



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-5-09 Conditional Use; Forestville Road

General Location: Forestville Road, east side, north of its intersection with Old Watkins Road.

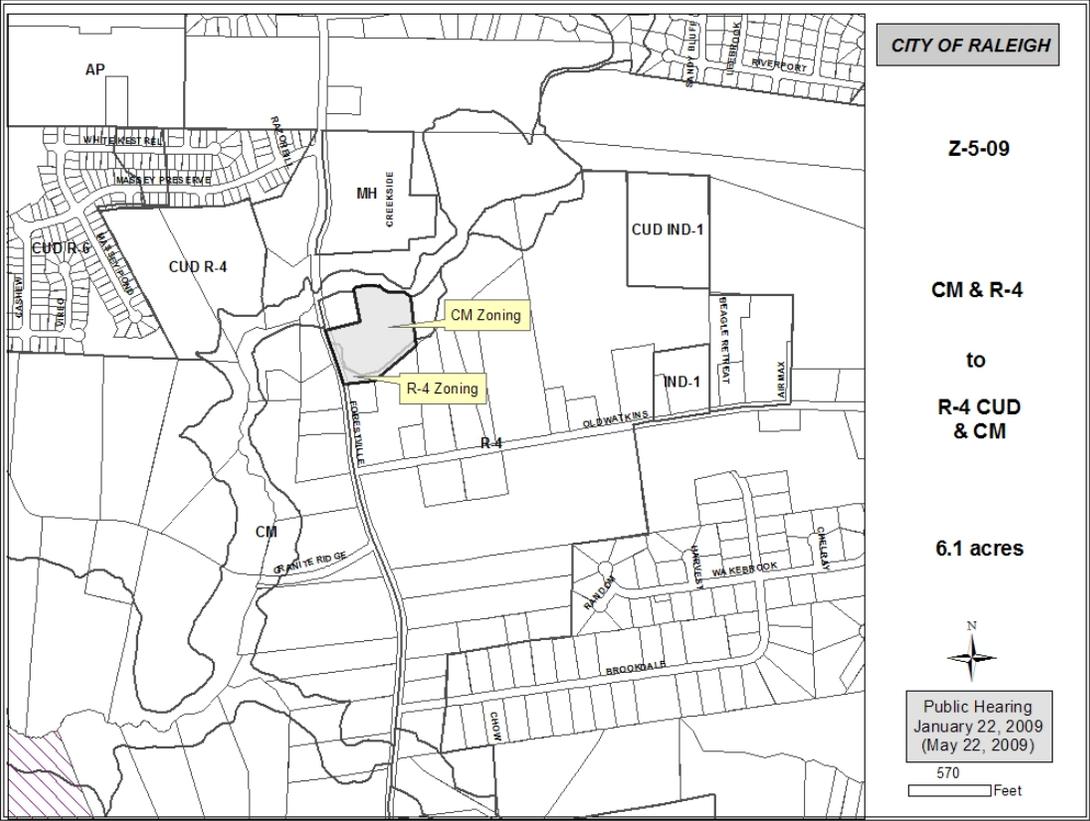
Planning District / CAC: Northeast / Northeast.

Request: Petition for Rezoning from Conservation Management and Residential-4 to Residential-4 Conditional Use District and Conservation Management.

Comprehensive Plan Consistency: This proposal is consistent with the Comprehensive Plan.

Valid Protest Petition (VSPP): None.

Recommendation: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated February 25, 2009.



CASE FILE: Z-5-09 Conditional Use

LOCATION: This site is located on the east side of Forestville Road, north of its intersection with Old Watkins Road.

REQUEST: This request is to rezone approximately 6.1 acres, currently zoned Conservation Management and Residential-4. The proposal is to rezone the property to Residential-4 Conditional Use District and Conservation Management.

COMPREHENSIVE PLAN CONSISTENCY: This proposal is consistent with the Comprehensive Plan.

RECOMMENDATION: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated February 25, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is designated for low-density residential uses. The adjacent section of Forestville Road is designated as a Primarily Residential Thoroughfare.
- (2) The request is compatible with existing land uses and development patterns in the adjacent area.
- (3) The applicant has provided zoning conditions which limit uses, prohibit subdivision, restrict future development, building height & materials, limit site access and parking location, and provide street protective yard plantings.
- (4) Being consistent and compatible, and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.

To PC: 2/24/09
Case History:

To CC: 3/3/09 **City Council Status:** _____

Staff Coordinator: Doug Hill

Motion: Gaylord
Second: Anderson
In Favor: Anderson, Bartholomew, Chambliss, Gaylord, Haq, Harris Edmisten, Mullins, Smith

Opposed:
Excused:

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 Staff Report attached.

Signatures: (Planning Dir.) _____ (PC Chair) _____

date: _____ date: 2/25/09



Zoning Staff Report: Z-5-09 Conditional Use

LOCATION: This site is located on the east side of Forestville Road, north of its intersection with Old Watkins Road.

AREA OF REQUEST: 6.1 acres

PROPERTY OWNER: North Carolina Buddhist Association

CONTACT PERSON: Du Dinh Le, (919) 426-4757

PLANNING COMMISSION RECOMMENDATION DEADLINE: May 22, 2009

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential-4, Conservation Management	Residential-4 CUD, Conservation Management
	<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
	n/a	n/a

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	34	34

ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	Not permitted

ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	Not permitted

ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Tract ID	Tract ID

ZONING HISTORY: This property has been R-4 and CM since annexation into the City of Raleigh ETJ (2001).

SURROUNDING ZONING:
 NORTH: Conservation Management
 SOUTH: Residential-4

EAST: Conservation Management and Residential-4
WEST: Residential-4

LAND USE: Residential institution (church)

**SURROUNDING
LAND USE:**

NORTH: Vacant (wetlands)
SOUTH: Single-family Residential
EAST: Vacant (wetlands), Single-family Residential
WEST: Single-family Residential

**DESIGNATED
HISTORIC
RESOURCES:**

None on property; none within 100 feet of property.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
PLAN SUMMARY**

TABLE:

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City’s adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	Northeast
Urban Form	Low density residential
Specific Area Plan	Neuse River East
Guidelines	n/a

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

The proposal is consistent with the Neuse River East Small Area Plan, which designates the subject site and surrounding area for low-density residential uses (six dwelling units or fewer per acre), noting that outside Focus Areas, “primarily low density residential uses are recommended.” The adjacent section of Forestville Road is designated as a Primarily Residential Thoroughfare.

2. Compatibility of the proposed rezoning with the property and surrounding area.

Existing adjacent development follows a pattern of low density residential uses, keeping with the area’s traditional rural character. The proposal would continue this pattern. The site is bordered on the north by Powell Creek, a tributary of Harris Creek. The Neuse River East Small Area Plan notes that “Buffers along Harris Creek and Tom’s Creek should include the 100-year flood plain. Development within this area is discouraged.” The crux of the rezoning is the definition of the line of floodplain demarcation. The present CM area encompasses the existing single-family residence and house of worship. Both structures are prohibited in CM zoning. The most recent FEMA and State mapping suggests the present Conservation Management zone boundaries on the site, drawn under earlier mapping, encompass land beyond the actual 100-year floodplain.

3. Public benefits of the proposed rezoning

The proposed rezoning will permit the existing residential structures to be brought into compliance with Code, and afford the property greater utility overall. The CM boundary can be corrected to more closely align with current FEMA mapping. The change will not fiscally impact the City.

4. Detriments of the proposed rezoning

None.

1. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Forestville Road is classified as a major thoroughfare (2007 ADT- 4,200 vpd) and is constructed as a 2-lane ribbon paved roadway within a 60-foot right-of-way. City standards call for Forestville Road to be constructed as a multi-lane facility with a 65-foot back-to-back curb and gutter section with sidewalks on both sides within 90 feet of right-of-way. Neither NCDOT nor the City have any projects currently scheduled in the vicinity of this case.

TRANSIT: This site is not within close proximity of current or future bus routes and/or a proposed regional rail transit station and, therefore does not provide a suitable/appropriate space for a bus stop. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: There is FEMA floodplain on the northern portion of this property.
DRAINAGE BASIN: Harris Creek
STORMWATER MANAGEMENT: This site is subject to Part 10, Chapter 9 (Stormwater Control and Watercourse Buffer Regulations) of the Raleigh City Code. There are Neuse River Buffers along the northern part of the property and also alluvial soils.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>5,325</u> gpd	Approx. <u>12,200</u> gpd
Waste Water	Approx. <u>5,325</u> gpd	Approx. <u>12,200</u> gpd

The proposed rezoning would add approximately 6,875 gpd to the City's wastewater collection or water distribution systems. There is an existing water main located in Forestville Road. A sanitary sewer main is located approximately thirty (30') feet to the north along Harris Creek. The petitioner would be required to obtain an easement to extend a sanitary sewer main from the proposed rezoning property to the existing sanitary sewer main. Additionally, the petitioner would be responsible for the internal sanitary sewer and water mains to serve the proposed rezoning property.

PARKS AND RECREATION:

This property is adjacent to Harris Creek a corridor of the Capital Area Greenway Master Plan. The minimum greenway width of this corridor is 75' measured from the top of bank of the stream. The developer will be required to dedicate at least the minimum greenway at the time of subdivision or site plan approval, if the dedication is not included as a condition of approval of this case. Park needs are planned to be met by a community park site located on Watkins Road and a future neighborhood park located at the intersection of Forestville Road and Oak Hill Road.

WAKE COUNTY

PUBLIC SCHOOLS: The maximum number of dwelling units permitted by right under the current zoning is 34 (including CM density transfer); the proposed rezoning would not change that figure, thus school impacts would not change. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current capacity	Future enrollment	Future capacity
Forestville Road	682	112.9%	682	112.9%
Wendell (6-7 grades)	224	43.1%	224	43.1%
W.F.-Rolesville (8)	1,145	100.7%	1,145	100.7%
Knightdale	1,800	90.9%	1,800	90.9%

IMPACTS SUMMARY: The proposed rezoning would add approximately 6,875 gpd to the City's wastewater collection or water distribution systems. A greenway dedication will be required at the time of future site plan approval.

OPTIONAL ITEMS OF DISCUSSION

1. An error by the City Council in establishing the current zoning classification of the property.

The applicant notes that the "current CM zoning includes existing residential structures." Staff concurs. The 100-year floodplain boundary, the basis for the present CM boundary, has been amended by subsequent floodplain mapping. Bringing the line closer to the updated boundary would place the structures outside the CM zoning district.

2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be property applied to it now were it being zoned for the first time.

N/A

APPEARANCE COMMISSION:

This request is not subject to Appearance Commission review.

CITIZENS' ADVISORY COUNCIL:

DISTRICT: Northeast
CAC CONTACT PERSON: Paul Brant, 875-1114

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

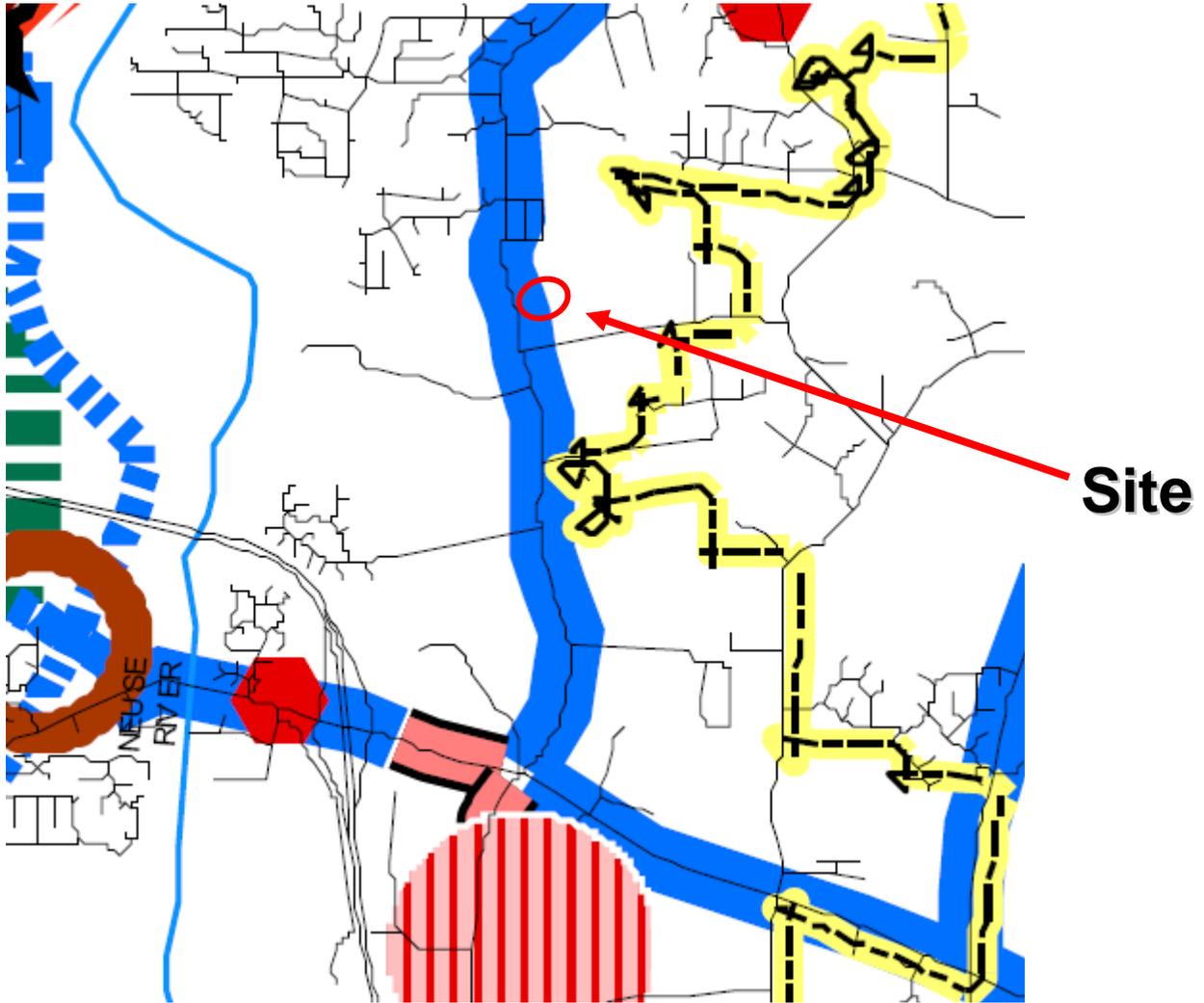
1. Outstanding issues

1. Removal of prohibition on subdivision, as per amendment of Condition 1. (As this amendment may be less stringent than the originally-proposed prohibition, the prohibition on subdivision should be reinstated.)
2. Other clarifications/ amendments suggested by staff.

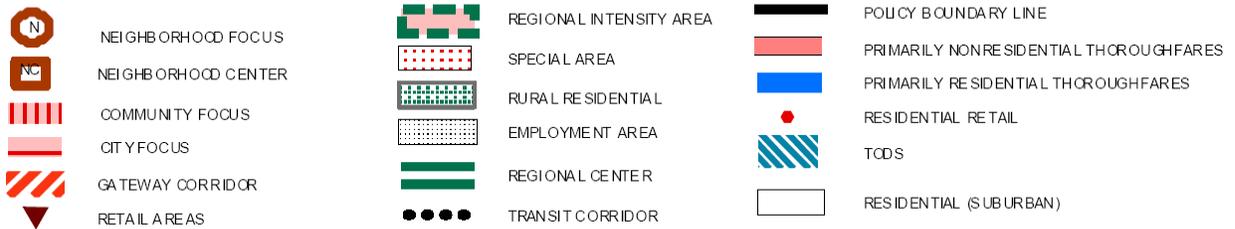
2. Suggested conditions

- Condition 1** Reinststate the originally-proposed sentence “The subject property shall not be subdivided.”
- Condition 4** Amend the condition to add the phrase “of all elevations” between “(>70%)” and “of the new buildings.”
- Condition 6** Amend the condition to change “landscape buffer” to “street protective yard.”

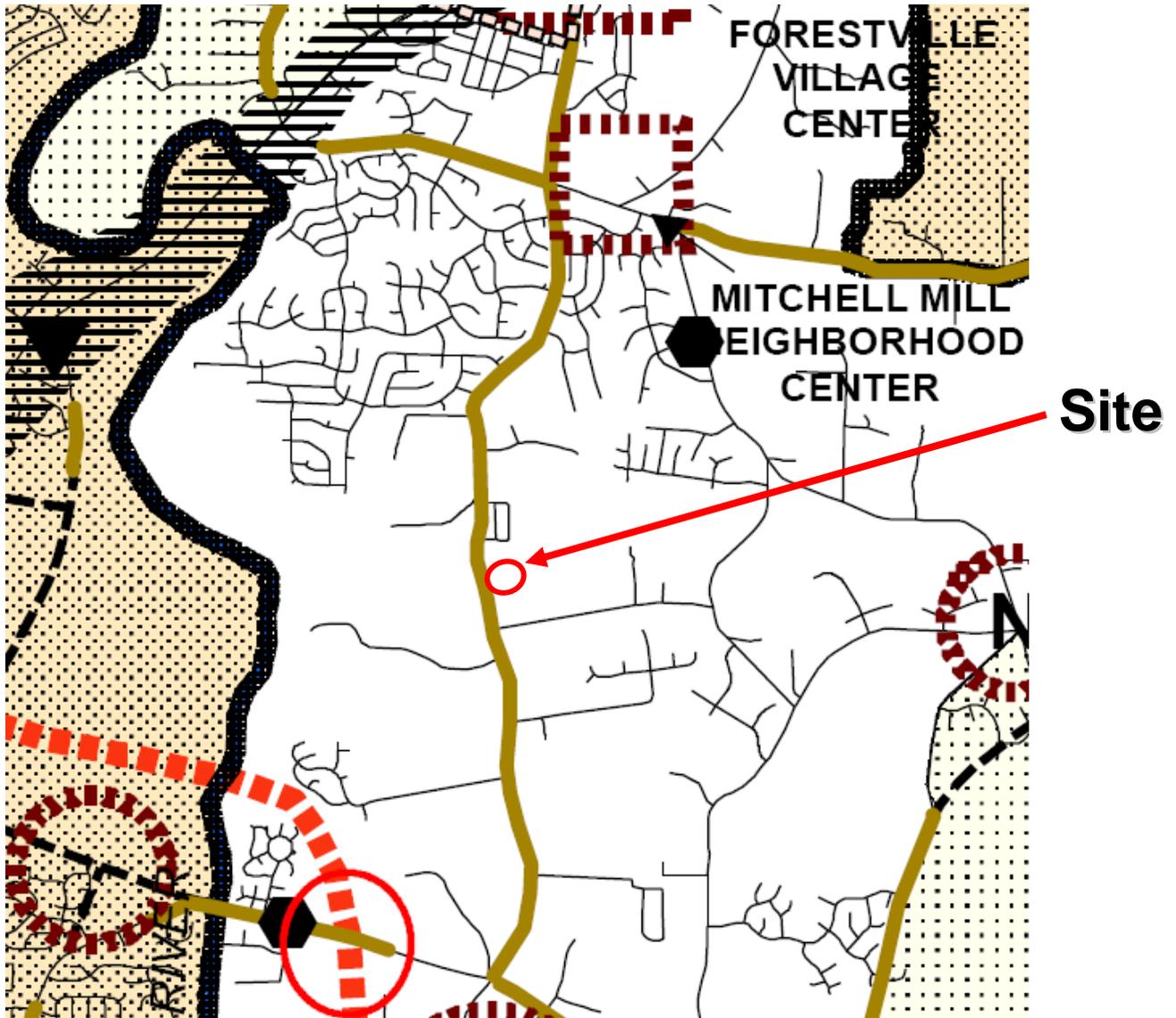
Urban Form— Northeast District Plan



Recommended Urban Form - Northeast District



Urban Form— Neuse River East Small Area Plan



Neuse River East Small Area Plan Urban Form

