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## Certified Recommendation of the City of Raleigh Planning Commission

**Case File:** Z-29-09 Conditional Use; Buffalo Road

**General Location:** This site is located on the south side of Buffalo Road, SW of its intersection with Old Milburnie.

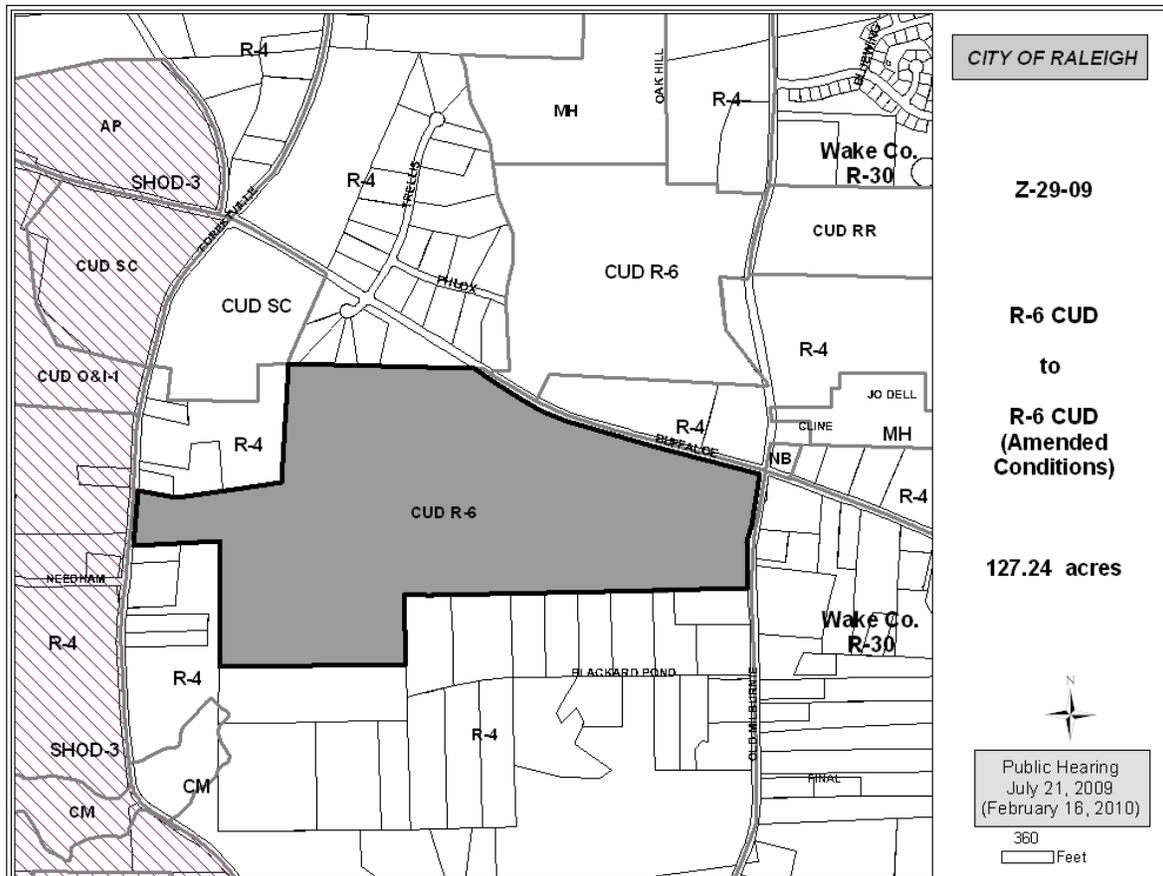
**Planning District / CAC:** Northeast / Northeast

**Request:** Petition for Rezoning from Residential-6 Conditional Use to Residential-6 Conditional Use (Amended Conditions).

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

**Valid Protest Petition (VSPP):** NO

**Recommendation:**



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**CASE FILE: Z-29-09 Conditional Use**

**LOCATION:** This site is located on the south side of Buffalo Road, SW of its intersection with Old Milburnie.

**REQUEST:** This request is to amend the conditions on a property currently zoned Residential-6 Conditional Use approximately 127.24 acres in size..

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER ADOPTED PLANS:** This request is consistent with the Comprehensive Plan.

**RECOMMENDATION:** xxxx

**FINDINGS AND REASONS:**  
(1) xxxxx;  
(2) xxxxx;

**To PC:** 7/28/09  
**Case History:** 10/1/09 COW  
11/3/09 COW

**To CC:** xxxxx

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

**Staff Coordinator:** Stan Wingo

**Motion:** xxxxx  
**Second:** xxxxx  
**In Favor:** xxxxx  
**Opposed:** xxxxx  
**Excused:** xxxxx

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: \_\_\_\_\_

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## Zoning Staff Report: Z-29-09 Conditional Use

**LOCATION:** This site is located on the south side of Buffaloe Road, SW of its intersection with Old Milburnie.

**AREA OF REQUEST:** 127.24 acres

**PROPERTY OWNER:** Buffaloe Forest LLC

**CONTACT PERSON:** Jason Barron 743-7343

**PLANNING COMMISSION RECOMMENDATION DEADLINE:** *November 18, 2009*

<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Residential-6 Conditional Use	Residential-6 Conditional Use
	<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>
	600 dwelling units (per conditions)	600 dwelling units (per conditions)

<b>ALLOWABLE OFFICE SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Office uses not permitted.	Office uses not permitted.

<b>ALLOWABLE RETAIL SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Retail uses not permitted.	Retail uses not permitted.

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

**ZONING HISTORY:** This property has been zoned Residential 6-Conditional Use since 2006 (Z-54-06). Previously the site was zoned Residential-4 since being brought into the City's ETJ.

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**SURROUNDING**

**ZONING:** NORTH: R-4, R-6 CUD  
SOUTH: R-4  
EAST: Wake County R-30  
WEST: R-4, R-4 w/SHOD-1

**LAND USE:** Undeveloped land, agricultural uses

**SURROUNDING**

**LAND USE:** NORTH: Vacant land, Vision Baptist Church, Ivy Ridge s/f subdivision  
SOUTH: Rural large lot single family subdivision  
EAST: Single family, vacant land, Village Grocery Store  
WEST: Single family, vacant land

**DESIGNATED  
HISTORIC**

**RESOURCES:** This site is not within a local or national historic district and does not contain any designated 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.

<b>Element</b>	<b>Application to case</b>
Planning District	Northeast
Urban Form	Adjacent Community Focus Area
Specific Area Plan	Neuse River East
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 Northeast Planning District within the Neuse River East Small Area Plan. The Small Area Plan designates this area as being adjacent to a Community Focus Area. The plan states that commercial uses within the focus area should be developed to the west of this site. The eastern portion is to serve as a transition to the surrounding rural development. Zoning conditions limit density to less than 5 units per acre. The proposal to retain the Residential-6 Conditional Use zoning is consistent with the Comprehensive Plan.

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

This request is to alter existing conditions approved with the 2006 rezoning. Specifically, the applicant requests a modification to condition “J” of Z-54-06. This condition required all single family dwellings to be constructed with crawl space foundations. The proposal will modify this condition to require only the dwellings located on lots abutting certain adjacent properties to be built with crawl space foundations. Applicant has also included a new zoning condition requiring retention of stormwater to maintain existing peak discharge rates for the 25-year storm in an effort to maintain compatibility with environmentally sensitive areas located to the west of the subject property.

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Applicant states that the location of the property, specifically its proximity to an interchange and Community Focus Area, renders it suitable for single family residences, and that the completion of the I-540 interchange with Buffaloe Road is promoting more intense development.

Staff agrees with the assessment provided by the applicant. The rezoning proposal will not increase density and retains all but one zoning condition from the previously approved case. The property is currently undeveloped and is surrounded by land that is zoned for low density residential. Surrounding land uses are primarily single family development. The proposal is compatible with surrounding land uses and zoning.

### 3. Public benefits of the proposed rezoning

There is very little public benefit associated with this request. The property is already zoned to accommodate a reasonable amount of residential development on this site. Property can be developed as currently conditioned. Proposal seeks to amend zoning conditions which would previously require crawl space foundations for all homes built. Proposed conditions would require crawl space foundations only along specific adjacent properties. Applicant has offered a new zoning condition that would control stormwater runoff for up to the 25-year storm discharge rate.

### 4. Detriments of the proposed rezoning

There are no known detriments associated with this request.

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

**TRANSPORTATION:** Buffaloe Road is classified as a major thoroughfare (2007 ADT - 10,000 vpd) and exists as 2-lane ribbon paved roadway within a 60-foot right-of-way. City standards call for Buffaloe Road to be constructed as a multi-lane roadway with a 65-foot back-to-back curb and gutter cross-section with sidewalks on both sides within a minimum 90-foot right-of-way. Old Milburne Road is classified as a minor thoroughfare (2007 ADT- 2,400 vpd) and also exists as a two-lane ribbon paved road within 60-feet of right-of-way. City standards call for Old Milburne Road to be constructed as a multi-lane facility with a 53-foot back-to-back curb and gutter section with sidewalk on both sides with an 80-foot right-of-way. Forestville Road is classified as a major thoroughfare and exists as a 2-lane roadway within a 60-foot right-of-way. City standards call for Forestville Road to be constructed as a multi-lane roadway with a 65-foot back-to-back curb and gutter cross-section with sidewalks on both sides within a 90-foot right-of-way. Neither NCDOT nor the City have projects scheduled in the vicinity of this case.

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

**HYDROLOGY:** FLOODPLAIN: No FEMA; some alluvial soils  
DRAINAGE BASIN: Neuse  
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9, Stormwater Control and Watercourse Buffer Regulations. Some Neuse River Buffer on site.

### PUBLIC UTILITIES:

**Maximum Demand  
on Current Zoning**

**Maximum Demand  
on Proposed Zoning**

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<b>Water</b>	<b>Approx. <u>445,340</u> gpd</b>	<b>Approx. <u>445,340</u> gpd</b>
<b>Waste Water</b>	<b>Approx. <u>445,340</u> gpd</b>	<b>Approx. <u>445,340</u> gpd</b>

The proposed rezoning would not impact the wastewater or water treatment systems of the City of Raleigh. The petitioner would be required to extend the necessary sanitary sewer and water mains to the rezoning site and all the internal utilities within the rezoning site.

**PARKS AND  
RECREATION:**

This property is adjacent to a stream corridor included in the Capital Area Greenway Plan identified as Tributary B of the Neuse River. The minimum width of this corridor is 75' on each side of the stream measured from the top of bank. The greenway will be required to be dedicated at the time of subdivision or site plan approval.

**WAKE COUNTY  
PUBLIC SCHOOLS:**

This proposal would not increase allowable residential density; therefore there would be no additional impact to Wake County Public Schools.

**IMPACTS SUMMARY:**

As the zoning and density on this site will remain the same, there would be no additional impacts created in association with this proposal.

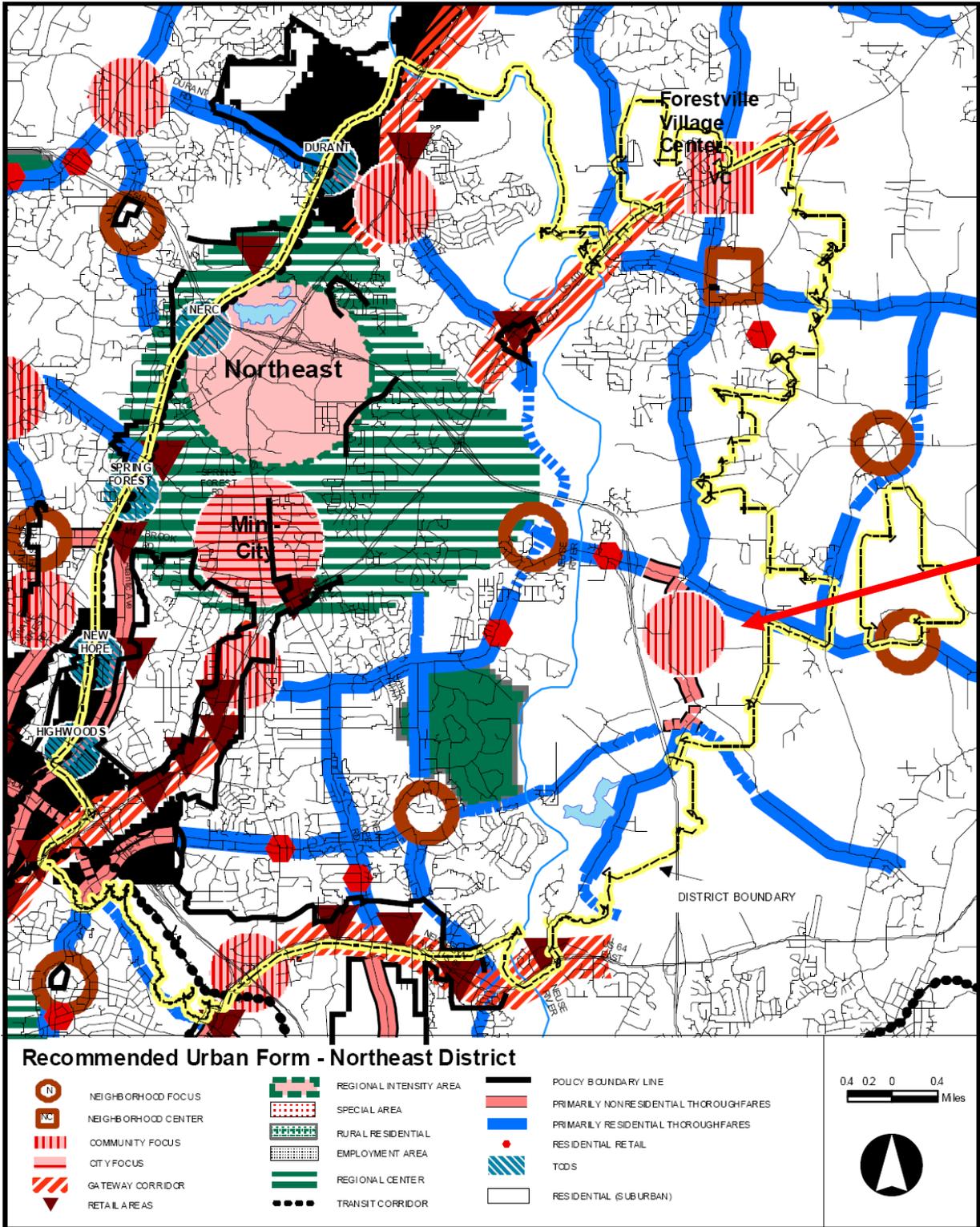
**APPEARANCE  
COMMISSION:**

This request is not subject to Appearance Commission review.

**CITIZENS'  
ADVISORY COUNCIL:**

DISTRICT: Northeast  
CAC CONTACT PERSON: Paul Brant 875-1114

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