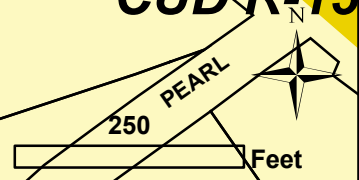
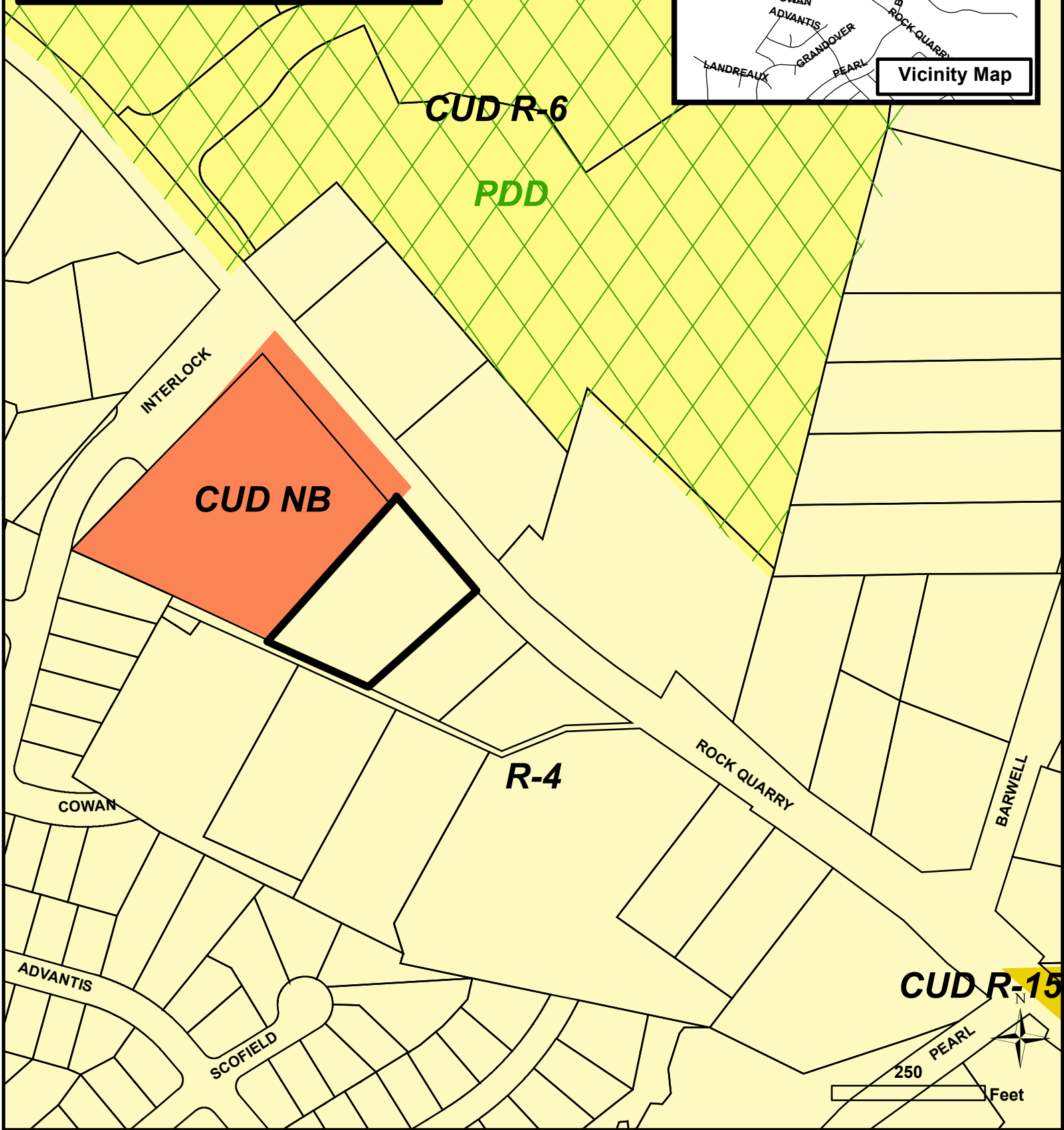
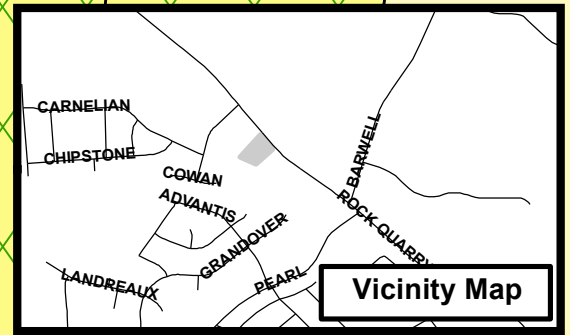


**Existing Zoning Map
Case Number: Z-2-12**



Request:

1.17 ac from NB CUD and R-4 to NB CUD

City of Raleigh Public Hearing
January 17, 2012
(May 31, 2012)



Certified Recommendation

Raleigh Planning Commission

CR# 11458

Case Information: Z-2-12 5424 Rock Quarry Rd.

<i>Location</i>	Rock Quarry Road, south side, east of its intersection with Interlock Drive
<i>Size</i>	1.17 acres
<i>Request</i>	Rezone property from Residential-4 & Neighborhood Business Conditional Use District to Neighborhood Business Conditional Use District

Comprehensive Plan Consistency

Consistent

Inconsistent

Consistent

<i>Future Land Use Designation</i>	<input type="checkbox"/>	Moderate Density Residential (6 to 14 dwellings per acre)
<i>Applicable Policy Statements</i>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Policy LU 1.3 Conditional Use District Consistency Policy LU 4.5 Connectivity Policy LU 4.9 Corridor Development Policy LU 5.6 Buffering Requirements Policy LU 7.3 Single-Family Lots on Thoroughfares Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 10.6 Retail Nodes Policy EP 8.1 Light Pollution Policy UD 2.4 Transitions in Building Intensity

Summary of Conditions

<i>Submitted Conditions</i>	<ol style="list-style-type: none"> Maximum building gross floor area: 6,600 square feet. Transit easement offered. All lighting fixtures to be full cut-off; poles limited to 25 feet max. Cross access offered to east and west. Minimum 30-foot transitional protective yard required adjacent to all adjoining residentially-zoned properties containing dwelling. Ground-mounted signs limited to low-profile. Maximum structure height: 25 feet (calculated to mid-point of pitched roofs); all roofs to appear pitched with min. slope of 3:12. Certain uses prohibited. Building materials to match those of retail building to west, and be same on other three sides as on front; service area screening to match building materials.
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Issues and Impacts

<i>Outstanding Issues</i>	1. Future Land Use Map inconsistency	<i>Suggested Conditions</i>	(N/A)
<i>Impacts Identified</i>	(None.)	<i>Proposed Mitigation</i>	(N/A)



Zoning Staff Report - Z-2-12

Conditional Use District

Request

<i>Location</i>	Rock Quarry Road, south side, east of its intersection with Interlock Drive
<i>Request</i>	Rezone property from R-4 & NB CUD to NB CUD
<i>Area of Request</i>	1.17 acres
<i>Property Owner</i>	Charles Keith Ferguson
<i>PC Recommendation Deadline</i>	May 31, 2012

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	Residential-4 (with very narrow Neighborhood Business Conditional Use District portion on west)	Neighborhood Business Conditional Use District
<i>Additional Overlay</i>	(none)	(none)
<i>Land Use</i>	Single-family residential	Retail/ service/ office/ daycare
<i>Residential Density</i>	4 units per acre (4 units max.)	10 units per acre (11 units max.)

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	R-4	R-4	R-4	NB CUD
<i>Future Land Use</i>	Moderate Density Residential (6 to 14 units per acre)	Moderate Density Residential	Moderate Density Residential	Neighborhood Retail Mixed Use
<i>Current Land Use</i>	Low Density Residential	Low Density Residential	Undeveloped	Retail Center

Comprehensive Plan Guidance

<i>Future Land Use</i>	Moderate Density Residential (6-14 units/acre)
<i>Area Plan</i>	n/a
<i>Applicable Policies</i>	Policy LU 1.3 Conditional Use District Consistency Policy LU 4.5 Connectivity Policy LU 4.9 Corridor Development Policy LU 5.6 Buffering Requirements Policy LU 7.3 Single-Family Lots on Thoroughfares Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 10.6 Retail Nodes Policy EP 8.1 Light Pollution Policy UD 2.4 Transitions in Building Intensity

Contact Information

<i>Staff</i>	Doug Hill: Doug.Hill@raleighnc.gov
<i>Applicant</i>	George T. Barnes: gbarnes@vanguardpg.com
<i>Citizens Advisory Council</i>	South; Dr. Norman Camp: normancamp@bellsouth.net

Case Overview

The proposal seeks to extend the Neighborhood Business zoning approved for the property to the west (per Z-37-07) eastward to the subject property. Many of the proposed conditions are the same as those approved for the 2007 case. The adjacent property was recently built out with a single retail building housing multiple tenants, and with a street stubout provided eastward to the subject site. All other properties in the immediate vicinity are residential; those nearby along Rock Quarry Road range from 0.6 to 3.8 acres in size, and contain modest-sized, single-story houses dating from the 1950s through '70s. Behind those older frontage properties, however, considerable redevelopment has occurred in recent years, with rural land giving way to new small-lot subdivisions (Macadie Park, Pearl Ridge, and further southeast, Abbington Ridge). Just to the northwest is the site of the proposed 600-acre Olde Towne mixed use project, approved in 2003 but to date dormant. Most properties across Rock Quarry Road from the Olde Towne site—including the subject site—are designated for “Moderate Density Residential” by the Future Land Use Map. Olde Towne earmarked some 75-plus acres for retail and office uses, as yet unbuilt. Other than the property adjacent to the subject site, the nearest existing retail is the 28-acre Shoppes at Battle Bridge complex, slightly less than a mile to the east.

Exhibit C & D Analysis

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

1.1 Future Land Use

The proposal is inconsistent with the Future Land Use Map in requesting that non-residential uses be permitted. The Future Land Use Map designates the property for Moderate Density Residential use, with 6 to 14 dwelling units per acre. The requested zoning, Neighborhood Business, would permit residential density of up to ten units per acre, consistent with the prescribed density. However, that density could be achieved under other, less intensive district designations, which would not include retail uses.

1.2 Policy Guidance

The following policy guidance is applicable with this request:

Policy LU 1.3 - Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan

In permitting non-residential uses, the conditions are inconsistent with the Comprehensive Plan. Additionally, as indicated below, case conditions do not fully address several pertinent policies.

Policy LU 4.5 - Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

The proposal is consistent with this policy. Vehicular and pedestrian connectivity is conditioned to the east and west.

Policy LU 4.9 - Corridor Development

Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for "transit intensive" investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

The proposal partially addresses this policy. Rock Quarry Road is designated a multi-modal corridor by the Growth Framework Map. A transit easement is being offered. While a pedestrian connection from the building to the street is required by Code, building placement and orientation on the lot are not noted.

Policy LU 5.6 - Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

The proposal is consistent with this policy. A minimum 30-foot wide transitional protective yard is conditioned adjacent to adjoining residential properties.

Policy LU 7.3 - Single-Family Lots on Thoroughfares

No new single-family residential lots should have direct vehicular access from thoroughfares, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to thoroughfares.

The proposal does not address this policy. Single-family residential uses would be permitted under the proposal, and site access is not addressed in the conditions.

Policy LU 7.4 - Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

The proposal is consistent with this policy. Maximum height and roof pitch are defined. Nearby residences are nearly all single-story structures of less than 2,000 square feet, but the one-story retail building adjacent to the west comprises more than 18,000 square feet. Building square footage on the subject site is capped at 6,600 square feet.

Policy LU 10.6 - Retail Nodes

Retail uses should concentrate in mixed-use centers and should not spread along thoroughfares in a linear "strip" pattern unless ancillary to office or high-density residential use.

The proposal is inconsistent with this policy. The site is not located within a designated mixed-use center, and no commercial use is foreseen on the subject property by the Future Land Use Map.

Policy EP 8.1—Light Pollution

Reduce light pollution and promote dark skies by limiting the brightness of exterior fixtures and shielding adjacent uses from light sources, provided safety is not compromised. Minimize flood lighting and maximize low level illumination. Promote the use of efficient, full cut-off lighting fixtures wherever practical. Full cut-off fixtures emit no light above the horizontal plane.

The proposal is consistent with this policy. All light fixtures are to be of full cutoff design, with light poles a maximum of 25 feet in height.

Policy UD 2.4 - Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

The proposal is consistent with this policy. Building area and height are capped and provision made for pitched roofs. Conditioned setbacks further reduce impacts of scale.

1.3 Area Plan Guidance

The site is not located in a portion of the City governed by an Area Plan.

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

Non-residential zoning was initiated in this area with the approval of case Z-37-07 for the adjoining site to the west, which has resulted in a one-story retail center with one anchor tenant and six smaller tenant units. Zoning conditions proposed for the subject site—caps on building square footage and height, pitched roofs required, ground signs limited to low-profile, certain uses prohibited, etc.—draw directly from conditions in place on the adjacent property. Building materials are conditioned to match those of the retail building on the adjacent property to the west.

Lack of direct pedestrian access from nearby neighborhoods (due to the absence of continuous sidewalks adjacent to the site) makes it likely that, for the foreseeable future, most travel to the site will be by automobile. Rezoning to bring businesses closer to adjacent neighborhoods may thus shorten travel times, but it more likely would increase local traffic, while potentially drawing patrons from more distant neighborhoods.

From a broader perspective, given the rezoning sequence initiated by the adjoining property and now proposed for this parcel, rezoning the subject site could provide precedence for non-residential rezoning to be sought in the future for adjacent frontage properties. Such incremental change could produce the sort of retail strip the Comprehensive Plan otherwise seeks to prevent.

Intensification of non-residential uses could also increase pressure to develop an internal street and sidewalk network south of Rock Quarry Road, linking existing street stub-outs (Cowan Lane and Grandover Drive) to Rock Quarry. Such infrastructure improvements, and the resource allocations they would require, are not currently being contemplated by the City.

3. Public benefits of the proposed rezoning

As noted by the applicants, the proposal could bring additional goods and services closer to expanding residential development. Case conditions extend the majority of provisions in place on the property adjacent on the west, providing a measure of development continuity. Construction is conditioned to a low-rise, residential scale.

4. Detriments of the proposed rezoning

Approval of the proposal, in the face of inconsistency with the Future Land Use Map and polices discouraging strip development, would reinforce the parcel-by-parcel retail rezoning approach initiated by Z-37-07. Of the new uses rezoning would permit, several (e.g., eating establishments) could introduce significant noise and traffic impacts. Allowing added retail at the subject site might also detract from business opportunity in nearby areas already zoned for future retail development.

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

5.1 Transportation

<u>Primary Street(s)</u>	<u>Classification</u>	<u>2009 NCDOT Traffic Volume (ADT)</u>	<u>2035 Traffic Volume Forecast</u>			
Rock Quarry Road	Major Thoroughfare	14,000	32,000			
Street Conditions						
<u>Rock Quarry Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	22'	None	60'	None	None
City Standard	4	65'	Back-to-back curb and gutter section	90'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
Meets City Standard?	NO	NO	NO	NO	NO	NO
<u>Expected Traffic Generation [vph]</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	12	222	210			
PM PEAK	6	152	146			
Suggested Conditions/ Impact Mitigation:			Traffic Study Determination: Staff has reviewed a trip generation differential report for this case. A traffic impact analysis (TIA) study is not recommended for Z-2-12.			
Additional Information:	Neither NCDOT nor the City of Raleigh have any roadway construction projects scheduled in the vicinity of this case.					

Impact Identified: No adverse impacts on the City's transportation infrastructure are expected from this proposed rezoning.

5.2 Transit

Neighborhood business may generate transit demand. While currently there is no transit along this corridor, the mid-range transit plan calls for extending service to this area. A transit easement is conditioned.

Impact Identified: As a transit easement is conditioned, no adverse impacts to the City's transit services are anticipated.

5.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Big Branch - South
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None

Impact Identified: No adverse impacts on the City's hydrology are anticipated from the approval of this proposal.

5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	3,813 gpd	5,265 gpd
<i>Waste Water</i>	3,813 gpd	5,265 gpd

The proposed rezoning will add approximately 1,452 gpd to the wastewater collection and water distribution systems of the City. There is an existing water main in Rock Quarry Road. Sanitary sewer is available to the property; the applicant will be required to extend the sewer line to and across the property.

Impact Identified: The City's public utilities are expected to meet any demand imposed by the proposed rezoning.

5.5 Parks and Recreation

The subject rezoning case is not located adjacent to a greenway corridor nor does it impact recreation level of service.

Impact Identified: The proposal is not expected to affect adversely the City's parks and recreation resources.

5.6 Urban Forestry

Sec. 10-2082.14(b) of the Raleigh Code of Ordinances requires lots two acres and larger to apply Tree Conservation regulations. This site is less than (2) acres and is not wooded along the thoroughfare, and is thus exempt from tree conservation.

Impact Identified: No impacts expected.

5.7 Wake County Public Schools

Under the existing zoning, a maximum of 4 dwelling units can be constructed on the site. The proposed zoning could permit up to 11 units. The increase could result in one additional elementary school and one middle school student being enrolled at base schools:

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
East Garner	505	52.4%	507	52.6%
East Garner Middle	1,131	124.1%	1,132	124.3%
Southeast Raleigh	1,866	92.4%	1,867	92.5%

Impact Identified: The proposal could result in a slight increase in the number of school-age children in the base school area, adding to the over-capacity conditions already in effect at the base middle school.

5.8 Designated Historic Resources

This site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District, nor does it include any National Register or Raleigh Historic Landmarks.

Impact Identified: No impacts to the city's historic resources are expected as result of this proposal.

5.9 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: No impacts to the city's redevelopment plan areas are anticipated from this proposal.

5.10 Impacts Summary

Other than the potential of a slight increase in the number of school-age children at base schools, no significant impacts are anticipated.

5.11 Mitigation of Impacts

No mitigation expected.

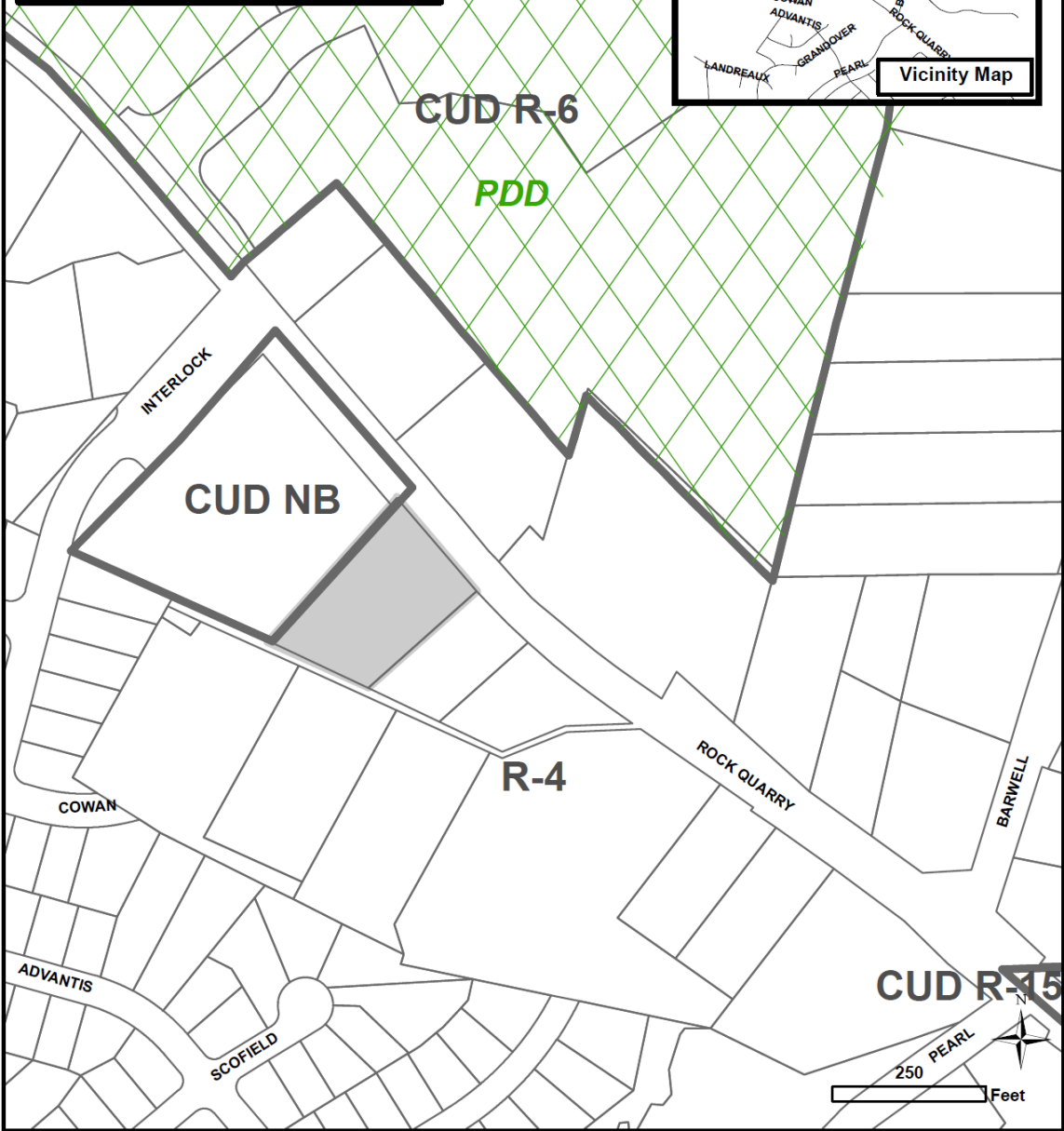
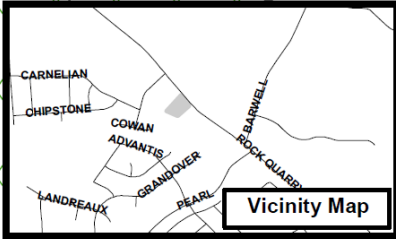
6. Appearance Commission

This rezoning request is not subject to Appearance Commission review.

7. Conclusions

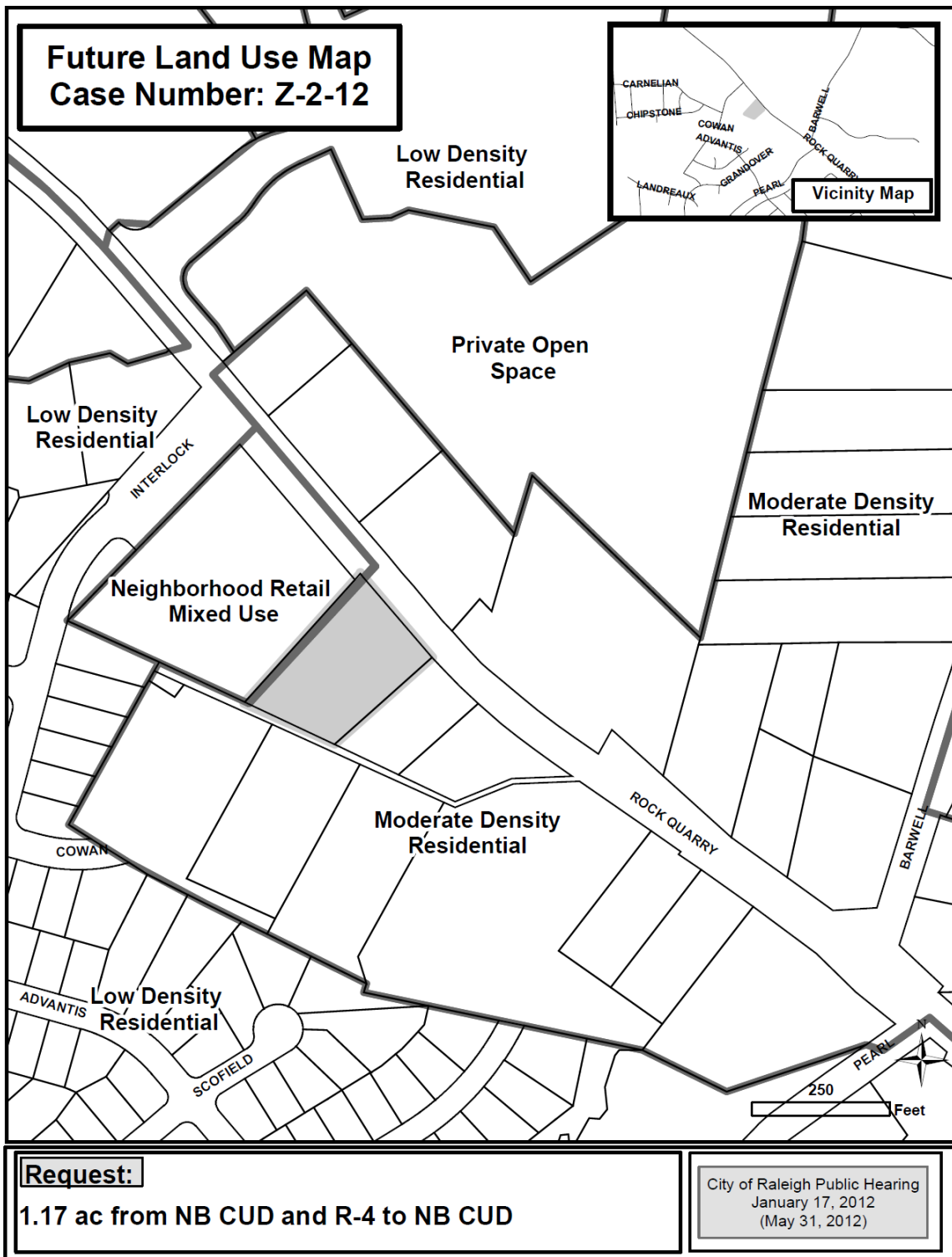
The proposal is inconsistent with the Future Land Use Map, but it is conditioned sensitively to the immediate context. No significant impacts on public services or infrastructure are anticipated from the proposed rezoning.

**Existing Zoning Map
Case Number: Z-2-12**



Request:
1.17 ac from NB CUD and R-4 to NB CUD

City of Raleigh Public Hearing
January 17, 2012
(May 31, 2012)





Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

CITY OF RALEIGH
CITY PLANNING DEPT

2011 SEP 15 AM 11:5

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - a. to lessen congestion in the streets;
 - b. to provide adequate light and air;
 - c. to prevent the overcrowding of land;
 - d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - e. to regulate in accordance with a comprehensive plan;
 - f. to avoid spot zoning; and
 - g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

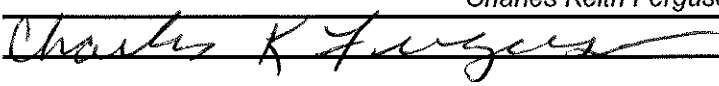
Signature(s)	Print Name	Date
	Charles Keith Ferguson	September 15, 2011

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s) (for conditional use requests, petitioners must own petitioned property)	Charles Keith Ferguson	9804 Ray Road Raleigh, NC 27613	(919)847-5103
Property Owner(s)	Charles Keith Ferguson	9804 Ray Road Raleigh, NC 27613	(919)847-5103
Contact Person(s)	George T. Barnes	3900 Merton Drive, Suite 210 Raleigh, NC 27609	(919)459-2601 gbarnes@vanguardpg.com

Property information

Property Description (Wake County PIN)	1732017476
Nearest Major Intersection	Interlock Drive & Rock Quarry Road
Area of Subject Property (in acres)	1.17
Current Zoning Districts (include all overlay districts)	R-4 (1.11 acres) NB-CUD (2,608sf =.06 acres)
Requested Zoning Districts (include all overlay districts)	NB-CUD

EXHIBIT C. Request for a Zoning Change

Z-2-12
Amended 4/26/12

Conditional Use District requested: **Neighborhood Business - CUD**

Narrative of conditions being requested:

1) Conditional Use Zone Requested: Neighborhood Business - CUD

2) Narrative of conditions being requested:

1. Maximum Building Floor Area Gross is 6,600 square feet.
2. Prior to the issuance of any building permit for the property or subdivision of the property, whichever event first occurs, the property owner shall convey to the City of Raleigh a transit easement on Rock Quarry Road measuring twenty (20) feet by fifteen (15) feet. The location of the easement shall be approved by the City of Raleigh Public Works Department Transit Program, and the City Attorney shall approve the transit easement deed prior to recordation. Further, upon request by the Transit Program, the property owner shall provide a transit bench and/or shelter at such time as the transit stop meets minimum ridership thresholds, or pay a fee in lieu equivalent to the cost of such improvements.
3. All lighting fixtures shall be of full-cutoff design. Free standing lighting poles shall be a maximum of twenty-five (25) feet in height.
4. Prior to building permit issuance or subdivision of the property, whichever event first occurs, an offer of Cross-Access shall be provided to the adjacent properties to the East (Deed Book 1623 / Page 75, and West (Deed Book 13483 / Page 187). Provision of both vehicular and pedestrian cross-access shall be required.
5. Prior to issuance of a certificate of occupancy, a minimum 30 foot wide transitional protective yard shall be provided adjacent to any residentially zoned property that contains a detached or attached dwelling unit (with the exception being any future point of cross-access).
6. Any ground mounted signs shall consist of a low profile design.
7. All structures on the property shall be limited to a maximum height of twenty-five (25) feet. The roof(s) shall present a pitched appearance, with a minimum slope of 3:12.
8. The following uses shall be prohibited:
 - a) Free-Standing Pharmacy/Drug Store Uses:
 - b) Bars, Pool Halls, Nightclubs, Taverns and Lounges. Notwithstanding the foregoing, Restaurants, as defined in G.S. 18B-1000(6), shall be allowed.
 - c) Automotive service and repair facilities (not to exclude a retail auto parts store).
 - d) Vehicle Sales / Rental.
 - e) Drive-Through Eating Establishments.
9. Building materials and colors, and building signage, shall be consistent with those approved under site plan SP-35-2008 for the development of the property to the West (Deed Book 13483/ Page 187). Site building(s) shall be oriented such that the main entrance(s) face(s) Rock Quarry Road, and designed such that all elevations shall exhibit only the same materials and colors as are exhibited on the street-facing side. Any service areas shall be screened from view by opaque walls of the primary façade material and color provided on the rest of the building, with the exception that any enclosure gates may be of opaque metal or wood construction, of color or finish matching the building.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners**.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS


Signature(s)	Print Name	Date
	Charles Keith Ferguson	April 25, 2012

EXHIBIT D. Request for Zoning Change

Please use this form only -- form may be photocopied. Please type or print. See instructions in *Filing Addendum*

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
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 properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:

The Future Land Use Map calls for Low-Density Residential

B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

The site is not located in an area governed by an Area Plan.

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").

Policy LU 4.5 Connectivity- *An offer of cross-access shall be provided to the adjacent property to the west and east*
Policy LU 5.6 Buffering Requirements – *A transitional protective yard shall be provided adjacent to all adjoining residential properties.*

Policy LU 7.4 Scale and Design of New Commercial Uses – *Maximum Building Size shall not exceed 7,000 square feet, and the height shall not exceed 25 feet. All roofs fronting Rock Quarry Road shall be constructed to present a pitched appearance.*

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

II. Compatibility of the proposed map amendment with the property and the surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

Primarily single-family homes and trailer homes. The adjacent parcel to the NW contains an 18,340 sf neighborhood retail center. Barwell Road Elementary School and Community Center are located approx 1/2 mile away, as is a new fire station. The subject site is located on Rock Quarry Road, with Jones Sausage Road / New Hope Road to the NW and Barwell Road to the SE.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

Primarily Low to Moderate Density Residential. The adjacent parcel to the NW was recently zoned NB-CUD. Conditions on the adjacent site limit among other things, a buildings size and height, and provide for cross access to the subject site, transitional protective yards and roofs with a residential appearance. The subject site contains split zoning, as a result of a previous recombination – a very small portion of the site along the NW property line is zoned NB.

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:

This area has witnessed substantial residential growth. Additionally, the planned growth called for in the future land use map, creates the need for “residential retail” to serve this growing immediate area. A portion of the subject site currently contains a NB-CUD zoning, and the petitioner seeks to expand this. The adjacent site provides for cross-access to this site already, and it is the intent that any proposed uses match the character of the adjacent property.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s): *The land owners are seeking an exit strategy and the highest and best use for his property, within the conformance of the Comprehensive Plan, with the idea of ultimately providing needed service options to the neighbors and surrounding community.*

B. For the immediate neighbors: *The immediate neighbors will benefit from the internal circulation, pedestrian connectivity and service options without the need to travel long distances along Rock Quarry Rd. Amending the zoning allows for services to be offered closer to home, school and community, thereby decreasing travel distances and traffic along congested roads, and consequently reducing the strain on the road network.*

C. For the surrounding community: *In addition to the inter-connectivity and internal circulation, the surrounding community will benefit from having access to add'l retail and/or office service options nearby, which reduces travel times. Having options in the neighborhood enhances the sense of community, reduces stress, saves fuel and helps mitigate the impact on our environment.*

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

Yes. Ultimately, the intent is to provide needed retail/service/office/daycare options to the surrounding properties and community. Adding to what is already there provides for better internal circulation, cross-access, enhanced pedestrian mobility, and consistency in the neighborhood.

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

Cross-access from the adjacent property to the subject property currently exists. The idea here is to provide a point of consistency, and continuation of the development adjacent to the subject property, to aid in the internal circulation of the neighborhood.

V. Recommended items of discussion (where applicable).

a. **An error by the City Council in establishing the current zoning classification of the property.** *N/A*

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

The pattern of development that has emerged appears to consist of low-to moderate density residential. Future land use calls for a substantial continuation of this pattern. The community and neighborhood will require additional services close to home to support the residential in this area. Secondly, the adjacent property (to the northwest) is now zoned NB-CUD, and as a result of this, a small portion of the subject parcel contains a NB-CUD zoning designation.

c. **The public need for additional land to be zoned to the classification requested.**

Due to the current and planned residential growth in this area, there is a need for additional service and retail uses in this area to ultimately support it. This will lessen the need for members of this community to drive to other communities to attain comparable services. This helps lessen the congestion on the roads in this area.

d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

Having additional service options in the area help enhance the sense of community, eliminates the need to drive outside of the community for comparable services, which reduces strain on the road infrastructure. I don't see an adverse impact on the other.

e. **How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**

With conditions to limit size, height, and use, along with the requirement for low profile signage and roof elements containing residential characteristics, the proposed rezoning promotes the general welfare of the community by providing needed closer to home services, enhanced vehicular and pedestrian mobility, while decreasing trip times and strain on a congested road network. Future land use maps call for significant low to moderate density residential in this community. So, there appears to be an insufficient level of close to home services, which will become more of an issue as residential development continues in to the future.

VI. Other arguments on behalf of the map amendment requested.

2-2-12



RAMEY KEMP & ASSOCIATES, INC.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609
Phone - 919-872-5115 Fax - 919-878-5416
www.rameykemp.com

September 15, 2011

George T. Barnes
Vanguard Property Group
3900 Merton Drive, Suite 210
Raleigh, NC 27609
P: 919.459.2601

Subject: **Trip Generation Study for Rezoning**
5424 Rock Quarry Road - Raleigh, North Carolina

Dear Mr. Barnes:

This letter provides a comparison of the trip generation for the maximum build out under the existing zoning with the trip generation for the maximum build out under the proposed zoning for a parcel located at 5424 Rock Quarry Road in Raleigh, North Carolina. Refer to Figure 1 for the property location.

The subject parcel is currently zoned R-4 (residential) and is 1.17 acres in size. This letter will discuss the impacts of traffic if the 1.17 acre parcel is rezoned to NB (neighborhood business) from R-4.

Existing Zoning Trip Generation

The trip generation volumes for the existing zoning were determined using the ITE Trip Generation Manual, 8th Edition. Trip generation volumes were calculated assuming the existing R-4 zoning would allow a maximum of four (4) residential units per acre as per the City's zoning codes. Since the property is 1.17 acres in size, four (4) residential units could be developed on the parcel. For trip generation purposes, the residential units are considered to be single family homes. Refer to Table 1 for the trip generation associated with the existing zoning of the 1.17 acre parcel.

Proposed Rezoning Trip Generation

A variety of uses are allowed under the proposed zoning and the owner would like to have flexibility in the use that is constructed. Uses being considered by the owner include a drive-in bank, daycare, medical office building, auto parts store, and a sit down restaurant. It is our understanding that any buildings constructed on the subject parcel would be limited to a maximum of 7,000 square feet in size, but that a drive-in bank would be limited to 3,500 square feet due to the additional area needed for the drive-through lanes. Trip generation calculations were prepared for each of these uses and compared to determine the highest trip generation potential. It was determined that a daycare would be the most intense use for trip generation. Trip generation calculations for each of the uses considered are attached.

Trips for maximum build out under the proposed zoning were generated for a 7,000 square foot daycare. Trip generation volumes were determined based on methodologies contained within the ITE Trip Generation Manual, 8th Edition. Refer to Table 1 for the trip generation associated with the proposed zoning of the 1.17 acre parcel.

**Table 1
Site Trip Generation Comparison – 1.17 AC Parcel
Existing and Proposed Zoning**

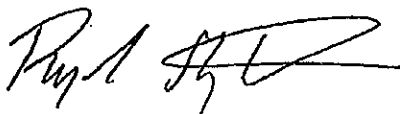
Land Use (ITE Code)	Density	Average Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
EXISTING ZONING						
R-4 Single Family Residential (210)	4 units	54	3	9	4	2
PROPOSED ZONING						
NB Daycare Center (565)	7,000 sf	555	46	40	41	46
DIFFERENCE		+501	+43	+31	+37	+44

Conclusions

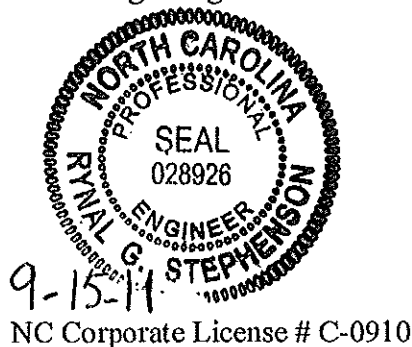
Under the proposed rezoning, there would be a net increase in the trip generation potential of the 1.17 acre parcel. The rezoning would result in a potential net increase of 74 AM peak hour trips and 81 PM peak hour trips. The number of additional potential trips generated by the rezoning is relatively low and would not be expected to create the need for additional traffic studies.

Please let us know if you have any further questions regarding this information.

Sincerely,
RAMEY KEMP & ASSOCIATES, INC.

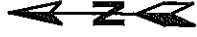
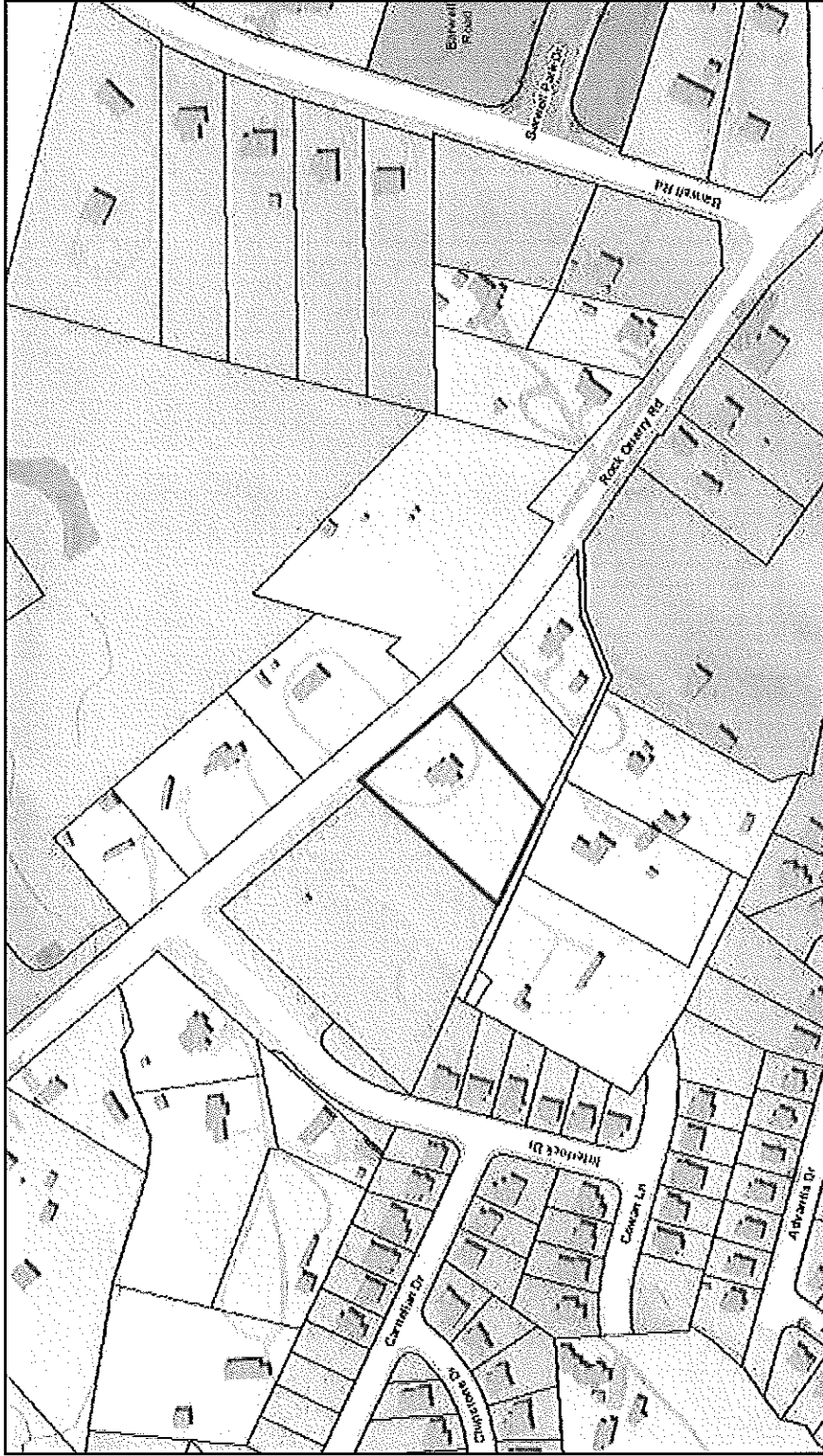


Rynal Stephenson, P.E.
Transportation Manager



9-15-11
NC Corporate License # C-0910

Attachments



Proposed Rezoning
5424 Rock Quarry Road
Raleigh, North Carolina

Parcel Location Map

Figure 1

Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes
September 15, 2011

Land Use	Size	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
			Enter	Exit	Enter	Exit
Drive-in Bank	3.5 Th.Sq.Ft. GFA	519	24	19	45	45
Medical-Dental Office Building	7 Th.Sq.Ft. GFA	253	13	3	7	18
Day Care Center	7 Th.Sq.Ft. GFA	555	46	40	41	46
Automobile Parts Sales	7 Th.Sq.Ft. GFA	433	0	0	21	21
High Turnover (Sit-Down) Restaurant	7 Th.Sq.Ft. GFA	890	42	39	46	32
Total Driveway Volume		2650	125	101	160	162
Total Peak Hour Pass-By Trips			0	0	50	44
Total Peak Hour Vol. Added to Adjacent Streets			125	101	110	118

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

Summary of Multi-Use Pass-By Trips
 Average Weekday
 September 15, 2011

Land Use	Size	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
Drive-in Bank	3.5 Th.Sq.Ft. GFA	0	0	21	21
Medical-Dental Office Building	7 Th.Sq.Ft. GFA	0	0	0	0
Day Care Center	7 Th.Sq.Ft. GFA	0	0	0	0
Automobile Parts Sales	7 Th.Sq.Ft. GFA	0	0	9	9
High Turnover (Sit-Down) Restaurant	7 Th.Sq.Ft. GFA	0	0	20	14
Total Peak Hour Pass-By Trips		0	0	50	44

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

Minutes of the Informational Neighborhood Meeting
Held for the 5424 Rock Quarry Road Rezoning Proposal

Meeting Date: September 7, 2011

Meeting Location: Barwell Road Community Center
3935 Barwell Road
Raleigh, NC 27601

Meeting Hosts: George T. Barnes – Vanguard Property Group

The Subject Meeting Started at 6:20 p.m.

In attendance were the following:

Xavier Ochoe - 5417 Rock Quarry Road
Xavier Ochoe Jr.

Attached is a copy of the Presentation that was viewed and discussed at the Meeting.

There were good questions and comments, but no concerns raised by the attendees.

The meeting adjourned at 7:05 p.m.



VANGUARD CITY OF RALEIGH
PROPERTY GROUP CITY PLANNING DEPT

2011 AUG 25 PM 4:39

2-2-12
SAMPLE

Received 8-26-11
Mailed out 8-26-11
(initials)

August 25, 2011

1732017190

Bobby McCoy Dietrich

5514 Rock Quarry Road

Raleigh, NC 27610

RE: Rezoning Request – 5424 Rock Quarry Road

Dear Neighbor,

You are invited to attend an informal neighborhood meeting regarding the above referenced rezoning request from 6:20pm – 7:00pm on Wednesday, September 7, 2011 at the Barwell Road Community Center. See back for map to Community Center.

The purpose of the meeting is to provide information regarding a proposed rezoning request and to solicit input regarding any ideas or concerns you may have. Attending the meeting will be:

- George Barnes and George Venters with Vanguard Property Group, proposed developers of the property who can answer specific questions about the proposed use of the property.

We hope you can attend and look forward to seeing you there. If you any questions prior to the meeting, please feel free to contact me.

Sincerely,

George T. Barnes, Jr.

Vanguard Property Group

(919) 459.2601

3900 Merton Drive, Suite 210
Raleigh NC, 27609
919.459.2600

**COMMUNITY MEETING - Proposed Rezoning
5424 Rock Quarry Road**

1732017190	Bobby McCoy Dietrich	5514 Rock Quarry Road	Raleigh	NC	27610
1732019277	Myotho Butler	5508 Rock Quarry Road	Raleigh	NC	27610
1732019307	Andrew J. & Joyce H. Cooper	5500 Rock Quarry Road	Raleigh	NC	27610
1732016138	Joyce Cooper	5500 Rock Quarry Road	Raleigh	NC	27610
1732014252	Andrew & Lottie J. Cooper	5500 Rock Quarry Road	Raleigh	NC	27610
1732015652	Southridge Marketplace LLC	3900 Merton Drive, Ste 210	Raleigh	NC	27609
1732017941	Gary W. & Rebecca H. Lanier	814 N. Willow Street	Angier	NC	27501
1732019675	Mercedes Cedeno	5417 Rock Quarry Road	Raleigh	NC	27610
1732111585	R. Bryant Wall	6017 Rock Quarry Road	Raleigh	NC	27610
1732014453	Patricia Holder	5508 Rock Quarry Road	Raleigh	NC	27610

CITY OF RALEIGH
CITY PLANNING DEPT
2011 AUG 25 PM 4: 39