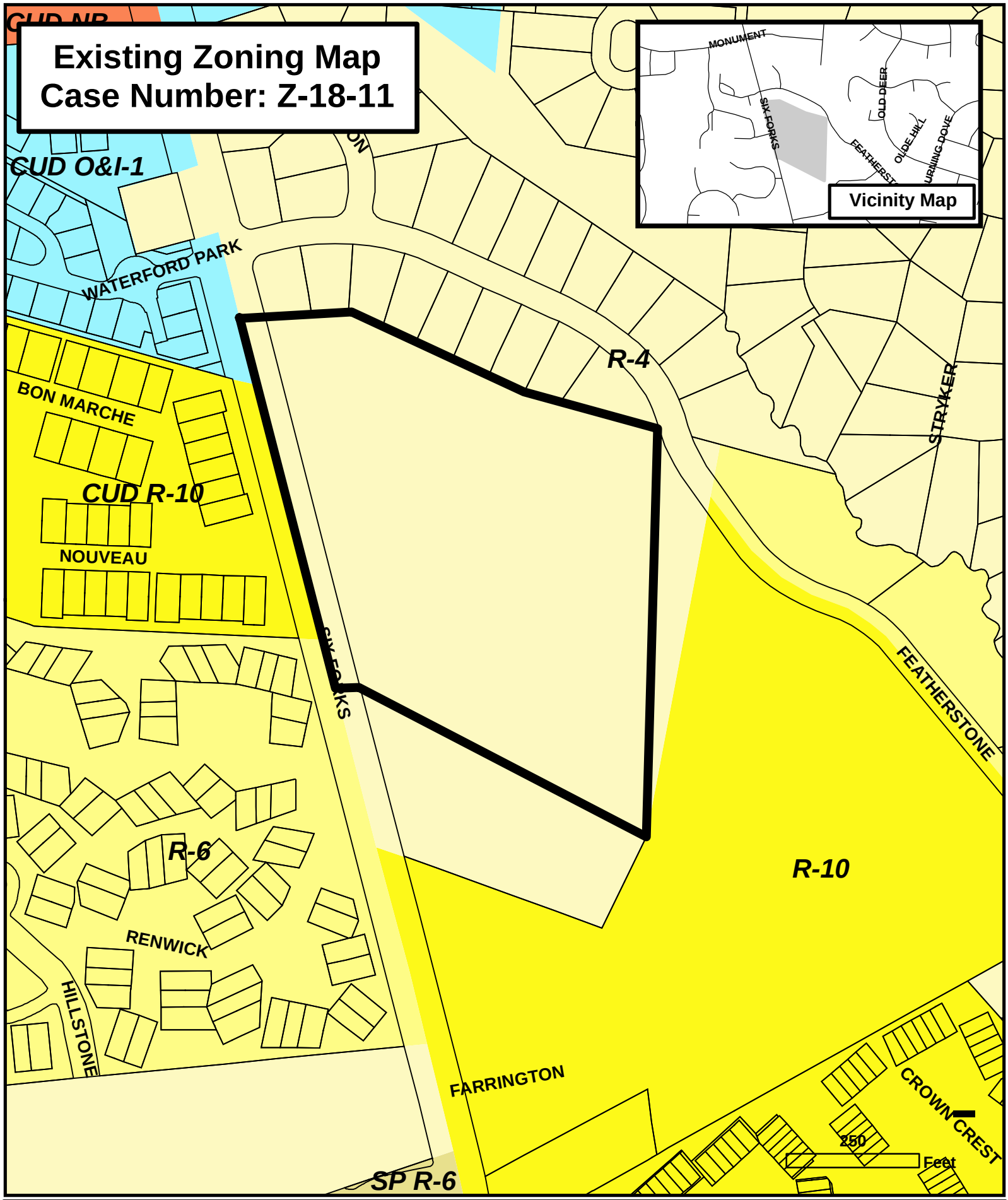


Request:

10.ac from R-4 to O&I-I CUD

City of Raleigh Public Hearing
October 18, 2011
(January 16, 2012)

Certified Recommendation

Raleigh Planning Commission

CR# 11437

Case Information: Z-18-11 - 8110 Six Forks Rd.

Location	Six Forks Road, east side, south of Strickland Rd.
Size	10.65 acres
Request	Rezone property from Residential-4 to Office and Institution-1 Conditional Use District

Comprehensive Plan Consistency

☒ Consistent ☐ Inconsistent

	Consistent	
Future Land Use Designation	☒	Office and Residential Mixed Use
Applicable Policy Statements	☒	Policy LU 1.3 Conditional Use District Consistency
	☒	Policy LU 2.6 Zoning and Infrastructure Impacts
	☒	Policy LU 4.5 Connectivity
	☒	Policy LU 5.4 Density Transitions
	☒	Policy LU 5.6 Buffering Requirements
	☐	Policy LU 7.3 Single-Family Lots on Thoroughfares
	☐	Policy HP 1.2 Cultural and Historic Resource Preservation
	☐	Policy UD 2.4 Transitions in Building Intensity
	☐	Policy UD 7.3 Design Guidelines

Summary of Conditions

Submitted Conditions	1. Maximum building height: generally 4 occupied stories or 55 feet, but limited to 3 stories/ 47 feet within 150 feet of single-family dwellings to north, except up to 50% of any building within 300 feet of eastern lot line permitted to be 4 occupied stories or 55 feet. 2. Minimum 30-foot wide buffer adjacent to single family residential properties on north, with additional 10' left undisturbed unless planted to specifications listed, except where critical root zones or utility easements present. 3. Min. building setback of 50' from any single family residential properties, or 100' from any existing single family dwellings. 4. Certain uses prohibited. 5. Transit easement offered (with concrete pad). 6. Site access limited to two points on Six Forks Road. 7. Cross access offered to adjoining property to south. 8. Lighting height and type limited. 9. Calculated peak hour trips not to be exceeded.

Issues and Impacts

Outstanding Issues	*(None.)*	*Suggested Conditions*	*(None.)*
Impacts Identified	*(None.)*	*Proposed Mitigation*	*(Not applicable.)*

Public Meetings

Neighborhood Meeting	***Public Hearing***	***Committee***	***Planning Commission***
6-8-11	10-18-11	11-1-11: Committee of the Whole	11-22-11:Recommended Approval

☐ ***Valid Statutory Protest Petition***

Attachments
1. Staff report
2. Existing Zoning/Vicinity Map
3. Future Land Use Map

Planning Commission Recommendation

Recommendation	The Planning Commission finds that this request is consistent with the Comprehensive Plan and recommends based on the findings and reasons stated below that this request be approved in accordance with zoning conditions dated November 22, 2011.
Findings & Reasons	(1) The request is consistent with the Comprehensive Plan. The Future Land Use Map designates the site as being appropriate for Office and Residential Mixed Use. The proposed zoning is consistent with that designation. (2) The applicant has provided zoning conditions designed to limit development impacts and increase compatibility with surrounding land uses. (3) Being consistent and compatible, and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.
Motion and Vote	Motion: Sterling Lewis Second: Haq In Favor: Butler, Buxton, Fleming, Haq, Schuster, Sterling Lewis Opposed: Batchelor Excused: Mattox

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 attached Staff Report.

_____		_____	11/22/11
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: Doug Hill; doug.hill@raleighnc.gov

Zoning Staff Report – Z-18-11

Conditional Use District

Request

Location	Six Forks Road, east side, south of Strickland Rd.
Request	Rezone property from Residential-4 to Office and Institution-1 Conditional Use District
Area of Request	10.65 acres
Property Owner	Marjorie Finch Smith
PC Recommendation Deadline	January 16, 2012

Subject Property

	Current	***Proposed***
Zoning	R-4	O&I-1 CUD
Additional Overlay	n/a	n/a
Land Use	Low Density Residential	Primarily residential
Residential Density	4 units per acre (max. 42 units)	15 units per acre (max. 159 units); up to 25 per acre with preliminary approval of Planning Commission (max. 266 units)

Surrounding Area

	North	***South***	***East***	***West***
Zoning	R-4	R-4	R-4	O&I-1 CUD, R-10 CUD; R-6
Future Land Use	Low Density Residential	Office and Residential Mixed Use	Office and Residential Mixed Use	Office and Residential Mixed Use; Moderate Density Residential
Current Land Use	Low Density Residential (single family houses)	Vacant	Medium Density Residential (apartments)	Low Density Residential (townhouses)

Comprehensive Plan Guidance

Future Land Use	Office and Residential Mixed Use
Area Plan	n/a
Applicable Policies	Policy LU 1.3 Conditional Use District Consistency

	Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.5 Connectivity Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements Policy LU 7.3 Single-Family Lots on Thoroughfares Policy HP 1.2 Cultural and Historic Resource Preservation Policy UD 2.4 Transitions in Building Intensity Policy UD 7.3 Design Guidelines

Contact Information

Staff	Doug Hill: Doug.Hill@raleighnc.gov
Applicant	Thomas C. Worth, Jr.: curmudgtcw@earthlink.net
Citizens Advisory Council	North; Will Owen: will.s.owen@gmail.com

Case Overview

The subject property is one of the last of rural character remaining on Six Forks Road within the City limits. It features a c.1900 tri-gable house, outbuildings, and large oak trees, fronting a broad, flat field, with the field giving way to woodland on the downward slopes edging the site. Access to the site is now and has historically been via Six Forks Road; along the street frontage, a row of mature crape myrtles lines the existing sidewalk.

The adjoining R-4 properties to the north (Dartmoor neighborhood) and east (Sterling Forest Apartments) were developed in the mid-1980s; across Six Forks Road lie a series of townhouse communities mostly developed within the past 10 years, and zoned R-6, R-10 CUD and O&I-1. Existing buildings on those properties are 2 stories or less, with pitched roofs.

A 2½-acre, vacant wooded parcel, zoned R-4, abuts the subject site on the south; to the east, on the Sterling Forest tract, a ¾-acre wedge of R-4 land lies between the subject parcel and the R-10 zoning that governs the majority of the Sterling Forest property. The Future Land Use Map foresees the subject site and Sterling Forest tract as a moderate-density/ mixed-use transition between more intensive development at the Six Forks/ Strickland Road and Six Forks/ Saw Mill Road intersections.

Exhibit C & D Analysis

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

1.1 Future Land Use

The property is located within an area designated for Office and Residential Mixed Use development, of which the Comprehensive Plan states “This category is applied primarily to frontage lots along thoroughfares where low density residential uses are no longer appropriate, as well as office parks and developments suitable for a more mixed-use development pattern. This category encourages a mix of moderate to medium density residential and office use. Retail not ancillary to employment and/or residential uses is discouraged so that retail can be more appropriately clustered and concentrated in retail land mixed use centers at major intersections and planned transit stations. The Office and Institution zones provide the closest match with the

proposed use pattern." The proposed rezoning is consistent with this designation. The majority of retail uses permitted under O&I-1 zoning are prohibited.

1.2 Policy Guidance

The following policy guidance is applicable with this request:

Policy LU 1.3 - Conditional Use District Consistency
All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

The proposed conditions are consistent with this policy, to the extent provided. Added qualifications, as suggested below, could offer further assurance of case consistency.

Policy LU 2.6 - Zoning and Infrastructure Impacts
Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

The request is consistent with this policy. Infrastructure capacity at the site is anticipated to be sufficient to meet demands from the degree and type of site redevelopment possible under the proposed rezoning.

Policy LU 4.5 - Connectivity
New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

The rezoning petition is consistent with this policy. An offer of cross-access is conditioned to the property to the south, the only adjacent undeveloped tract.

Policy LU 5.4 - Density Transitions
Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

The proposal is consistent with this policy. Conditioned building height caps, buffers, and setbacks from single-family dwellings help provide measures of transition to neighboring less-densely developed areas.

Policy LU 5.6 - Buffering Requirements
New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

The proposal appears to be consistent with this policy. The conditions provide increased setbacks and buffers adjacent to low-density single-family development,

and cap building height. The language of Condition 1 provides for a maximum 3-story or 47-foot building height within 150 feet of the single-family properties to the north, with the exception to allow a portion of any site building within 300 feet of the eastern lot line (i.e., where the existing site grade drops off to the east) to be up to 4 stories or 55 feet in height. There are several single-family attached dwellings located within 150' of the subject property (across Six Forks Road, in the Chadwick and Maisons-en-Mer neighborhoods); transitions in that direction are not addressed.

Policy LU 7.3 - Single-Family Lots on Thoroughfares
No new single-family residential lots should have direct vehicular access from thoroughfares, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to thoroughfares.

The proposal is partially consistent with this policy. Access to Six Forks Road is limited to two points, and single family detached dwellings are prohibited, but attached single family dwellings would be permitted.

Policy HP 1.2 - Cultural and Historic Resource Preservation
Identify, preserve, and protect cultural and historic resources including buildings, neighborhoods, designed and natural landscapes, cemeteries, streetscapes, view corridors, and archaeological resources.

The proposal does not address this policy. The c.1901 Junius Sneed house is located on the property. While neither the house nor its associated outbuildings are designated landmarks, they are inventoried as part of the Raleigh Architectural Survey on file with the North Carolina Historic Preservation Office.

Policy UD 2.4 - Transitions in Building Intensity
Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

The proposal is partially consistent with this policy. Single-family and multi-family buildings on adjacent properties are two or fewer stories in height. Building height on the subject property is capped at four occupied stories over most of the site, but is limited to 3 stories along most of the lot lines shared with single-family properties.

Policy UD 7.3 – Design Guidelines
The Design Guidelines in **Table UD-1** shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as Pedestrian Business Overlay Districts, including preliminary site plans and development plans, petitions for the application of the Pedestrian Business or Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The proposal partially addresses this policy, but responses to more than one-third of the Design Guidelines (specifically 9, 14, 15, 18, 21, 22, 23, 25, and 26) are deferred to the site plan stage.

1.3 Area Plan Guidance

No area plan has been prepared for the site area.

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

The rezoning request proposes an intensification of site use compatible with the Future Land Use Map and surrounding built environment. Adjacent single-family homes are provided vegetative buffers and building setbacks beyond Code Requirements. Limits on building height reduce potential visual impacts on those adjoining properties. However, while responses are provided to most of the Comprehensive Plan's Design Guidelines, many are left to a future site plan to address; issues of urban form ranging from parking lot placement to pedestrian access remain open. Adjoining properties incorporate a significant tree cover; the abutting portions of the subject site are characterized by similarly wooded areas, but outside the conditioned buffer to the north, tree conservation remains largely undefined, most notably as regards the large, mature oaks located near Six Forks Road at the property's northwest corner.

3. Public benefits of the proposed rezoning

The proposal allows a greater concentration of city residents within walking distance of a variety of existing retail goods and services; a transit easement is also offered. Public infrastructure is anticipated to accommodate potential site buildout.

4. Detriments of the proposed rezoning

The subject site contains natural and historical assets not addressed under the proposal. While responses to the Design Guidelines suggest sensitivity to site context, matters of building placement and orientation to the street, parking lot placement, and related components of urban form remain unaddressed or not fully addressed in the conditions.

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

5.1 Transportation

Primary Streets	**Classification**	**2009 NCDOT Traffic Volume (ADT)**
Six Forks Road	Secondary Arterial	30,000
Featherstone Drive	Residential	N/A

Street Conditions						
Six Forks Road	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	5	73'	Back-to-back curb and gutter section	90'	minimum 5' sidewalks on both sides	None
City Standard	6	89'	Back-to-back curb and	110'	5' sidewalks on both sides	Striped bicycle lanes on both sides

			gutter section			
Meets City Standard?	**NO**	**NO**	**YES**	**NO**	**YES**	**NO**
Featherstone Drive	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	2	27'	Back-to-back curb and gutter section	50'	None	None
City Standard	2	31'	Back-to-back curb and gutter section	50'	minimum 5' sidewalks on one sides	N/A
Meets City Standard?	**YES**	**NO**	**YES**	**YES**	**NO**	**N/A**
Expected Traffic Generation [vph]	Current Zoning	Proposed Zoning	Differential			
AM PEAK	39	134	**95**			
PM PEAK	48	164	**116**			
Suggested Conditions/ Impact Mitigation:	Traffic Study Determination: Staff has reviewed a trip generation differential report for this case. Based on the condition that limits development on the subject property to 134 AM peak hour trips and 164 PM peak trips a Traffic Impact Analysis is not recommended for this case.					
Additional Information:	Neither NCDOT nor the City of Raleigh have any roadway construction projects scheduled in the vicinity of this case.					

Impact Identified: None

5.2 Transit

This development could increase transit use along the corridor. The offer of a transit easement and concrete pad is conditioned.

Impact Identified: With a transit easement conditioned, no adverse impact on the City's transit services is anticipated.

5.3 Hydrology

Floodplain	NO FEMA Floodplain present
Drainage Basin	Mine
Stormwater Management	Subject to Part 10, Chapter 9
Overlay District	none

Impact Identified: No adverse impacts on the City's hydrology are anticipated from the approval of this proposal.

5.4 Public Utilities

	Maximum Demand (current)	*Maximum Demand (proposed)*
Water	20,000 gpd	32,500 gpd
Waste Water	20,000 gpd	32,500 gpd

The proposed rezoning would add approximately 12,500 gpd to the wastewater collection and water distribution systems of the City. Water is adjacent to the property. The petitioner would be required to extend sanitary sewer and/or water mains to and within the property to serve the proposed development.

Impact Identified: The proposed rezoning is not expected at have an adverse effect on the City's public utilities.

5.5 Parks and Recreation

The subject tract is not located adjacent to a greenway corridor. The subject tract is located within an unsatisfied neighborhood park search area and the proposed rezoning will increase the recreation level of service of the area.

Impact Identified: The rezoning could place demands for an increased recreation level of service in a currently-unsatisfied neighborhood park search area.

5.6 Urban Forestry

The site will need to comply with the tree conservation ordinance (Code Sec. 10-2082.14).

Impact Identified: The undisturbed buffer mentioned in Condition 2 will not be considered a primary tree conservation area. This would move TCA from a higher priority area to a lesser priority area. The undisturbed buffer cannot count as tree conservation area, unless it meets the requirements of secondary tree conservation area and higher priority areas are evaluated first.

5.7 Wake County Public Schools

Under the existing zoning, a maximum of 42 dwelling units can be constructed on the site. The proposed zoning could permit (with Planning Commission approval) up to 266 units. The increase could result in an additional 37 elementary school, 22 middle school, and 16 high school students being enrolled at base schools:

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
Pleasant Union	663	100.6%	700	106.2%
West Millbrook	984	84.5%	1,006	86.4%
Sanderson	1,876	98.8%	1,892	99.6%

Impact Identified: The requested rezoning could notably add to the overcrowding already present at the base elementary school. Base middle and high schools could be expected to manage their respective increases in school age population.

5.8 Designated Historic Resources

There are no designated Raleigh Historic Landmarks or National Register properties located within 1,000 feet of the property. The existing dwelling on the site, though, is inventoried with the North Carolina Historic Preservation Office (NCHPO) as the Junius Sneed House, built in 1901 (catalogued as site WA2535). It, two surviving outbuildings, and the surrounding site are associated with the Sneed-Finch-Bishop-Aycock Cemetery, which is located immediately northwest across Six Forks Road. (The cemetery, which contains 47 marked graves, is recorded with the NCHPO as site WA2534.)

Impact Identified: No properties which are designated as historic resources are located on the site or within 1,000 feet of the site. The future of the Sneed House, or its two surviving outbuildings, is not addressed in the proposal.

5.9 Impacts Summary

Increased density can be expected to increase demand for recreation level of service, and overcrowding in the base elementary school.

5.10 Mitigation of Impacts

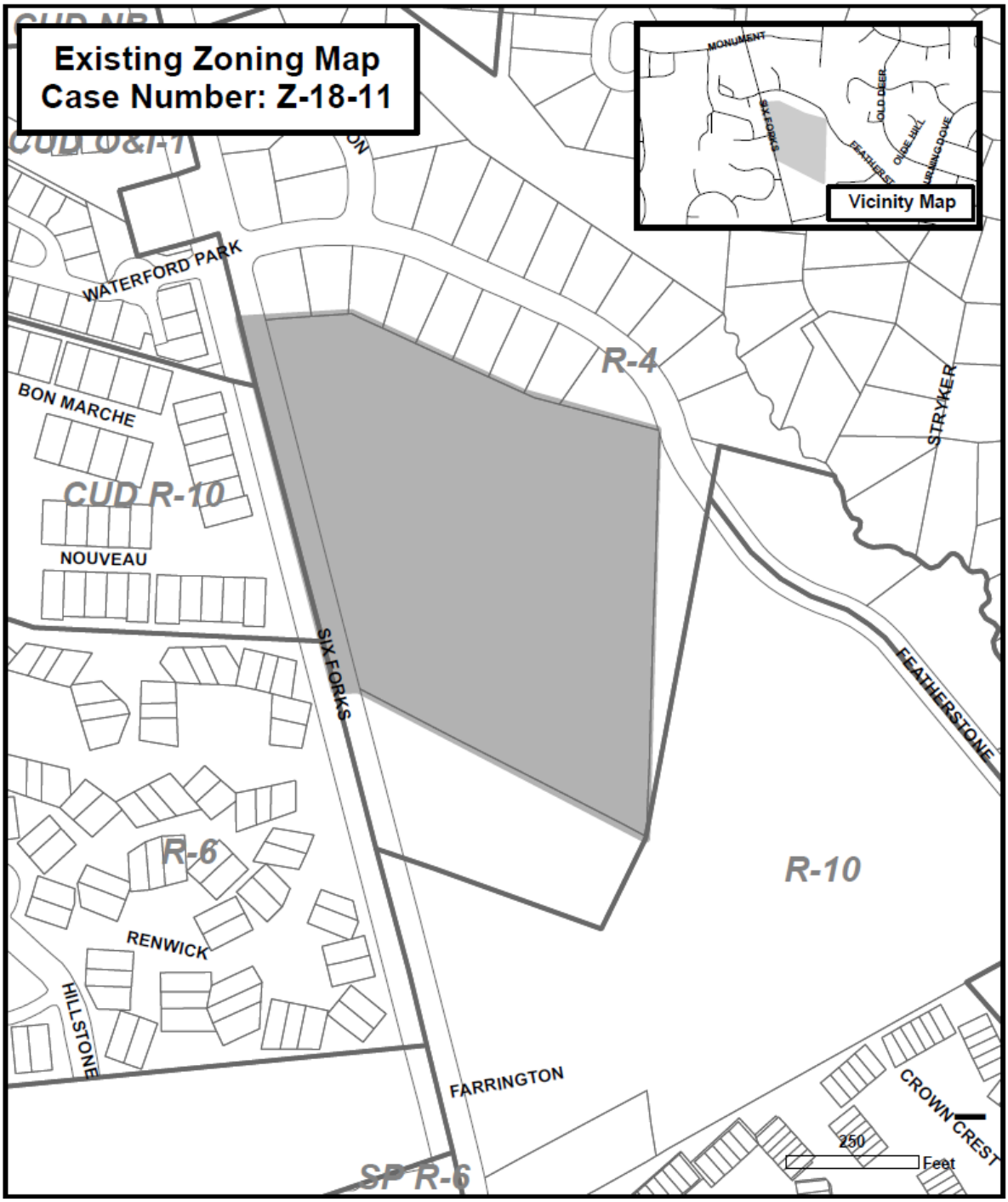
None noted.

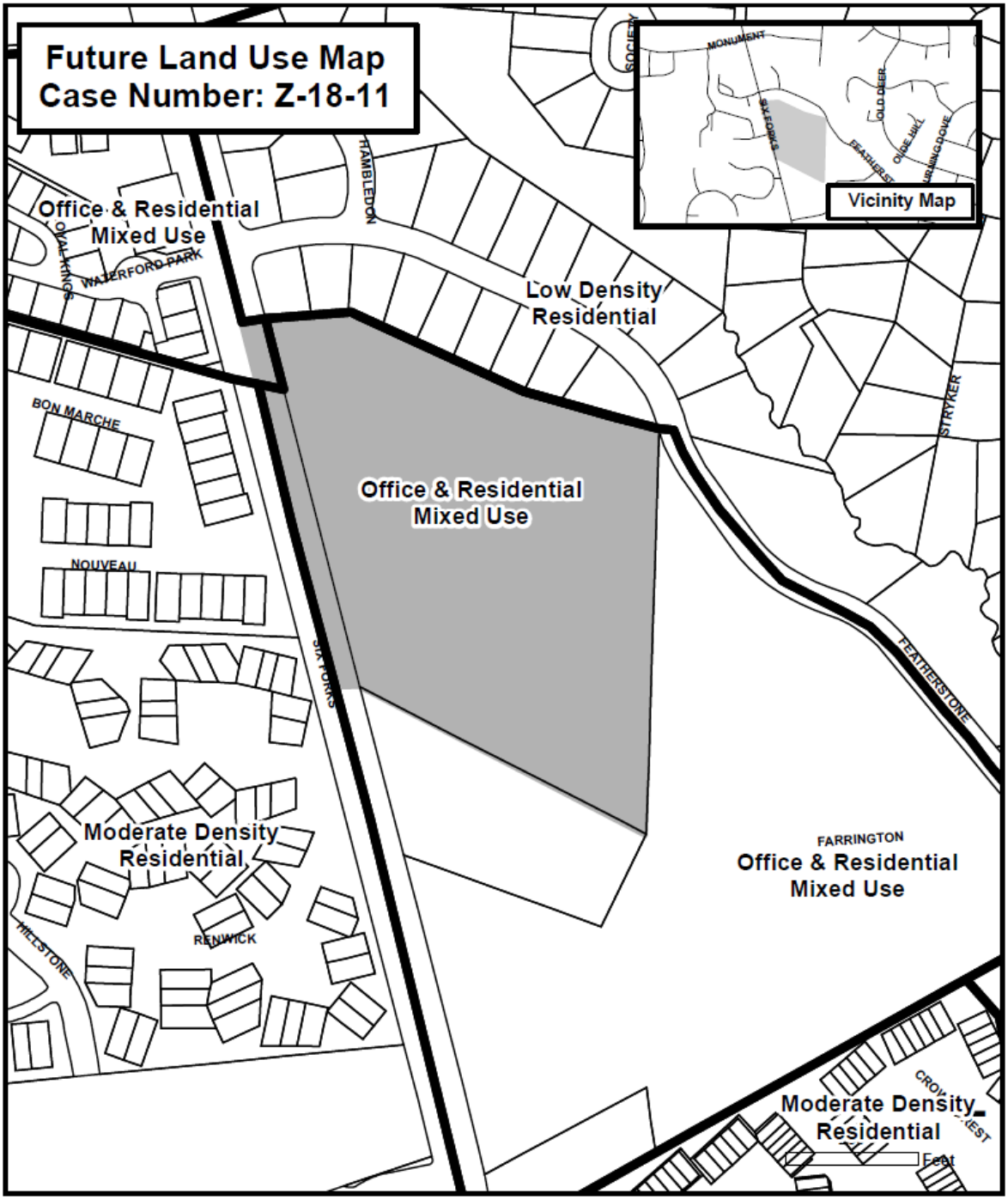
6. Appearance Commission

This proposal is not subject to Appearance Commission review.

7. Conclusions

The proposal is consistent with the Future Land Use Map, and most pertinent policies of the Comprehensive Plan. Qualifications to condition language, as well as adding conditions reflecting specific responses to the Design Guidelines, would provide further assurance of consistency.


Existing Zoning Map
Case Number: Z-18-11
Vicinity Map
MONUMENT
SIX FORKS
OLD DEER
OLDE HILL
FEATHERST
WATERFORD PARK
BON MARCHE
CUD R-10
NOUVEAU
R-4
STRYKER
SIX FORKS
FEATHERSTONE
R-6
R-10
RENWICK
HILLSTONE
FARRINGTON
CROWN CREST
250
Feet
SP R-6


Future Land Use Map
Case Number: Z-18-11
Vicinity Map
MONUMENT
SIX FORKS
OLD DEER
OLDE HILL
FEATHERSTONE
Office & Residential
Mixed Use
HAMBLEDON
WATERFORD PARK
Low Density
Residential
BON MARCHE
STRYKER
Office & Residential
Mixed Use
NOUVEAU
SIX FORKS
FEATHERSTONE
Moderate Density
Residential
FARRINGTON
Office & Residential
Mixed Use
RENWICK
HILLSTONE
Moderate Density
Residential
Feet

pd by CK #63-215
1064.00
2-18-11

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The following items are required with the submittal of rezoning petition. For additional information on these submittal requirements, see the *Filing Instructions* addendum.

Rezoning Application Submittal Package Checklist

□ Completed Rezoning Application which includes the following sections:

- **□ Signatory Page**
- **☑Exhibit B**
- **☑Exhibit C (only for Conditional Use filing)**
- **☑ Exhibit D**
- **☑Map showing adjacent property owner names with PIN's**

□ Application Fee

- **□ $532 for General Use Cases**
- **☑ $1064 for Conditional Use Cases**
- **□ $2659 for PDD Master Plans**

☑ Neighborhood Meeting Report (only for Conditional Use filing)

☑ Receipt/ Verification for Meeting Notification Mail out

☑ Traffic Impact Generation Report OR written waiver of trip generation from Raleigh Transportation Services Division

□ (General Use ONLY) if applicant is not the petitioner must provide proof of notification to the adjacent property owners per G.S. 160A-384

CITY OF RALEIGH
CITY PLANNING DEPT
2011 JAN 16 PM 4:04

2-18-11

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

CITY OF RALEIGH
CITY PLANNING DEPT

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):

   ☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.

   ☑ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

   ☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:

   a. to lessen congestion in the streets;
   b. to provide adequate light and air;
   c. to prevent the overcrowding of land;
   d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
   e. to regulate in accordance with a comprehensive plan;
   f. to avoid spot zoning; and
   g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
Marjorie Finch Smith By: Gary R. Smith AIF	Gary R. Smith, Attorney-in-fact for Marjorie Finch Smith	June 16, 2011

2-18-11

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s)	Gary R. Smith, Attorney-in-Fact for Marjorie Finch Smith		
(for conditional use requests, petitioners must own petitioned property)			
Property Owner(s)	Marjorie Finch Smith		
Contact Person(s)	Thomas C. Worth, Jr.	127 W. Hargett St. Suite 500 Raleigh, NC 27601	(919) 831-1125 curmudgtcw@earthlink.net

Property information

Property Description (Wake County PIN)	**1707495136**
Nearest Major Intersection	**Strickland Road**
Area of Subject Property (in acres)	**10.65 Acres**
Current Zoning Districts (include all overlay districts)	**R-4**
Requested Zoning Districts (include all overlay districts)	**O&I-1-CUD**

2-18-11

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

Name	Street Address	City/State/Zip	Wake Co. PIN
SEE ATTACHED EXHIBIT B-1.			

EXHIBIT B-1

2-18-11

CHADWICK TOWNHOMES ASSOCIATION INC
PIN # 1707 38 8711
PO Box 17102
Raleigh, NC 27619-7102

VIRGINIA A FAISON
PIN # 1707 48 1860
114 Renwick Ct
Raleigh, NC 27615-2978

RICHARD A & RUTH G LANK
PIN # 1707 48 2688
100 Renwick Ct
Raleigh, NC 27615-2978

MARY N MILTON
PIN # 1707 48 2778
106 Renwick Ct
Raleigh, NC 27615-2978

CAPLAN INVESTMENTS LLC
PIN # 1707 48 5597
404 Seasons Dr
Raleigh, NC 27614-9507

NATASHA ALEXANDRIA LILES
PIN # 1707 49 0484
8102 Kennett Village Ct
Raleigh, NC 27615-2088

PATRICIA A PETTAWAY
PIN # 1707 49 1153
102 Bon Marche Ln
Raleigh, NC 27615-3249

JOHN MACY & MARSHA A FALKNER
PIN # 1707 49 1231
106 Bon Marche Ln
Raleigh, NC 27615-3249

FREDDIE C & GERTRUDE V COBBS
PIN # 1707 49 2629
7944 Featherstone Dr
Raleigh, NC 27615-2919

BRADLEY EARL MILLER
PIN # 1707 49 4542
7925 Featherstone Dr
Raleigh, NC 27615-2920

MAISONS EN MER TOWNHOME HOMEOWNERS
PIN # 1707 39 8183
5909 Falls of Neuse Rd.
Raleigh, NC 27609-4000

REBECCA BASS GARLAND
PIN # 1707 48 1943
105 Nouveau Ave
Raleigh, NC 27615-2940

LISA R GORDON
PIN # 1707 48 2719
110 Renwick Ct
Raleigh, NC 27615-2978

DODD RENTAL PROPERTIES LLC
PIN # 1707 48 2792
8811 Cypress Lakes Dr # B310
Raleigh, NC 27615-2127

THOMAS T N & SARALINDA K Y WOO
PIN # 1707 49 0479
8104 Kennett Village Ct
Raleigh, NC 27615-2088

JAMES D & JUDITH I CORDERMAN
PIN # 1707 49 1069
100 Bon Marche Ln
Raleigh, NC 27615-3249

CARLTON T FOSTER, JR
PIN # 1707 49 1218
110 Bon Marche Ln
Raleigh, NC 27615-3249

WATERFORD SQUARE OWNERS ASSOC INC
PIN # 1707 49 1345
630 Davis Dr
Morrisville, NC 27560-6849

LINDA TRUKA FORSBERG
PIN # 1707 49 3562
7929 Featherstone Dr
Raleigh, NC 27615-2920

MARJORIE FINCH SMITH
PIN # 1707 49 5136
8110 Six Forks Rd
Raleigh, NC 27615-2954

WATERFORD SQUARE OWNERS ASSOC INC
PIN # 1707 39 8453
630 Davis Dr.
Morrisville, NC 27560-6849

BETTY R BABYAK
PIN # 1707 48 1982
103 Nouveau Ave
Raleigh, NC 27615-2940

WELDON LEE BAKER II & IRMA H BAKER
PIN # 1707 48 2749
2013 Boyce Bridge Rd
Creedmoor, NC 27522-8023

RONALD S & SYLVIA B HESTER
PIN # 1707 48 2922
263 Cedar Ln
Newport, NC 28570-9310

LIDANA CHINEA
PIN # 1707 49 0480
8100 Kennett Village Ct
Raleigh, NC 27615-2088

MATTIE SUMNER MORGAN
PIN # 1707 49 1147
1200 Carlos Dr. Apt 215
Raleigh, NC 27609-4773

ISLAND TIME PIZZA LLC
PIN # 1707 49 1224
2919 Breezewood Ave Ste 200
Fayetteville, NC 28303-5283

LE WA CHENG & XIU KAI ZHENG
PIN # 1707 49 2571
9112 Stoney Run Dr
Raleigh, NC 27615-1964

ENRICO C COPELAND TRUSTEE
PIN # 1707 49 0332
200 Bon Marche Ln Apt 31
Raleigh, NC 27615-2986

KATHLEEN A SHIRING
PIN # 1707 49 5429
7921 Featherstone Dr
Raleigh, NC 27615-2920

EXHIBIT B-1

2-18-11

SCOTT D BARTOW & ERIN D MCDOUGAL
PIN # 1707 49 5485
7917 Featherstone Dr
Raleigh, NC 27615-2920

ALAN S & DEBORAH ANNE HANDFORD
PIN # 1707 49 7396
7905 Featherstone Dr
Raleigh, NC 27615-2920

SCOTT A & JULIA G RUCCI
PIN # 1707 59 0296
7900 Featherstone Dr
Raleigh, NC 27615-2918

PAUL W & SHERYL WHAREY
PIN # 1707 39 9494
201 Waterford Park Ln
Raleigh, NC 27615-2091

MARJORIE FINCH SMITH
PIN # 1707 49 0638
8110 Six Forks Rd
Raleigh, NC 27615-2954

WATERFORD SQUARE OWNERS ASSOC INC
PIN # 1707 49 0578
630 Davis Dr
Morrisville, NC 27560-6849

TRAVIS STEPHENS & CAMILLE HARWOOD
PIN # 1707 49 6453
7913 Featherstone Dr
Raleigh, NC 27615-2920

MICHAEL AUSTIN DEWAN
PIN # 1707 49 8382
7901 Featherstone Dr
Raleigh, NC 27615-2920

NICOLE HERSTEIN
PIN # 1707 59 0365
7904 Featherstone Dr
Raleigh, NC 27615-2918

JULIE HOPFER
PIN # 1707 39 9435
203 Waterford Park Ln
Raleigh, NC 27615-2091

CHRISTOPHER CLARK
PIN # 1707 59 0424
7908 Featherstone Dr
Raleigh, NC 27615-2918

JEFFERY & VARENKA SCHMIDT
PIN # 1707 49 7329
7909 Featherstone Dr
Raleigh, NC 27615-2920

RIVERWOODS RALEIGH APARTMENTS LLC
PIN # 1707 58 2462
BRUBB PROPERTIES INC
1523 Elizabeth Ave Ste 220
Charlotte, NC 28204-2535

FEATHERSTONE PARTNERS LLC
PIN # 1707 59 2057
142 Mine Lake Ct
Raleigh, NC 27615-6417

WATERFORD SQUARE OWNERS ASSOC INC
PIN # 1707 39 9650
630 Davis Dr
Morrisville, NC 27560-6849

WATERFORD SQUARE OWNERS ASSOC INC
PIN # 1707 49 0557
630 Davis Dr
Morrisville, NC 27560-6849

Z-18-11
AMENDED 12/21/11
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EXHIBIT C. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Conditional Use District requested: O&I-1-CUD

Narrative of conditions being requested:

1. Building height shall not exceed a maximum of 4 occupied stories or fifty-five (55) feet, measured in accordance with the City Code provided, however, no building located within one hundred fifty feet (150') of the property line of any of the following properties shall exceed 3 occupied stories or forty-seven feet (47') in height. Provided further, a portion (up to 50% of gross floor area) of building(s) within 300' of the eastern line of the subject property (adjoining the property of Riverwoods Raleigh Apartments, LLC [Pin 1707-58-2462] listed under Deed Book 14134 Page 1036 Wake Registry) and within 150 feet of the properties listed below may be a maximum of 4 occupied stories or fifty-five (55') feet.

PIN 1707-49-2571 - Cheng, Deed Book 12069, Page 2430
PIN 1707-49-3562 - Forsberg, Deed Book 12555, Page 2718
PIN 1707-49-4542 - Miller, Deed Book 11322, Page 1751
PIN 1707-49-5429 - Shiring, Deed Book 3434, Page 238
PIN 1707-49-5485 - Barton, Deed Book 13931, Page 1465
PIN 1707-49-6453 - Stephens, Deed Book 11654, Page 1482
PIN 1707-49-7329 - Schmidt, Deed Book 10775, Page 2498
PIN 1707-49-7396 - Handford, Deed Book 14349, Page 2417
PIN 1707-49-8382 - Dewan, Deed Book 14325, Page 1127.

CITY OF RALEIGH
CITY PLANNING DEPT
2011 DEC 21 PM 3:48

2. An undisturbed buffer a minimum of thirty (30') feet in width shall be maintained along the property's northern boundary adjacent to the following properties:

PIN 1707-49-2571 - Cheng, Deed Book 12069, Page 2430
PIN 1707-49-3562 - Forsberg, Deed Book 12555, Page 2718
PIN 1707-49-4542 - Miller, Deed Book 11322, Page 1751
PIN 1707-49-5429 - Shiring, Deed Book 3434, Page 238
PIN 1707-49-5485 - Barton, Deed Book 13931, Page 1465
PIN 1707-49-6453 - Stephens, Deed Book 11654, Page 1482
PIN 1707-49-7329 - Schmidt, Deed Book 10775, Page 2498
PIN 1707-49-7396 - Handford, Deed Book 14349, Page 2417
PIN 1707-49-8382 - Dewan, Deed Book 14325, Page 1127

In addition to the thirty (30') foot width undisturbed buffer a ten (10') foot width buffer shall be provided adjacent to the undisturbed buffer containing at least 40 shrubs per 100 linear feet, which shall be a minimum of 24" in height at planting and expected to reach a minimum height of 6' within 5 years. The ten foot buffer may also contain new trees.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners**.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
By: [signature]	Gary R. Smith, Attorney-in-Fact for Marjorie Finch Smith	12/21/11

EXHIBIT C. Request for Zoning Change

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Conditional Use District requested: O&I-1-CUD

Provided however, that such plantings shall not conflict with the critical root zones of trees located in a Tree Conservation Area ("TCA") or in a required transitional protective yard ("TPY") or other requirements
of the tree conservation ordinance. In the event of any conflict with TCAs or critical root zones of TCAs or TPYs, no plantings within such areas shall be required.

Provided further, that in the event of any conflict between the proposed buffers and the City required street yard or utility easements, the City required street yard and/or utility easements shall control, and
provided further that the buffer may be crossed by utility lines and easements and other matters approved by the City of Raleigh,

3. No principal building shall be located any closer than 50 feet to the property line of any immediately adjacent single family detached dwelling identified hereinafter or any closer than 100 feet to any immediately adjacent single family detached dwelling as it exists as of the date of approval of this rezoning petition, located upon the following properties:

PIN 1707-49-2571 - Cheng, Deed Book 12069, Page 2430
PIN 1707-49-3562 - Forsberg, Deed Book 12555, Page 2718
PIN 1707-49-4542 - Miller, Deed Book 11322, Page 1751
PIN 1707-49-5429 - Shiring, Deed Book 3434, Page 238
PIN 1707-49-5485 - Barton, Deed Book 13931, Page 1465
PIN 1707-49-6453 - Stephens, Deed Book 11654, Page 1482
PIN 1707-49-7329 - Schmidt, Deed Book 10775, Page 2498
PIN 1707-49-7396 - Handford, Deed Book 14349, Page 2417
PIN 1707-49-8382 - Dewan, Deed Book 14325, Page 1127.

4. The following uses shall be prohibited on the property:

(a) Bank
(b) Beauty, nail and manicure, cosmetic art, and barber shop
(c) Cemetery
(d) Civic club
(e) Funeral Home
(f) Hospital
(g) Radio and television studio
(h) School, including private and parochial schools
(i) Utility substation
(j) Dance, recording, music studio
(k) Emergency shelter type B
(l) Heliport
(m) Telecommunications towers
(n) All Special Uses required to be approved by the Board of Adjustment or City Council except for limited home businesses or yard reductions
(o) Single family detached housing
(p) Nonresidential related services

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners.**

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
By:	Gary R. Smith, Attorney-in-Fact for Marjorie Finch Smith	12/21/11

EXHIBIT C. Request for Zoning Change

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Conditional Use District requested: O&I-1-CUD

5. Prior to the issuance of any building permit for the property, the owner of the property shall convey to the City of Raleigh a transit easement deed measuring twenty (20) feet along Six Forks Road by fifteen (15) feet. The location of the easement shall be approved by the Public Works Department, Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation. Prior to obtaining a certificate of occupancy for any new building constructed on the subject property, the owner of the subject property shall construct a concrete pad measuring 10 x 20 within such transit easement unless this requirement is waived by the City of Raleigh.

6. Following redevelopment of the subject property, direct access to and from Six Forks Road shall be limited to a maximum of two (2) access points, subject to the approval by the City of Raleigh Public Works Department and the North Carolina Department of Transportation.

7. Prior to obtaining a building permit for any development within the subject property or any subdivision of the subject property, whichever shall first occur, the property owner requesting the permit shall make an offer of cross access to the adjoining property to the south, identified as PIN 1707-48-5597 – Caplan Investments, LLC, Deed Book 6750, Page 813 and/or accept a previously extended offer from such adjoining owner, if any.

8. Poles for free standing lighting shall not exceed 35 feet in height, and all pole mounted light fixtures shall be full cutoff type.

9. Petitioner has submitted and the Public Works Department has accepted the Trip Generation Comparison ("TGC") prepared for the subject property which is attached hereto as Exhibit C-1. The total volume of calculated trips generated by development on the Property shall not exceed 134 AM peak hour trips or 164 PM peak hour trips, based on the most recent edition of the Institute of Transportation Engineers Trip Generation Manual in effect as of the date of approval of the rezoning petition.

10. The street protective yard along the Six Forks Road frontage of the property shall be a minimum of twenty (20) feet in width, and contain the numerical equivalent of at least two (2) shade tree for every fifty (50) linear feet of street frontage with no trees spaced further apart than forty-five (45) feet on center, subject to the location of access drives and utilities therein. Provided further, the shade trees shall be Scarlet Oak species (*Quercus coccinea*), (or equivalent as approved by a City Forestry Specialist), with each tree measuring a minimum three (3) inches in caliper and at least fourteen (14) feet tall at time of installation.

11. Of the nine (9) existing Oak trees near Six Forks road in the northwest corner of the property, as mapped in Exhibit C-2 (attached), at least three (3) trees will receive protection during construction in accordance with City of Raleigh standard details and specifications, commencing prior to issuance of the grading permit.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners.**

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
By:	Gary R. Smith, Attorney-in-Fact for Marjorie Finch Smith	12/21/11

Z-18-11
AMENDED 12/21/11
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Kimley-Horn and Associates, Inc.

EXHIBIT
C-1

June 7, 2011

Mr. Thomas C. Worth, Jr
127 West Hargett Street
Suite 500
Raleigh, NC 27601

Re: Six Forks Road Rezoning

Dear Mr. Worth:

Kimley-Horn and Associates has prepared a trip generation comparison for the proposed 10.65 acre site in North Raleigh located on the east side of Six Forks Road between Farrington Drive and Featherstone Drive. Based upon discussions with you and the City of Raleigh, the 10.65 acre site is currently zoned R-4 and would permit 42 single family homes. The proposed zoning is O&I -1 CUD, which would allow for approximately 266 apartments. The table below summarizes the comparison of the trip generation of the existing zoning to the proposed zoning.

TRIP GENERATION COMPARISON SUMMARY TABLE

SCENARIO	DAILY		AM PEAK HOUR		PM PEAK HOUR	
	IN	OUT	IN	OUT	IN	OUT
EXISTING ZONING 10.65 ACRES X 4 UNITS/AC= 42 SINGLE FAMILY UNITS	234	234	10	29	30	18
PROPOSED ZONING 10.65 ACRES X 25 UNITS/AC= 266 APARTMENTS	868	868	27	107	107	57

The summary table above indicates the existing zoning would generate approximately 500 daily trips and less than 50 peak hour trips in the morning and afternoon peaks. The proposed zoning would generate approximately 1750 daily trips and less than 165 peak hour trips in the morning and afternoon peaks. We note that the comprehensive plan identifies this area as an office/residential mixed use; utilizing this information, the trip generation of this parcel has the potential to be in line with the proposed zoning or higher.

If you have any questions concerning our analysis, please call me at 919-677-2062.

Sincerely,

R. Michael Horn

NORTH CAROLINA PROFESSIONAL SEAL 14510 ENGINEER ROSS MICHAEL HORN

R. Michael Horn, P.E.
Principal
KIMLEY-HORN AND ASSOCIATES, INC.
NC License # F-0102

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AMENDED 12/21/11
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EXHIBIT C-2

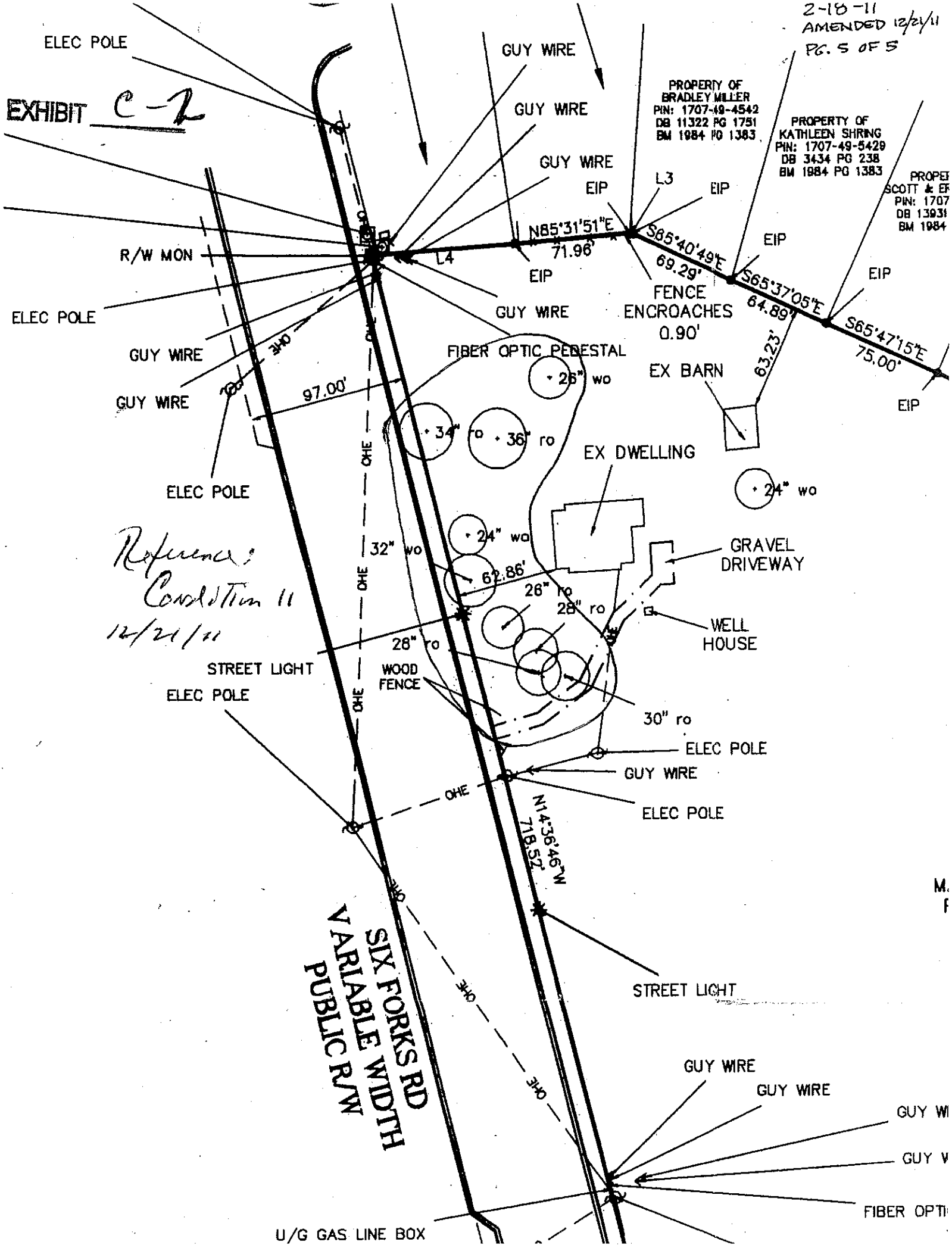

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EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable *City*-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
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 properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.
5.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:

The recommended land use(s) for the property is Office Residential-Mixed Use, which includes office uses, and Moderate to Medium Density Residential uses (7 to 28 dwelling units per acre.)

B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

The subject property is not located within any Area Plans or other Council adopted plans.

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").

The proposed map amendment is consistent with the Comprehensive Plan and the following policies within the Comprehensive Plan:

LU2.2 Compact Development. Prospective redevelopment will promote compact land use which will support efficient use of transportation and public services.

LU4.9 Corridor Development. The prospective redevelopment will promote pedestrian-friendly development and transit supportive development along the multi-modal corridor of Six Forks Road.

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

LU 5.6 Buffering Requirements. New development will provide effective physical buffers to low intensity single-family housing.

LU 8.1 Housing Variety. New development will add to the housing variety in the area.

LU 8.10 Infill Development. New development will fill a gap in the urban fabric and be compatible with the mix of housing types in the area.

T.9 Curb Cuts. New development will limit the number of curb cuts along a major thoroughfare which will improve pedestrian and vehicular safety.

LU 41.8 Zoning for Housing. The map amendment will allow for new development for housing.

PH 5.4 Discharge Control Methods. New development will apply stormwater control methods which regulate discharge and are environmentally and aesthetically acceptable.

UD 1.7 Scenic Corridors. New development will promote landscaping along a major transportation corridor.

UD 2.1 Building Orientation. Buildings shall be erected along streets/drives to provide an active and engaging public realm.

UD 3.7 Parking Lot Placement. New parking lots will be located primarily to the sides or rears of buildings.

UD 4.1 Improving Pedestrian Safety. New development will improve pedestrian safety through landscaping and streetscape improvements.

UD 5.3 Improving Neighborhood Connectivity. An offer of cross access will improve connectivity.

Urban Design Guidelines – See Exhibit D-1.

II. Compatibility of the proposed map amendment with the property and the surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

Land Uses within the surrounding area include apartments, townhomes and single family detached homes. In addition, there are office condominium buildings within a quarter mile of the site.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

North: R-4 Single Family Homes, 1-2 story
East: R-10 Apartments, 2 story
South: R-4 and R-10 Vacant and Apartments
West: R-6 , CUD R-10, and CUD O&I-1 Townhomes, 1-2 story.

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EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:

The proposed map amendment is compatible with the residential area and will add to the mix of housing types.

III. <u>Benefits and detriments of the proposed map amendment.</u>

A. For the landowner(s):

The proposed map amendment is beneficial to the landowner in that it will allow her to convert the property, which is now being used as one single-family home, to an income-producing property at its highest and best use.

B. For the immediate neighbors:

It will allow the conversion of a large, virtually unused single-family property to a property more compatible with its neighboring properties.

C. For the surrounding community:

It will add tax base to the City and provide needed multifamily housing in a Six Forks Road location with excellent access to retail, recreational and occupational facilities.

IV. <u>Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:</u>

It will allow a higher density than some surrounding properties.

<u>Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.</u>

The proposed map is reasonable and in the public interest because it adds higher density to serve a rapidly growing population in accordance with the recommended land uses of the Comprehensive Plan.

V. <u>Recommended items of discussion (where applicable).</u>

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

N/A.

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

EXHIBIT D. Request for Zoning Change

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Raleigh has grown dramatically and will continue to do so. Six Forks Road has become a major thoroughfare which is no longer appropriate for single family detached housing.

c. **The public need for additional land to be zoned to the classification requested.**

The public needs more property to be zoned to permit multifamily housing to accommodate the City's growing population, particularly along major thoroughfares where mass transit opportunities are available.

d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

The infrastructure is in place to support development in accordance with the proposed map amendment. Utilities are in the streets, and parks and recreation, fire, safety are readily available. Ample buffering and height limits will ensure protection of light and air to adjoining properties.

e. **How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**

The rezoning advances the NC enabling legislation by providing a new opportunity to develop a property for its most appropriate use and to provide housing for a growing population along a major thoroughfare with mass transit opportunities. The proposed map amendment will facilitate development which is in accordance with the City's Comprehensive Plan.

VI. Other arguments on behalf of the map amendment requested.

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EXHIBIT D-1

Design Guidelines for Mixed Use Areas
RALEIGH COMPREHENSIVE PLAN

Policy UD 7.3
Design Guidelines
The design guidelines in **Table UD-1** [listed below] shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as Pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

Elements of Mixed-Use Areas

1. *All Mixed-Use Areas should generally provide retail (such as eating establishments, food stores, and banks), office, and residential uses within walking distance of each other.*
   This site is designated Office Residential Mixed Use which does not contemplate principal retail uses. It will be developed primarily as residential space, but there is a large concentration of existing office and retail space within walking distance of the site along Six Forks Road.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

2. *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.*
   We contemplate utilizing both 3-story and 4-story buildings here (and perhaps 3-4 level split building[s]. We plan to design the site plan to place the 3-story building(s) at the north end of the site closest to the single family homes and transition to the 4-story building(s) to the south (closer to Six Forks Road and the adjacent existing multifamily property). In addition, we will include conditions providing buffers to transition to low density areas.

Mixed-Use Areas /The Block, The Street and The Corridor

3. *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.*
   This is not applicable to this particular site as there is no property frontage on any neighborhood streets. The only access available is along Six Forks Road.

4. *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.*
   The drives within the development will interconnect so as to create a flow-through condition with no dead ends. If practical, when the site plan is designed, a street stub to the vacant land to the south will be provided.

5. *Block faces should have a length generally not exceeding 660 feet.*

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This is not applicable; the existing parcel has approximately 700 feet of frontage on Six Forks Road; however, it is contemplated that the frontage will be broken by two driveways located as determined through consultations with City and State Transportation authorities.

Site Design/Building Placement

6. *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.*
   In keeping with this guideline, it is contemplated that buildings along Six Forks Road will be placed as close to the street as possible with parking areas located behind or on the side of the buildings. We contemplate that the project will be designed to have a strong street presence with pedestrian connectivity to Six Forks Road as much as practical.

7. *Buildings should be located close to the pedestrian street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings.*
   As stated above, the project is planned to have a street presence on Six Forks Road with pedestrian connectivity to the street and parking located to the side or rear of the buildings.

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*
   This item is not applicable, however in keeping with this design intent; it is contemplated that buildings will be located at the intersection of the main entrance drive and Six Forks Road.

Site Design/Urban Open Space

9. *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.*
   At the site plan stage, care will be taken to design open spaces (such as the pool deck area) close to the public areas (such as the leasing office and amenity areas) as much as practical.

10. *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.*
    This item is not applicable as the open areas on-site will be for the use of residents only.

11. *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.*
    The pool and amenity areas will be located, as much as practical, with residential units surrounding the areas to create easy access and an urban feel.

12. *A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*
    See number 11 above.

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Site Design/Public Seating

13. *New public spaces should provide seating opportunities.*
    Common areas, such as the pool deck, will contain a variety of seating areas.

Site Design/Automobile Parking and Parking Structures

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*
    At the site plan stage of the project, buildings will be located along Six Forks Road with parking areas located behind or on the sides of the buildings as far as practical.

15. *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.*
    These guidelines will be adhered to as far as practical at the site plan stage of the project.

16. *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 cane make a significant improvement.*
    Parking structures are not anticipated for this site, so this item is not applicable.

Site Design/Transit Stops

17. *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.*
    This site is on Six Forks Road, with public transit, so the future land use and contemplated rezoning for the site are in accordance with this guideline.

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*
    This guideline will be addressed at the site plan stage of the project.

Site Design/Environmental Protection

19. *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.*
    There are no watercourses or floodplains on site, and very few or no steep slopes greater than 15 percent.

Street Design/General Street Design Principles

20. *It is the intent of these guidelines to build streets that are integral components of community design. Streets should be designed as the main public spaces of the City and should be scaled for pedestrians.*
    There are no public streets as part of this project, so this item is not applicable.

21. *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.
Sidewalks within the project in heavy traffic areas will be a minimum of 5 feet wide. The existing sidewalk along Six Forks Road will be preserved or rebuilt as the design at the site plan stage dictates.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment 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.*
These requirements will be addressed to the extent practical and as municipal code dictates at the site plan design stage.

Street Design/Spatial Definition

23. *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.*
This guideline will be addressed at the site plan stage of the project.

Building Design/Facade Treatment

24. *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.*
This guideline will be addressed at the site plan stage of the project. The primary entrance will face Six Forks Road or be as close to it as practical.

25. *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.*
A design objective is to have a meaningful street presence along Six Forks Road along with strong pedestrian connectivity.

Building Design/Street Level Activity

26. *The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*
This guideline will be addressed at the site plan stage of the project.

Z-18-1L

Kimley-Horn and Associates, Inc.

June 7, 2011

Mr. Thomas C. Worth, Jr
127 West Hargett Street
Suite 500
Raleigh, NC 27601

Re: Six Forks Road Rezoning

Dear Mr. Worth:

Kimley-Horn and Associates has prepared a trip generation comparison for the proposed 10.65 acre site in North Raleigh located on the east side of Six Forks Road between Farrington Drive and Featherstone Drive. Based upon discussions with you and the City of Raleigh, the 10.65 acre site is currently zoned R-4 and would permit 42 single family homes. The proposed zoning is O&I -1 CUD, which would allow for approximately 266 apartments. The table below summarizes the comparison of the trip generation of the existing zoning to the proposed zoning.

TRIP GENERATION COMPARISON SUMMARY TABLE

SCENARIO	DAILY		AM PEAK HOUR		PM PEAK HOUR	
	IN	OUT	IN	OUT	IN	OUT
EXISTING ZONING 10.65 ACRES X 4 UNITS/AC= 42 SINGLE FAMILY UNITS	234	234	10	29	30	18
PROPOSED ZONING 10.65 ACRES X 25 UNITS/AC= 266 APARTMENTS	868	868	27	107	107	57

The summary table above indicates the existing zoning would generate approximately 500 daily trips and less than 50 peak hour trips in the morning and afternoon peaks. The proposed zoning would generate approximately 1750 daily trips and less than 165 peak hour trips in the morning and afternoon peaks. We note that the comprehensive plan identifies this area as an office/residential mixed use; utilizing this information, the trip generation of this parcel has the potential to be in line with the proposed zoning or higher.

If you have any questions concerning our analysis, please call me at 919-677-2062.

Sincerely,

R. Michael Horn

NORTH CAROLINA PROFESSIONAL SEAL 14510 ENGINEER ROSS MICHAEL HORN

R. Michael Horn, P.E.
Principal
KIMLEY-HORN AND ASSOCIATES, INC.
NC License # F-0102

Z-18-11

THOMAS C. WORTH, JR.
Attorney

Certified Mediator

Professional Building
127 W. Hargett Street, Suite 500
Post Office Box 1799
Raleigh, North Carolina 27602
Phone: (919) 831-1125 Fax: (919) 831-1205
curmudgtcw@earthlink.net

June 17, 2011

Mr. Doug Hill, AICP
Department of City Planning
One Exchange Plaza, Suite 204
Raleigh, NC 27601

HAND DELIVERY

RE: **NEIGHORHOOD MEETING REPORT** Regarding Proposed Rezoning Petition of Gary R. Smith, Attorney-in-Fact for Marjorie Finch Smith for approximately 10.65 acres located at 8110 Six Forks Road.

Dear Sir:

I hereby confirm that the Neighborhood Meeting for this proposed rezoning from Residential-4 to Office and Institution-1 Conditional Use District was held at the Millbrook Exchange Community Center, Meeting Room 1, 1905 Spring Forest Road, Raleigh, NC 27615 at 7:00 PM on the evening of Wednesday, June 8, 2011 as indicated in my Notice of Meeting Letter dated May 25, 2011 (copy attached).

I was in attendance as were two representatives of The Bainbridge Companies (contract purchasers) and Mr. Gary R. Smith, Attorney-in-Fact for his mother Marjorie Finch Smith (property owner) and Mr. Terry Mikels, Mr. Smith's representative. Additionally there were approximately sixteen (16) neighbors or representatives of neighbors in attendance.

After a brief opening statement by me, I introduced the Bainbridge representatives, Messrs. Tom Keady and Ron Perera who provided background information on their company and their vision for the development of the subject property primarily as a luxury residential multifamily community with a projected density of twenty-five (25) dwelling units per acre. They informed the attendees that a design firm and a traffic engineering firm have been retained but that their company wished to hear from the neighbors before undertaking substantive design work for the development of the property.

2-18-11

The questions of the neighbors concerned such matters as follows:

Parking near their homes with questions about proximity and sight lines.
The prospect for a retaining wall.
The proposed number and height of buildings and their locations upon the property.
Confirmation that the desired uses are residential and office.
Prospects for amenities and their location upon the property.
Vehicular ingress /egress to and from the property and the prospects for a traffic light on Six Forks Road.
Questions about increased traffic generally with specific concern about any vehicular connection to Featherstone Drive.
Questions about retention of trees and discussion of the types and quality of trees upon the property adjacent to the back property lines of the homes on Featherstone Drive.
If approved, the approximate start date for construction and the length of time to complete the project.
Characteristics of the proposed project, specifically the number of one, two and three bedroom apartments.
The estimated rents, the use of elevators in the buildings and an inquiry if the project would be a gated community.
Parking of vehicles upon the property and the prospects for the apartments having garages for tenant vehicles.

In summary the height of the proposed buildings, the buffering of the single family homes along Featherstone Drive and the traffic generation with specific emphasis upon there being no vehicular ingress and egress to Featherstone Drive, which apparently is experiencing cut-through traffic, some with speeds that are detrimental to the Featherstone residents, appeared to be the primary areas of concern.

Sincerely,

Thomas C. Worth, Jr.

TCWjr/dsw

Enclosure