4.2 Transit

The site is approximately one-half mile from a bust stop at Six Forks Road and Selby Drive on the 24L Route.

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	No FEMA floodplain exists on this site.
<i>Drainage Basin</i>	Big Branch
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None.

Impact Identified: Neuse Riparian Buffers may be present on this site. Applicant to submit a stream determination from the State at time of development to identify buffer presence. An analysis of the existing drainage channel on the property may also be required at time of development.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	5,175 gpd	1,380 gpd
<i>Waste Water</i>	5,175 gpd	1,380 gpd

Impact Identified: The proposed rezoning would not impact the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the property.

The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

No existing or proposed greenway trail, connector or corridor is within the project site. The nearest greenway is the Crabtree Creek Trail (Middle Crabtree Creek Segment), 0.75 miles away. Recreation services are provided by Kiwanis Park, 1.3 miles away.

Impact Identified: None

4.6 Urban Forestry

Urban Forestry	Andy Gilliam, Conservation Forester
Contact	andy.gilliam@raleighnc.gov ; ph: 919-996-2477

1. The subject parcel is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation will therefore not be required when the parcel is submitted for development.
2. No tree conservation impacts with this case as submitted.

Impact Identified: None

4.7 Designated Historic Resources

This property is within 1000 feet of the relocated Raleigh Historic Landmark Crabtree Jones House.

Impact Identified: None.

4.8 Community Development

The site is not located within a designated Redevelopment Plan area.

Impact Identified: None

4.9 Impacts Summary

No impacts are identified at the moment. However, upon development of the site, sanitary sewer and fire flow analysis will be required. The site will also require hydrological analysis upon development to determine compliance with potential Neuse River Buffers and to ensure that future development does not negatively impact downstream neighbors.

4.10 Mitigation of Impacts

Impacts will need to be addressed at development site plan stage.

5. Conclusions

The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. While the proposed zoning designated for the site under Z-27-14 would allow uses more intensive in nature than those under this proposed rezoning, the applicant's proposal is in line with the City's stated vision for the site, as per the Future Land Use Map. A number of impacts will need to be addressed at the site plan phase, but do not present outstanding barriers to the appropriateness of this request.



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

AUG 14 2015 PM 3:44

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Classification: O&I-2 CUD Proposed Zoning Classification Base District: R-4 Height NA Frontage NA If the property has been previously rezoned, provide the rezoning case number. Z-51-1995 Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. Pre-Submittal # 439290	Transaction Number Z-33-15 439290

GENERAL INFORMATION		
Property Address: 3119 Hines Drive, Raleigh, NC 27609		Date: August 14, 2015
Property PIN: 1715059271	Deed Reference (Book/Page): 16080/1838	
Nearest Intersection: Hines Drive/Plantation Road		Property size (in acres) .69
Property Owner/Address: Malcolm W Green and Helen H Green 3115 Hines Drive Raleigh, NC 27609	Phone: 919-834-2482	Fax
	Email: twogreens@nc.rr.com	
Project Contact Person/Address: Helen Green 3115 Hines Drive Raleigh, NC 27609	Phone: 919-834-2482	Fax
	Email: twogreens@nc.rr.com	
Owner/Agent Signature <i>Helen H Green</i>	Email: twogreens@nc.rr.com	

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



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 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 439290 Zoning Case Number Z-33-15

STATEMENT OF CONSISTENCY

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

1.	The rezoning request is consistent with the Future Land Use map which shows this property as Low Density Residential.
2.	This property is part of an existing neighborhood where all other lots are zoned R-4 which the 2030 Comprehensive Plan indicates is the zoning for most of Raleigh's single family detached residential neighborhoods.
3.	This rezoning request is consistent with the following Comprehensive Plan Policies: LU 1.2 Future Land Use Maps and Zoning Consistency and LU 8.12 Infill Compatibility
4.	

PUBLIC BENEFITS

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

1.	This request will provide zoning consistency in the Crabtree Heights neighborhood allowing single family housing as opposed to the current zoning of office and industrial.
2.	This vacant lot can then be developed and landscaped to improve overall neighborhood value and appeal.
3.	
4.	

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. ****This request is not for a mixed use zoning district nor is it located along a main street or Transit Emphasis Corridor.**

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 can make a significant improvement.

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

Date: July 29, 2015

Re: 3119 Hines Drive, Raleigh, NC 27609

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on August 12, 2015. The meeting will be held at 3115 Hines Drive and will begin at 7:00 PM.

The purpose of this meeting is to discuss a potential rezoning of the property located at 3119 Hines Drive, Raleigh, NC 27609. This site is currently zoned CUD O&I-2 and is proposed to be rezoned to R-4. Rezoning will make this lot consistent with the neighborhood zoning and the 2030 Comprehensive Plan Land Use guidelines.

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 can be reached at: 919-637-8280.

Thank you,
Helen Green

SUBMITTED DATE: July 27, 2015

SUMMARY OF ISSUES

A neighborhood meeting was held on August 12, 2015 to discuss a potential rezoning located at 3119 Hines Drive, Raleigh, NC 27609. The neighborhood meeting was held at 3115 Hines Drive, Raleigh, NC 27609. There were 0 neighbors in attendance.

Summary of Issues:

No neighbors attended the rezoning meeting held on August 12, 2015.

