



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-2-09 Conditional Use; Cartier Drive

General Location: This site is located on the north side of Cartier Drive, west of its intersection with Oberlin Road.

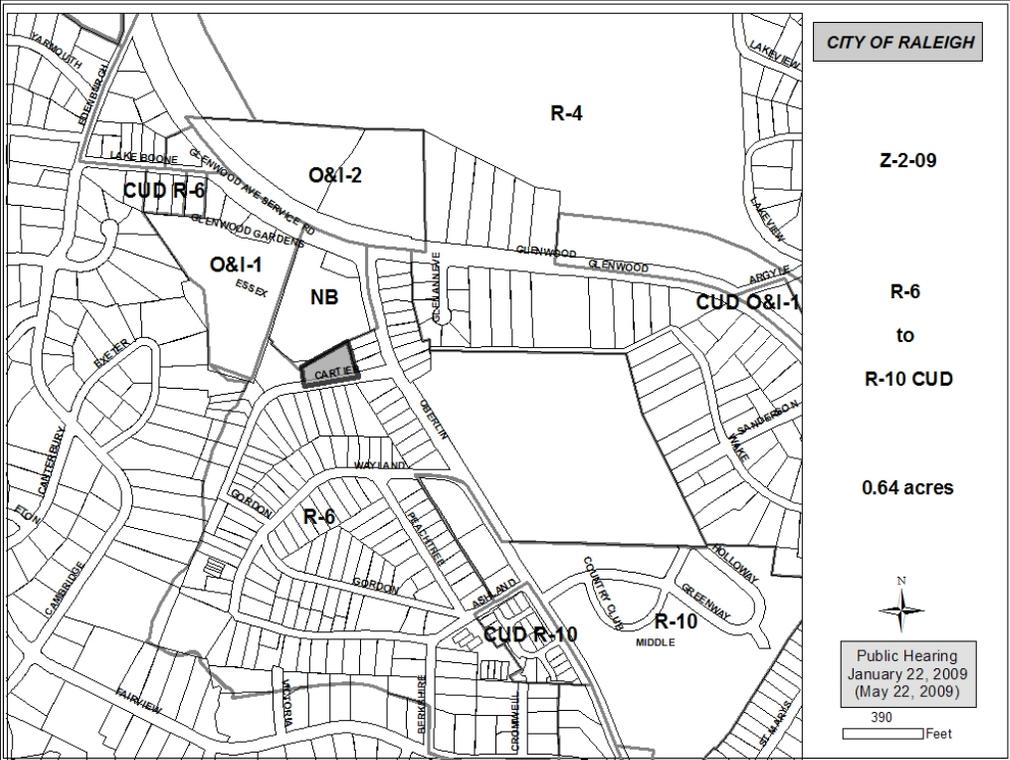
Planning District / CAC: University / Wade

Request: Petition for Rezoning from Residential-6 to Residential-10 Conditional Use.

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

Valid Protest Petition (VSPP): NO

Recommendation: The Planning Commission finds that this request is inconsistent with the Comprehensive Plan. However, based on the findings and reasons stated herein, that this request be approved in accordance with zoning conditions dated February 11, 2009.



CASE FILE: Z-2-09 Conditional Use

LOCATION: This site is located on the north side of Cartier Drive, west of its intersection with Oberlin Road.

REQUEST: This request is to rezone approximately 0.64 acre, currently zoned Residential-6. The proposal is to rezone the property to Residential-10 Conditional Use.

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

RECOMMENDATION: The Planning Commission finds that this request is inconsistent with the Comprehensive Plan. However, based on the findings and reasons stated herein, that this request be approved in accordance with zoning conditions dated February 11, 2009.

- FINDINGS AND REASONS:**
- (1) This request is inconsistent with the Comprehensive Plan. The University District Plan designates this area as being appropriate for Suburban Residential development.
 - (2) Proposed zoning conditions for this site include limiting new construction to single family detached dwellings, existing quadraplex may be replaced with a maximum of four (4) dwelling units, vinyl siding shall be prohibited, and reimbursement for right of way shall be at the R-6 value.
 - (3) The Planning Commission finds that this request is reasonable and in the public interest. Rezoning the property to Residential-10 Conditional Use will provide an appropriate transition to the adjacent shopping center. The proposal is consistent and compatible with surrounding land uses.

To PC: 2/10/2009
Case History:

To CC: 2/17/2009 **City Council Status:** _____

Staff Coordinator: Stan Wingo

Motion: Holt
Second: Smith
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-2-09 Conditional Use

LOCATION: This site is located on the north side of Cartier Drive, west of its intersection with Oberlin Road.

AREA OF REQUEST: 0.64 acre

PROPERTY OWNER: George Kane

CONTACT PERSON: George Kane 201-8100

PLANNING COMMISSION RECOMMENDATION DEADLINE: *May 22, 2009*

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential-6	Residential-10 Conditional Use
	<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
	None	None

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	3 dwelling units	6 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 being brought into the City's jurisdiction.

SURROUNDING ZONING:
NORTH: NB
SOUTH: R-6
EAST: R-6

WEST: R-6

LAND USE: Multifamily dwelling unit

SURROUNDING

LAND USE: NORTH: Retail and office uses, shopping center
SOUTH: Single family
EAST: Single family
WEST: Single family

DESIGNATED HISTORIC RESOURCES: *This 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 in the University Planning District within an area designated as appropriate for Suburban Residential. The request to rezone the property to Residential-10 Conditional Use is inconsistent with the Comprehensive Plan.

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

Applicant states that the proposed map amendment would allow the addition of two (2) single family properties on this under-developed density parcel; therefore the request would be compatible.

Staff disagrees with this assessment in part. The amendment could be considered as being compatible with surrounding land uses. The applicant has conditioned the property to single family new construction. Given this offered condition, the proposed land use would be compatible with the surrounding area in terms of land use. However, rezoning the property to Residential-10 Conditional Use is not compatible with surrounding zoning and/or density. The proposal could be considered a small-scale rezoning.

3. Public benefits of the proposed rezoning

Applicant states the main benefit of this request is the creation of two (2) single family lots, also noting the increased housing opportunity with minimal impact to infrastructure.

Staff disagrees with the assessment presented by the applicant. There is very little public benefit associated with this request.

4. Detriments of the proposed rezoning

This request could be considered small-scale in nature and will introduce higher density zoning and smaller lot sizes in an established, older neighborhood.

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

TRANSPORTATION: Cartier Drive is classified as a residential street and is constructed as 2-lane street with a 31-foot a back-to-back curb and gutter section within a 50-foot right-of-way. City standards call for Cartier Drive to be constructed with sidewalk on a minimum of one side within the existing right-of-way.

The petitioner may want to consider a condition stating that reimbursement for additional right-of-way dedicated shall be at R-6 values.

TRANSIT: This site is within close proximity of current bus routes but does not provide an appropriate space for a bus stop. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: None.
DRAINAGE BASIN: Beaver-SW
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations. No Buffer. No WSPD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>2,240</u> gpd	Approx. <u>3,360</u> gpd
Waste Water	Approx. <u>2,240</u> gpd	Approx. <u>3,360</u> gpd

The proposed rezoning would add approximately 1,120 gpd the City's wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case's boundary.

PARKS AND RECREATION:

This property is not adjacent to any greenway corridors. This rezoning case will increase the number of residents only minimally. The residents will be absorbed by existing facilities.

WAKE COUNTY PUBLIC SCHOOLS:

Wake County public school populations in this area are overpopulated. Enrollment at Lacy Elementary could be increased by 1 student. This rezoning proposal will have very little impact on the crowded school populations for this area.

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Lacy	723	108.4%	724	108.5%
Daniels	1,162	101.5%	1,162	101.5%
Broughton	2,174	106.3%	2,174	106.3%

IMPACTS SUMMARY: The request to rezone this property to Residential-10 Conditional Use will have very little impact on current infrastructure.

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.**

N/A

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.**

N/A

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 proposal is inconsistent with the Comprehensive Plan.

