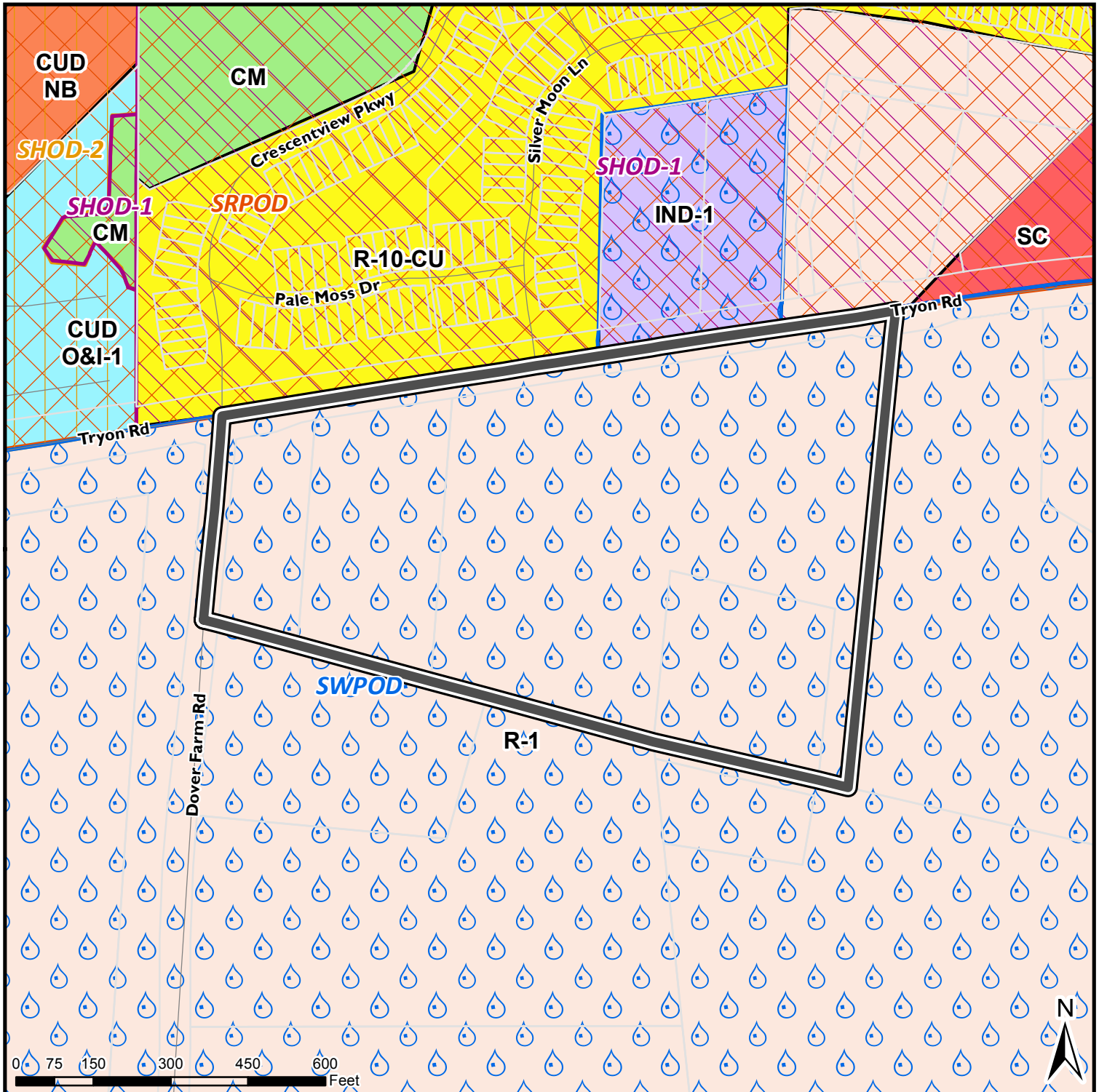


# Existing Zoning Map

# Z-43-2015

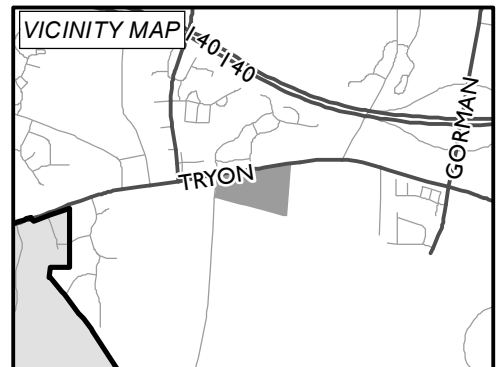


**Submittal  
Date**

11/25/2015

**Request:**

**18.26 acres from  
R-1 w/SWPOD  
to R-10-CU  
w/ SWPOD**





## Certified Recommendation

Raleigh Planning Commission

CR# 11693

### Case Information Z-43-15 4505, 4317 Tryon Rd., 2301 Dover Farm Rd.

<i>Location</i>	south side of Tryon Road, east side of intersection with Dover Farm Road Address: 4505, 4317 Tryon Road, 2301 Dover Farm Road PINs: 0782411601, 0782572676, 0782574211
<i>Request</i>	Rezone property from Residential-1, with Swift Creek Watershed Protective Overlay District (R-1 w/SWPOD) to Residential-10, with Conditions and Swift Creek Watershed Protective Overlay District (R-10-CU w/SWPOD)
<i>Area of Request</i>	18.39 acres
<i>Property Owner</i>	Macnair Starnes Property LLC
<i>Applicant</i>	Mack Paul
<i>Citizens Advisory Council (CAC)</i>	West Benson Kirkman, Co-Chairperson (benison.kirkman@att.net) Jim Paumier, Co-Chairperson (jopaumier@earthlink.net)
<i>PC Recommendation Deadline</i>	April 25, 2016

### 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

<b><i>FUTURE LAND USE</i></b>	Low Density Residential
<b><i>URBAN FORM</i></b>	Transit Emphasis Corridor
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 5.4 – Density Transitions Policy T 4.8 – Bus Waiting Areas Policy AP-SC 1 – Swift Creek Watershed Land Use Policy AP-SC 3 – Swift Creek New Urban Densities Policy AP-SC 8 – Swift Creek Impervious Surface Limits
<b><i>INCONSISTENT Policies</i></b>	---

### Summary of Proposed Conditions

1. Density limited to 6 units per acre
2. Prohibits apartment building types
3. Provides for transit easement upon issuance of building permit
4. Sets aside 20% of site for open space if developed as subdivision

## Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
11/5/2015	1/19/2016 Y – 25, N - 0	1/26/2016; 3/22/2016	

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

### Attachments

1. Staff report
2. Conditions

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approve</b> City Council may now schedule this proposal for Public Hearing or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ul style="list-style-type: none"> <li>• The proposal is consistent with the Future Land Use Map and the Comprehensive Plan, including the Urban Form Map.</li> <li>• The proposed zoning is reasonable and in the public interest. The proposal would allow for residential development at low densities in an area surrounded by low density residential and agricultural uses.</li> <li>• The proposal is compatible with the surrounding area and will provide open space necessary to meet compliance with the Comprehensive Plan.</li> </ul>
<i>Motion and Vote</i>	Motion: Swink Second: Lyle In Favor: Alcine, Braun, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando, Tomasulo 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.

	Date		3/22/16 Date
Planning Director		Planning Commission Chairperson	

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



## Zoning Staff Report – Case Z-43-15

### Conditional Use District

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## Case Summary

### Overview

The subject site is composed of four contiguous parcels located directly east of the intersection of Dover Farm Rd. and Tryon Rd. Two of the four parcels are vacant, while the other two are occupied by single family homes. The western portion of the property contains the Tryon Road Teaching Farm, part of the Inter-Faith Food Shuttle. The eastern portion of the site is heavily wooded. The site slopes gently down to the east.

The 18.39 acre site is located along Tryon Road, a designated Transit Emphasis Corridor on the Urban Form Map. Though transit service is not currently provided along this stretch of Tryon Road, the City of Raleigh Short Range Transit Plan does call for a bus route here. This plan remains unfunded. Though the site itself is not located with a Growth Center, it is one half mile from the intersection of Tryon Road and Gorman Street, which forms the nucleus of a designated Mixed Use Center. The site is approximately one-tenth of one mile east of the intersection of Avent Ferry Rd. and Tryon Rd., and is approximately 0.75 miles from a Lake Johnson park and trail access point.

The site is directly north and east of a large collection of parcels designated Rural Residential on the Future Land Use Map. Across Tryon Road, the Future Land Use Map designates an area of Moderate Density Residential, which is currently occupied by townhomes; and an Office and Residential Mixed Use area. Additional FLUM designations in the site's vicinity include Institutional, Neighborhood Mixed Use and Community Mixed Use.

The site is within the Swift Creek Watershed Protection Overlay District (SWPOD) as well as the study boundary for the Swift Creek Land Management Plan. This district is intended to protect the integrity of drinking water in Raleigh and surrounding communities, so as to provide clean and safe water for residents, businesses, industries, plant and animal life at a reasonable cost. Regulations in the –SWPOD include impervious surface limitations and natural resource buffer yards.

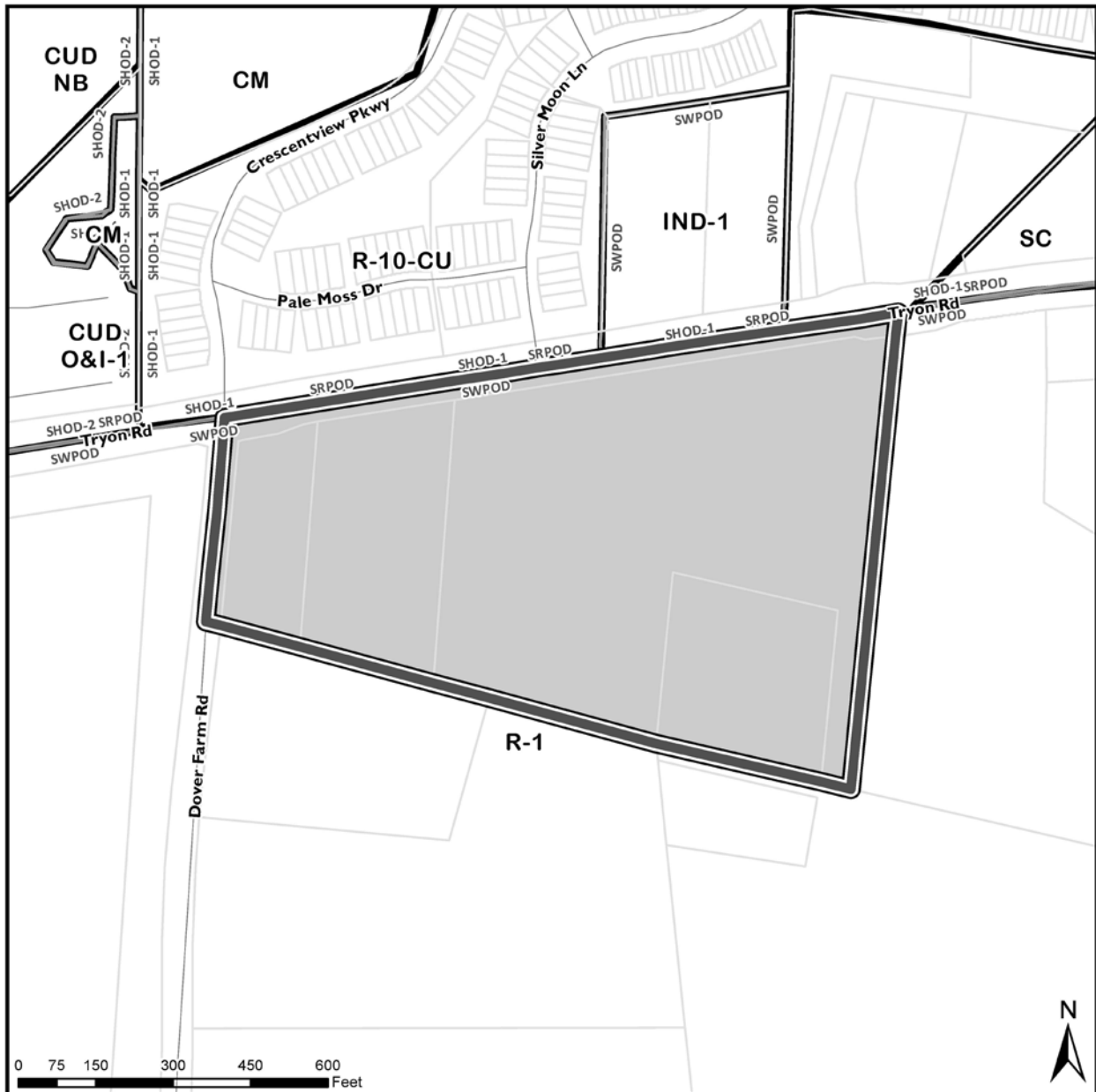
The Comprehensive Plan states that “smaller lots, townhomes and multifamily dwellings would only be appropriate as part of a conservation subdivision resulting in significant open space set-aside.” The proposal would allow such smaller lots and townhomes. As such, the proposal includes a condition that sets aside 20 percent of the property should it be developed as part of a subdivision. Without this condition, the proposal would be considered inconsistent with the Future Land Use Map.

### Outstanding Issues

<i>Outstanding Issues</i>	1. Sewer and fire flow matters may need to be addressed upon development.	<i>Suggested Mitigation</i>	1. Address sewer and fire flow capacities at the site plan stage.
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# Existing Zoning Map

**Z-43-2015**

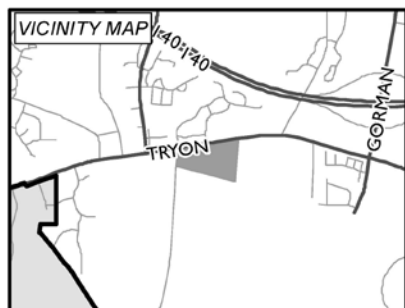


**Submittal  
Date**

11/25/2015

## Request:

**18.26 acres from  
R-1 w/SWPOD  
to R-10-CU  
w/ SWPOD**



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	R-1	R-10-CU/ IX-3-PL	R-1	R-1	R-1
<i>Additional Overlay</i>	SWPOD	SWPOD	SWPOD	SWPOD	SWPOD
<i>Future Land Use</i>	Low Density Residential	Moderate Density Res/ Office & Residential Mixed Us	Rural Residential	Rural Residential	Rural Residential
<i>Current Land Use</i>	Single Family Residential/ Agricultural	Townhomes/ Cold Storage and Office	Single Family Residential	Day Care	Single Family Residential
<i>Urban Form (if applicable)</i>	Transit Emphasis Corridor	Transit Emphasis Corridor	Transit Emphasis Corridor	Transit Emphasis Corridor	Transit Emphasis Corridor

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	0.99 units/acre (18 units total)	5.97 units/acre 109 units total
<i>Setbacks:</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	*assuming detached home 20' 10' (street); 10' (side lot) 30'	*assuming detached home 10' 10' (street); 5' (side lot) 20'
<i>Retail Intensity Permitted:</i>	Not Permitted	Not Permitted
<i>Office Intensity Permitted:</i>	Not Permitted	Not Permitted

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	18.26 acres	18.26 acres
<i>Zoning</i>	R-1 w/SWPOD	R-1-CU w/SWPOD
<i>Max. Gross Building SF (if applicable)</i>	---	---
<i>Max. # of Residential Units</i>	18	109
<i>Max. Gross Office SF</i>	---	---
<i>Max. Gross Retail SF</i>	---	---

<i>Max. Gross Industrial SF</i>	---	---
<i>Potential F.A.R</i>	---	---

\*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

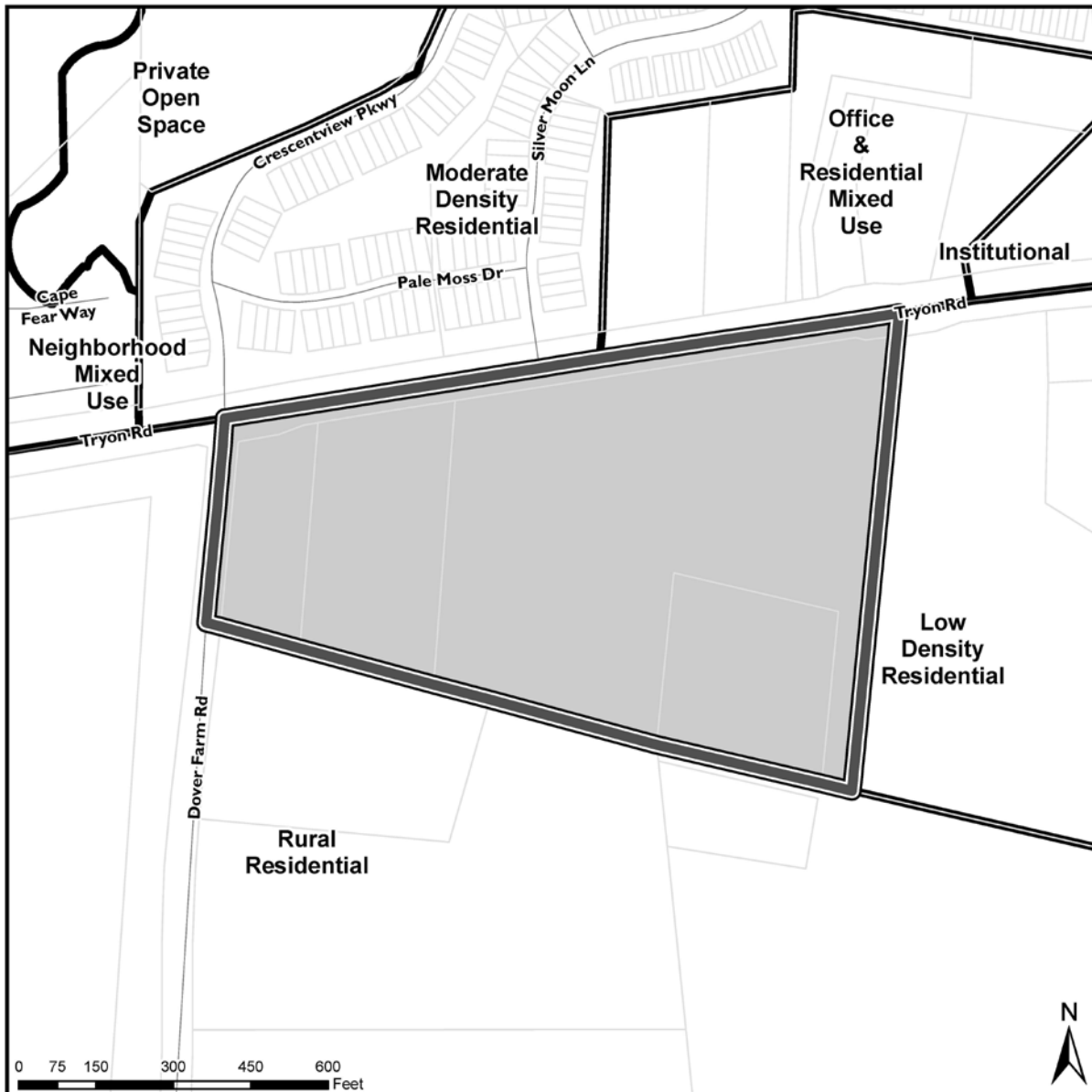
The proposal, through conditions limiting density and providing a 20 percent open space set-aside, is compatible with the immediately surrounding low density residential context, as well as the more intense commercial development along Tryon Road.

☐ **Incompatible.**

Analysis of Incompatibility:

# Future Land Use Map

**Z-43-2015**

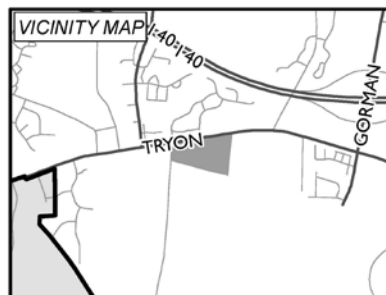


**Submittal Date**

11/25/2015

## Request:

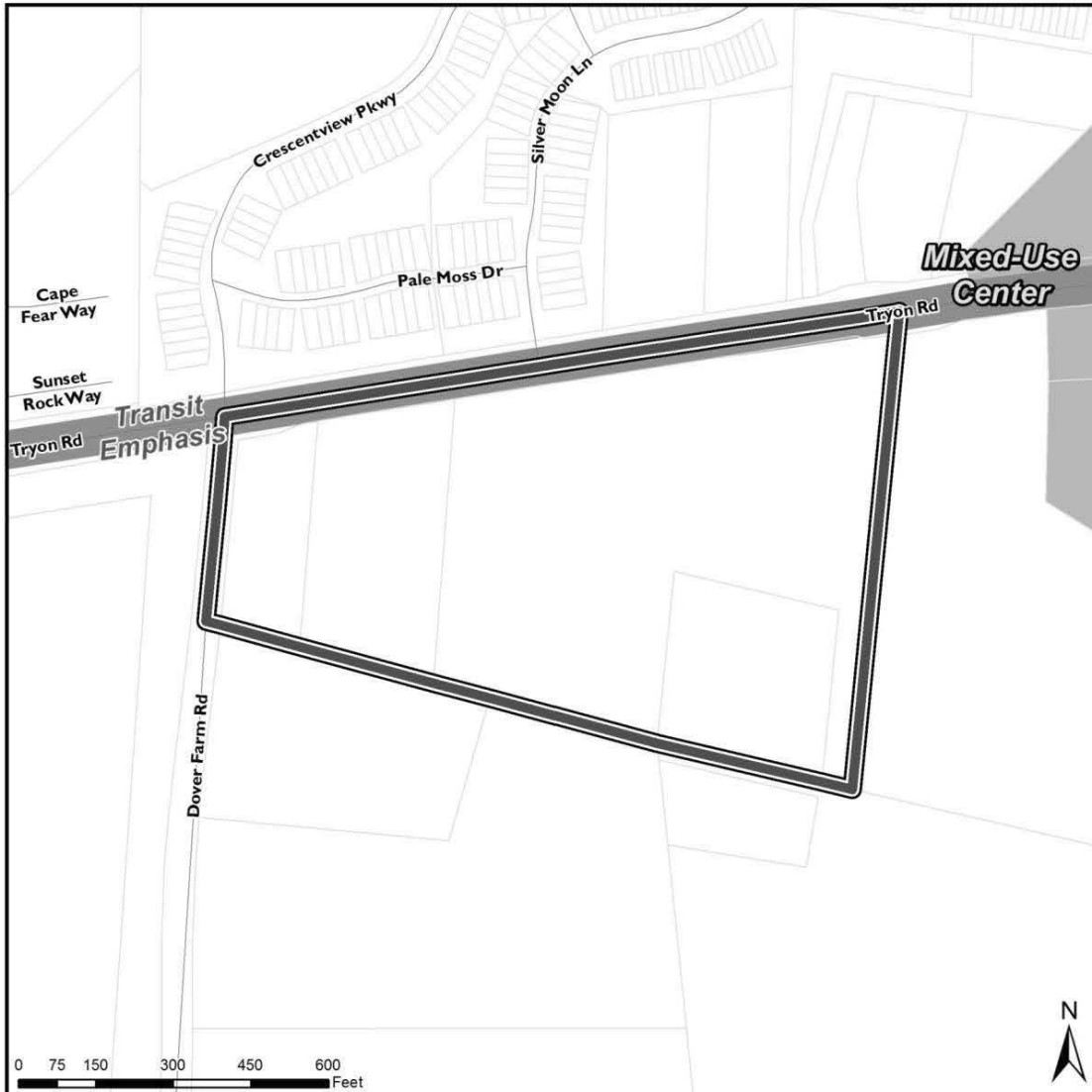
**18.26 acres from  
R-1 w/SWPOD  
to R-10-CU  
w/ SWPOD**





# Urban Form Map

## Z-43-2015

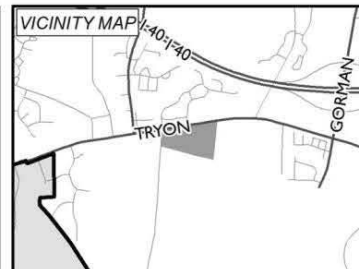


**Submittal  
Date**

11/25/2015

### Request:

**18.26 acres from  
R-1 w/SWPOD  
to R-10-CU  
w/ SWPOD**



## 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. Though the Future Land Use Map designation for this property – Low Density Residential – calls for zoning districts R-1 through R-6, the proposal's offer of a condition limiting density to six units per acre makes it consistent with the FLUM, as is the condition offering a 20 percent open space set aside. The offer of a transit easement is consistent with long-term plans for a bus route on this portion of Tryon Rd.

City infrastructure and services appear sufficient to accommodate the redevelopment possible under the proposed rezoning. However, upon development, the developer will be required to extend sanitary sewer mains to the site. Additional sanitary sewer capacities may be required upon issuance of a building permit.

### 2.2 Future Land Use

**Future Land Use designation:**

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

### 2.3 Urban Form

**Urban Form designation: Transit Emphasis Corridor**

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

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

## **2.4 Policy Guidance**

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

None

## **2.5 Area Plan Policy Guidance**

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

## **3. Public Benefit and Reasonableness Analysis**

### **3.1 Public Benefits of the Proposed Rezoning**

- Proposal is consistent with the Future Land Use Map vision for the property
- The proposal is consistent with policies intended to protect the Swift Creek Watershed
- The proposal provides allocation of a future transit easement
- The proposal provides for residential uses proximate to a Mixed Use Center designated on the Urban Form Map
- The proposal prohibits apartment building types in an area abutting an area of rural residential character
- The proposal includes an open space set-aside that will help preserve the character of the site and the surrounding properties

### **3.2 Detriments of the Proposed Rezoning**

- None

## 4. Impact Analysis

### 4.1 Transportation

1. The site is located on the south side of Tryon Road and the east side of Dover Farm Rd. Tryon Road (SR 1009) is maintained by the NCDOT. This segment of Tryon Road currently has a four lane, median divided cross section with curb and gutter but no sidewalk. Tryon Road is classified as a major street in the UDO Street Plan Map (Avenue, 6-Lane, Divided).
2. There are no CIP projects planned for this segment of Tryon Road. There are no state STIP projects for Tryon Road in the vicinity of the Z-43-2015 site. This site does not lie within a 1/2 mile buffer for future fixed-guideway transit.
3. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D: Internal vehicular circulation areas shall be designed and installed to allow for cross-access between abutting lots. The block perimeter cannot be computed; there is a dearth of public streets in the area south of Tryon Road and east of Dover Farm Road.
4. Site access will be determined, in consultation with the NCDOT, upon submittal of a preliminary development plan. The expected change in Daily trips is 567 veh/day; the expected change in peak period trips is 56 veh/hr. A traffic impact analysis report is not required for Z-43-2015.

**Impact Identified: Block Perimeter exceeds UDO maximum**

### 4.2 Transit

1. This section of Tryon Rd is not currently served by transit
2. This section of Tryon Rd is designated as a Transit Emphasis Corridor in the City of Raleigh Comprehensive Plan
3. Please provide a 15x20' Transit Easement along Tryon Rd for future use.

**Impact Identified: Subject to transit easement dedication**

### 4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present.
<i>Drainage Basin</i>	Swift Creek
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	Swift Creek Watershed Overlay Protection District

1. These parcels are located within the Swift Creek Watershed Protection Overlay District.
2. Per UDO 9.5.3, impervious surface coverage will be limited to 12% if not connected to both City water and sewer utilities. Impervious surface coverage will be limited to 24% with detention of the first half inch of runoff, or 30% with design of a wet pond capturing the first inch of runoff if the site is connected to City water and sewer.

3. Development will be required to comply with nitrogen and phosphorous loading as outlined in UDO 9.5.3.D.
4. Alluvial soils are present on site. A soils investigation will be required to be provided upon development indicating the depth and location of alluvial soils. Development within alluvial soils areas will be restricted and required to comply with UDO 9.3.5.

**Impact Identified: Subject to impervious surface limits**

#### **4.4 Public Utilities**

	<b>Maximum Demand (current)</b>	<b>Maximum Demand (proposed)</b>
<i>Water</i>	18,260 gpd	68,125 gpd
<i>Waste Water</i>	18,260 gpd	68,125 gpd

**Impact Identified:** The proposed rezoning would add approximately 49,865 gpd to the wastewater collection and water distribution systems of the City. There is an existing water main within the Tryon Road right-of-way adjacent to the properties. There is currently no sanitary sewer mains adjacent to the properties; therefore the petitioner will be required to extend sanitary sewer mains 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. There are no planned or existing greenway trails, connectors or corridors within the site. Nearest trail access is Walnut Creek Trail, 0.84 miles.
2. Recreation services are provided by Lake Johnson Park, 1.2 miles distance.

**Impact Identified: None**

#### **4.6 Urban Forestry**

1. Rezoning the property from R-1 to R-10 will decrease the amount of tree conservation from 15% required to 10% required. (UDO Section 9.1.3.A.1.)

**Impact Identified: Tree conservation area reduction by 5% of the net site area.**

#### **4.7 Designated Historic Resources**

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District. There is a ca. 1901 house on the property which is encouraged to be retained and rehabilitated.

**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***

Proposal is subject to transit easement dedication and requirement to connect to city sanitary sewer.

#### ***4.10 Mitigation of Impacts***

Address sewer connection and transit easement dedication at site plan stage. Cross access offers will be required at site plan stage.

## **5. Conclusions**

The proposal is consistent with the Future Land Use Map, the Urban Form Map, and a number of policies contained within the Comprehensive Plan. Density restrictions are in keeping with the surrounding character as well as policies intended to protect the Swift Creek Watershed. The proposal received a strong and unanimous recommendation of support from the West CAC.



# 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

451026  
Z-43-15  
11/30/15

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification R-1 w/SWPOD	451026
Proposed Zoning Classification Base District R-10 Height      Frontage with SWPOD	Z-43-15
If the property has been previously rezoned, provide the rezoning case number.	11/30/15
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences.	

GENERAL INFORMATION		
Property Address 4505 & 4317 Tryon Road and 2301 Dover Farm Rd		Date
Property PIN 0782-47-4590; 0782-47-7601; 0782-57-2676; 0782-57-4211	Deed Reference (Book/Page) DB 15080 PG 2306; DB 12631 PG 227; and DB 15080 PG 2303	
Nearest Intersection Tryon Road at Dover Farm Road		Property size (in acres) 18.26
Property Owner/Address Macnair Starnes Property LLC 2931 Dover Farm Rd Raleigh, NC 27606	Phone	Fax
	Email	
Project Contact Person/Address Mack Paul	Phone 919-590-0377	Fax
	Email mpaul@morningstarlawgroup.com	
Owner/Agent Signature <i>Henry K MacVoe</i>	Email <i>Henry@premierehomesinc.com</i>	

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

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-43-15		Transaction Number
Date Submitted: March 16, 2016, 2015		
Existing Zoning: R-1 w/SWPOD	Proposed Zoning: R-10 w/SWPOD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	Residential dwelling units are limited to six (6) per acre or less
2.	Apartment building type shall be prohibited
3.	A transit easement shall be deeded to the City and recorded in the Wake County Registry prior to the issuance of a building permit for new development or recording of a subdivision plat, whichever occurs first, unless the requirement is waived by the City of Raleigh. Prior to recordation of the transit easement, if such is required by the city of Raleigh, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of the easement along Tryon Road shall be approved by the Public Works Department and the easement deed approved by the City Attorney's Office.
4.	In the event the property is developed with a conventional subdivision, the following condition shall apply. A minimum of twenty percent (20%) of the net site area shall be set aside as open space. The open space required to be set aside by this zoning condition shall include one or more of the following: floodway areas; natural resource buffers required along primary and secondary watercourses; jurisdictional wetlands under federal law that meet the definition applied by the Army Corps of Engineers; flood fringe areas; historic, archeological and cultural sites, cemeteries and burial grounds; areas that connect neighboring open space, trails or greenways; and tree conservation areas; however, the existence of such areas on the property shall not require the inclusion of such areas as open space required by this condition so long as the minimum amount of twenty percent (20%) is satisfied. The open space required to be set aside by the zoning condition shall be subject to Sections 2.5.3., 2.5.4., 2.5.5., 2.5.6. and 2.5.7. of the UDO.

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
-----------------------	------------





# 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 451026 Zoning Case Number Z-43-15

### 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 subject Property is designated as Low Density Residential on the Future Land Use Map (FLUM). According to the Comprehensive Plan, an R-6 district is appropriate for a FLUM designation of Low Density Residential. The proposed rezoning is consistent with this designation as the conditions limit density at the Subject Property to 6 units per acre, in line with an R-6 district. |
| 2. | The proposed rezoning will facilitate a residential development not likely to have any adverse impacts on the character or appearance of the surrounding area. Policy LU 5.1 – Reinforcing the Urban Pattern   |
| 3. |  |
| 4. |  |

### PUBLIC BENEFITS

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

- |    |  |
|----|--|
| 1. | The rezoning will allow for a development that can provide some much needed housing options. |
| 2. |  |
| 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.

1.	<p><i>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.</i></p> <p><b>The proposed development is not a mixed-use development, therefore this criteria does not apply</b></p>
2.	<p><i>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.</i></p> <p><b>The proposed development is not a mixed-use development, therefore this criteria does not apply</b></p>
3.	<p><i>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.</i></p> <p><b>The proposed development is not a mixed-use development, therefore this criteria does not apply</b></p>
4.	<p><i>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.</i></p> <p><b>The streets within the development will interconnect. No cul-de-sacs are anticipated at this time.</b></p>
5.	<p><i>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.</i></p> <p><b>There are no commercial driveways anticipated at this time.</b></p>
6.	<p><i>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.</i></p> <p><b>The proposed rezoning will facilitate a residential development with appropriate parking</b></p>
7.	<p><i>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.</i></p> <p><b>It is unclear at this time whether this would be a pedestrian-oriented street. Parking will be designed to suit the residential nature of the proposed development.</b></p>
8.	<p><i>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.</i></p> <p><b>There will likely be more than one building at this site.</b></p>
9.	<p><i>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.</i></p> <p><b>Views and sun exposure will be taken into account when designated areas for open space.</b></p>
10.	<p><i>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.</i></p> <p><b>Sidewalk connections will be made where required.</b></p>
11.	<p><i>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.</i></p> <p><b>The proposed development is not a mixed-use development, therefore this criteria does not apply</b></p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Open space will be designed with this in mind.</b></p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p><b>The proposed rezoning will facilitate a residential development, not necessarily open to the public.</b></p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p><b>This portion of Tryon Road is not pedestrian-oriented.</b></p>
15.	<p><i>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.</i></p> <p><b>Parking will be made available in a manner suitable for each residence.</b></p>
16.	<p><i>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.</i></p> <p><b>Structured parking is not anticipated at this time.</b></p>



17.	<p><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></p> <p><b>The proposed conditions limit density to 6 dwelling units per acre.</b></p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p><b>Any required sidewalks will be designed with this criteria in mind.</b></p>
19.	<p><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></p> <p><b>To the best of my knowledge, no such sensitive areas are present at this location.</b></p>
20.	<p><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></p> <p><b>There will not be any commercial driveways associated with the proposed rezoning.</b></p>
21.	<p><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></p> <p><b>All required sidewalks will be built per the standards of the UDO and/or any applicable regulations.</b></p>
22.	<p><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></p> <p><b>It is anticipated that the streets will be landscaped in a manner to provide appropriate canopy for residential uses.</b></p>
23.	<p><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></p> <p><b>The proposed rezoning will facilitate a residential development that will be appropriately sized and massed, particularly given the surrounding developments.</b></p>
24.	<p><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></p> <p><b>It is doubtful that there will be signage on the façade of any building within the development area as the proposed rezoning anticipated a residential development.</b></p>
25.	<p><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></p> <p><b>The primary use under the proposed rezoning would be residential; thus, pedestrian interest along sidewalks may not be appropriate.</b></p>
26.	<p><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></p> <p><b>Sidewalks are expected to be designed in a manner that is complimentary to the anticipated residential use at the site.</b></p>

## SUMMARY OF ISSUES

A neighborhood meeting was held on November 5, 2015, to discuss a potential rezoning located at the south side of Tryon Road just east of Dover Farm Road. The neighborhood meeting was held at Carolina Pines Community Center. There were approximately three (3) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

- Number of units
- Names of the builders (custom builders vs. tract builder)
- Required street improvements
- Potential traffic study
- Utility connections
- Additional lanes on Tryon Road
- Access on Tryon Road
- Connectivity within the site
- Tree conservation along Tryon Road

Name	Address
Tony Smith	4404 Tryon Road
Charles Glenn	4322 Tryon Road
Diana Estes	4316 Tryon Road



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To: Neighboring Property Owner

From: Mack Paul

Date: October 26, 2015

Re: Notice of meeting to discuss potential rezoning of four (4) parcels of land located on the south side of Tryon Road, just east of Dover Farm Road, containing approximately 18.26 acres, and having Wake County Parcel Identification Numbers: 0782-47-4590, 0782-47-7601, 0782-57-2676, and 0782-57-4211 (the "Property")

We are counsel for Quietly Whispering, LLC ("QW"), which is considering rezoning the above-captioned Property. The Property is currently zoned R-1 with a Swift Creek Watershed Protection Overlay District. QW is considering rezoning the Property to a Conditional Use district with R-10 serving as the base district with a density of 6 units per acre.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Thursday, November 5, 2015, at 6:00 p.m. The meeting will be held at the Carolina Pines Community Center located at 2305 Lake Wheeler Road, Raleigh, NC 27603.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the owners to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 590-0377 or mpaul@morningstarlawgroup.com.