



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-8-09 Conditional Use; Blue Ridge Road

General Location: Blue Ridge Road, south side, opposite its intersection with Homewood Banks Drive

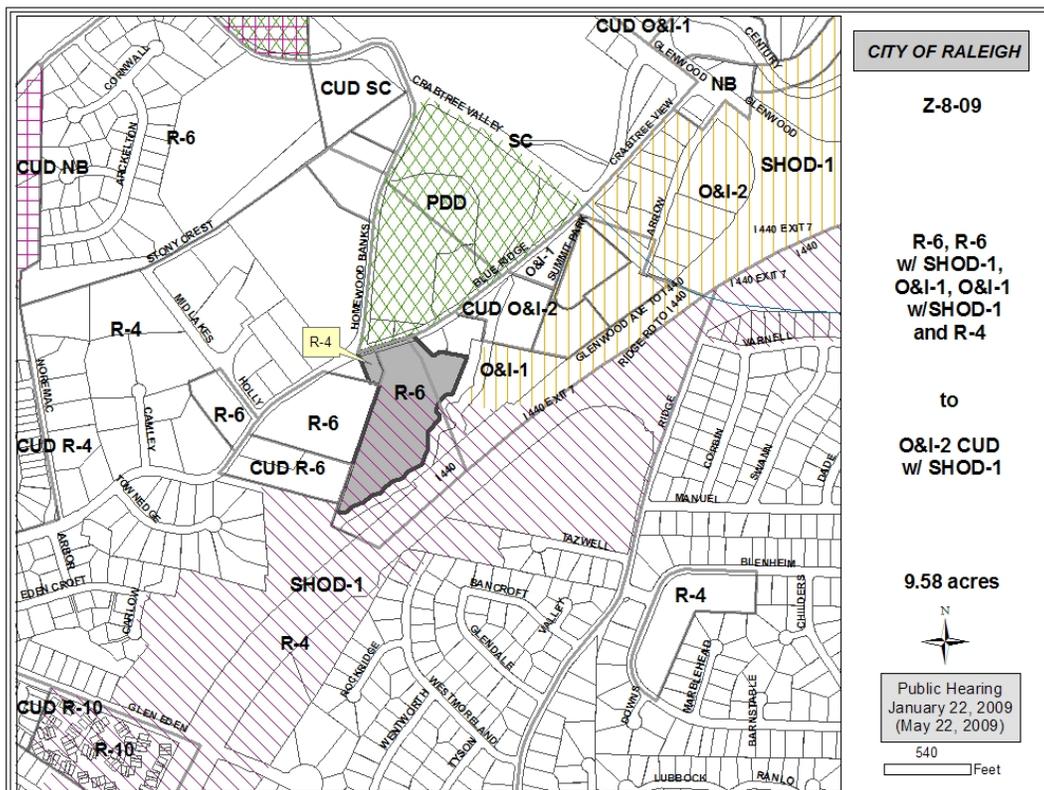
Planning District / CAC: Northwest / Northwest

Request: Petition for Rezoning from Residential-6, Residential-6 with Special Highway Overlay District-1, Office & Institution-1, Office & Institution-1 with Special Highway Overlay District-1, and Residential-4, to Office & Institution-2 with Special Highway Overlay District-1.

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 recommends that this request be approved in accordance with zoning conditions dated March 24, 2009.



CASE FILE: Z-8-09 Conditional Use

LOCATION: This site is located on the south side of Blue Ridge Road, opposite its intersection with Homewood Banks Drive.

REQUEST: This request is to rezone approximately 9.58 acres, currently zoned Residential-6, Residential-6 with Special Highway Overlay District-1, Office & Institution-1, Office & Institution-1 with Special Highway Overlay District-1, and Residential-4. The proposal is to rezone the property to Office & Institution-2 with Special Highway Overlay District-1.

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 recommends that this request be approved in accordance with zoning conditions dated March 24, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is designated for "high intensity use," including hotels, offices, or medium- to high-density residential.
- (2) The request is compatible with existing and pending land uses and development patterns in the adjacent area.
- (3) The applicant has provided zoning conditions which limit uses, prohibit certain uses, limit vehicular ingress/egress, offer cross-access, provide greenway access and a transit easement & shelter, require structured parking at set density/ intensity thresholds, limit building height, provide a transitional protective yard and minimum setbacks to the west, restrict development south of the sewer easement, and limit office square footage and number of hotel rooms and provide for covenants establishing both such limitations.
- (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 (deferred); 3/10/09 (deferred)

Case History: 4/14/09 (recommended approval)

To CC: 4/21/09 **City Council Status:** _____

Staff Coordinator: Doug Hill

Motion: Smith

Second: Fleming

In Favor: Bartholomew, Butler, Fleming, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith, Vance

Opposed:

Excused: Chambliss

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: 4/15/09



Zoning Staff Report: Z-8-09 Conditional Use

LOCATION: This site is located on the south side of Blue Ridge Road, opposite its intersection with Homewood Banks Drive.

AREA OF REQUEST: 9.58 acres

PROPERTY OWNER: GFM II LLC, Englert LLC, Frederick Investment Corp; Edwin G. Brandle

CONTACT PERSON: Ken Thompson, 835-1125

PLANNING COMMISSION RECOMMENDATION DEADLINE: May 22, 2009

ZONING:	<u>Current Zoning</u> Residential-4, Residential-6, Office & Institution-1	<u>Proposed Zoning</u> Office & Institution-2 Conditional Use District
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<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
Special Highway Overlay District-1	Special Highway Overlay District-1 (remaining as is)

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u> w / Staff approval: 66 units w / PC approval: 79	<u>Proposed Zoning</u> w / Staff approval: 143 units w / PC approval: 383
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ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u> R-4 & R-6: not permitted O&I-1: 43,092 square feet (0.75 FAR)	<u>Proposed Zoning</u> 225,000 square feet (as per Conditions)
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ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u> R-4 & R-6: not permitted O&I-1: Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.	<u>Proposed Zoning</u> Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.
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ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u> R-4 and R-6: Tract ID O&I-1: Low Profile (Area = 70 sq. ft., Height = 3.5 feet)	<u>Proposed Zoning</u> Low Profile (Area = 70 sq. ft., Height = 3.5 feet)
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ZONING HISTORY: The R-4 portion of this property was zoned in 1967 (Z-5-67). The R-6 portion was zoned in 1979 (Z-14-79), and the O&I-1 portion in 1982 (Z-70-82). The SHOD-1 portion was zoned in 1987 (Z-86-87).

**SURROUNDING
ZONING:**

NORTH: Office & Institution-2 w/ PDD
SOUTH: Residential-6
EAST: Office & Institution-1
WEST: Residential-4, Residential-6, and Residential-6 CUD, rezoned as Z-90-00, under the following conditions (dated 1/16/01):

1. Maximum building height of any structures to be limited to 35 feet as measured from the right of way elevation of Blue Ridge Road.
2. Upon development, the developer will comply with C.R. 7107 regarding stormwater run-off controls.
3. Any and all lighting will be cut-off type fixtures that are designed and located in such a way that the light source will not be visible from neighboring properties.
4. The landscaping of the Blue Ridge Road street yard shall be a 25' wide street protective yard installed to the landscape standards of the SHOD II requirements and shall be measured from the future right-of-way of Blue Ridge Road.
5. All trees over 8" caliper within 25' of any future right-of-way of Blue Ridge Road shall be preserved.
6. Reimbursement for future right-of-way dedication on Blue Ridge Road shall be at R-4 values.
7. If redevelopment occurs inclusive of both lots, then a cross-access shall be required at time of redevelopment. If the lots are redeveloped separately, then an offer of cross-access shall be provided at time of redevelopment. Cross-access shall be defined as construction of a driveway to the property line.
8. An average natural protective yard of 120 feet shall be provided along the common property line of the lot to the east with PIN number 0795.07-57-1949. The minimum distance of this natural protective yard shall be 75 feet.

LAND USE: Single family residence (west parcel), vacant (east portion; former house site)

**SURROUNDING
LAND USE:**

NORTH: Vacant (with former house/ restaurant site; Crabtree Village PDD development pending)
SOUTH: Future City greenway; I-440 Beltline
EAST: Future City greenway; low density residential
WEST: Glen Eden Pilot Park, low-density residential, Glenwood Hills Nursing Home

**DESIGNATED
HISTORIC
RESOURCES:**

None on site; none within 100 feet of site.

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	Northwest
Urban Form	High Intensity Use Area: Hotels, office, medium/ high density residential
Specific Area Plan	Crabtree Small Area Plan
Guidelines	Office Use Floor Area Ratio and Building Lot Coverage Guidelines

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

The proposal is consistent with the Comprehensive Plan. The Crabtree Small Area Plan locates the site within Area 6, as a portion of the wider area specifically designated for “high intensity use,” and lists hotels, offices, or medium- to high-density residential as appropriate site uses. Within the Area, the majority of the properties to the north are already zoned O&I-2.

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

This section of Blue Ridge Road is an area in transition. It is lined mostly by large, deep lots, historically residential in use, mostly with dense woods bordering the road. Non-residential uses increase with proximity to Crabtree Creek, culminating at Crabtree Valley Mall. Across Blue Ridge Road from the subject properties is the site of Crabtree Village, a proposed high-density/ intensity planned development. On the east side of the road, topography drops off rapidly; consequently, most existing buildings are situated relatively close to the street. The subject site is characterized by thick woods and steep slopes. Its eastern edge follows a City greenway corridor bordering House Creek, which runs from neighboring Glen Eden Park at the site’s southernmost point. At the site’s western edge is a continuing care facility, terraced into the hillside. Buildings in the site’s immediate vicinity are one or two stories in height. The closest existing buildings of taller scale are hotels, located immediately east of Crabtree Valley Mall. In the proposal, building height is conditioned to a maximum of 75 feet. As a transition to the properties to the west, a minimum setback of 40 feet is conditioned along the western boundary, 20 feet of which is conditioned to be a Type C transitional protective yard.

3. Public benefits of the proposed rezoning

Rezoning would permit redevelopment of the site consistent with the Comprehensive Plan.

4. Detriments of the proposed rezoning

The intensity of development possible under the proposed zoning could lead to increased traffic congestion, particularly at Blue Ridge Road/ Glenwood Avenue intersection. The amount of impervious surfaces could markedly increase; however, the conditioned structured parking could provide some mitigation.

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

TRANSPORTATION: Blue Ridge Road is classified as a minor thoroughfare (2007 ADT 7,900 vpd) and is constructed as a two-lane roadway with a soft shoulder cross-section within a 70-foot right-of-way. City standards call for Blue Ridge Road to be constructed as multi-lane facility with a 53-foot back-to-back curb and gutter section with sidewalks on both sides within an 80-foot right-of-way. Homewood Banks Drive is classified as a commercial street and exists as two-lane ribbon paved road within a 60-foot right-of-way. City standards call for Homewood Banks Drive to be constructed with a 41-foot back to back curb and gutter section with sidewalks on a minimum of one side within the existing right-of-way.

TRANSIT: Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

HYDROLOGY: FLOODPLAIN: Yes
 DRAINAGE BASIN: Crabtree
 STORMWATER MANAGEMENT: Pt. 10 Ch. 9 compliance, Neuse Buffer

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>32,010</u> gpd	Approx. <u>71,850</u> gpd
Waste Water	Approx. <u>32,010</u> gpd	Approx. <u>71,850</u> gpd

The proposed rezoning would add approximately 39,840 gpd to the City's wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case's boundary.

PARKS AND RECREATION:

This property is adjacent to House Creek Greenway which has previously been donated to the city. Park services are met by Glen Eden Pilot Park.

WAKE COUNTY PUBLIC SCHOOLS:

The maximum number of dwelling units permitted under the current zoning (with Planning Commission approval) is 79; the proposed rezoning could permit up to 383. This would result in an estimated net increase in school enrollment of 42. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current capacity	Future enrollment	Future capacity
Stough	565	91.0%	607	97.7%
Daniels	1,162	101.5%	1,187	103.7%
Broughton	2,174	106.3%	2,192	107.2%

IMPACTS SUMMARY:

The proposed zoning could bring an additional 42 students into the school system; the base middle school and high school are currently operating past capacity. Demand on water and wastewater infrastructure could more than double (i.e., increase by 39,840 gpd).

OPTIONAL ITEMS OF DISCUSSION

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

The applicant has noted the land use intensity designated under the Crabtree Small Area Plan cannot be “reasonably achieved with the underlying zoning.” Staff concurs. Current zoning would only permit low-density residential uses across most the site; the current O&I-1 portion would permit office uses but not hotels.

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.

The applicant has noted the adoption of the Crabtree Small Area Plan as a “significant factor behind the rezoning request.” Staff concurs, noting that prior to the Small Area Plan’s approval, the Northwest District Plan designated the site for residential development.

APPEARANCE

COMMISSION: This request is not subject to Appearance Commission review.

CITIZENS’

ADVISORY COUNCIL:

DISTRICT: Northwest

CAC CONTACT PERSON: Jay M. Gudeman, 789-9884

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

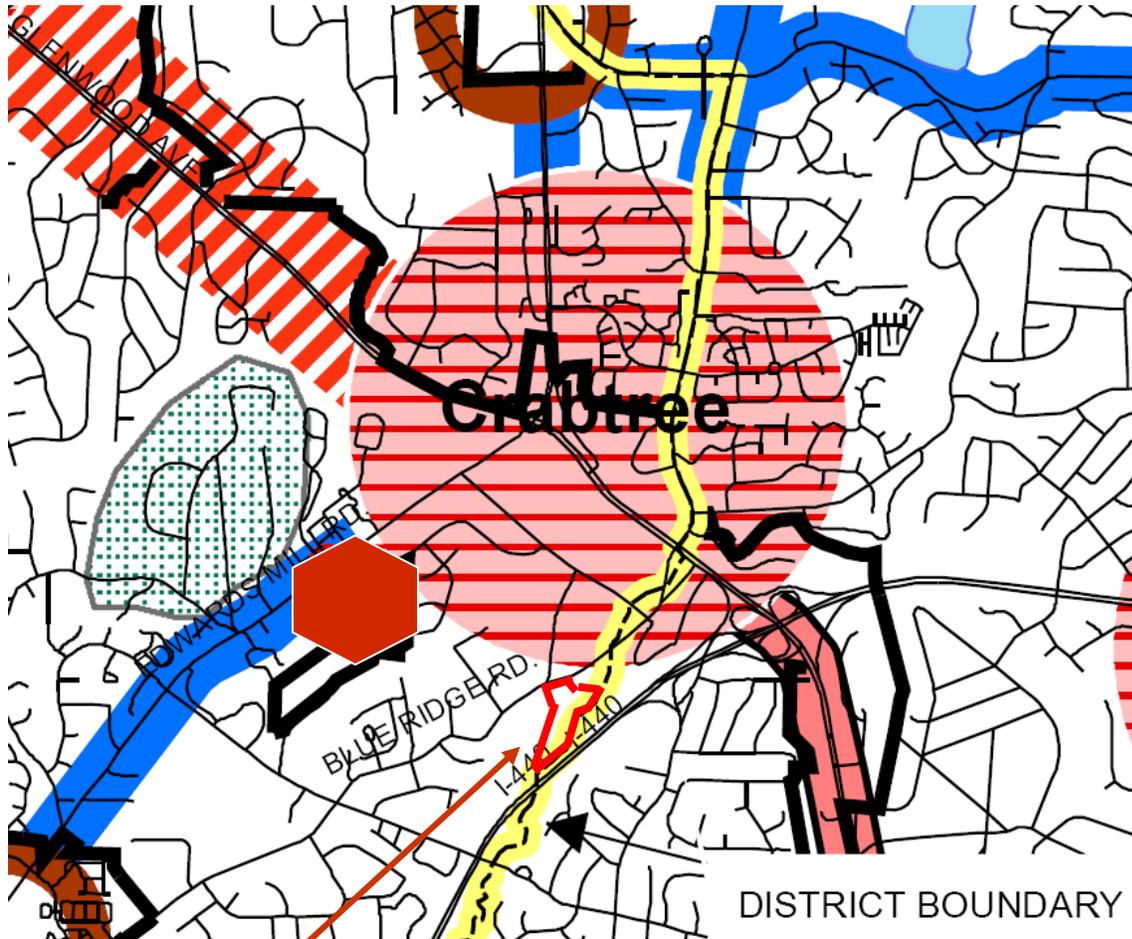
1. Outstanding issues

None.

2. Suggested conditions

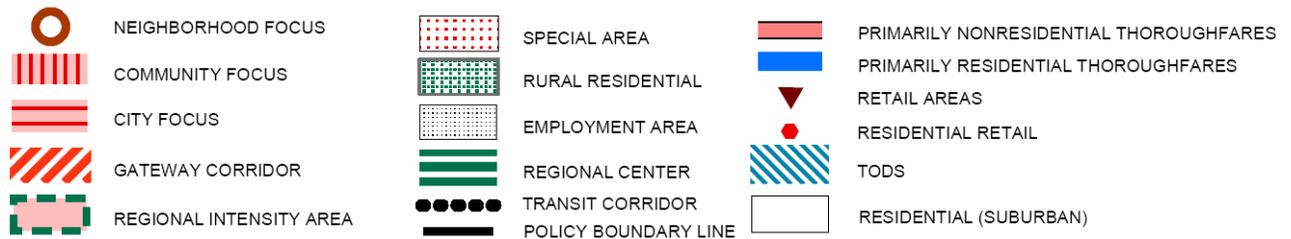
None.

Urban Form— Northwest District Plan



Site

Recommended Urban Form - Northwest District



Land Use— Crabtree Small Area Plan

