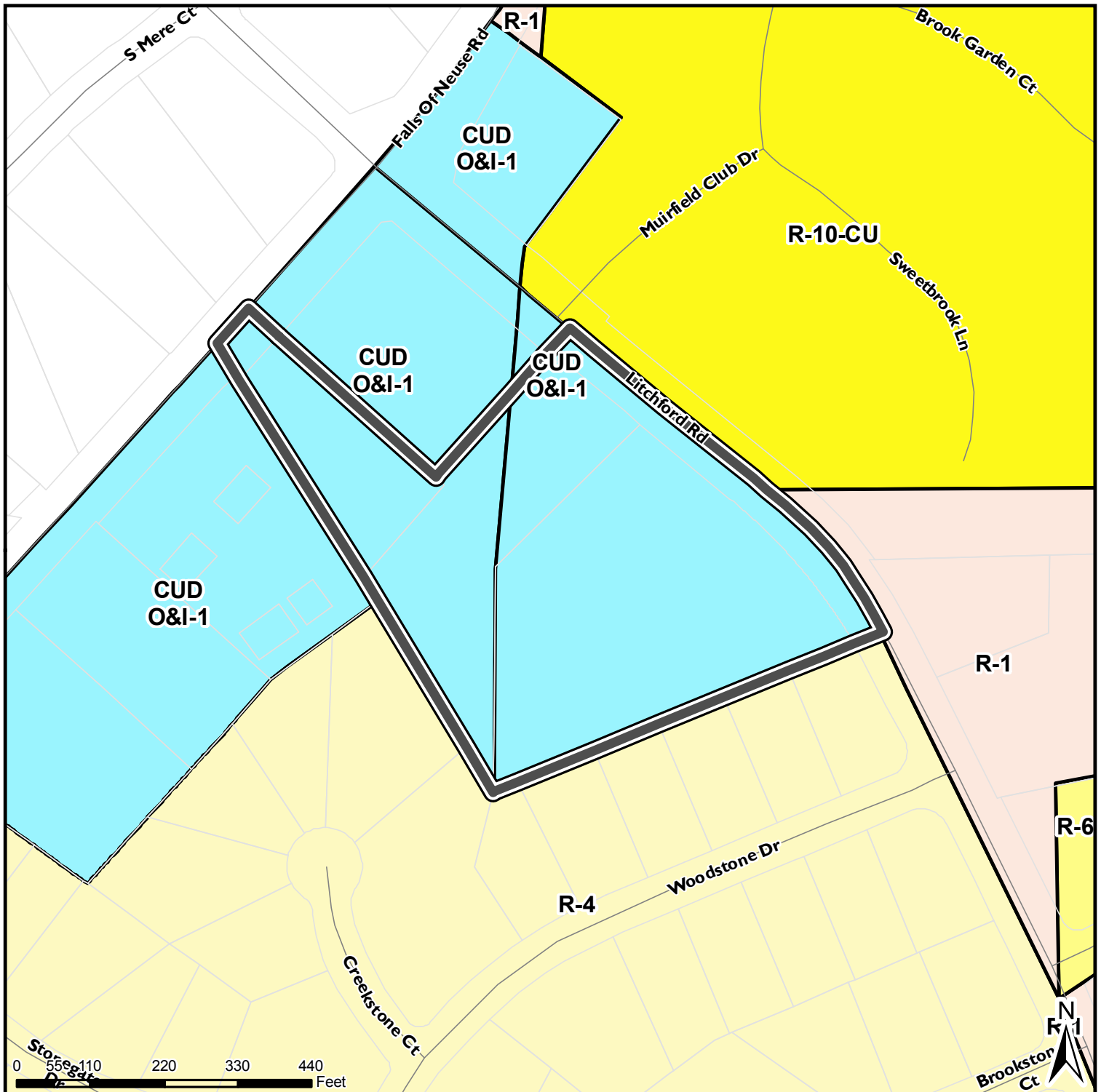


Existing Zoning Map

Z-2-2015



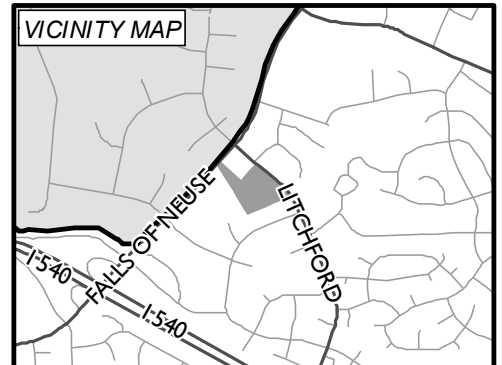
**Submittal
Date**

1/15/2015

Request:

**6.95 acres from
CUD O&I-1
to NX-3-PL-CU**

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11647

Case Information: Z-2-15 - Litchford Road/ Falls of Neuse Road

<i>Location</i>	Litchford Road, south side, east of intersection with Falls of Neuse Road Addresses: 9001 & 9101 Litchford Road and 9400 Falls of Neuse Road PINs: 1718737158, 1718735330, 1718733402
<i>Request</i>	Rezone property from Office & Institution-1 Conditional Use District (O&I-1 CUD) to Neighborhood Mixed Use-3 stories-Parking Limited-Conditional Use (NX-3-PL-CU)
<i>Area of Request</i>	6.95 acres
<i>Property Owner</i>	Falls View LLC P.O. Box 99508 Raleigh, NC 27624-9508
<i>Applicant</i>	David Brown JDavis Architects PLLC 510 Glenwood Avenue Raleigh, NC 27603
<i>Citizens Advisory Council (CAC)</i>	North— Will Owen, Chair: (919) 264-0565, will.s.owen@gmail.com
<i>PC Recommendation Deadline</i>	August 10, 2015

Comprehensive Plan Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the Future Land Use Map.

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Office & Residential Mixed Use
<i>URBAN FORM</i>	Center: <i>None designated.</i> Corridor: Transit Emphasis [Falls of Neuse Road]
<i>CONSISTENT Policies</i>	Policy LU 5.1 – Reinforcing the Urban Pattern Policy LU 5.4 – Density Transitions Policy LU 5.6 – Buffering Requirements Policy T 4.15 – Enhanced Rider Amenities Policy EP 3.12 – Mitigating Stormwater Impacts Policy UD 2.4 – Transitions in Building Intensity Policy AP-540F 1 – Development Character on Falls of Neuse Road Policy AP-540F 2 – Residential Access on Falls of Neuse Road Policy AP-540F 3 – Frontage Lots on Falls of Neuse Road Policy AP-540F 4 – Falls of Neuse Low Intensity Appearance Policy AP-540F 5 – Falls of Neuse Road Access Policy AP-540F 6 – Falls of Neuse Access Spacing

INCONSISTENT Policy	Policy LU 1.2 – Future Land Use Map and Zoning Consistency
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Summary of Proposed Conditions

1. Solid waste operations hours limited.
2. Design and height of pole-mounted lighting specified.
3. Protective yard against adjacent residences specified.
4. Stormwater management specified.
5. Vegetative screening for parking areas specified.
6. Certain uses prohibited.
7. Percentage of evergreen trees among supplemental plantings set.
8. Maximum square footage for single retail space and maximum retail building height set.
9. Screening and operational hours of loading areas specified.
10. Proximity of ATMs and drive-throughs to residences limited.
11. Floor area for Eating Establishment and Retail Sales capped.
12. Wall and/or fence to be provided between Eating Establishment and Retail Sales on site, and adjacent residential lots.
13. Added turn lane on Litchford Road offered.
14. Transit shelter to be provided.
15. Parking capped.
16. Dumpster service frequency capped.
17. Allocation covenants required for parking and Eating Establishment/ Retail Sales floor area.

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>Committee of the Whole</i>	<i>City Council</i>	<i>Public Hearing</i>
1/28/15	2/5/15; 4/2/15: Y-17, N-0	5/12/15 (referred to Committee of the Whole); 6/9/15 (deferred); 6/23/15	6/2/15 (referred back to commission; no recommendation)	7/7/15	8/4/15

☒ **Valid Statutory Protest Petition** (filed 5/8/15)

Attachments:

1. Staff Report
2. Current Zoning Conditions (eastern portion of site): Z-36-06 [Ordinance (2006) 44 ZC 590]
3. Current Zoning Conditions (western portion of site): Z-23-10 [Ordinance (2010) 802 ZC 653]
4. Staff Comments: Z-2-15 Conditions (as amended 6/11/15)
5. TIA Review Memo
6. TIA Worksheet

Planning Commission Recommendation

<i>Recommendation</i>	Approve with conditions. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	1. While the proposal is inconsistent with the Future Land Use map of the Comprehensive Plan, it is consistent with the

	<p>Urban Form map and most pertinent policies of the Comprehensive Plan.</p> <p>2. The proposed rezoning is reasonable and in the public interest. Conditioned uses would serve nearby neighborhoods. Added stormwater measures and limitations on retail square footage and parking reduce potential impacts. Transit provisions support multi-modal access.</p> <p>3. The proposal is compatible with the surrounding area. Permitted development would be of a height and scale consistent with existing area development. Conditioned buffers and setbacks, lighting restrictions, and parking/ service area screening offer improved transitions to neighboring residential properties.</p>
<i>Motion and Vote</i>	<p>Motion: Braun Second: Hicks In Favor: Braun, Fluhrer, Hicks, Lyle and Swink Opposed: Alcine, Buxton and Schuster</p>

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.

	Date		6/23/15 Date
Planning Director		Planning Commission Chairperson	

Staff Coordinator: Doug Hill: (919) 996-2622; Doug.Hill@raleighnc.gov



Zoning Staff Report – Case Z-2-15

Conditional Use District

Case Summary

Overview

The proposal seeks to rezone the property to allow primarily retail development. The present zoning only permits retail uses as an ancillary activity to office development. Office uses, and most residential uses, would continue to be allowed under the proposed zoning.

The subject site consists of three properties, two of which have frontage on Litchford Road, and the third, on Falls of Neuse Road. All three are zoned Office and Institution-1 Conditional Use District, but by virtue of two separate zoning cases: [Z-36-06](#) conditions the eastern part of the site, and [Z-23-10](#) governs the western portion. As each case includes distinct conditions, the site can be considered split-zoned.

The present zoning lines follow older parcel boundaries, which have since been altered to accommodate the site plan for 9444 Falls of Neuse Road, [SP-45-12](#). On that 1.75-acre tract, located directly at the intersection of Falls of Neuse and Litchford roads, a bank with drive-through is now under construction. The bank parcel is not accessed directly from either roadway; instead, internal access streets frame the two interior sides of the tract, entering from Falls of Neuse and Litchford roads respectively. The subject site lies on the opposite sides of those drives; a stubout exists at the two drives' intersection, internal to the subject site. In addition, the development plan for the office condo tract ([SP-74-05](#)) abutting the site to the southwest, near Falls of Neuse Road, also contains provision for future cross access.

The bank tract, and areas of the subject site along the access streets, are mostly cleared. The bulk of the site, however, is wooded. Topography declines from the Litchford Road frontage to the site's southern corner; a swale follows the southwestern lot line from the office condos on Falls of Neuse to the single-family residential lots of the Woodstone neighborhood, at Creekstone Court. Neighborhood lots on the west side of Woodstone Drive abut the southeastern boundary of the site.

Properties on the west side of Falls of Neuse Road, which lie in the Falls Lake watershed, are under Wake County's jurisdiction; zoning there is residential, at approximately one dwelling per acre. Across Litchford Road from the bank parcel, a veterinary clinic, zoned O&I-1 CUD, is located at the corner of Litchford and Falls of Neuse Road. Wrapping around the clinic is the 212-unit Muirfield apartment complex, on a 20-acre tract zoned R-10-CUD. Two single-family tracts, both zoned R-1, lie just southeast of the apartments along Litchford Road. To the apartments' north, reaching to Durant Road, is the 24-acre Falls Pointe Shopping Center, zoned SC-CUD, with more than 180,000 square feet of retail among 27 tenant spaces, including 2 larger-format stores (87,000 and 50,000 square feet, respectively). Another retail area, Falls River, is located further east on Durant Road. On the south, the Woodstone neighborhood is zoned R-4; the Falls of Neuse Office Park Condos, O&I-1 CUD.

The Comprehensive Plan recognizes Falls Pointe and Falls River shopping centers as the predominant retail centers in the immediate area. Both are labeled Community Mixed Use on the

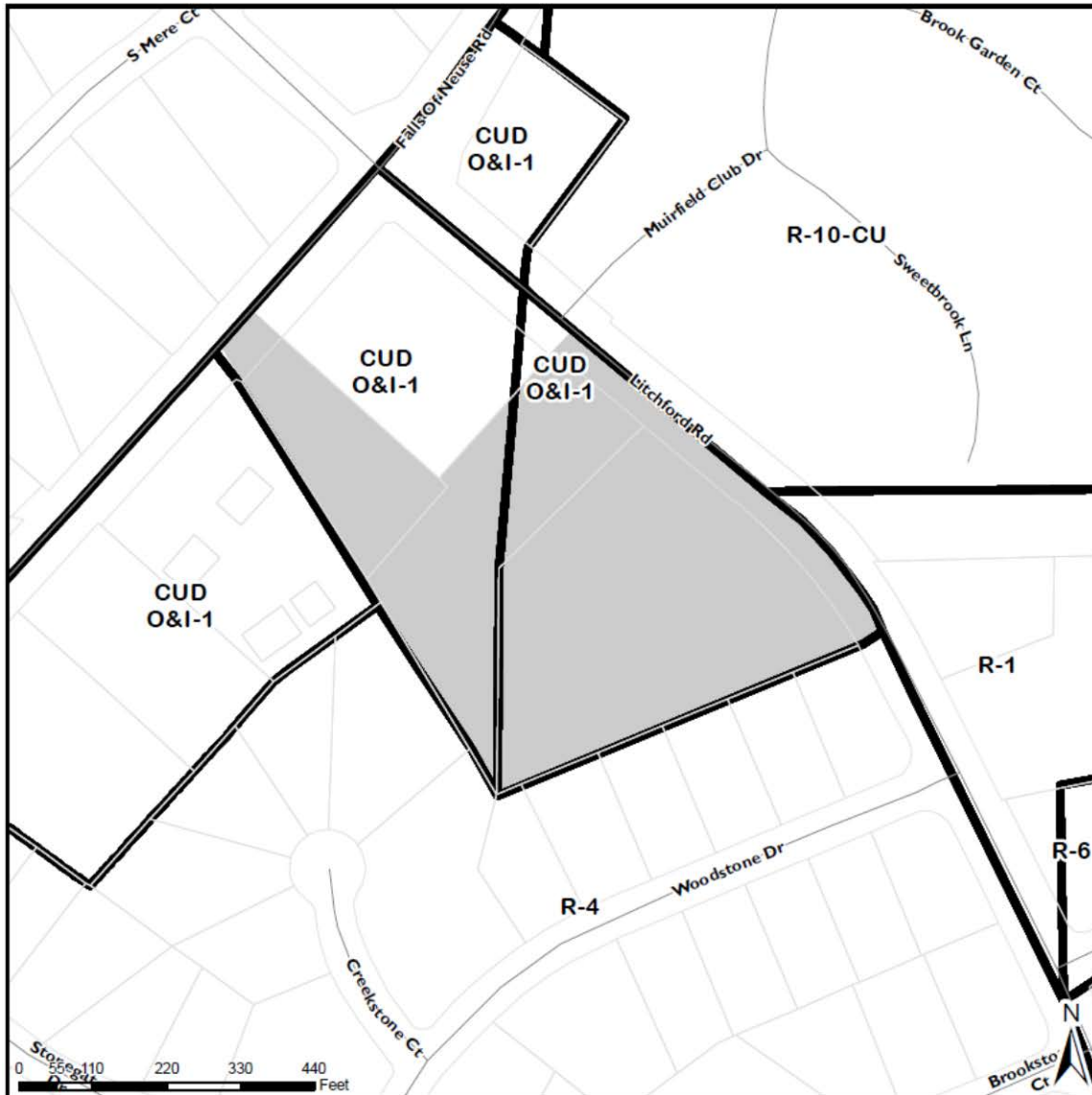
Future Land Use map. The subject site, and all other properties on the east side of Falls of Neuse Road, south to I-540, are designated Office & Residential Mixed Use. The Urban Form map applies no Center designations nearby, but designates Falls of Neuse Road, from Durant Road south, a Transit Emphasis Corridor.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. Issues identified in staff comments.2. Potential tree conservation conflicts, and sewer and fire flow matters, will need to be addressed upon development.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. Address issues identified in staff comments.2. Address potential tree conservation conflicts, sewer and fire flow capacities, at the site plan stage.
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Existing Zoning Map

Z-2-2015

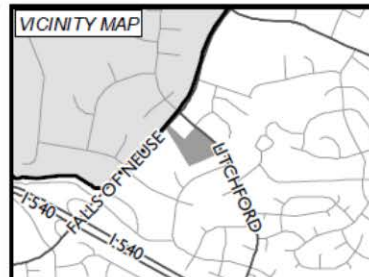


**Submittal
Date**

1/15/2015

Request:

6.95 acres from
CUD O&I-1
to NX-3-PL-CU



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
Existing Zoning	Office & Institutional-1 Conditional Use (under two CU cases)	Residential-40 Watershed (Wake County); Office & Institutional-1 Conditional Use	Residential-4	Residential-10 Conditional Use; Residential-1	Office & Institutional-1 Conditional Use; Residential-4
Additional Overlay	(None)	(None)	(None)	(None)	(None)
Future Land Use	Office & Residential Mixed Use	N/ A (Wake County); Office & Residential Mixed Use	Low Density Residential	Moderate Density Residential	Office & Residential Mixed Use; Low Density Residential
Current Land Use	Vacant	Single-Unit Living; Bank (under construction)	Single-Unit Living	Multi-Unit Living; Single-Unit Living	Office Condos; Single-Unit Living
Urban Form (if applicable)	Transit Emphasis Corridor (Falls of Neuse)	Transit Emphasis Corridor (Falls of Neuse)	(N/ A)	(N/ A)	Transit Emphasis Corridor (Falls of Neuse)

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning *
Residential Density:	16.4 DUs/ acre (max. 114 DUs)	35.9 DUs/ acre (max. 250 DUs)
Setbacks:		Parking Limited Frontage:
Front:	30'	50% w/n 0'-100' build-to
Side:	5' (10' aggr.)	25% w/n 0'-100' build-to
Rear:	20'	If General building type: 0' or 6'
Retail Intensity Permitted:	10,000 sf (ancillary to office uses)	125,000 sf
Office Intensity Permitted:	108,000 sf	225,000 sf

1.3 Estimated Development Intensities

	<i>Existing Zoning *</i>	<i>Proposed Zoning *</i>
<i>Total Acreage</i>	6.95	6.95
<i>Zoning</i>	O&I-1 CUD	NX-3-PL-CU
<i>Max. Gross Building SF</i> <i>(if applicable)</i>	114,000 <i>(if residential)</i>	300,000 <i>(if residential)</i>
<i>Max. # of Residential Units</i>	114	250
<i>Max. Gross Office SF</i>	108,000	225,000
<i>Max. Gross Retail SF</i>	10,000 <i>(ancillary to office uses)</i>	125,000
<i>Max. Gross Industrial SF</i>	- 0 -	- 0 -
<i>Potential F.A.R</i>	0.36	0.99

**The development intensities were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.*

The proposed rezoning is:

☒ **Compatible** with the property and surrounding area.

The proposal provides setbacks, protective yards, and limitations on site uses, stormwater runoff, lighting, noise, and building form, serving to reduce potential impacts on adjoining properties.

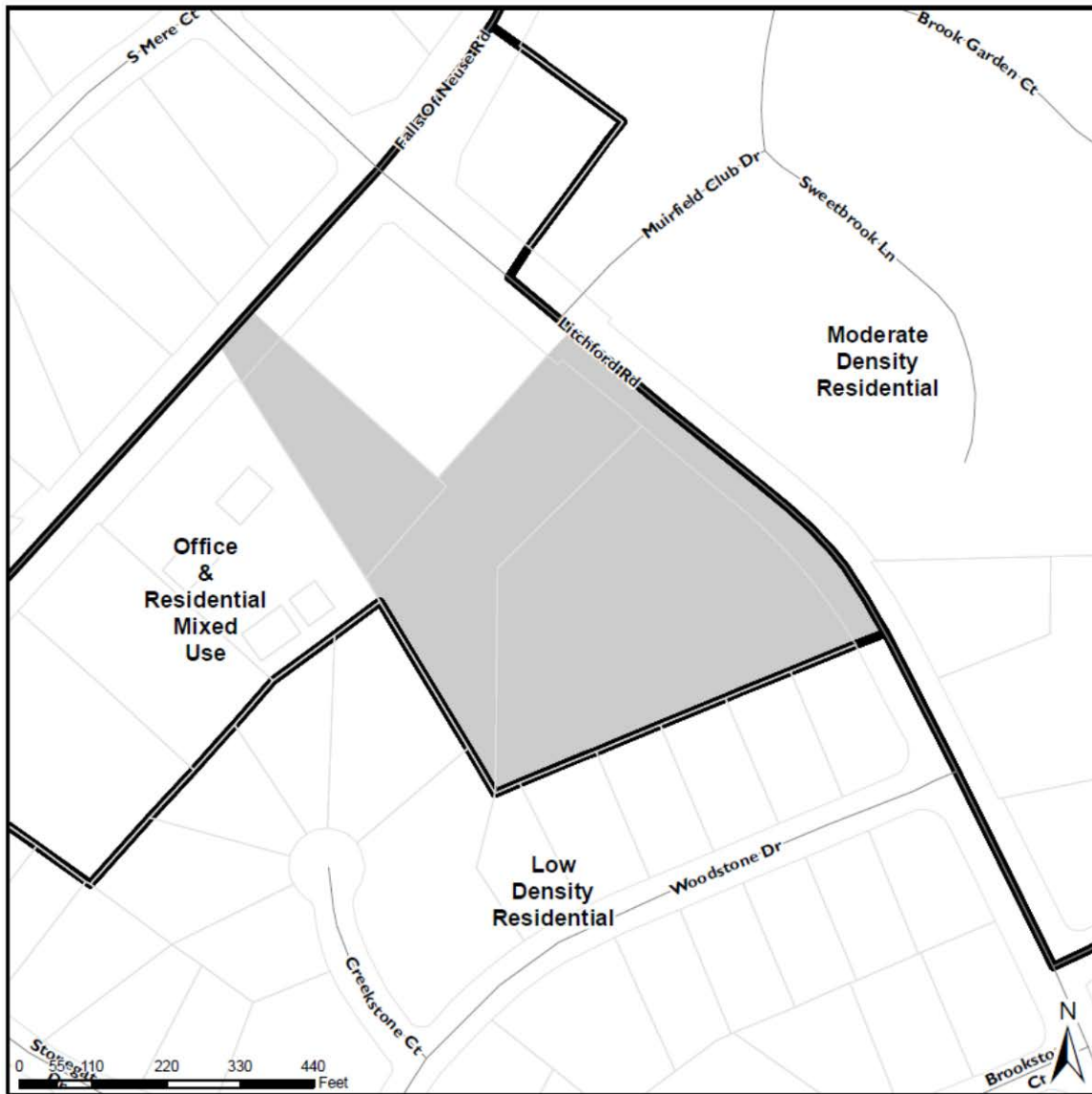
☐ **Incompatible.**

Analysis of Incompatibility:

N/A

Future Land Use Map

Z-2-2015

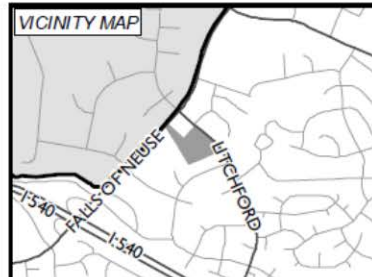


**Submittal
Date**

1/15/2015

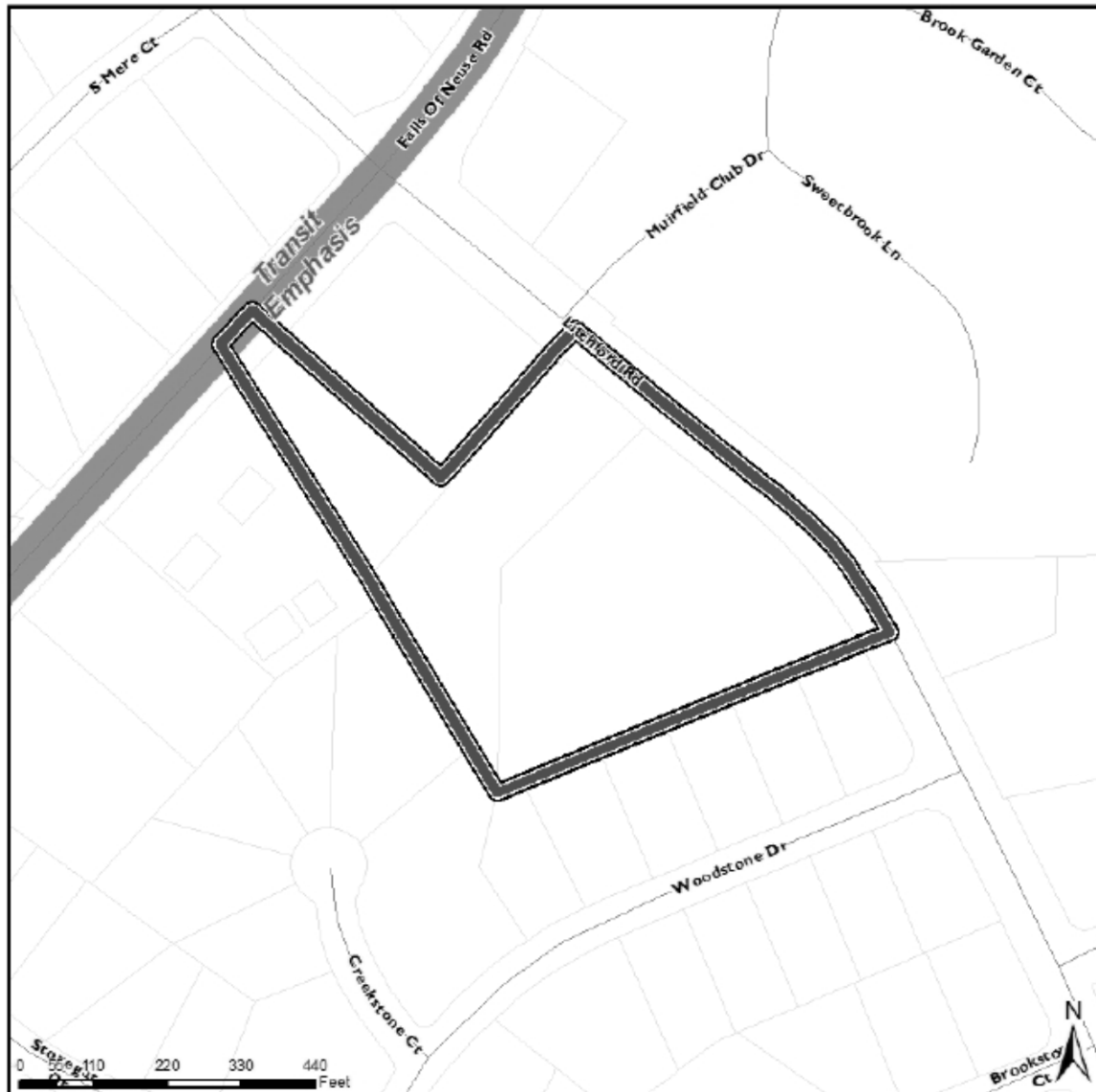
Request:

6.95 acres from
CUD O&I-1
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Urban Form Map

Z-2-2015

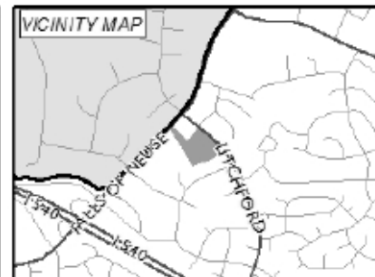


Submittal
Date

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Request:

6.95 acres from
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to NX-3-PL-CU



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal is inconsistent with the Future Land Use map, and thereby with the Comprehensive Plan. The Future Land Use map designates the subject site and all properties on the east side of subject section of Falls of Neuse Road for Office & Residential Mixed Use, in which free-standing retail is discouraged, in deference to being "concentrated at major intersections." The site located within 1,000 feet of an existing, built-out, 24-acre retail center--the Falls Pointe shopping center--at the intersection of Durant and Falls of Neuse roads.

The two roadways crossing at that intersection, however, carry similar street typology designations as those converging at the subject site (Falls of Neuse, at both locations: Avenue 6-Lane Divided; Durant or Litchford: Avenue 4-Lane Divided). Additionally, conditions provided in the request focus on developing the site in a fashion minimizing adverse impacts on the natural environmental and adjacent development (e.g., prescribed buffers/ screening, stormwater management, building height and setbacks, lighting design, prohibited uses, and limited hours of certain outdoor utilitarian activities). The proposal is also consistent with nearly all pertinent policies of the Comprehensive Plan.

Existing community facilities and streets appear sufficient to accommodate redevelopment possible under the proposed rezoning.

2.2 Future Land Use

Future Land Use designation: Office & Residential Mixed Use

The rezoning request is:

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

Analysis of Inconsistency:

The Future Land Use map identifies the site as being appropriate for office and/ or residential uses. The rezoning would still permit those uses, but also allow site development to consist exclusively of single-tenant, free-standing retail parcels and uses.

2.3 Urban Form

Urban Form designation: Transit Emphasis Corridor [Falls of Neuse Road]

☐ **Not applicable** (no Urban Form designation)

The rezoning request is:

☒ **Consistent** with the Urban Form Map.

The Comprehensive Plan states that, along Transit Emphasis Corridors, "a hybrid approach to frontage is recommended." The proposed Frontage, Parking Limited (PL), is a hybrid frontage design.

☐ **Inconsistent**

Analysis of Inconsistency:

2.4 Policy Guidance

The rezoning request is **inconsistent** with the following policy:

Policy LU 1.2 - Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes

The Future Land Use designation supports office and/ or residential uses on the site, rather than the retail development possible under the rezoning request.

2.5 Area Plan Policy Guidance

The rezoning request is subject to the I-540/ Falls of Neuse Area Plan.

(None identified.)

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Would provide greater flexibility regarding future site use.
- Could allow neighborhood-scale retail in proximity to nearby residential land uses.

3.2 Detriments of the Proposed Rezoning

- Pedestrian access to the site may be limited from the residential areas to the south (along Litchford) due to absence of sidewalks there.

4. Impact Analysis

4.1 Transportation

The site is located near the intersection of Litchford Road and Falls of Neuse Road, and has frontage on both streets. Access to Litchford and Falls of Neuse was set in a previous site plan to allow Right-In/Right-Out access on Falls of Neuse and full movement access on Litchford Road. There are no City of Raleigh or NCDOT projects slated for Litchford Road or Falls of Neuse Road.

The abutting properties to the east are developed as single family residences; there is no opportunity for cross access to Woodstone Drive. However, the adjoining parcel to the south along Falls of Neuse Road has been developed as an office condominium site and would be a good candidate for cross access.

The expected change in trip volume entering and exiting the site in the PM peak period is 259 vehicles per hour. The estimated change in daily trips is 3,882 veh/day. There are known congestion issues at Falls of Neuse and Litchford during peak traffic periods. A traffic study has been reviewed for this case.

Impact Identified: The traffic study identified the need for an additional left-turn lane on westbound Litchford Road at its intersection with Falls of Neuse Road. A condition has been offered to provide the turn lane.

4.2 Transit

This area is currently served by GoRaleigh (formerly CAT) Triangle Town Center. A transit easement along Litchford Rd is conditioned on this site in Z-23-10 (Condition n.). Increased development will increase demand for transit in this area. Proposed Condition 14 will mitigate this impact. However, due to the potential for route changes prior to construction Condition 14 should state "If requested by the Public Works Department a transit shelter..."

Impact Identified: None, provided suggested condition language is added.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Perry
<i>Stormwater Management</i>	The site is subject to Stormwater Regulations under Article 9 of UDO.
<i>Overlay District</i>	(None)

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	22,587 gpd	62,500 gpd
<i>Waste Water</i>	22,587 gpd	62,500 gpd

The proposed rezoning would add approximately 39,913 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

Impact Identified: The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted

and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

The site is not adjacent existing or proposed greenway corridor, trail, or connector; nearest trail is 0.9 miles (Simms Branch Trail). Park services are provided by Annie Louise Wilkerson, MD Nature Preserve (1.3 miles) and proposed Abbotts Creek Community Center (2.0 miles).

Impact Identified: None.

4.6 Urban Forestry

UDO Article 9.1. Tree Conservation and UDO Article 12.2 Defined Terms: *Tree Disturbing Activity* apply.

Impact Identified: Depending on final site plan layout, conditions 3 and 5 may conflict with certain provisions of UDO Article 9.1., the conflict being that if the requirements of Conditions 3 and 5 occur in areas that are also tree conservation areas, the code will not allow new trees and shrubs to be planted within the tree conservation areas.

4.7 Designated Historic Resources

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

Potential tree conservation conflicts, and sewer and fire flow matters, will need to be addressed upon development.

4.10 Mitigation of Impacts

Address potential tree conservation conflicts, and sewer and fire flow capacities, at the site plan stage.

5. Conclusions

The proposal would permit solely retail uses of the site, inconsistent with the Comprehensive Plan. Proposed zoning conditions, however, afford compatibility with the site context.

Current Zoning Conditions: *Eastern portion of site*

Ordinance No, (2005) 44 ZC 590

Adopted and Effective: 6/20/06

Z-36-06 – Litchford Road, on the West side of Litchford Road, east of its intersection with Falls of Neuse, being Wake County PIN's 1718736388, 1718736049, and 1718738197. Approximately 5.15 acres rezoned to Office and Institution-1 Conditional Use.

Conditions: 06/02/06

1. THE FOLLOWING USES SHALL BE PROHIBITED:

- | | |
|------------------------------------|-----------------------------|
| a. Camp | i. Manufacturing |
| b. Coliseum/Theatre | j. Taxi Stand |
| c. Stadium Track | k. Guest House |
| d. Rifle Range | l. Transitional Housing |
| e. Fraternity House/Sorority House | -- Emergency Shelter Type A |
| [NOTE: There is no item f.] | -- Emergency Shelter Type B |
| g. Airfield | -- Religious Shelter Unit |
| h. Sub-station | |

2. Residential development other than single family detached dwellings, townhouse developments or unit-ownership (condominium) developments, shall be prohibited.
3. Reimbursement for ROW dedication for all parcels, if applicable, shall be at a rate consistent with the current R-4 zoning of the parcels.
4. Future buildings shall be limited to no more than two (2) floors of conditioned space. Maximum building height shall not exceed thirty-five (35'). Parking located under the building shall not be counted toward the limit specified for number of floors.
5. Site lighting for parking areas shall not exceed sixteen feet (16') feet in height, unless located in a Natural Protective Yard, where height of lighting fixtures shall not exceed twelve feet (12') in height.
6. Guidelines for the building design shall include the following:
 - a. The dominant (60% of building siding material exclusive of doors windows) building materials shall be masonry (brick, pre-cast concrete, stone, and stucco).
 - b. Building elevation fenestration (doors, windows) shall be no less than 15% and no more than 50% in area for all building elevations.
 - b. A minimum of 75% of a given building footprint shall be covered by a pitched roof; and the minimum roof pitch shall be no less than 5:12.
 - c. Window glass/glazing on building elevations that directly face the adjoining residential parcels Jones: Book 11556 Page 1459; Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328, and that has no intervening building located between the building and the adjoining residences shall be treated/tinted to reduce light transmission after dark.
7. Prior to any development or lot recordation, the site shall make available a twenty foot (20) (adjoining the right of way) x fifteen foot (15') (deep) easement along Litchford Road to support a transit stop for transit services in the area. Prior to any approvals or development,

the City Attorney shall review and approve the easement document and the Transit Administrator shall review and approve the location.

8. No more than one (1) driveway shall be permitted onto Litchford Road from the subject parcels. If the property is developed with more than one lot, cross access easement(s) shall be provided to other lot(s).
9. If more than one (1) ground sign is provided along the frontage of Litchford Road (to be defined as within 75' of the Litchford Road ROW) as part of a multiple parcel development, the maximum area of the ground signs shall be reduced to two-thirds (2/3) of the maximum copy area allowed by the City of Raleigh Sign Ordinance. (Note: The O&I -1 zoning district mandates that any/all ground sign(s) shall be limited to "Low Profile", as defined by City of Raleigh Zoning Code.)
10. Ground sign(s) shall not be internally lit. The illumination of ground signs shall be from the base or ground plane, and fixtures shall be shielded to reduce glare from off-site view. The ground sign shall incorporate a brick base, brick column or brick wall, or combination of these elements. The brick used on the ground sign element shall be the same used on the building (if applicable) and the brick shall be incorporated into the Unity of Development Statement.
11. All sidewalks connecting a building(s) to the public right-of-way shall be five foot (5') width minimum.
12. Trash receptacles/dumpsters shall be enclosed in a masonry structure, with the siding material to be the same or compatible with the building material used on the principal building(s); opaque doors shall screen the opening. The dumpster enclosure shall be located behind the front wall of the building(s); and the enclosure screened from view of off-site neighbors with evergreen shrubs; that shall be 48" height at time of installation. Hours of operation shall only be from 7:00 am. to 7:00 p.m., Monday-Friday. Operation hours of dumpster shall be described in a restrictive covenant and recorded on the plat of the property.
13. All outdoor lighting fixtures shall be cut-off design and directed away from residential properties. Light Level at the perimeter property line adjacent to residential property shall be no more than four-tenths (4/10's) of a footcandle.
14. A minimum building, dumpster, and vehicle surface area setback of thirty feet (30') shall be provided against the following properties, identified by the following Wake County Parcels: Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 0967 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328. The setback shall also prohibit any dumpster or trash can enclosure within thirty feet (30') of the above-referenced parcels. (See Exhibit "A").
15. No land disturbance shall occur within forty feet (40') of the common property corner of the following parcels: (Subject Property: Poteat: Book 08096 Page 1279; Curtis: Book 09097 Page 0103; Howell: Book 05038 Page 0621. (See Exhibit "A").
16. Prior to any development or lot recordation an offer of cross-access shall be made to the following parcel: Jones: Book 11556 Page 1459. Cross access point shall not be within two hundred feet (200') of the common property corner (acute angle at back of parcel (Subject Property of the following parcels: Poteat: Book 08096 Page 1279 and; of the following parcels: Curtis: Book 09097 Page 0103; Howell: Book 05038 Page 0621. (See Exhibit 'A')).
17. A Transitional Protective Yard, at least twenty foot (20') minimum width, shall be provided along the following properties, identified by the following Wake County Parcels: Howell: Book

05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328. Within this Transitional Protective Yard, two-thirds (2/3) of the land area of the Transitional Protective Yard shall not be disturbed by grading; however the installation of a fence or additional plantings required to meet requirements of the City of Raleigh Landscape Ordinance shall be allowed (See Exhibit "A")

18. If located upon the subject property, any bank; any Daycare and/or Private School building and accompanying playground shall be a minimum of two hundred feet from any of the following parcels within the Woodstone Subdivision, and are identified as Wake County Parcels: Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328; Paliga: Book 07207 Page 0034; Curtis: Book 09097 Page 0103. (See Exhibit "A").
19. If vehicle surface area is located within fifty feet (50') of the western or eastern boundary lines, adjoining the following parcels identified by the following Wake County Parcels: Jones: Book 11556 Page 1459; Howell: Book 05038 Page 0621; Bell: Book 09836 Page 1161; Viemont: Book 09671 Page 2538; Hess: Book 03254 Page 0572; Johnson: Book 03279 Page 0645; Clark: Book 09857 Page 2328 an evergreen hedge shall be provided between the vehicle surface area and the perimeter property line so as to provide buffering and screening to the adjacent property, and the plantings shall be installed per the following standard: Install one (1) Evergreen Shrub at 4' on center (O.C.); plant shall be three feet (3') in height at time of installation; plantings shall meet all requirements of the City of Raleigh Landscape Ordinance. If the shrubs are located within a Transitional Protective Yard (TPY), they may be credited toward the requirement of the TPY, if in accord with City of Raleigh Code requirements.
20. If additional trees are required in Transitional Protective Yards to supplement existing vegetation, the trees shall be an evergreen species to the extent allowed by the provisions of the City of Raleigh Landscape Ordinance.
21. The overall Floor Area Ratio (FAR) shall not exceed a maximum 25% of the overall property assemblage land area (5.15 Acres), or 56,083 Square Feet (gross). If the property is developed with more than a single lot, the FAR on any lot may exceed 25% so long as the FAR for the entire project area does not exceed 25% or 56,083 SF gross.
22. Prior to submittal of any subdivision/site plan application, or driveway permit application, a Traffic Impact Analysis or Study shall be prepared and submitted to the City of Raleigh for review and comment.
23. Parking spaces located in a building structure shall be located below finished grade (basement), or screened from the public right of way by a semi-opaque (75% minimum opacity) architectural screen. The screen shall incorporate the dominant building material of the principal building located on the lot, and shall be a minimum of 48" height from finish floor elevation of the parking structure.
24. Parking spaces shall not be located between the right-of-way of Litchford Road and the wall of any building located within fifty feet (50') of Litchford Road right-of-way.
25. For any/all building(s) located along the frontage [within one hundred feet (100')] of the Litchford Road Right of way, a minimum of one (1) pedestrian entrance shall be visible from and connected by a sidewalk to Litchford Road right-of-way.

Current Zoning Conditions: *Western portion of site*

Ordinance: 802 ZC 653

Effective: November 2, 2010

Z-23-10 Conditional Use – Falls of Neuse Road - located on the south quadrant, of Falls of Neuse Road and Litchford Road being Wake County PIN 1718733580. Approximately 3.96 rezoned to Office & Institution-1 Conditional Use District.

Conditions Dated: 10/27/10

Narrative of conditions being requested:

- a. The following uses shall be prohibited:
 1. Residential Uses, except for Congregate Care Living Structure, Congregate Care Structure, Life Care Community, and the existing single family home shall be permitted. (Refer to Conditions “f.” and “r.” related to these uses.)
 2. Camp
 3. Coliseum/Theatre
 4. Stadium Track
 5. Hotel/Motel
 6. Fraternity House/Sorority House
 7. Kennel/Cattery
 8. Electrical Sub-Station
 9. Manufacturing
 10. Taxi Stand
 11. Guesthouse
 12. Rifle Range
 13. Transitional Housing:
 - Emergency Shelter A
 - Emergency Shelter B
 - Religious Shelter
- b. Trash receptacles/dumpsters shall be enclosed in a masonry structure, with the siding material to be compatible with the building material(s) used on the principal building(s); opaque doors shall screen the opening. The dumpster enclosure shall be screened from view of off-site neighbors with evergreen shrubs that shall be no less than four foot (4') height, and no greater than four foot (4') on-center spacing at time of installation.
- c. A bicycle rack containing at least four (4) spaces shall be provided for every building(s) on the subject property, and the rack(s) shall be located no less than one-hundred feet (100') from a building entrance. Bicycle parking shall be provided at a rate of no less than provide one (1) bicycle parking space for every twenty (20) vehicular parking spaces (5% of vehicular parking).
- d. All outdoor pole-mounted lighting fixtures shall be cut-off design and the light source directed away from residential properties. Light Level at the perimeter property line adjacent to a residential use property shall be no more than four-tenths (4/10's) of a foot candle.
- e. An undisturbed landscape buffer, COR Type “C”, thirty foot (30') minimum width, shall be provided adjacent to the following properties so long as they are utilized as single family residential uses: 8904 CREEKSTONE COURT; Wake PIN: 1718-72-4726; DB09097, Page0103 8900 CREEKSTONE COURT; Wake PIN: 1718-73-3071; DB07207, Page0034 If

additional plantings are required to meet the landscape ordinance, and the buffer is to be counted toward tree conservation, those plantings shall be installed either outside of the minimum buffer, or in areas where they do not encroach critical root zone of trees contributing to tree conservation. The buffer shall not be provided where crossings are needed to gain access to sanitary sewer, storm drain and other utility easements.

- f. The use of the existing single family home shall be permitted until redevelopment or subdivision of the rezoned property. No additional single family dwellings shall be located on the subject property.
- g. Upon redevelopment or subdivision of the rezoned property, an offer of vehicular and pedestrian cross-access shall be made to the following parcels: 1. 9380 Falls of Neuse Road (Wake PIN: 1718-73-1350; Deed Book 12611; Page 0688) 2. 9201 Litchford Road (Wake PIN: 1718-73-6388; Deed Book 12081; Page 2041)
- h. Future buildings shall be limited to no more than two (2) floors of conditioned space. Maximum building height shall not exceed thirty-five (35'). Parking located under the building shall not be counted toward the limit specified for number of floors.
- i. Site lighting for parking areas shall not exceed sixteen feet (16') feet in height, unless located in a Natural Protective Yard, where height of lighting fixtures shall not exceed twelve feet (12') in height.
- j. Guidelines for the building design shall include the following: 1. The dominant (60% of building siding material exclusive of doors and windows) building materials shall be masonry (brick, pre-cast concrete, stone, and stucco, or similar). 2. Building fenestration (doors, windows) shall be no less than 15% and no more than 50% in area for all building elevations. 3. A minimum of 75% of a given building footprint shall be covered by a pitched roof; and the minimum roof pitch shall be no less than 5:12.
- k. If vehicle surface area is located within fifty feet (50') of the parcels identified as
 - 1. 8904 CREEKSTONE COURT; Wake PIN: 1718-72-4726; DB 09097, Page 0103
 - 2. 8900 CREEKSTONE COURT; Wake PIN: 1718-73-3071; DB 07207, Page 0034an evergreen hedge shall be provided between the vehicle surface area and the perimeter property line so as to provide buffering and screening to the adjacent property. The plantings shall be installed per the following standard: Install one (1) Evergreen Shrub at 4' on center (O.C.); plant shall be three feet (3') in height at time of installation; plantings shall meet all requirements of the City of Raleigh Landscape Ordinance. If the shrubs are located within a Transitional Protective Yard (TPY), they may be credited toward the requirement of the TPY, if in accord with City of Raleigh Code requirements.
- l. All sidewalks connecting a building(s) to the public right-of-way shall be five foot (5') width minimum.
- m. If additional trees are required in Transitional Protective Yards to supplement existing vegetation, the trees shall be an evergreen species to the extent allowed by the provisions of the City of Raleigh Landscape Ordinance.
- n. Prior to any redevelopment or lot recordation, the site shall make available a twenty foot (20'), where adjoining right of way, by fifteen foot (15') transit easement along Litchford Road. Prior to any development or lot recordation, the City Attorney shall review and approve the easement document, and the Transit Manager shall review and approve the location.
- o. No more than one (1) driveway shall be permitted onto Litchford Road. If the property is developed in conjunction with other adjoining parcels, the driveway location may be adjusted

in context with the overall project. If the property is developed as multiple lots, cross access among all lots shall be provided to all lots.

- p. Subject to the requirements of the Raleigh city code, the Street Protective Yard plantings shall utilize trees specified in Suggested Trees for the City of Raleigh, a list prepared by the City of Raleigh Urban Forester. The street yard shall have a minimum of three (3) separate tree species, and at least one of the three (3) selections shall be an evergreen tree. Street Protective Yard plantings along Falls of Neuse Road shall not be composed of a single species, and shall be planted using informal groups or clusters.
- q. Bank ATM and/or drive-thru window shall not be located within two hundred feet (200') of the parcels identified as:
 - 1. 8904 CREEKSTONE COURT; Wake PIN: 1718-72-4726; DB 09097, Page 0103
 - 2. 8900 CREEKSTONE COURT; Wake PIN: 171 8-73-3071; DB 07207, Page 0034This restriction shall not include the principal building, sidewalk, driveway, parking area, or other supporting features.
- r. Building(s) containing Congregate Care Living Structure, Congregate Care Structure, or Life Care Community shall be located at least two hundred feet (200') from the right of way line for Falls of Neuse Road.
- s. Prior to submittal of any site plan request that includes a drive-thru window, the developer shall conduct a traffic scoping meeting with City of Raleigh Transportation Services Division. A Traffic Impact Analysis shall accompany the request for any site plan that includes a drive-thru window.

Staff Comments: Z-2-15 Conditions *(as amended 6/11/15)*

Condition 3

In zoning Condition 3, the term “Support Retail” is used. In zoning Conditions 8 and 12, the term “Ancillary Retail” is used. If the two terms are the same, use one term all of the zoning conditions. Provide a definition for “Support Retail” and/or “Ancillary Retail.”

For clarity, at the end of the second sentence, add the phrase “, with a fence or wall, per Type B2.”

Condition 8

Rewrite the first sentence to read as follows:

“Retail Sales shall be limited so that a single retail space shall not exceed a gross floor area of thirty thousand square feet (30,000 SF).”

Condition 11

Rewrite to read as follows:

“Total gross floor area for Eating Establishments and Retail Sales on the rezoned property shall not exceed sixty-five thousand square feet (65,000 SF).”

Condition 12

The minimum height of the fence or wall must be changed from six feet to six and one-half feet (6.5'). See [UDO Sections 3.5.3 A 2.a and 3.5.3 B 2 a.](#)

In the first sentence, after the words “shared with”, insert the following language: “any of”. This change is consistent with the language of zoning Condition 10.

It appears that the circumstances described in zoning Condition 12 will cause Article 3.5 to be applicable. That being the case, the fence, wall or combination thereof must be located on the common property line. (See illustrations in Section 3.5.3) Therefore, the last sentence of zoning Condition 12 should be deleted.

Condition 14

Due to the potential for route changes prior to construction, at the beginning of the condition add the provision “If requested by the Public Works Department,”.

Between the words transit and shelter, remove the word “wait.”

Clarify it is the landowner who is providing the transit shelter.

Condition 15

Unless there are existing parking spaces on the subject properties, delete the phrase “for all current and future lots.”




Planning & Development

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Revised Zoning Condition Submittal: 2015-06-26 Rezoning Application

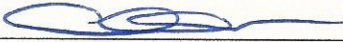
Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Classification O&I-1/CUD Proposed Zoning Classification Base District NX Height 3 Frontage PL If the property has been previously rezoned, provide the rezoning case number. Z-23-10 & Z-36-06 Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. Zoning Pre-Submittal Meeting Held on 2014-10-08; COR Transaction # 409857	Transaction Number

Property Address 9001 Litchford Road; 9101 Litchford Road; 9400 Falls of Neuse Road		Date 2015-01-07 (DRAFT)
Property PIN 1718-73-7158; 1718-73- 5330; 1718-73-3402	Deed Reference (Book/Page) DEED BOOK 14878; PAGE 2228	
Nearest Intersection Litchford Road and Falls of Neuse Road		Property size (in acres) +/- 6.95 AC
Property Owner/Address Falls View, LLC (Attn: Scott Dawson , Jr.) P.O. Box 99508 Raleigh, North Carolina 27624-9508	Phone (919) 954-9090 Email scottjr@sddinvestments.com	Fax (919) 954-9670
Project Contact Person/Address David Brown JDavis Architects, PLLC 510 Glenwood Avenue; Suite 201 Raleigh, North Carolina 27603	Phone 919-835-1500 Email davidb@jdavisarchitects.com	Fax 919-835-1510
Owner/Agent Signature 	Email scottjr@sddinvestments.com	

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-2-15		Transaction Number
Date Submitted		
Existing Zoning	Proposed Zoning	


1. The hours of operation for service of the trash and recycle facilities shall be limited to between 7:00 AM – 7:00 PM, Monday-Saturday.
2. All outdoor pole-mounted lighting fixtures shall be cut-off design and the light source directed away from adjacent residential properties. Light Level at the perimeter property line adjacent to a residential use property shall be no more than four-tenths (4/10's) of a foot candle. Pole-Mounted site lighting for parking areas shall not exceed twenty feet (20') in height.
3. Unless a greater standard is required by the UDO, a Protective Yard, in accordance with Type B2 of UDO Section 7.2.4, with a thirty-two and one-half foot (32.5') minimum width, shall be provided adjacent to any adjacent property that contains a single-family dwelling. For Retail Sales located on the rezoned properties, the above-referenced Protective Yard shall be increased to a fifty foot (50') minimum, with a fence or wall (see condition #12).
4. Stormwater management for the subject property shall provide additional detention for the twenty-five year storm event for net increase to impervious area. Offsite stormwater run-off entering the site shall not be included under this provision.
5. If Vehicle Surface Area is located within fifty feet (50') of any parcel containing a single-family dwelling, an evergreen hedge shall be provided between the Vehicle Surface Area and the perimeter property line so as to provide buffering and screening to the adjacent property. The plantings shall be installed per the following standard: Install one (1) Evergreen Shrub a minimum of every four feet (4') on center (O.C.); plant shall be three feet (3') in height at time of installation; plantings shall achieve a mature height and spread of no less than five feet (5') within three years of initial certificate of occupancy. If the shrubs are located within a Protective Yard (PY), they may be credited toward the requirement of the PY, or the Neighborhood Transition (NT) if in accord with City of Raleigh Code requirements.
6. The following uses shall be prohibited: Boardinghouse; Dormitory; Fraternity; Sorority; Outdoor Sports or Entertainment Facility of all types; Animal Care; Vehicle Sales/Rental; Vehicle Repair; Vehicular Fuel Sales, but not to exclude electric vehicle charging station(s); Electric Sub-Station; Telecommunication Towers of all types; Special Care Facility; Multi-Unit Living; Daycare; Bar; Night Club; Tavern; Lounge.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature 	Print Name SCOTT D. DAWSON, JR
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7.	If additional trees are required in Protective Yards to supplement existing vegetation, no less than eighty-five percent (85%) of the installed trees shall be an evergreen species. Supplemental plantings shall not be composed of a single tree or shrub species, and shall be arranged as informal groups or clusters. Tree species shall be selected to provide screening benefit, and include but not limited to Red Cedar, Magnolia, Cryptomeria, and plants with similar characteristics.
8.	Retail Sales shall be limited so that a single retail space shall not exceed a gross floor area of thirty thousand square feet (30,000SF). Building(s) containing either Eating Establishment or Retail Sales shall be limited in height as follows: <ul style="list-style-type: none"> a. With exception of the main façade entry elevation, the building height shall be no greater than thirty-five feet (35'). b. The front façade entry element shall not exceed forty-five feet (45').
9.	Dedicated facilities for loading area and/or loading dock for Retail Sales shall be screened from view by means of a solid wall that is no less than twelve feet (12'-0") in height. The hours of delivery vehicle arrival and departure for Retail Sales loading and dock facilities shall be limited to between 7:00 AM – 9:00 PM Monday through Friday and 8:00 AM to 6:00 PM Saturday and Sunday. The unloading of cargo from a previously parked delivery vehicle shall not be prohibited outside of the hours of arrival and departure. A parked delivery vehicle in loading dock shall not run engine or refrigeration equipment outside of the hours stated above for arrival and departure.
10.	Bank ATM, drive-thru order station and/or drive-thru pickup window shall not be located within two hundred feet (200') of a property line shared with any of the eight (8) adjoining single family lots in the Woodstone Subdivision: Paliga (DB7207/PG0034); Curtis (DB9097/PG103); Deighton (DB15056/PG0938); Bell (DB9836/PG1161); Navarro (DB13134/PG2057); Hess (DB3254/PG0572); Johnson (DB3279/PG0645); Havis-Kizzie (DB15448/PG2449).
11.	Total gross floor area for Eating Establishment and Retail Sales on the rezoned properties shall not exceed sixty-five thousand square feet (65,000 SF).
12.	For any lot on the rezoned properties that contains a building(s) with either Eating Establishment or Retail Sales a fence, retaining wall, or a combination of fence and wall, with a minimum height of six and one-half feet (6'-6") shall be provided where adjacent to a property line shared with the eight (8) adjoining single family lots in the Woodstone Subdivision: Paliga (DB7207/PG0034); Curtis (DB9097/PG103); Deighton (DB15056/PG0938); Bell (DB9836/PG1161); Navarro (DB13134/PG2057); Hess (DB3254/PG0572); Johnson (DB3279/PG0645); Havis-Kizzie (DB15448/PG2449). The fence, wall, or combination fence/wall shall be located between development features (i.e. parking lot, building, stormwater facility) and the shared property line. The fence/wall shall be in addition to the 50' buffer described in condition #3 (for retail use) and the fence/wall shall not be located within a Tree Conservation Area. The height of the fence shall be in accord with the provisions of UDO Section 3.5.3.


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Owner/Agent Signature 	Print Name SCOTT D. DAWSON, JR
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13.	Prior to issuance of certificate of occupancy for new development on the subject properties, the additional left-turn lane on Litchford Road at its intersection with Falls of Neuse Road (as described in the Z-2-15 Traffic Impact Analysis) shall be built and accepted by the City of Raleigh and/or the North Carolina Department of Transportation.
14.	If requested by the Public Works Department, a transit shelter with a minimum dimension of no less than 4' x 8' shall be provided by the owner along Litchford Road prior to issuance of certificate of occupancy for any new development on the rezoned properties. The shelter may be located in the existing transit easement, or in a new easement location that is no greater than 15' x 20' and in a location approved by the City of Raleigh. In addition to the shelter, a paved access area (location to be approved by the City of Raleigh) shall be provided between the back of curb and the public sidewalk to facilitate passenger loading.
15.	The cumulative parking count on the rezoned properties shall be no greater than 125% than the parking rate established for minimum code requirement.
16.	Trash facilities located outside of a building (dumpster, compactor, and similar) and serving a restaurant, grocery store or any business selling or processing perishable items shall be serviced no less than three (3) times per week.
17.	Prior to recordation of a subdivision plat for the property or issuance of a building permit, whichever shall first occur, the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates the allowable parking (described in condition #15) and the allowable Eating Establishment/Retail Sales floor area gross (described in condition # 11) upon the property to all lots of record comprising the property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant, and such restrictive covenant shall be recorded within 45 days following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee.

END OF CONDITIONS

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature 	Print Name SCOTT D. DAWSON, JR.
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Planning & Development

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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 Number Zoning Case Number

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 recommended land use shown on the Future Land Use Map (FLUM) is "Office and Residential Mixed Use". The proposed zoning is consistent with the FLUM as the NX/3/PL/CUD zoning would allow for residential, office, and institutional use of the property. The NX category would also allow for the introduction of retail uses, which is supported by the property's location at the intersection of Litchford Road (Avenue/Divided/4-Lane designation) and Falls of Neuse Road (Avenue/Divided/6-Lane designation). is
2.	On the City of Raleigh <u>Urban Form Map</u> , Falls of Neuse Road is identified as a "Transit Emphasis Corridor". The proposed NX/3/PL/CUD is supported by and consistent with the goals and directives found in the Comprehensive Plan for properties in proximity to a Transit Emphasis Corridor.
3.	The subject parcels are located within the I-540/Falls Of Neuse Area Plan. The proposed conditions address compatibility with, and transition to, the residential uses adjoining the rear property line and other area of specific policy recommendations.
4.	

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

- | | |
|----|---|
| 1. | The proposed rezoning provides an opportunity for more appropriate and best use of the property, and will provide cross access to adjoin properties where appropriate. |
| 2. | The proposed zoning will allow for neighborhood-scale retail in proximity to nearby residential land uses. The proposed neighborhood retail option will serve a large land area east of Falls of Neuse Road, so that access to and travel on Falls of Neuse Road is not needed to access retail services. |
| 3. | |
| 4. | |

SEE ATTACHMENT

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. | <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> |
| 2. | <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> |
| 3. | <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> |
| 4. | <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> |
| 5. | <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> |
| 6. | <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> |
| 7. | <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> |
| 8. | <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> |

9.	<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>
10.	<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>
11.	<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>
12.	<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>
13.	<i>New public spaces should provide seating opportunities.</i>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i>
15.	<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>
16.	<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>
17.	<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>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i>
19.	<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>
20.	<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>
21.	<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>
22.	<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>
23.	<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>
24.	<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>
25.	<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>
26.	<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>

Left blank for now, reserved for Urban Design Responses....



510 Glenwood Avenue, Suite 201 | Raleigh, NC 27603 | tel 919-835-1500 | fax 919-835-1510

December 19, 2014

Mr. Doug Hill, Planner
Department of City Planning
City of Raleigh
P. O. Box 590
Raleigh, North Carolina 27602

Re: Litchford @ Falls Zoning

Doug:

This letter serves as a summary of a Neighbor Notice meeting conducted December 18, 2014 at the North Raleigh Church of Christ, 8701 Falls of Neuse Road.

The meeting started shortly after 7:00 PM, per the invitation letter that was prepared by JDAVIS and mailed by the City Planning Department in accord with city code standards. Attached to this letter is the sign-in sheet for your use and review. Developer Nick Brown along with other members of his team attended the meeting to represent the proposed zoning and development

The consultant team provided a brief overview of the previous two zoning cases (Z-36-06 & Z-35-10) that affect the subject properties and reviewed map exhibits for current zoning and future land use. A diagram of proposed buffers, including bubble-diagram of building and parking relationships was provided to explore ideas with the meeting attendees.

The following items were discussed amongst the neighbors attending the meeting:

- 1. Drainage and Storm Water Runoff:** The majority of the overall discussion centered on existing concerns related to stormwater runoff. Of special concern was the discharge from two existing office projects fronting on Falls of Neuse Road, where the storm run-off travels through three lots fronting on Creekstone Court. The developer agreed to visit that area with the project's civil engineer for evaluation of existing condition. In addition to the Creekstone Court lots, neighbors further down the drainage basin on Brookstone Court and Colesbury Drive voiced concerns about drainage from upstream sources. A request was made for the developer to address the impact of additional storm drainage runoff.
- 2. Buffer to adjacent single family homes:** Neighbors on Creekstone Court Woodstone Drive inquired about transitional buffers and tree preservation from the previous zoning cases. Also discussed was additional screening provided by evergreen plants. We noted that there is existing Tree Conservation Area dedicated along part of the southern boundary of the subject properties and that additional plantings would have to be placed outside of the tree conservation.

We noted that future tree conservation under current code would be 32.5' depth. A neighbor on Creekstone asked that parking areas be as far from their property line as possible, and that parking be screened with supplemental evergreen plantings.

3. **Fence:** A neighbor inquired if a fence would be considered, and the developer agreed to study this request and report back.
4. **Land Uses:** A request to consider eliminating certain land uses, including gas station, was made; the developer agreed to study this request and report back. The developer stated that he has interest from retailers, including a smaller-scale "boutique" grocery of about 35,000 SF. There is also interest from "casual dining" restaurants to be part of the new development.
5. **Building Height:** The neighbors requested height limit be added to the conditions, especially for office use.
6. **Road Improvements:** We noted that road widening, sidewalk and other improvements along Falls of Neuse Road and Litchford Road have now been completed.
7. **Traffic Study:** the neighbors inquired about a Traffic Impact Analysis, and we reported that a traffic engineer was a member of the team, and that a scoping meeting would be scheduled with the City of Raleigh after the first of the New Year.
8. **Internal Circulation/Services:** The developer discussed where delivery access, service areas and trash enclosures would cause the least concern – these items will be addressed in the zoning conditions. A concern with time of day and day of week for truck deliveries was voiced, and the developer agreed to consider this item and report back at the next meeting.
9. **Privacy:** A neighbor expressed concern to maintain privacy now associated with the undeveloped land. A suggestion was offered to orient the public face of the buildings away from the back yards of adjacent homes and limit the amount of windows facing the back yards.
10. **Next Meeting:** Prior to the meeting, we received phone calls from neighbors who were not able to attend the meeting on the 18th. The developer offered to hold a follow up meeting during the 3rd week of January to provide project information to neighbors unable to attend the initial meeting and to provide responses to the requests outlined above.

Please call me if you have any questions, or require additional information.

Sincerely,



David F. Brown, RLA, LEED AP
Senior Associate; JDAVIS ARCHITECTS, PLLC

CC: Nick Brown; Tom Worth; Graham Smith

LITCHFORD ZONING Mtg.

2014-12-18

SIGN-IN PLEASE

1 of 2

J

D

A

JDAVISARCHITECTS

(SECOND PAGE WAS
NOT NEEDED)
D.F.B.

510 Glenwood Ave, Ste. 201 | Raleigh, NC 27603 | tel 919.835.1500 | fax 919.835.1510 | www.jdavisarchitects.com

DAVID BROWN

DAVIDB@JDAVISARCHITECTS.COM 919.835.1500

Michele Gottlieb Carolina chiropractic 919.870.9500

Frene Johnson & Bob Woodstone Jr. 919.847.0095

Charlie Smith Creekstone Ct 919.847.2070

Paul Johnson Brookstone Ct

Jim Morrison JMORRISON@McCORMICKTAYLOR.COM 919.521-4222

Don Vick Woodstone Tr 919.847.1553

Clifford Curtis woodstone Ct. 919-280-8420

Bob Paliso 8904 CREEKSTONE 919-676-9797



City of Raleigh North Carolina

April 6, 2015

MEMORANDUM

TO: Doug Hill, AICP
Planner II

FROM: Bowman Kelly, PE, PTOE *ABK*
Transportation Engineer

SUBJECT: Traffic Impact Analysis Review for Rezoning Case Z-2-2015

I have reviewed the Traffic Impact Analysis for rezoning case Z-2-2015, submitted by Stantec, Inc. on March 17, 2015. The subject parcels are located in the southeast quadrant of Falls of Neuse Road at Litchford Road. Build-out is predicted to be complete in 2017. The following intersections were studied as part of this traffic analysis:

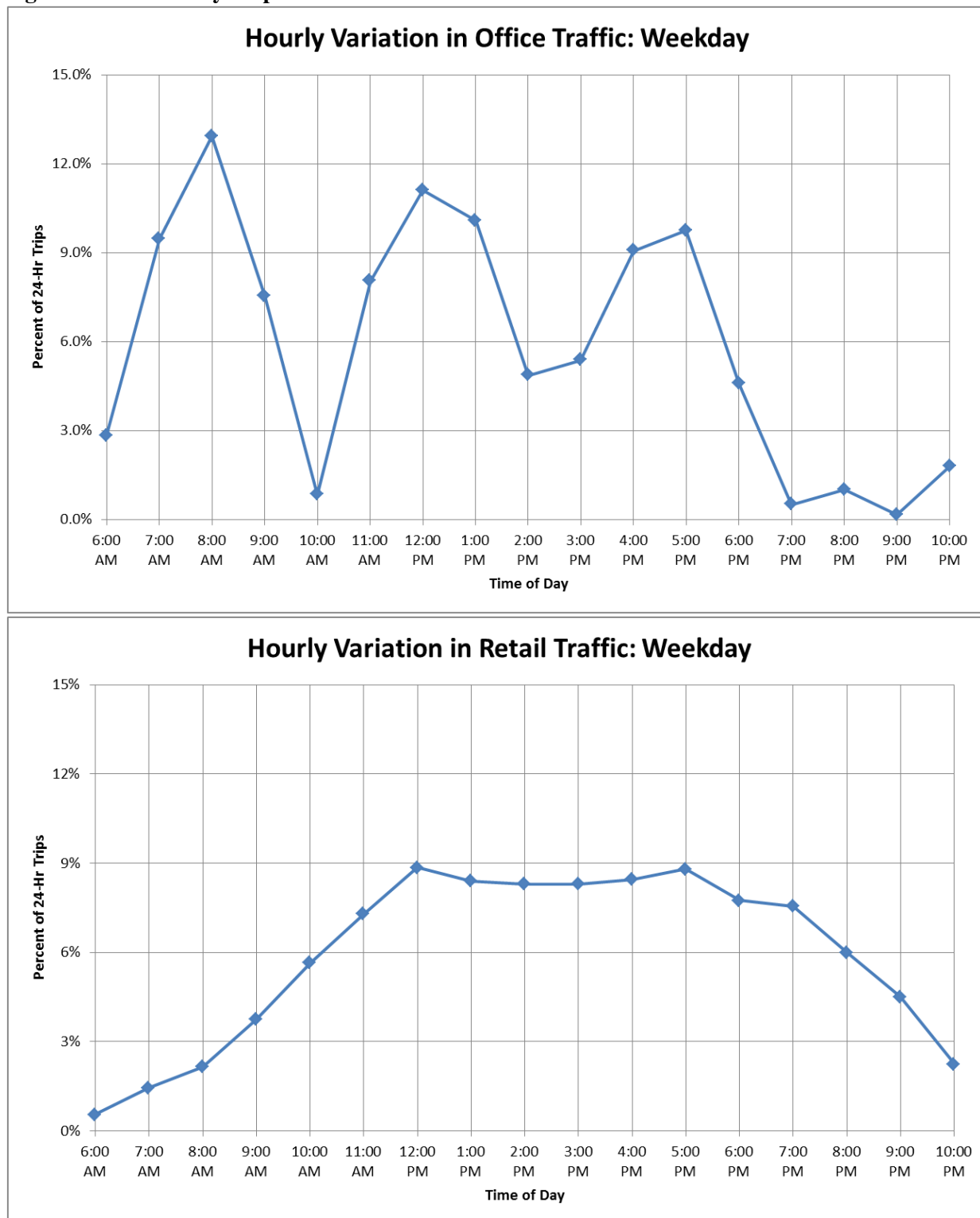
- Falls of Neuse Road & Morrocroft Drive *(Signalized)*
- Falls of Neuse Road & Litchford Road *(Signalized)*
- Falls of Neuse Road & Right In / Right Out Access #1 *(Unsignalized)*
- Falls of Neuse Road & I-540 WB Ramps / Falls Valley Drive *(Signalized)*
- Litchford Road & Muirfield Club Road / Site Access #2 *(Unsignalized)*
- Litchford Road & Site Access #3 *(Unsignalized)*

The subject parcels, comprising a total area of 6.95 acres, are zoned O&I-1 CUD. The petition seeks to rezone all parcels to NX-3-PL-CU. The proposed NX zoning would increase the amount of allowable retail space and a consequent increase in daily and peak hour trips. A retail development has been proposed for the subject parcel, with 27,000 s.f. of retail space, a 24,000 s.f. supermarket and a 1,875 s.f. Coffee/Donut shop with a drive-thru window. Analysis of the build-out condition identified the need for an additional left-turn lane on westbound Litchford Road that necessitated a change in signal phasing for that approach. The TIA report included a scenario with the additional left-turn lane and revised signal phases. Transportation Operations staff has agreed to consider the proposed signal timing changes.

Background

Traffic generated by office developments differ from retail sites in terms of both volume and time of day. Office developments tend to have high trip volumes for short periods in the morning, noon and evening with relatively low trip rates in midmorning and midafternoon. Retail sites typically attract a very low volume of trips in the morning. However, retail sites have high, steady trip volumes between noon and the evening peak period. Figure 1 shows the temporal distribution of trips from office and retail developments as a percentage of total daily traffic.

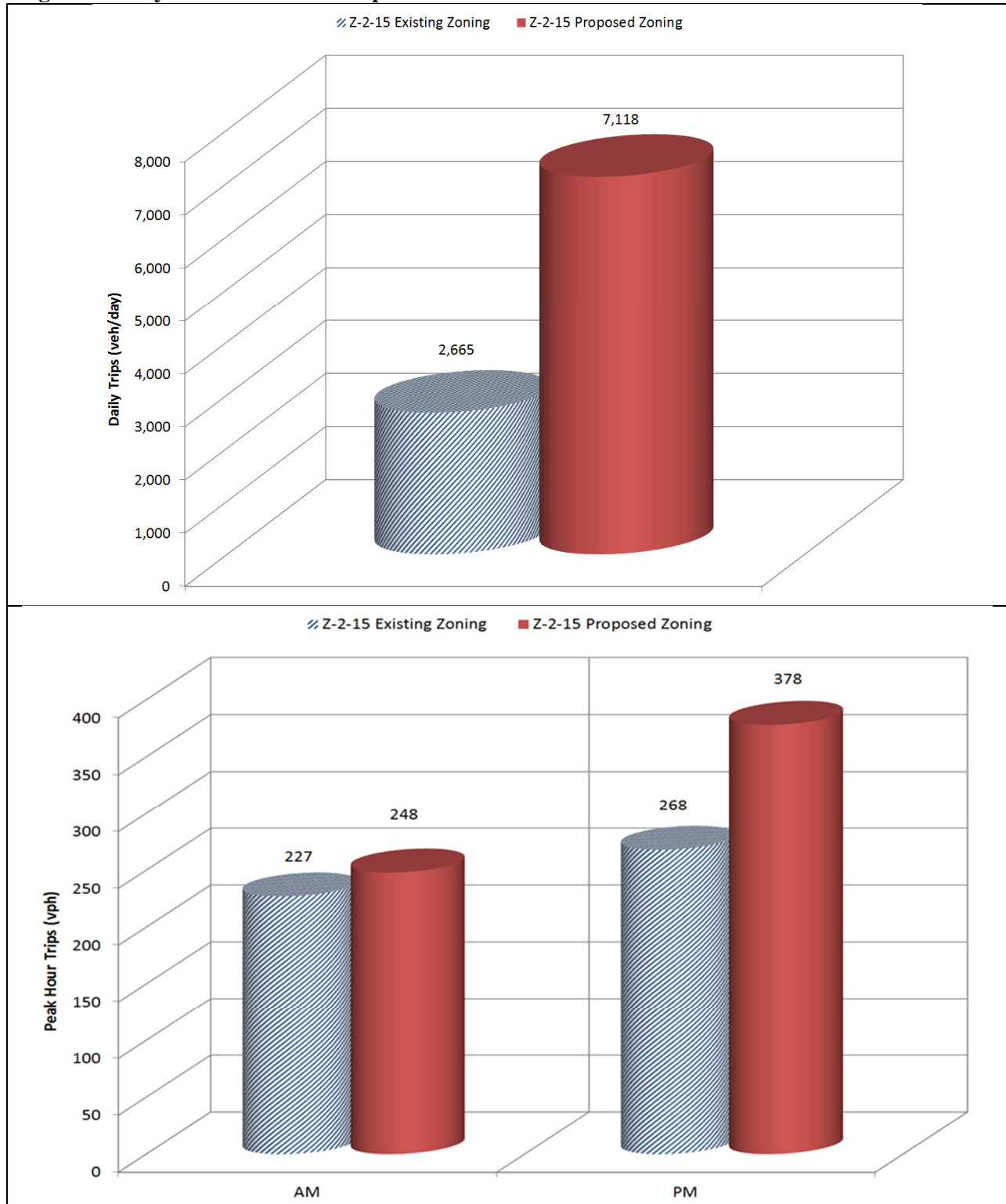
Figure 1: Time of Day Trip Generation



Site traffic for the current zoning, O&I-1 CUD, was based on the maximum trip-generating land use calculated by the City's *Envision Tomorrow* spreadsheet: 98,000 s.f. of office space and 10,000 s.f. of retail. Site traffic for the proposed zoning, NX-3-PL-CU, was provided by the TIA report. However, there

are no conditions proposed for this case that would effectively limit development to the maximums noted in the TIA. Refer to Figure 2 for details of the daily and peak hour trip volumes.

Figure 2: Daily and Peak Period Trip Volumes



Traffic Impacts

Falls of Neuse Road is heavily travelled during the AM peak hour; it is not unusual for southbound vehicles to queue back from I-540 to Durant Road. As a consequence, priority is given to southbound traffic flow at the expense of green time for the side streets, such as Litchford, Morrocroft and Falls Valley Drive. In the PM peak, the situation is reversed though queuing is not as severe as in the AM peak. However, priority is still give to Falls of Neuse Road at the expense of the side streets.

This practice, which is necessary to provide reasonable travel times along the Falls of Neuse corridor, results in queues on westbound Litchford Road that are expected to reach beyond Muirfield Club Drive and site access #2. Traffic models predict that no left turns would be possible out of the site at access #2 during the PM peak period. However, exiting vehicle can still turn left onto Litchford Road from site access #3.

In order to reduce queuing on westbound Litchford Road, the applicant has proposed to add a second left turn lane at its intersection with Falls of Neuse. It is unclear if a second left turn lane could be added by restriping Litchford Road or if additional pavement is needed. With the additional left turn lane, the intersection of Falls of Neuse at Litchford is expected to operate at LOS-E or better during the AM and PM peak periods. No other changes to the existing infrastructure at any of the study area intersections are contemplated. Refer to Table 1 for details on delay and levels-of-service for rezoning case Z-2-2015.

Table 1: Intersection Capacity Results

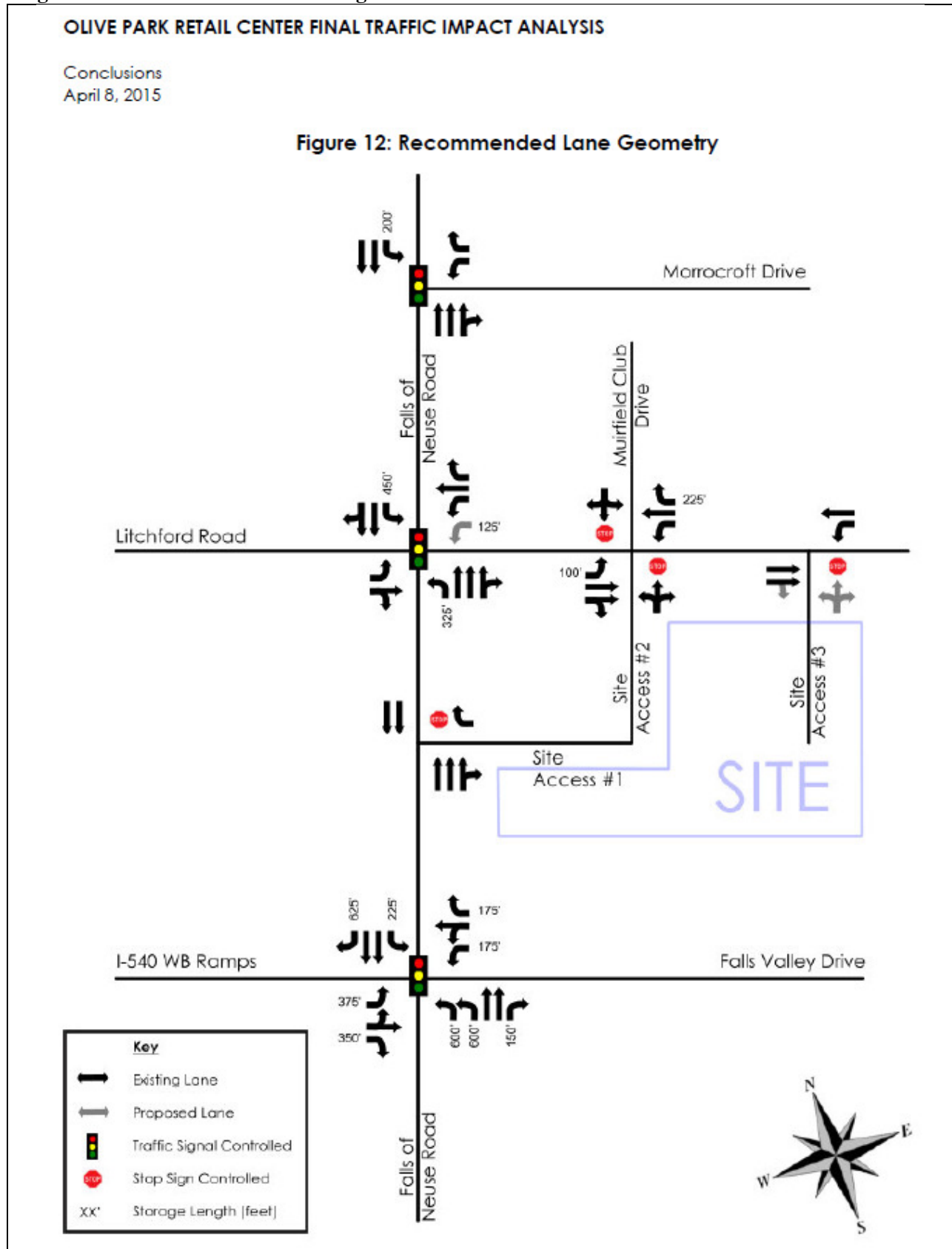
OLIVE PARK RETAIL CENTER FINAL TRAFFIC IMPACT ANALYSIS

Table 1: Level of Service Summary Table

LOS (Delay)		2015				2017			
Intersection		Existing		No-Build		Build w/o Imp		Build with Imp	
		AM	PM	AM	PM	AM	PM	AM	PM
Falls of Neuse Rd. @ Morrocroft Dr.	Overall	D (43.3)	B (12.0)	D (49.5)	B (14.9)	D (50.0)	B (16.2)	D (49.8)	B (18.2)
	WB	F (97.5)	F (83.3)	F (94.5)	F (83.6)	F (95.2)	F (84.6)	F (98.2)	F (84.6)
	NB	A (1.7)	A (6.5)	A (2.5)	B (10.5)	A (2.5)	B (12.3)	A (1.8)	B (15.6)
	SB	E (60.9)	A (7.6)	E (73.1)	A (9.2)	E (73.0)	A (9.8)	E (72.8)	A (9.8)
Falls of Neuse Rd. @ Litchford Rd.	Overall	D (42.7)	B (18.4)	E (61.5)	C (29.3)	F (81.7)	E (56.7)	E (59.4)	D (49.6)
	EB	D (44.4)	D (44.1)	D (51.8)	D (41.1)	D (53.7)	D (42.0)	F (122.2)	E (70.9)
	WB	E (55.3)	C (21.1)	E (56.5)	C (27.6)	F (86.6)	F (86.9)	E (72.0)	D (44.1)
	NB	B (19.6)	B (17.1)	B (19.5)	C (34.1)	B (19.6)	E (58.1)	C (34.7)	E (67.8)
Falls of Neuse Rd. @ RI/RO Access #1	Overall	A (0.0)	A (0.0)	A (0.0)	A (0.1)	A (0.2)	A (1.2)	A (0.2)	A (1.2)
	WB	A (0.0)	A (0.0)	B (12.4)	C (20.9)	B (13.8)	E (44.7)	B (13.8)	E (44.7)
	NB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
	SB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
Falls of Neuse Rd. @ I-540 WB Ramp / Falls Valley Dr.	Overall	D (52.1)	D (39.4)	E (66.3)	E (55.1)	E (70.0)	E (60.4)	E (71.3)	E (60.8)
	EB	E (58.3)	E (60.0)	E (62.0)	E (65.8)	E (62.5)	E (67.4)	E (62.5)	E (67.4)
	WB	F (91.6)	E (64.5)	F (92.3)	E (65.5)	F (92.3)	E (65.5)	F (92.3)	E (65.5)
	NB	D (39.8)	D (46.0)	D (42.9)	E (72.8)	D (43.8)	F (84.0)	D (43.8)	F (84.0)
Litchford Rd. @ Muirfield Club Dr. / Site Access #2	Overall	A (1.1)	A (0.7)	A (1.1)	A (1.0)	A (3.1)	A (6.3)	A (3.0)	A (6.2)
	EB	A (0.1)	A (0.6)	A (0.1)	A (0.6)	A (0.1)	A (0.5)	A (0.1)	A (0.5)
	WB	A (0.0)	A (0.0)	A (0.1)	A (0.1)	A (0.3)	A (0.3)	A (0.3)	A (0.3)
	NB	A (0.0)	A (0.0)	B (13.2)	B (14.0)	D (31.5)	F (62.7)	D (31.4)	F (62.3)
Litchford Rd. @ Site Access #3	Overall	- (-)	- (-)	- (-)	- (-)	A (0.9)	A (1.8)	A (0.9)	A (1.8)
	EB	- (-)	- (-)	- (-)	- (-)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
	WB	- (-)	- (-)	- (-)	- (-)	A (0.4)	A (0.6)	A (0.4)	A (0.6)
	NB	- (-)	- (-)	- (-)	- (-)	B (14.2)	C (19.4)	B (14.2)	C (19.4)

Legend:
X (X) LOS (Delay)
Unsignalized Intersection
Signalized Intersection
- (-) Not applicable

Figure 3: Recommended Lane Configurations



Z-2-2015 Traffic Study Worksheet		
6.23.3	Land Uses	Meets TIA Conditions? (Y/N)
A	Single Family Residential Developments \geq 150 Dwellings	For rezoning cases, refer to trip generation, site context and miscellaneous applications below
B	Apartment Developments \geq 240 Dwellings	
C	Residential Condo/Townhome Developments \geq 300 Dwellings	
D	General Office Buildings \geq 64,000 sq.ft.	
E	Medical Office Buildings \geq 47,000 sq.ft.	
F	Shopping Centers \geq 23,000 sq.ft.	
G	Supermarkets \geq 20,000 sq.ft.	
H	Convenience Market w/ Gas Pumps: 6 or more Fueling Positions	
I	Pharmacy w/ Drive-Thru \geq 29,000 sq.ft.	
J	Drive-In Bank \geq 11,500 sq.ft.	
K	Fast-Food Restaurant w/ Drive-Thru \geq 6,000 sq.ft.	
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)
A	Peak Hour Trips \geq 150 veh/hr	Yes, the expected increase in PM peak trips is 259 veh/hr
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane road	Not Applicable
C	More than 100 veh/hr trips in the peak direction	Yes
D	Daily Trips \geq 3,000 veh/day	Yes, the expected increase in daily trips is 3,882 veh/day
E	Enrollment increases at public or private schools	N/A
6.23.5	Site Context	Meets TIA Conditions? (Y/N)
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No, SI = 3.93 for Falls of Neuse/Litchford between 1/1/2011 & 12/31/2013
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	Yes, congestion occurs at Falls of Neuse/I-540 and Falls of Neuse/Litchford during the AM peak
C	Creates a fourth leg at an existing signalized intersection	N/A
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	N/A
E	Access is to/from a Major Street as defined by the City's Street Plan Map [latest edition]	Yes, Litchford Road is classified as a major street in the City's Street Plan map
F	Proposed access is within 1,000 feet of an interchange	No, the site lies ~2,000 feet from the I-540 interchange
G	Involves an existing or proposed median crossover	N/A
H	Involves an active roadway construction project	N/A
I	Involves a break in controlled access along a corridor	N/A
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)
A	Planned Development Districts	N/A
B	In response to Raleigh Planning Commission or Raleigh City Council concerns	None received as of Feb. 12, 2015



Planning & Development

RECEIVED

MAY 08 2015

CITY OF RALEIGH
PLANNING DEPT

SCANNED

5/7/15 RSP
TO: Po Skele Sumpter

Development Services
Customer Service Center
One Exchange Plaza
Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Valid Statutory Protest Petition (VSPP)

Submit this form to:

City Clerk
Raleigh Municipal Building, Room 207
222 W. Hargett St.
Raleigh, NC 27602

Administrative Use Only

Validity

Valid.
DH-5/9/15

Administrative Use Only

Received by City Clerk

received
5/7/15 RSP
CITY CLERK

Date Submitted		5-7-2015		Case # Z - 2 - 15	
Contact Person Robert Paliga					
Address 8904 Creekstone Court				City Raleigh	
State NC	Zip 27615	Phone 919-676		Fax	
Email RPALIGA@NC.RR.COM					

If a Valid Statutory Protest Petition (VSPP) is filed in opposition to a rezoning request, the City Council cannot approve the request unless it does so by a vote of three-fourths of all Council members. A simple majority can approve all other requests. To file a VSPP, the petition must:

- Be signed by the owner(s) (including both husband and wife if there is joint ownership) of twenty percent (20%) or more of the area of the lots included in the rezoning request; OR five percent (5%) of a 100 foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100 foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100 foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas;
- Include a statement of opposition on each page of signatures at the top of the petition. The statement should be simply and clearly worded;
- Be submitted no less than two (2) full working days prior to the hearing, not including the actual day of the hearing and not including any holidays, Saturdays or Sundays. For instance, if the hearing occurs on Tuesday, the form must be submitted by the previous Thursday at 5:00 p.m.;
- Be delivered to the office of the City Clerk, Raleigh Municipal Building, Room 207, 222 W. Hargett Street, before 5:00 p.m. on the deadline date; and
- Have signatures attached to this sheet on the form provided. The signature form may be duplicated if necessary.

Valid Statutory Protest Petition

Case # Z - 2 - 15

Statement of Opposition:

The undersigned owners of property in the Woodstone Neighborhood that backs up to the property with the new address of 9001 Litchford Road in North Raleigh under the rezone case Z-2-2015 do hereby protest the rezone of the currently undeveloped property for many reasons – further traffic problems, concerns that the new development is not in character with the surrounding single family homes, and another grocery store is not needed. There are 4 grocery stores within 1.7 miles and a specialty store 5 miles away. Woodstone neighbors missed the second CAC meeting to speak and vote against the rezone.

Signature: Robert S. Paliga Print Name (clearly): Robert S. Paliga
Address: 8904 Creekstone Court, Raleigh 27615

Signature: _____ Print Name (clearly): ~~Robert S. Paliga~~
Address: ~~8904 Creekstone Court, Raleigh 27615~~

Signature: Donald G. Hess Print Name (clearly): Donald G. Hess
Address: 8917 Woodstone Dr. Raleigh, N.C. 27615

Signature: Clifford A. N. Zuttis Print Name (clearly): Clifford A. N. Zuttis
Address: 8901 Litchford Court, Raleigh, N.C. 27615

Signature: Gailya Paliga Print Name (clearly): Gailya Paliga
Address: 8904 Creekstone Ct, Raleigh NC 27615

Signature: Judy H. Deighton Print Name (clearly): Judy H. Deighton
Address: 8905 Woodstone Dr., Raleigh, NC 27615

Signature: Robert J. Navarro Print Name (clearly): Robert J. Navarro
Address: 8913 Woodstone Dr., Raleigh, NC 27615

Signature: Monica Navarro Print Name (clearly): Monica Navarro
Address: 8913 Woodstone Dr. Raleigh, NC 27615

Signature: _____ Print Name (clearly): _____
Address: _____

Valid Statutory Protest Petition
Case # Z - 2 - 2015

Statement of Opposition:

The undersigned owners of property in the Woodstone Neighborhood that backs up to the property with the new address of 9001 Litchford Road in North Raleigh under the rezone case Z-2-2015 do hereby protest the rezone of the currently undeveloped property for many reasons – further traffic problems, concerns that the new development is not in character with the surrounding single family homes, and another grocery store is not needed. There are 4 grocery stores within 1.7 miles and a specialty store 5 miles away. Woodstone neighbors missed the second CAC meeting to speak and vote against the rezone.

Signature: Kevin Midkiff Print Name (clearly): KEVIN MIDKIFF
Address: 8909 WOODSTONE DR. RALEIGH NC 27615

Signature: Megan Bell Print Name (clearly): Megan Bell
Address: 8901 Woodstone Dr, Raleigh NC 27615

Signature: Delilah Havis-Kizzue Print Name (clearly): Delilah Havis-Kizzue
Address: 8925 Woodstone Dr Raleigh, N.C. 27615

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____