



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-1-09 General Use; Duplin Road

General Location: This site is located on the east and west sides of Duplin Road and Brooks Avenue, north and south of its intersections with Lewis Farm Road and Churchill Avenue.

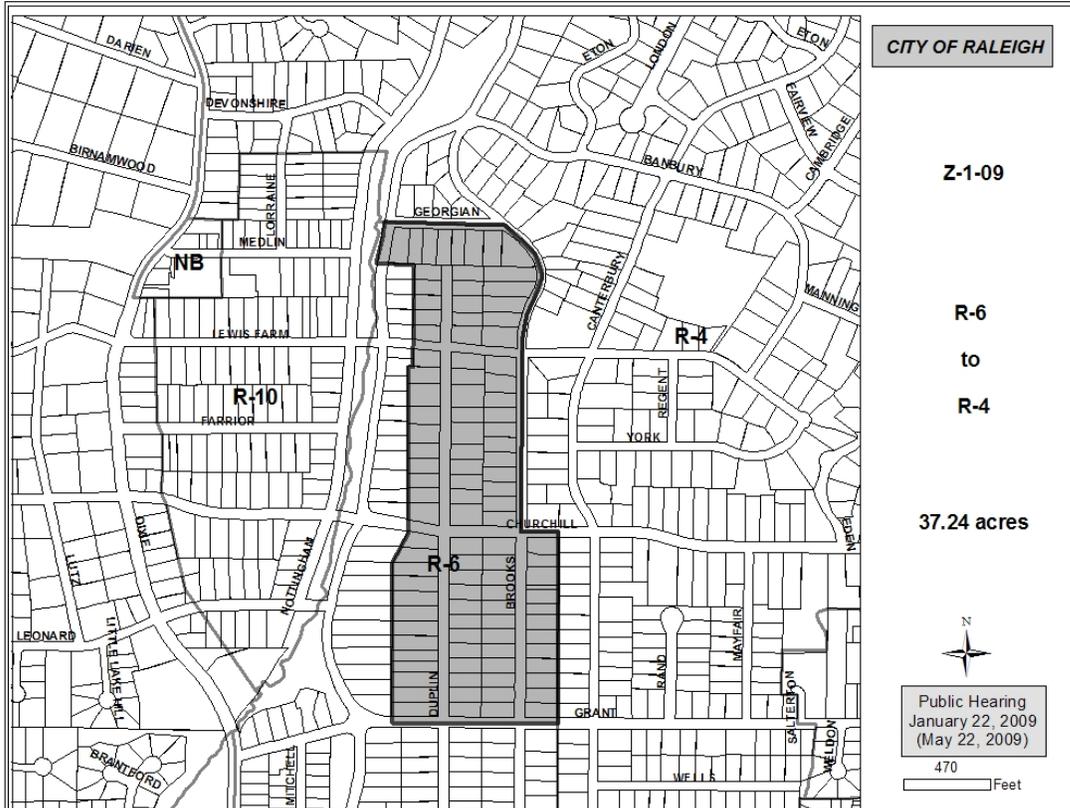
Planning District / CAC: University / Wade

Request: Petition for Rezoning from Residential-6 to Residential-4.

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

Valid Protest Petition (VSPP): NO

Recommendation: The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan and that this request be approved based on the Findings and Reasons stated below.



CASE FILE: Z-1-09 General Use

LOCATION: This site is located on the east and west sides of Duplin Road and Brooks Avenue, north and south of its intersections with Lewis Farm Road and Churchill Avenue.

REQUEST: This request is to rezone approximately 37.24 acres, currently zoned Residential-6. The proposal is to rezone the area to Residential-4.

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

RECOMMENDATION: The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan and that this request be approved based on the Findings and Reasons stated below.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The University District Plan designates this area as being appropriate for suburban residential development.
- (2) The Planning Commission also finds that this request is reasonable and in the public interest. Rezoning the properties to Residential-4 is consistent and compatible with the current large lot single family residential character of the neighborhood.
- (3) The proposal to rezone to Residential-4 is an effective method of neighborhood conservation. The proposal will help to conserve the current character of the neighborhood.

To PC: 2/10/2009
Case History:

To CC: 2/17/2009

City Council Status: _____

Staff Coordinator: Stan Wingo

Motion: Haq

Second: Harris Edmisten

In Favor: Anderson, Bartholomew, Butler, Chambliss, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith

Opposed:

Excused:

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)

(PC Chair)

date: _____

date: 2/12/09



Zoning Staff Report: Z-1-09 General Use

LOCATION: This site is located on the east and west sides of Duplin Road and Brooks Avenue, north and south of its intersections with Lewis Farm Road and Churchill Avenue.

AREA OF REQUEST: 37.24 acres

PROPERTY OWNER: Various property owners

CONTACT PERSON: Paula Hoffman 787-7913

PLANNING COMMISSION RECOMMENDATION DEADLINE: *May 22, 2009*

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential-6	Residential-4
	<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
	None	None
ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	223 dwelling units	148 dwelling units
ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Office uses not permitted.	Office uses not permitted.
ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Retail uses not permitted.	Retail uses not permitted.
ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Tract ID Sign	Tract ID Sign
ZONING HISTORY:	This property has been zoned Residential-6 since 1975 (Z-17-75).	
SURROUNDING ZONING:	NORTH: R-4 SOUTH: R-6	

EAST: R-4
WEST: R-6, R-10

LAND USE: Single Family Residential

SURROUNDING

LAND USE: NORTH: Single family
SOUTH: Single family
EAST: Single family
WEST: Single family

DESIGNATED HISTORIC RESOURCES: *Site is not located within a historic district and does not contain any historic landmarks.*

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
PLAN SUMMARY**

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

Element	Application to case
Planning District	University
Urban Form	Suburban Residential
Specific Area Plan	N/A
Guidelines	N/A

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

This site is located within the University Planning District in a location designated as appropriate for Suburban Residential. The request to rezone to Residential-4 is consistent with the Comprehensive Plan.

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

Applicant states that the proposed map amendment would make the zoning of the subject property conform more closely to the existing uses, density, lot sizes and setbacks of the subject property as it currently exists. The proposed zoning map amendment would also establish minimum lot size, setback and density requirements that will help the neighborhood resist the pressures to redevelop into higher density housing.

Staff agrees with the applicant’s assessment. The rezoning of these properties is consistent and compatible with the current large lot single family residential land use in place. Residential-4 zoning is also compatible with surrounding zoning and land uses. The proposal would increase minimum lot size requirement from 7,260 square feet to 10,890 square feet. Of the 104 parcels, only one will be made non-conforming based on lot size, while another is currently nonconforming under the Residential-6 zoning.

3. Public benefits of the proposed rezoning

The applicant states that the proposal would ensure that any redevelopment in the area is in keeping with the established nature and character of the larger neighborhood in which the subject properties are located. The entire neighborhood to the north and east are zoned Residential-4. Extending the Residential-4 zoning would help to maintain the desirability of the neighborhood as an established, low density neighborhood.

Staff agrees that this proposal would be an effective method for neighborhood conservation. The request to rezone this area to Residential-4 would help to ensure the conservation of the current low density residential style and character.

4. Detriments of the proposed rezoning

This requested rezoning may affect the ability to subdivide property in the future.

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

TRANSPORTATION: Duplin Road is classified as a residential street and is constructed as a two-lane 26-foot ribbon paved road within a 60-foot right-of-way. City standards call for Duplin Road to be constructed as a 31-foot back-to-back curb and gutter section with sidewalks on a minimum of one side within the existing right-of-way. Brooks Avenue and Churchill Road are both classified as collector streets and each roadway is constructed with a 41-foot back-to-back curb and gutter section within a 60-foot right-of-way. City standards call for Brooks Avenue and Churchill Road to be constructed with sidewalk on a minimum of one side. Lewis Farm Road is also classified as a collector street and is constructed as a 32-foot ribbon paved roadway within a 50 foot right-of-way. City standards call for Lewis Farm Road to be constructed as a 41-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within a 60-foot right-of-way.

Grant Avenue and Georgian Terrace are both classified as residential streets and both are constructed as two-lane roads with a 32-foot back-to-back curb and section within a 60-foot right-of-way. City standards call for Grant Avenue and Georgian Terrace to be constructed with sidewalk on a minimum of one side within the existing right-of-way. Neither NCDOT nor the City have any projects currently scheduled in the vicinity of this case.

TRANSIT: The site is not within close proximity of current/future bus routes or proposed regional rail transit station. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: Adjacent to FEMA –stream on west side of Banbury Rd
DRAINAGE BASIN: Beaver-SW
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 - Stormwater Regulations. No Buffers – Stream on west side of Banbury Rd. No WSPOD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>130,340</u> gpd	Approx. <u>74,480</u> gpd
Waste Water	Approx. <u>130,340</u> gpd	Approx. <u>74,480</u> gpd

The proposed rezoning would not impact the City’s wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located within the zoning case’s boundary.

PARKS AND

RECREATION: This property is adjacent to Beaver Dam Creek Greenway West. The City has already acquired the greenway along this corridor. This proposed rezoning reduces the neighborhood density and the level of service required for park facilities in the area. The current facilities will continue to support the residents of the area.

WAKE COUNTY

PUBLIC SCHOOLS: The current rezoning proposal would not increase residential density, therefore would have no additional impact on area public schools.

IMPACTS SUMMARY: There will be no impact on infrastructure associated with this rezoning request. However, the request may affect property owners ability to subdivide their lots in the future.

OPTIONAL ITEMS OF DISCUSSION

[Only address if the applicant has]

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

Applicant states that the subject property was zoned R-6 in 1975. At that time the subject property was developed much as it is today. Because the subject property was more suited to R-4 zoning at that time, City Council erred in zoning the subject property R-6.

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

Applicant states the use of the subject property has not changed dramatically since the subject property was last zoned, but the restrictive covenants mentioned above were recently rescinded, leaving the subject property vulnerable to the increasing pressures for redevelopment that is not within the character of the established neighborhood in and around the subject property.

APPEARANCE

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

CITIZENS’

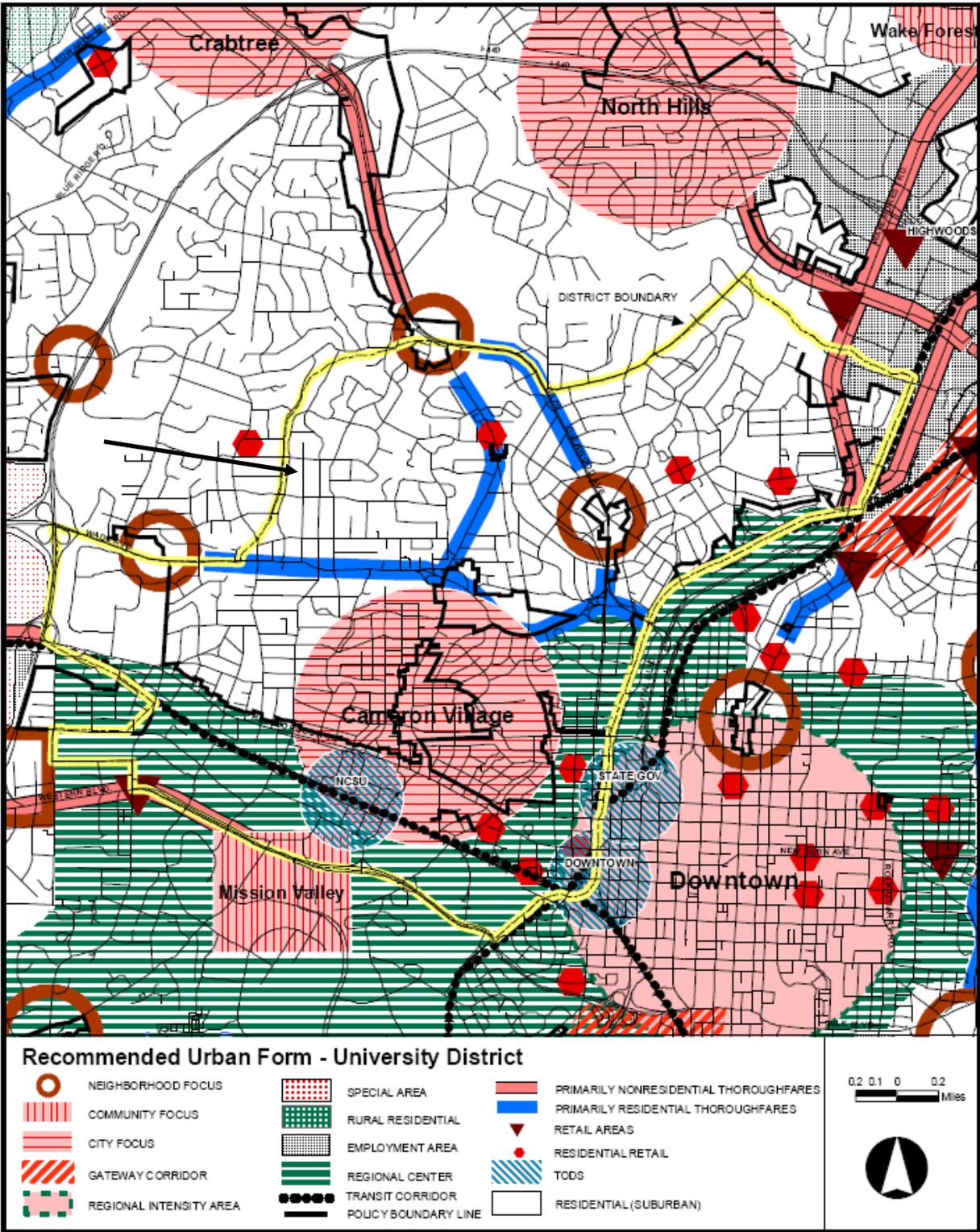
ADVISORY COUNCIL: DISTRICT: Wade
CAC CONTACT PERSON: Bill Padgett 787-6378

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

1. Outstanding issues

The requested rezoning may affect the ability to subdivide property in the future. The proposed rezoning may also render some structural nonconformities due to increased setbacks.



6/06 Raleigh Comprehensive Plan

University District 5-10.F