



## Certified Recommendation of the City of Raleigh Planning Commission

**Case File:** Z-12-09 Conditional Use; Marcom Street

**General Location:** Between Marcom Street and Kelford Street, at Stovall Drive

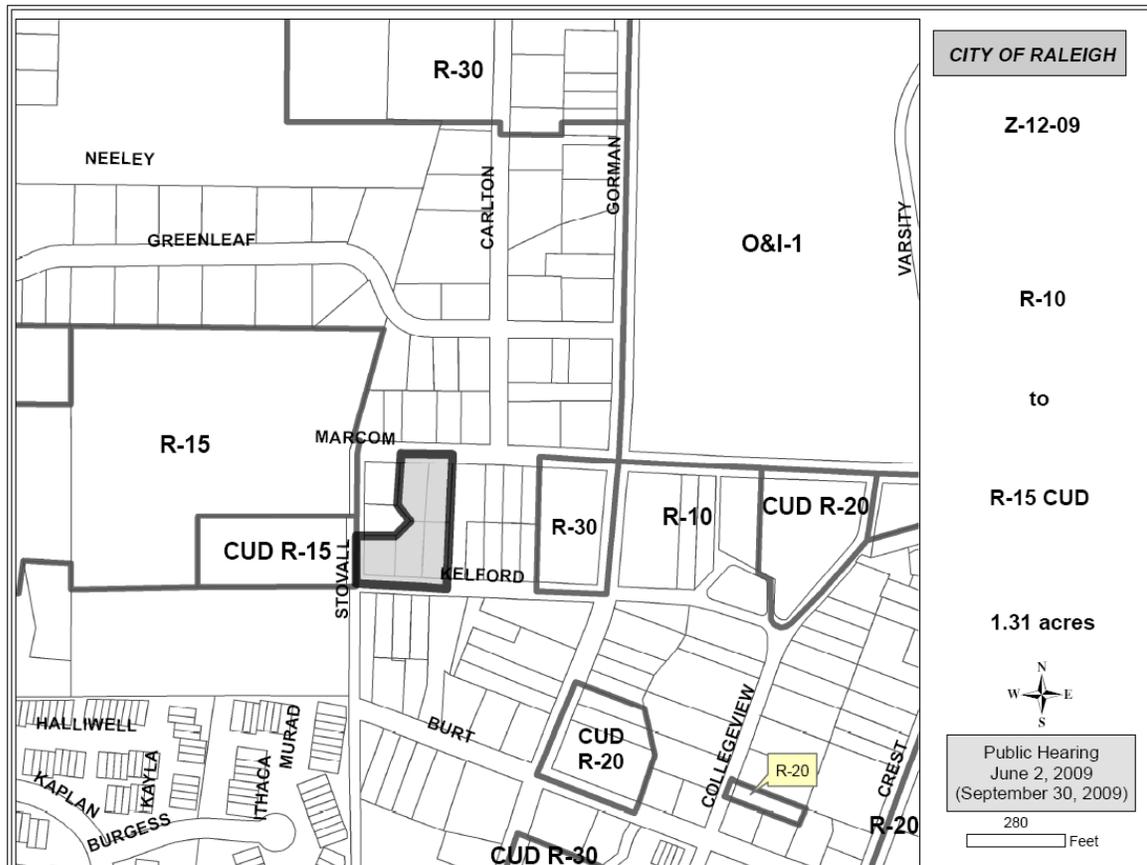
**Planning District  
/ CAC:** Southwest/ West

**Request:** Petition for Rezoning from Residential-10 to Residential-15 Conditional Use District.

**Comprehensive Plan  
Consistency:** This proposal is consistent with the Comprehensive Plan.

**Valid Protest  
Petition (VSPP):** Yes.

**Recommendation:** The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated June 5, 2009.



**CASE FILE: Z-12-09 Conditional Use**

**LOCATION:** This site is located between Marcom Street and Kelford Street, at Stovall Drive.

**REQUEST:** This request is to rezone approximately 1.31 acres, currently zoned Residential-10. The proposal is to rezone the property to Residential-15 Conditional Use District.

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

**RECOMMENDATION:** The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends that this request be approved in accordance with zoning conditions dated June 5, 2009.

**FINDINGS AND REASONS:**

- (1) The request is consistent with the Comprehensive Plan. The site is designated by the Gorman-Burt Neighborhood Plan for medium-density uses. However, the Plan also lists high-density development guidelines—all of which the proposal is conditioned to meet or exceed.
- (2) The applicant has provided additional conditions which include: limiting building height and materials, minimum roof pitch, breaking up front façades greater than 25 feet in width, tree conservation measures, provision of certain architectural components of townhouse development, limiting townhouse parking to the interior of the site, providing 10% additional parking beyond Code, limiting townhouse development curb cuts, providing stormwater capacity up to a 50-year event, setting right-of-way reimbursement at R-10 values, dumpster location and pickup hours, limiting ownership of multiple units, and offering cross-access to the west.
- (3) Being consistent and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.

**To PC:** COW: 2/3/09; 3/3/09; 4/7/09  
**Case History:** PC: 4/14/09 (recommended approval);  
6/9/09 (recommended approval)

**To CC:** 4/21/09 (referred to CPC); CPC: 4/29/09 (recommended re-advertising); CC: 5/5/09 (approved re-advertising); 6/2/09 (public hearing)

**City Council Status:** \_\_\_\_\_

**Staff Coordinator:** Doug Hill

**Motion:** Haq  
**Second:** Butler  
**In Favor:** Anderson, Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris Edmisten, Mullins, Smith, Vance  
**Opposed:** Holt  
**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: 6/10/09 \_\_\_\_\_



## Zoning Staff Report: Z-12-09 Conditional Use

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**LOCATION:** This site is located between Marcom Street and Kelford Street, at Stovall Drive.

**AREA OF REQUEST:** 1.31 acres

**PROPERTY OWNER:** Cary F. Squires, Alison M. Squires, Elwyn A. Squires, Carolyn J. Squires

**CONTACT PERSON:** Karen Kemerait, 747-8102

**PLANNING COMMISSION RECOMMENDATION DEADLINE:** September 30, 2009

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<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Residential-10	Residential-15 Conditional Use District
	<b><u>Current Overlay District</u></b>	<b><u>Proposed Overlay District</u></b>
	n/a	n/a

<b>ALLOWABLE DWELLING UNITS:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	13 units	19 units

<b>ALLOWABLE OFFICE SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Not permitted	Not permitted

<b>ALLOWABLE RETAIL SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Not permitted	Not permitted

<b>ALLOWABLE GROUND SIGNS:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Tract ID	Tract ID

**ZONING HISTORY:** This property has been zoned R-10 since 1967 (Z-21-67).

**SURROUNDING ZONING:** NORTH: Residential-10  
SOUTH: Residential-10  
EAST: Residential-10  
WEST: Residential-10, Residential-15, Residential-15 CUD (Z-99-98):  
Conditions: (effective 11/28/98)  
A. No more than twenty-eight dwelling units may be built on this property.

**LAND USE:** Low-density residential

**SURROUNDING**

**LAND USE:** NORTH: Low-density residential  
SOUTH: Low-density residential  
EAST: Low-density residential  
WEST: High-density residential, medium-density residential

**DESIGNATED  
HISTORIC**

**RESOURCES:** None on site; none within 100 feet of site.

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**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.

<b>Element</b>	<b>Application to case</b>
Planning District	Southwest
Urban Form	Medium density residential (10 d.u. or less per acre)
Specific Area Plan	Gorman/ Burt Neighborhood Plan
Guidelines	n/a

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

This proposal is consistent with the Comprehensive Plan. The Gorman-Burt Neighborhood Plan specifies (Policy 3) that:

"Densities higher than Residential-10 should be focused within three hundred [300] feet of the rights-of-way of Gorman Street, the section of Marcom Street east of Gorman Street, Varsity Drive and within two hundred feet of the Crest Road right-of-way...to promote the improvement of existing properties, make better use of transit possibilities, and provide a transition to those areas of the neighborhood which have more value as owner occupied housing."

The site is between 425 and 660 feet from the Gorman Street right-of-way. Its current zoning corresponds directly with the provisions of the Neighborhood Plan, which places the site within an "area of 10 dwelling units or less." However, the Neighborhood Plan also states that:

"Future rezoning to higher density residential in the Gorman-Burt Neighborhood should include the application of development guidelines... Other areas of the Gorman-Burt Neighborhood may also be appropriate for higher density housing using these guidelines, which may be used in conditional use zoning cases for higher densities."

The conditions proposed for the rezoning echo the higher-density development guidelines listed in the Neighborhood Plan.

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

The proposed rezoning applies primarily to mid-block parcels (with one corner lot). Rezoning would introduce a section of high-density development between properties zoned for medium density. The current development density of the site and its immediate environs approximates R-4; most properties along Marcom and Kelford streets have been built out with single-family residences. The properties on the west side of Stovall Drive are zoned for 14 and 15 dwelling units to the acre, but consist of larger lots (2 and 10½ acres respectively) than the subject site, and have no through streets, permitting significant open space and vegetation to be incorporated into site design; those properties also are located outside the boundaries of the Gorman-Burt Neighborhood Plan.

The proposal would cap site building height at thirty feet and 2 occupied stories. Some neighboring buildings (including the multi-family units across Stovall Street) are two stories in height; the majority of dwellings on the block are one story.

Properties in the subject section of the neighborhood are characterized by a canopy of tall, mature trees. As the site is less than 2 acres, the City's Tree Conservation Ordinance does not currently apply to site development. However, the proposal seeks to preserve at least one fourth of the site trees measuring twenty-four inches or greater d.b.h. (diameter at breast height; i.e., at 4½ feet above grade).

**3. Public benefits of the proposed rezoning**

The site's location is in close proximity to transit and the NCSU campus, and thus could offer future residents the option of non-automotive travel. The proposal notes that higher-density redevelopment could increase the amount of affordable housing units "for the workforce," while updating neighborhood housing stock. A definition of "affordable" is not provided, however.

**4. Detriments of the proposed rezoning**

Removal of mature trees could alter site appearance and environment.

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

**TRANSPORTATION:** Marcom Street is classified as a residential street and exists as a 2-lane road with a 26-foot back-to-back curb and gutter section within a 60-foot right-of-way. City standards call for Marcom Street to be constructed with a 31-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within the existing right-of-way. Stovall Drive is also classified as a residential street and is also constructed with a 26-foot back-to-back curb and gutter section within a 41-foot right-of-way. City standards call for Stovall Drive to be constructed with a 31-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within a 50-foot right-of-way. Kelford Street is classified as a minor residential street and is constructed with a 26-foot back-to-back curb and gutter section within a 50-foot right-of-way. City standards call for Kelford Street to have sidewalks installed on a minimum of one side.

**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: Bushy  
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations.  
No Buffer. No WSPOD.

**PUBLIC UTILITIES:**

	<b>Maximum Demand on Current Zoning</b>	<b>Maximum Demand on Proposed Zoning</b>
<b>Water</b>	<b>Approx. <u>6,877</u> gpd</b>	<b>Approx. <u>13,755</u> gpd</b>
<b>Waste Water</b>	<b>Approx. <u>6,877</u> gpd</b>	<b>Approx. <u>13,755</u> gpd</b>

The proposed rezoning would add approximately 6,878 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 corridor. There is a proposed increase in dwelling units but the total number of residents can be served by existing facilities at Kentwood Park.

**WAKE COUNTY PUBLIC SCHOOLS:**

The maximum number of dwelling units permitted by right under the current zoning is 13; the proposed rezoning could permit 19. This would result in an estimated net increase in school enrollment of 6. The current base schools for the site, and their respective capacities, are indicated below:

<b>School name</b>	<b>Current enrollment</b>	<b>Current capacity</b>	<b>Future enrollment</b>	<b>Future capacity</b>
Combs	843	102.6%	847	103.0%
Davis Drive	1,210	111.6%	1,211	111.7%
Athens Drive	1,909	109.3%	1,910	109.3%

**IMPACTS SUMMARY:**

The proposed rezoning could add 6 students to base schools, which are currently operating over capacity.

**OPTIONAL ITEMS OF DISCUSSION**

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

The proposal suggests that higher density may be approved if the development guidelines provided in the Neighborhood Plan are met. The Plan suggests that this determination hinges on whether a site is deemed to be "appropriate for higher density housing." Under the existing zoning, the site may already be redeveloped at densities more than twice the existing build-out, a potential it has held since its 1967 zoning, and which is affirmed by the Neighborhood Plan's designating site density at "10 d.u. or less."

**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 properly applied to it now were it being zoned for the first time.**

The proposal cites the growth of Centennial Campus and the site's proximity to employment areas as providing an impetus for increased density, adding that existing neighborhood character and the higher density guidelines makes the current zoning "no longer necessary." While circumstances have changed, again, it should be noted that the existing zoning would permit densities greater than that of the existing build-out.

**APPEARANCE COMMISSION:**

This request is not subject to Appearance Commission review.

**CITIZENS'  
ADVISORY COUNCIL:** DISTRICT: West  
CAC CONTACT PERSON: Mark Vander Borgh, 357-2454

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**SUMMARY OF ISSUES:**

**COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:**

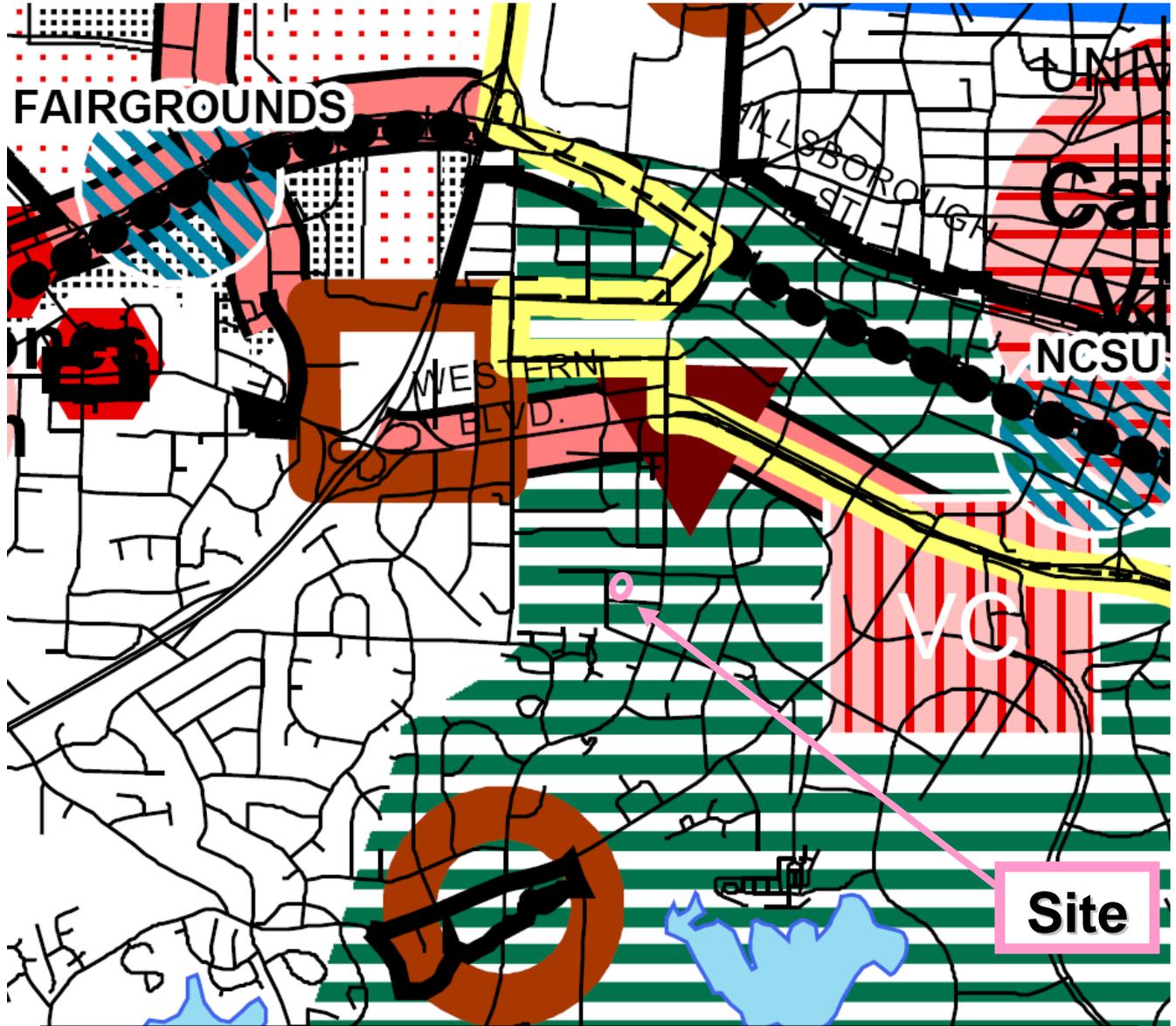
**1. Outstanding issues**

None.

**2. Suggested conditions**

None.

# Urban Form— Southwest District Plan



	NEIGHBORHOOD FOCUS		SPECIAL AREA		PRIMARILY NONRESIDENTIAL THOROUGHFARES
	NEIGHBORHOOD CENTER		RURAL RESIDENTIAL		PRIMARILY RESIDENTIAL THOROUGHFARES
	COMMUNITY FOCUS		EMPLOYMENT AREA		RETAIL AREAS
	CITY FOCUS		REGIONAL CENTER		RESIDENTIAL RETAIL
	GATEWAY CORRIDOR		TRANSIT CORRIDOR		TODS
	REGIONAL INTENSITY AREA		POLICY BOUNDARY LINE		RESIDENTIAL (SUBURBAN)

# Urban Form— Gorman-Burt Neighborhood Plan

