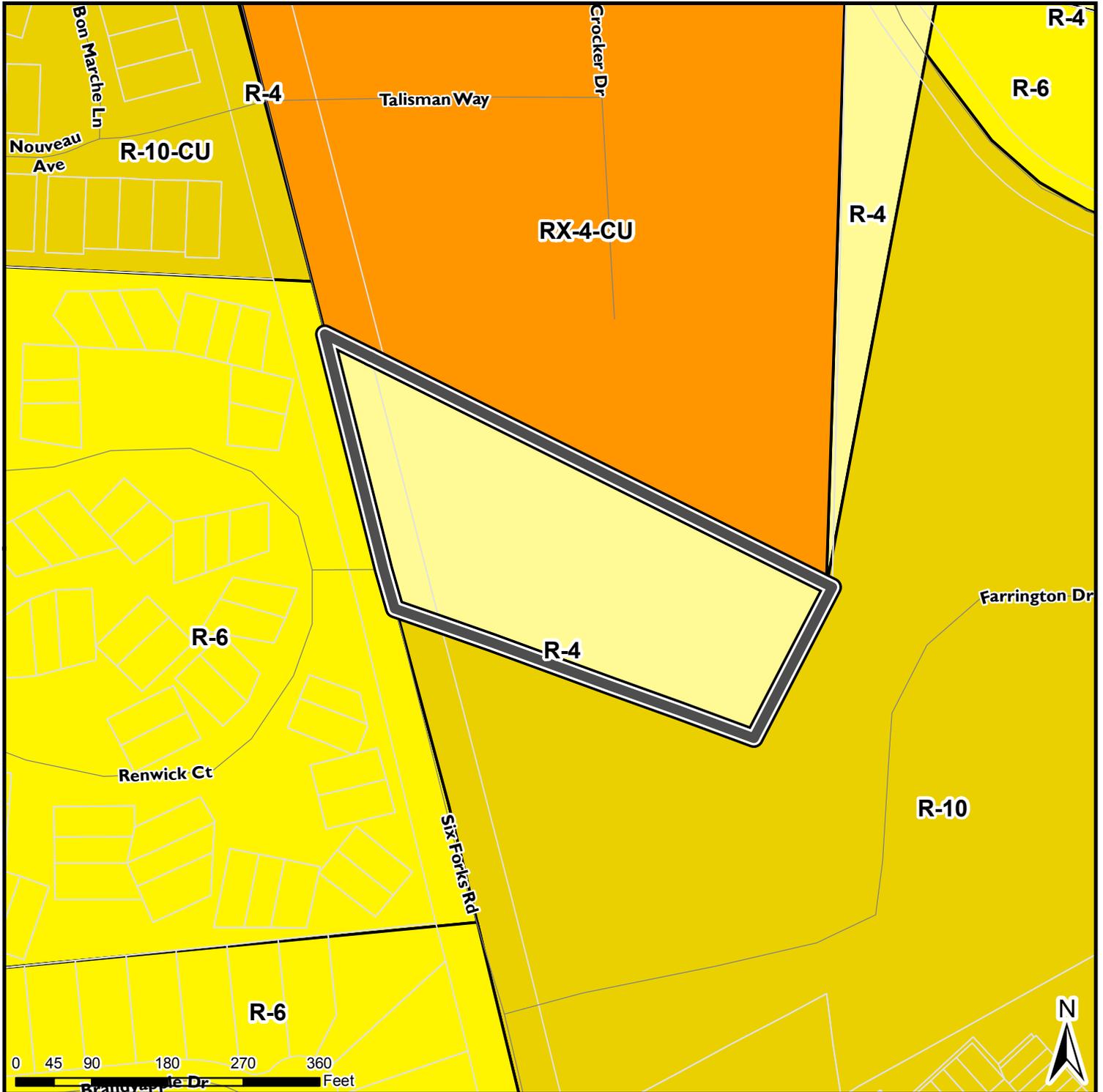


Existing Zoning Map

Z-22-16



Submittal Date

7/1/2016

Request:

**2.6 acres from
R-4
to CX-3-PL**

VICINITY MAP



E-22-16

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST

General Use Conditional Use Master Plan

Existing Zoning Classification: Residential-4

Proposed Zoning Classification Base District: CX Height: -3 Frontage: -PL

OFFICE
USE ONLY

Transaction #
462264

JUL 1 2016 PM 3:45

If the property has been previously rezoned, provide the rezoning case number: Not Applicable

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

462264

GENERAL INFORMATION

Property Address: 7930 Six Forks Road

Date: June 28, 2016

Property PIN: 1707-48-5597

Deed Reference (book/page): DB 6750, PG 813

Nearest Intersection: Six Forks Road, between Crown Oaks Dr. and Featherstone Dr.

Property Size (acres): 2.6 acres

Property Owner/Address:
Caplan Investments LLC
404 Seasons Drive
Raleigh, NC 27614

Phone

Fax

Email

Project Contact Person/Address:
Michael Birch, Morningstar Law Group
1330 St. Mary's Street, Suite 460
Raleigh, NC 27605

Phone: 919.590.0388

Fax

Email: mbirch@morningstarlawgroup.com

Owner/Agent Signature

Email

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

REZONING APPLICATION ADDENDUM	
Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction # 462264 Rezoning Case #
STATEMENT OF CONSISTENCY	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
1. The property is designated "Office & Residential Mixed Use" on the Future Land Use Map (FLUM). Although the FLUM notes the general recommended future use for a property, the Comprehensive Plan emphasizes that other types of uses may be compatible with the FLUM guidance even though such use is not expressly listed in the FLUM category description. Additionally, the Comprehensive Plan notes that the FLUM categories should not be interpreted to preclude a use without consideration of the policies and intent of the Comprehensive Plan. The rezoning request for CX, subject to the proposed conditions, would allow uses permitted in the OX district and a self storage use. The self storage use functions similar to an office use but with substantially less impact on surrounding properties and the transportation infrastructure. Based on the foregoing, and the rezoning request's consistency with key Comprehensive Plan policies noted below, the rezoning request is consistent with the FLUM.	
2. The property fronts along Six Forks Road, which is designated a Transit Emphasis Corridor on the Urban Form Map. Based on the FLUM designation and the designation of Six Forks Road, the property is within a Core/Transit area for purposes of determining the appropriate height. Table LU-2 "Recommended Height Designations" provides that a maximum building height of seven stories is appropriate on the property. The rezoning request is consistent with the Comprehensive Plan height guidance.	
3. The rezoning request is consistent with the following policies: LU 3.2, LU 5.2, LU 5.4, LU 5.5, LU 5.6, LU 7.3 and LU 7.4. First, the rezoning will facilitate development of a vacant lot within the City limits, consistent with LU 3.2. Second, the rezoning request would facilitate development of a lot along a major street that is not appropriate for single-family use, consistent with the FLUM guidance and policy LU 7.3. Third, the rezoning request parameters provide for an appropriate use and height transition to adjoining properties, consistent with policies LU 5.2, 5.4, 5.5, 5.6 and 7.4.	
4. The property fronts along Six Forks Road, which is designated a Transit Emphasis Corridor on the Urban Form Map. This guidance encourages the application of a hybrid frontage type. The rezoning request proposes to apply the Parking Limited frontage standard, consistent with this guidance.	
PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1. The rezoning request benefits the public by facilitating development of a property for a use that is consistent with the Future Land Use Map, adjacent to properties similarly designated on the Future Land Use Map.	
2. The rezoning request benefits the public by permitting uses that serve the needs and demands of nearby residents, thereby reducing the potential for vehicle-miles-traveled to access such uses permitted by the rezoning.	

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response: The rezoning request permits residential and office uses, consistent with this guideline.</p>
2.	<p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p>Response: The property is not adjacent to lower density neighborhoods.</p>
3.	<p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p>Response: There are no public streets other than Six Forks Road with which the property can connect.</p>
4.	<p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p>Response: Redevelopment of the property will be subject to the UDO block perimeter and connectivity standards, which are consistent with this guideline.</p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p>Response: Redevelopment of the property will be subject to the UDO block perimeter standards, which are consistent with this guideline.</p>
6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response: The property is not located at a street intersection.</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response: An outdoor amenity area will be provided in accordance with the UDO.</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response: An outdoor amenity area will be provided in accordance with the UDO.</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response: An outdoor amenity area will be provided in accordance with the UDO.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: An outdoor amenity area will be provided in accordance with the UDO.</p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: An outdoor amenity area will be provided in accordance with the UDO.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</p>

15.	<p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards.</p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>Response: No parking structures are contemplated as part of this development.</p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p>Response: The property is within walking distance to the transit stops at Six Forks Road and Renwick Court (southbound) and Six Forks Road and Farrington Drive (northbound), which are part of the Six Forks (Route 8) line, consistent with this guideline.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which are consistent with this guideline.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>Response: There are no known sensitive environmental areas on the property.</p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response: Streets and sidewalks will be provided in accordance with the UDO.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response: Streets and sidewalks will be provided in accordance with the UDO.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response: Street trees and streetscape elements will be provided in accordance with the UDO.</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which imposes a coverage within the build-to standard that is consistent with this guideline.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response: The rezoning applies the Parking Limited frontage standards, which requires primary building entrances facing the public street with pedestrian connections between the building entrances and public sidewalk, all consistent with this guideline.</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response: The future buildings will comply with the applicable building and frontage standards, consistent with this guideline.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response: Sidewalks will be provided in accordance with the UDO.</p>

462264

Z-22-16

Manoochehr Ahmadi Moosavi
Caplan Investments, LLC
404 Seasons Drive
Raleigh, NC 27614

June 23, 2016

Doug Hill
Department of City Planning
One Exchange Plaza, 3rd Floor
Raleigh, NC 27602

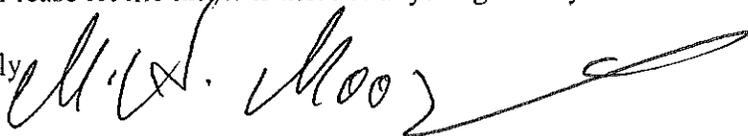
RE: Withdrawal of Z-20-15 (7930 Six Forks Road)

Doug,

On behalf of Caplan Investments, LLC, the owner of that 2.6-acre parcel of land with an address of 7930 Six Forks Road, I am writing to notify the City that Caplan Investments, LLC hereby withdraws zoning case Z-20-15.

Please let me know if there is anything more you need to effectuate withdrawal.

Sincerely



Manoochehr Ahmadi Moosavi
Managing Member of Caplan Investments, LLC

462264
7-22-16

REZONING OF PROPERTY CONSISTING OF +/- 2.6 ACRES
LOCATED ON THE EAST SIDE OF SIX FORKS ROAD, SOUTH OF THE INTERSECTION
WITH FEATHERSTONE WAY, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON JUNE 23, 2016

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Thursday, June 23, 2016, at 6:30 p.m. The property considered for this potential rezoning totals approximately 2.6 acres, located on the east side of Six Forks Road, south of the intersection with Featherstone Way, in the City of Raleigh, having Wake County Parcel Identification Number 1707-48-5597. This meeting was held at the Anne Gordon Center for Active Adults at Millbrook Exchange Park, which is located at 1901 Spring Forest Road, Raleigh, NC 27615. All owners of property within 100 feet of the subject properties were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



Michael Birch | Partner
1330 St. Mary's Street, Suite 460
Raleigh, NC 27605

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Michael Birch

Date: June 13, 2016

Re: Notice of meeting to discuss potential rezoning of parcel located on the east side of Six Forks Road, south of the intersection with Featherstone Way, containing approximately 2.6 acres, with the address of 7930 Six Forks Road and having Wake County PIN 1707-48-5597 (the "Property").

We are counsel for a developer that is considering rezoning the Property. The Property is currently zoned Residential-4, and the proposed rezoning is for Commercial Mixed Use with a three-story building height limit (CX-3).

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Thursday, June 23, 2016 at 6:30 p.m. This meeting will be held at the Anne Gordon Center for Active Adults, which is located at 1901 Spring Forest Road, Raleigh, NC 27615, near the Millbrook Exchange park.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the applicant to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 590-0388 or mbirch@morningstarlawgroup.com.

EXHIBIT B

LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

CHADWICK TOWNHOMES
ASSOCIATION INC
PO BOX 97427
RALEIGH NC 27624-7427

DODD RENTAL PROPERTIES LLC
8811 CYPRESS LAKES DR # B310
RALEIGH NC 27615-2127

CAPLAN INVESTMENTS LLC
404 SEASONS DR
RALEIGH NC 27614-9507

NP SIX FORKS LLC
MARVIN F POER & COMP
3520 PIEDMONT RD NE STE 410
ATLANTA GA 30305-1512

STERLING FOREST ASSOCIATES LLC
LINCOLN PROPERTY COMPANY
200 FAIRBROOK DR STE 101
HERNDON VA 20170-5283

MCMILLAN, NANCY
51 RENWICK CT
RALEIGH NC 27615-2990

ANDERSON, DORIS W
49 RENWICK CT
RALEIGH NC 27615-2990

LYNCH, PHOEBE P
105 RENWICK CT
RALEIGH NC 27615-2946

STELL, BARBARA ANN
103 RENWICK CT
RALEIGH NC 27615-2946

EPPS, BARBARA E
101 RENWICK CT
RALEIGH NC 27615-2946

THE PEARSON TRUST
PHILLIP & ELIZABETH PEARSON
100 RENWICK CT
RALEIGH NC 27615-2978

RICH, LISA J
110 RENWICK CT
RALEIGH NC 27615-2978

BAKER, WELDON LEE II
BAKER, IRMA H
2013 BOYCE BRIDGE RD
CREEDMOOR NC 27522-8023

MILTON, MARY N
106 RENWICK CT
RALEIGH NC 27615-2978

CONNELL, MURIEL
66 RENWICK CT
RALEIGH NC 27615-2989

SMITH, MICHAEL PAUL
SMITH, KIM STUART
68 RENWICK CT
RALEIGH NC 27615-2989

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Thursday, June 23, 2016, at 6:30 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. No one attended the meeting, so no items were discussed.

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

No one attended the meeting.