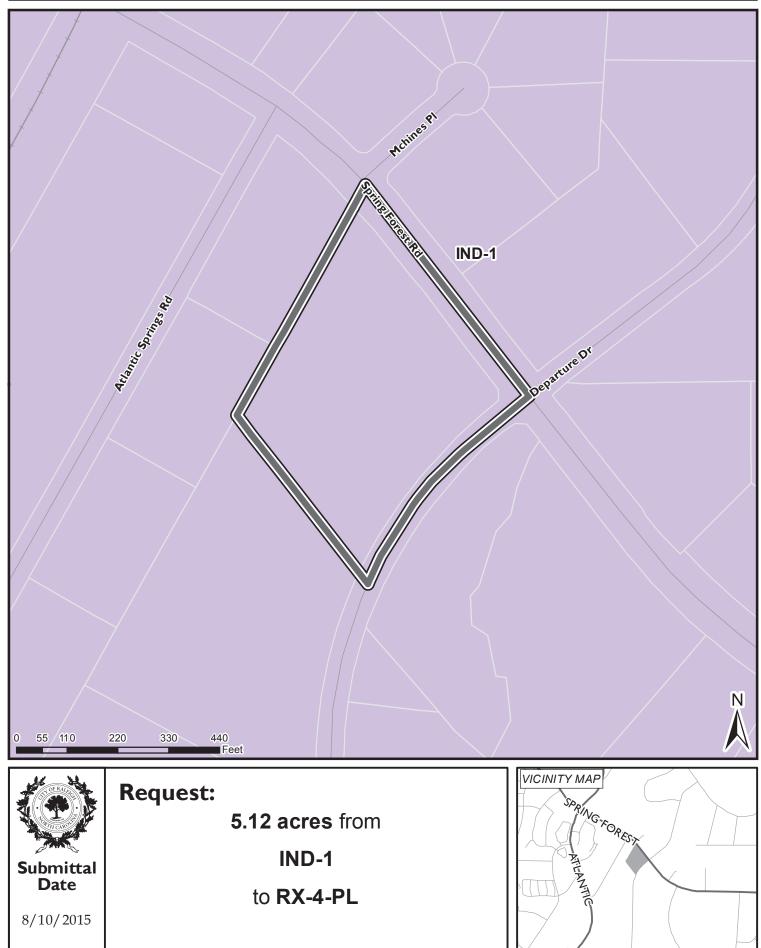
Existing Zoning Map

Z-30-2015





Raleigh Planning Commission

Case Information Z-30-15 5501 Departure Drive

Location	Southwest corner of Departure Drive/Spring Forest Rd. Approx. 1/3 mile east of Atlantic Avenue Address: 5501 Departure Drive PIN: 1716966976
Request	Rezone property from Industrial-1 (IND-1) to Residential Mixed Use with Parking Limited frontage (RX-4-PL)
Area of Request	5.124 acres
Property Owner	Vic Bell
	Bell Investments Limited PTNR
	PO Box 17274
	Raleigh, NC 27619-7274
Applicant	Vic Bell
	Bell Investments Limited PTNR
	PO Box 17274
	Raleigh, NC 27619-7274
Citizens Advisory	North
Council (CAC)	David Cox
	919-817-7736; <u>dcox1776@gmail.com</u>
PC	
Recommendation	December 7, 2015
Deadline	

Comprehensive Plan Consistency

The rezoning case is \boxtimes **Consistent** \square **Inconsistent** with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is \square **Consistent** \square **Inconsistent** with the Future Land Use Map.

Comprehensive Plan Guidance

FUTURE LAND USE	Community Mixed Use	
URBAN FORM	Transit Oriented District, Urban Thoroughfare (Spring Forest	
	Rd. and Departure Dr.)	
CONSISTENT Policies	Policy LU 1.2 – Future Land Use Map and Zoning Consistency	
	Policy LU 4 - Capitalizing on Transit Access	
	Policy LU 11.4 – Rezoning/Development of Industrial Areas	
	Policy CS 1.8 – Community Facilities as Centers	
	Policy UD 1.10 – Frontage	
	Policy UD 7.3 – Design Guidelines	
INCONSISTENT Policies	None	

Summary of Proposed Conditions

N/A

Public Meetings

Neighborhood Meeting	CAC	Planning Commission	City Council	Public Hearing
6/29/2015	9/3/2015	9/8/2015	9/15/2015	

□ Valid Statutory Protest Petition (Date Filed :)

Attachments

1. Staff report

Planning Commission Recommendation

Recommendation	Approve City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.		
Findings & Reasons	 The following topics should be addressed: The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan The proposed rezoning is reasonable and in the public interest and provides for a higher and more efficient use. Provides for sidewalks along Departure Drive and Spring Forest Road. The proposal provides for the redevelopment of a formerly industrial property that is no longer suitable for industrial use. Provides a user group base for the Ann Gordon Center. For Active Adults. 		
Motion and Vote	Motion: Fluhrer Second: Buxton In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster, Swink and Terando Opposed:		

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.

Planning Director

Date

9/8/15 Planning Commission Chairperson Date

Staff Coordinator:

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



Zoning Staff Report – Z-30-15

Conditional/General Use District

Case Summary

Overview

The subject property, consisting of 5.1 acres, is part of a larger property of 11.2 acres. The entire 11.2 acre property is currently vacant and is heavily wooded. The rezoning is proposed for the northern portion of the larger property

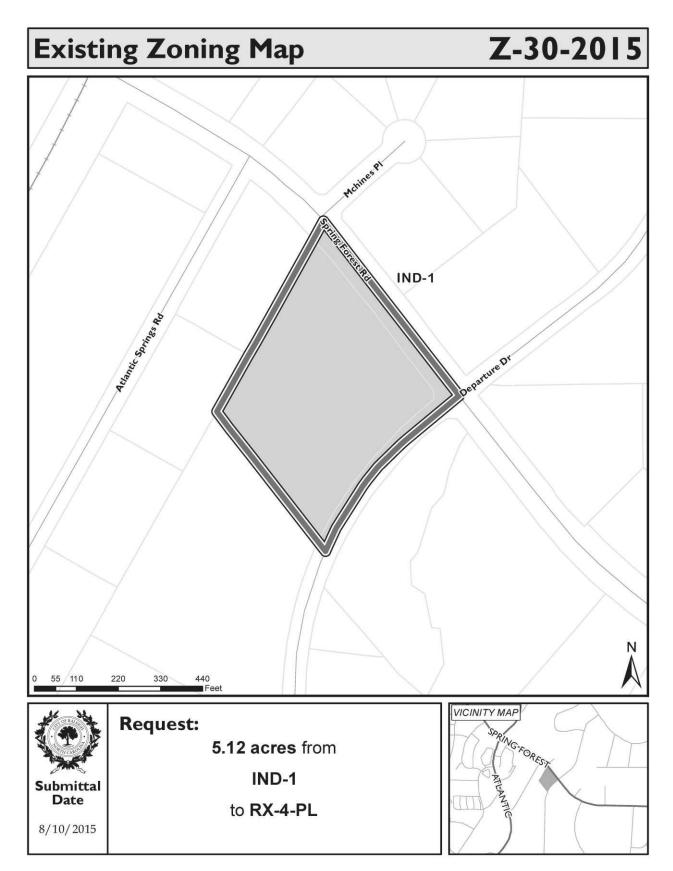
The subject property is located at the intersection of Departure Drive and Spring Forest Rd., both of which are designated Urban Thoroughfares in the city's Street Plan. Located approximately one-tenth of a mile from a proposed fixed-rail transit station, the site is part of a Transit Oriented District and is directly south of a City Growth Center that extends northward from Spring Forest Rd.

The site is currently heavily wooded and is generally flat, with a gentle slope running downward from the western edge of the site to Departure Drive.

The site and each of its adjacent parcels are zoned Industrial-1 (IND-1). However, the Future Land Use Map of the Comprehensive Plan identifies the site and adjacent parcels to the west and south as Community Mixed Use. As such, those parcels to the west are proposed to change to Community Mixed Use - 3 stories under Z-27-14. Adjacent parcels to the south, east and north are proposed to change to Industrial Mixed Use – 3 stories – Parking Limited Frontage (IX-3-PL).

Outstanding Issues

Outstanding Issues	 Offers of cross access to adjacent parcels, in accordance with UDC section 8.3.5.D. Block perimeter in excess of 9,000 feet 	Suggested Mitigation	 To be addressed at Site Plan phase To be addressed at Site Plan phase
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Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
Existing Zoning	IND-1	IND-1	IND-1	IND-1	IND-1
Additional Overlay	n/a	n/a	n/a	n/a	n/a
Future Land Use	Community Mixed Use	Office/Research & Development	Community Mixed Use	Business & Commercial Services	Community Mixed Use
Current Land Use	Vacant	Industrial (Warehouse)	Industrial (Light Mfg.)	Industrial (Prefab)	Commercial
Urban Form (if applicable)	Transit Oriented District	City Growth Center	Transit Oriented District	Transit Oriented District	Transit Oriented District

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Residential Density:	N/A	36.1 DU/acre (185 total units)
Setbacks:		
Front:		10'
Side:		10'
Rear:		20'
Retail Intensity Permitted:	67,000 sf	4,000 sf
Office Intensity Permitted:	123,000 sf	4,000 sf

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
Total Acreage	5.12	5.12
Zoning	IND-1	RX-4-PL
Max. Gross Building SF (if applicable)	135,000	239,000
Max. # of Residential Units	N/A	185
Max. Gross Office SF	135,000	4,000
Max. Gross Retail SF	67,000	4,000
Max. Gross Industrial SF	123,000	N/A
Potential F.A.R	0.6	1.07

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

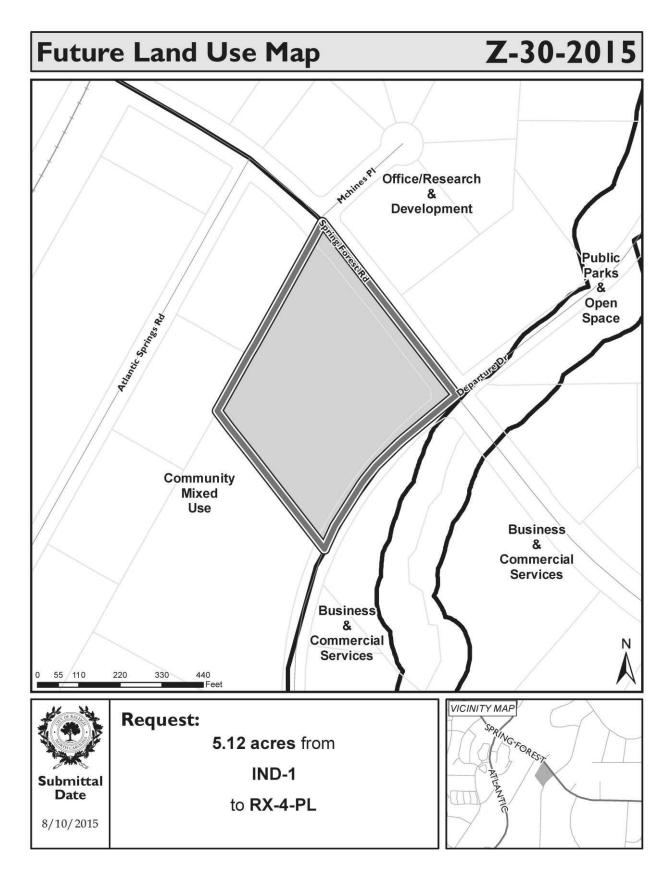
The proposed rezoning is:

Compatible with the property and surrounding area.

Incompatible

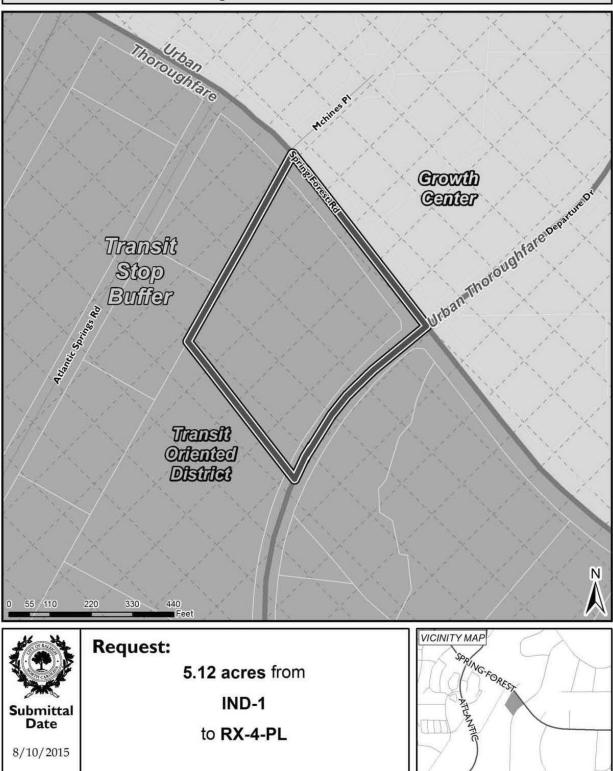
Analysis of Incompatibility:

[Provide analysis here.]



Urban Form Map

Z-30-2015



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's offer of Parking Limited frontage is consistent with the proposed frontage for the site under Z-27-14. The proposal can also be considered consistent with the Urban Form Map.

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

2.2 Future Land Use

Future Land Use designation: Community Mixed Use

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

Analysis of Inconsistency:

n/a

<u>2.3 Urban Form</u>

Urban Form designation: Transit Oriented District

Not applicable (no Urban Form designation)

The rezoning request is:

Consistent with the Urban Form Map.

Inconsistent

Analysis of Inconsistency:

n/a

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
- The proposal for residential mixed use is consistent with the site's inclusion within a Transit Orient District
- The proposed Congregate Care use provides potential user groups for the Ann Gordon Center for Active Adults, located in the vicinity of the site
- Provides for redevelopment of properties formerly zoned for industrial where industrial use is no longer appropriate.
- Proposal will provide new public sidewalks along Departure Dr. and Spring Forest Rd.

3.2 Detriments of the Proposed Rezoning

• Proposal affects wooded property greater than 2 acres in size

4. Impact Analysis

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

4.1 Transportation

The site is bounded by Departure Dr on the west and Spring Forest Rd on the north. Spring Forest Rd is classified as Avenue 4-Lane, Divided in the City's Street Plan Map. Departure Dr is classified as Avenue 2-Lane, Divided. There are no CIP projects planned for Spring Forest Rd or Departure Dr. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D.

This site lies 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. The block perimeter bounded by the rights-of-way for Departure Drive, Millbrook Rd, Atlantic Av, Atlantic Springs Rd and Spring Forest Rd is in excess of 9,000 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for RX-4 zoning is 3,000 feet. A traffic impact analysis report is not required for Z-30-2015.

Impact Identified: None

4.2 Transit

Neither Spring Forest Rd. nor Departure Dr. is serviced by transit.

Impact Identified: None

4.3 Hydrology

	7 57	
Floodplain		No FEMA Floodplain present But alluvial soils are present
	Drainage Basin	Marsh
	Stormwater Management	Subject to stormwater regulations under Article 9 of UDO.
	Overlay District	

Impact Identified: Neuse River Buffer associated with a blue line stream appears within this property. Subject to stormwater regulations under Article 9 of UDO.

4.4 Public Utilities

	Maximum Demand (current)	Maximum Demand (proposed)
Water	64,000 gpd	115,525 gpd
Waste Water	64,000 gpd	115,525 gpd

Impact Identified: The proposed rezoning would add approximately 51,625 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

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

- 1. Nearest trail is 5 miles, Crabtree Creek.
- 2. Recreation services are provided by Millbrook Exchange Park, 0.87 miles.

Impact Identified: None

4.6 Urban Forestry

This site is 2 acres or greater, wooded and subject to UDO 9.1 Tree Conservation. The Neuse Riparian buffer Zone 2 is Primary Tree Conservation Area. All Primary Tree Conservation Area must be saved to meet tree conservation area requirements. UDO 9.1.4.A.

Impact Identified:

4.7 Designated Historic Resources

There are no known historic resources on the site or within 1000 feet.

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

Cross access and block perimeter impacts will need to be addressed upon development of site. Sewer and fire flow capacity will require analysis in site plan phase of development. The development proposal must meet tree conservation area requirements.

4.10 Mitigation of Impacts

Sewer, fire flow, transportation and tree conservation impacts will need to be addressed at site plan stage.

5. Conclusions

The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan and would allow uses similar to those permitted under the proposed zoning designation for these sites under Z-27-14. Offers of frontage are consistent with those proposed under the Comprehensive Plan's Urban Form Map. A number of impacts will need to be addressed at the site plan and development stage, but do not present outstanding barriers to the rezoning proposal's consistency with the vision for the site.





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 10 2015 PH 4:10

Rezoning Application

Rezoning Reques			OFFICE USE ONLY
General Use	□ Conditional Use	□ Master Plan	Transaction Number
Existing Zoning Classificat Proposed Zoning Classific	tion Industrial – 1 ation Base District RX-4-PL Height	4 Stories Frontage 1019.91 LF	Z-30-15
If the property has been pr	eviously rezoned, provide the rezonin	ng case number. N/A	
Provide all previous transa Pre-Submittal Conferences	ction numbers for Coordinated Team TRN 420270 – 01-22-15 (SRE ,	Reviews, Due Diligence Sessions or BIPLICATION CONFERENCE)	420270

GENERAL INFORMATION		
Property Address 5501 Departure Drive - Raleigh, NC		Date 08-07-15
Property PIN 1716-96-6976 (5.124 acres in rezoning request of Deed Reference (Book/ 11.227 total site acres.		DB 8619 Pg. 1975
Nearest Intersection Spring Forest Road and Departure Drive	<	Property size (in acres) 5.124 acres in rezoning request of 11.227 total site acres.
Property Owner/Address Vic Bell	Phone 919-787-7585	Fax 919-787-7585
Bell Investments Limited PTNR PO Box 17274 Raleigh, NC 27619-7274	Email vicbell@ncrrbiz.com	
Project Contact Person/Address David H. Blevins, P.E.	Phone 919-847-8300	Fax 919-847-2130
Development Engineering, Inc. 244 W. Millbrook Road Raleigh, NC 27609	Email david@d-e-inc.com	
Owner/Agent Signature DELL IN VESTMENTS LIMITED PARTNERSHIP BY: VICTOIE, BOOL 44, CENERAL PARTWER	Email david@d-e-inc.com	

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





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 420270 Zoning Case Number Z-30-15

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.	Our intended use is Congregate Care. UDO Rezoning Z-27-14, proposes IX-3-PL for the property where Congregate Care is an allowed use. Our request is for RX-4-PL. Because both districts allow Congregate Care, our proposal is consistent with the City's future land use designation.
2.	The 2030 Comprehensive Plans designates the area as CX, or Community Mixed Use. Congregate Care is an allowed use in the CX district making our request consistent with the Comprehensive Plan.
3.	UDO Rezoning Z-27-14 proposes PL, or parking limited, between the front of the building and the primary road (Spring Forest Rd.). We propose the same PL designation.
4.	

PUBLIC BENEFITS		
Pro	vide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	Our proposed use, Congregate Care, is a needed benefit for the citizens of Raleigh.	
2.	The site is located less than a mile from the Ann Gordon Center for Active Adults (Millbrook Exchange Park) where the residents can take full advantage of the programs offered by the City. Use of the Center benefits both the residents and City.	
3.	The proposed use provides jobs for the area with minimal impact to traffic since most of the residents do not drive.	
4.	Development of the property will add new public sidewalk along the public street property frontage of both Spring Forest Rd. and Departure Dr.	

URE	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.	

8

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.



Date: June 15, 2015

Re: 5501 Departure Drive, Raleigh NC 27616

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on June 29th 2015. The meeting will be held at the Anne Gordon Center for Active Adults, 1901 Spring Forest Road Raleigh, NC 27615 and will begin at 7:00 PM.

The purpose of this meeting is to discuss a potential rezoning of the property located at **5501 Departure Drive, Raleigh NC 27616.** This site is currently zoned **IND-1** and is proposed to be rezoned to **RX**.

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.

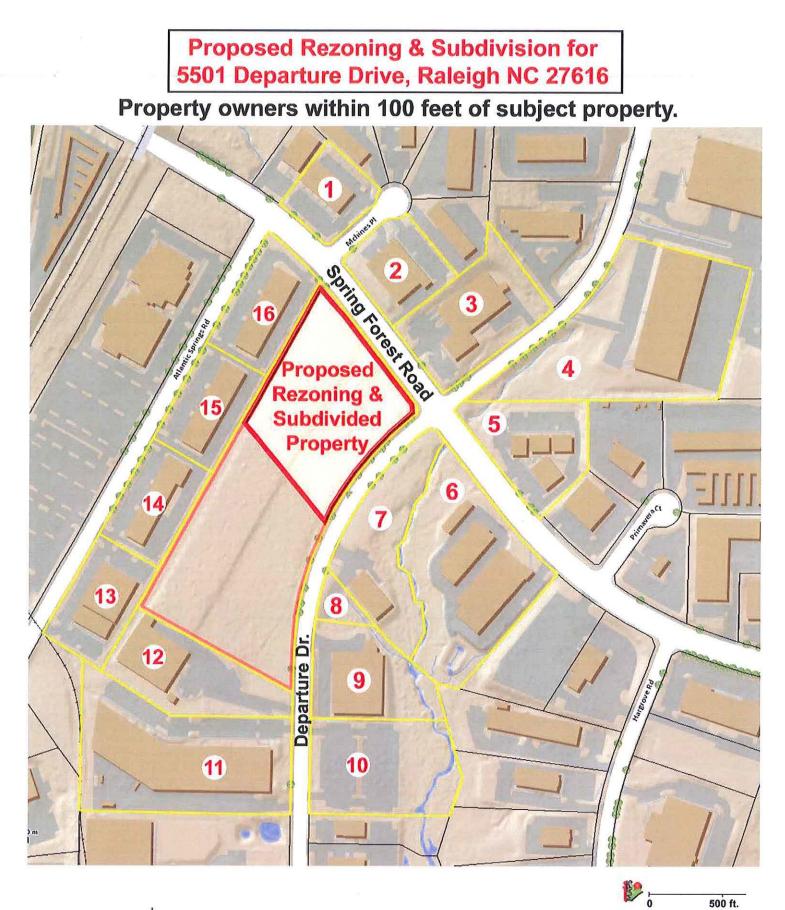
If you have any concerns or questions I (we) can be reached at:

Development Engineering, Inc. 244 West Millbrook Road Raleigh, NC 27609 Office Phone: 919-847-8300

Sincerely,

David H. Blevins, P.E.

Phone: 919-847-8300 FAX: 919-847-2130



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5510 п a 1 E

244 West Millbrook Road, Raleigh, NC 27609 P. O. Box 17705, Raleigh, NC 27619 www.d-e-inc.com



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Phone: 919-847-8300 Fax: 919-847-2130 E-mail: Office@d-e-ine.com

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SUMMARY OF ISSUES

A neighborhood meeting was held on June 15, 2015 to discuss a potential rezoning located at 5501 Departure Drive, Raleigh, NC. The neighborhood meeting was held at Anne Gordon Center for Active Adults. There was one neighbor in attendance. The general issues discussed were:

Summary of Issues:

• Mike Lee, representing several of the property owners on Atlantic Springs Rd., asked if the proposed rezoning would create competition to the existing business. After explaining the proposed use, he had no additional questions.

Attendance Roster:

Name

Address 244 W. MALBROOK RD. 27609 DAVID BLEVMS MILE LEE ATANTIC STRAGS Rp 19-16 HOIT SCOTT AVE SERTLE LA 909 STH P.Q Box 17274 KALEIGHNC 27619 DELL 11 SMAR 11

www.raleighnc.gov

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