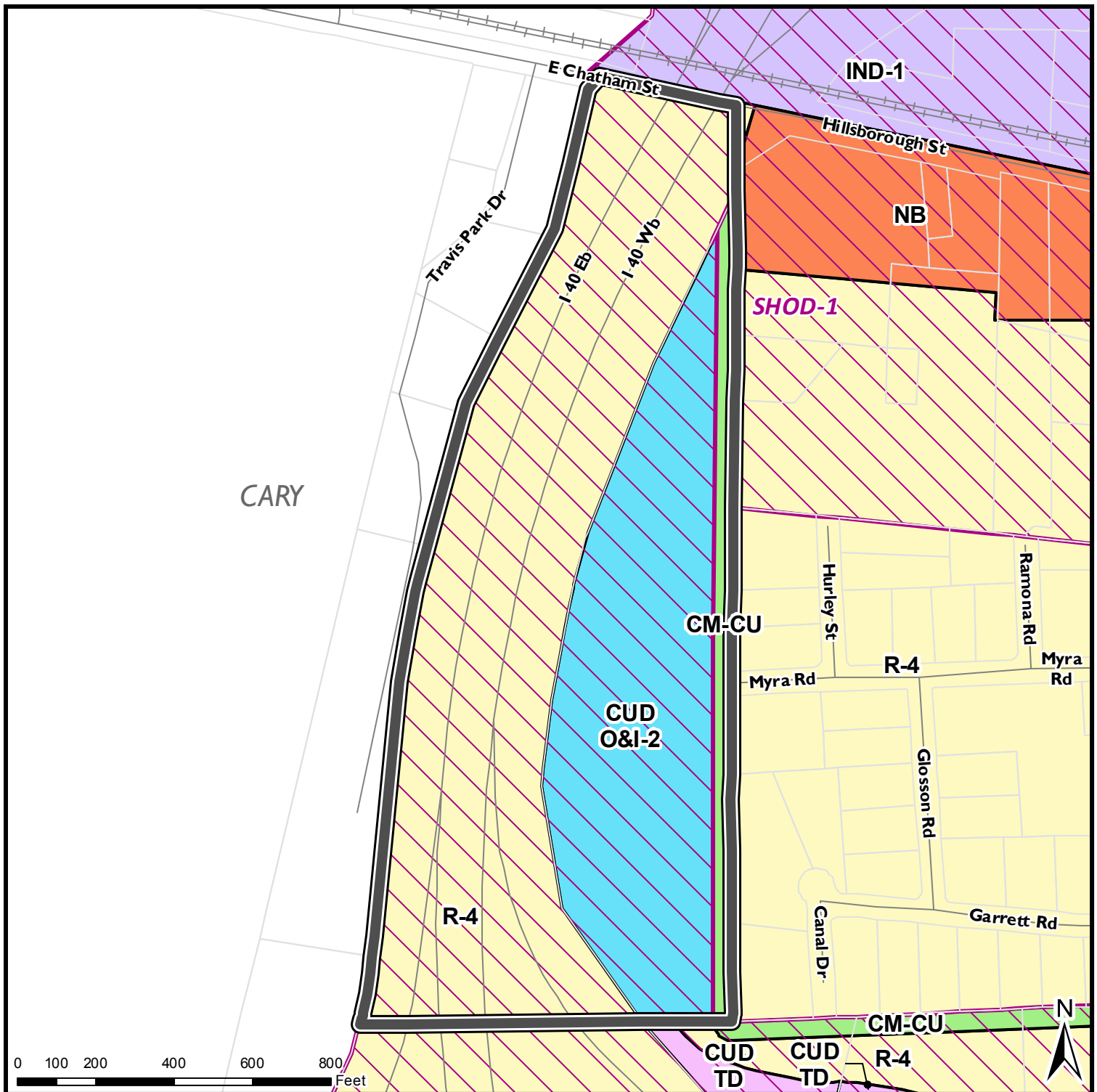


# Existing Zoning Map

# Z-4-2014

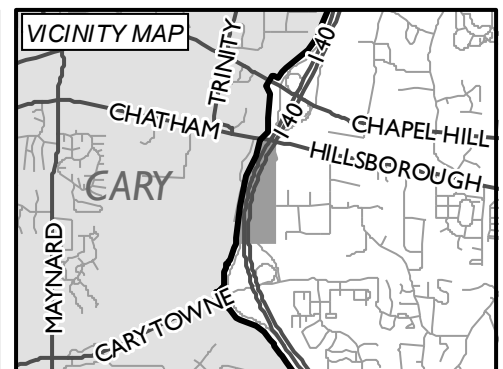


**Submittal  
Date**

1/16/2014

**Request:**

**15.37 acres from  
O&I-2 CUD w/SHOD-1 & CM-CU  
to RX-4-CU w/SHOD-1**





## Certified Recommendation

Raleigh Planning Commission

CR# 11567

### Case Information: Z-4-14 - Hillsborough Street

<i>Location</i>	South of Hillsborough Street, at the west end of Myra Road <b>Address:</b> 6815 Hillsborough Street <b>PIN:</b> 0774417095
<i>Request</i>	Rezone property from O&I-2 CUD w/ SHOD-1& CM CUD to RX-4-CU w/ SHOD-1
<i>Area of Request</i>	15.37± acres
<i>Property Owner</i>	Center 205 LLC: (336) 275-6198; <a href="mailto:dburton@cipconst.com">dburton@cipconst.com</a>
<i>Applicant</i>	Thomas C. Worth, Jr.: (919) 831-1125; <a href="mailto:curmudgtcw@earthlink.net">curmudgtcw@earthlink.net</a>
<i>Citizens Advisory Council</i>	West – Benson Kirkman, Co-Chair: (919) 859-1187; <a href="mailto:Benson.Kirkman@att.net">Benson.Kirkman@att.net</a> Jim Paumier, Co-Chair: (919) 859-1735; <a href="mailto:jopaumier@earthlink.net">jopaumier@earthlink.net</a>
<i>PC Recommendation Deadline</i>	July 23, 2014

### 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

<b><i>FUTURE LAND USE</i></b>	Office & Residential Mixed Use (O&RMU)
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.3 – Conditional Use District Consistency Policy LU 5.4 – Density Transitions Policy LU 8.11 – Development of Vacant Sites Policy UD 2.4 – Transitions in Building Intensity Policy UD 5.1 – Contextual Design Policy UD 7.3 – Design Guidelines
<b><i>INCONSISTENT Policies</i></b>	(None.)

### Summary of Proposed Conditions

1. Limit number of dwelling units.
2. Provide increased setback along east lot lines.
3. Limit height.
4. Install water line for use both by site and Glosson Estates subdivision.
5. Provide buffer along east lot lines.

## Public Meetings

<b>Neighborhood Meeting</b>	<b>Public Hearing</b>	<b>Committee</b>	<b>Planning Commission</b>
12/9/13			3/25/14 (deferred); 4/8/14 (recommended approval)

☐ **Valid Statutory Protest Petition**

### Attachments

1. Staff Report
2. Applicant Responses to Design Guidelines
3. Transportation Evaluation

## Planning Commission Recommendation

<b>Recommendation</b>	The Planning Commission finds that this case is consistent with the Comprehensive Plan and should be approved in accordance with the zoning conditions submitted April 10, 2014.
<b>Findings &amp; Reasons</b>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Future Land Use Map, Urban Form Map, and applicable Comprehensive Plan policies. The Future Land Use Map designates this area for Office and Residential Mixed Use, and thereby appropriate for multi-unit living development.</li> <li>2. The proposal is reasonable and in the public interest. Rezoning is conditioned to reduce the maximum number of units, while extending city water to both the site and existing adjacent subdivision.</li> <li>3. The proposal is compatible with the surrounding area. Conditions provide for a vegetated buffer and increased setback adjacent to single-family development, while reducing maximum building height.</li> </ol>
<b>Motion and Vote</b>	Motion: Lyle Second: Buxton In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Schuster, Sterling Lewis, Swink, Terando and Whitsett

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.

	4/08/14		Date
Planning Director	Date	Planning Commission Chairperson	Date

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



## Zoning Staff Report – Case Z-4-14

### Conditional Use District

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## Case Summary

### Overview

The request seeks to develop the subject site for multi-family residential use. While the existing zoning on the property (O&I-2, approved as Z-34-96) also allows such use, it limits site development to a maximum of 230,000 square feet. The proposed zoning instead caps the number of residential units; it would also permit the option of limited retail or office uses on site.

The subject area is located within a semi-rural area of the City, characterized by low-density residential development (the Glosson Estates subdivision) and a significant portion of vacant, wooded land. Most houses nearby date from the 1960s and '70s. While in close proximity to an existing interstate interchange (Cary Town Boulevard at I-40), developed residential lots are accessed primarily from Hillsborough Street at present.

Primary access to the subject site, landlocked from Hillsborough Street by the adjoining development to the east, will likely be through the recently-approved Bacarra subdivision ([S-18-12](#)), which proposes extending Farm Gate Road northward and westward to the property. Transportation plans call for eventually extending Western Boulevard westward to link to Cary Town Boulevard. The anticipated construction of a rail transit stop just north of Hillsborough Street could provide additional transportation options over time. The only existing pedestrian access to the rail station area, however, is via Myra Road and the streets of the adjacent subdivision.

Until Farm Gate Road is extended, sole access to the site is via a street stub from the adjoining neighborhood at Myra Road. The stub is currently unimproved. An adjacent single family lot that gains sole access from Myra Road has constructed a gravel driveway within the public right of way.

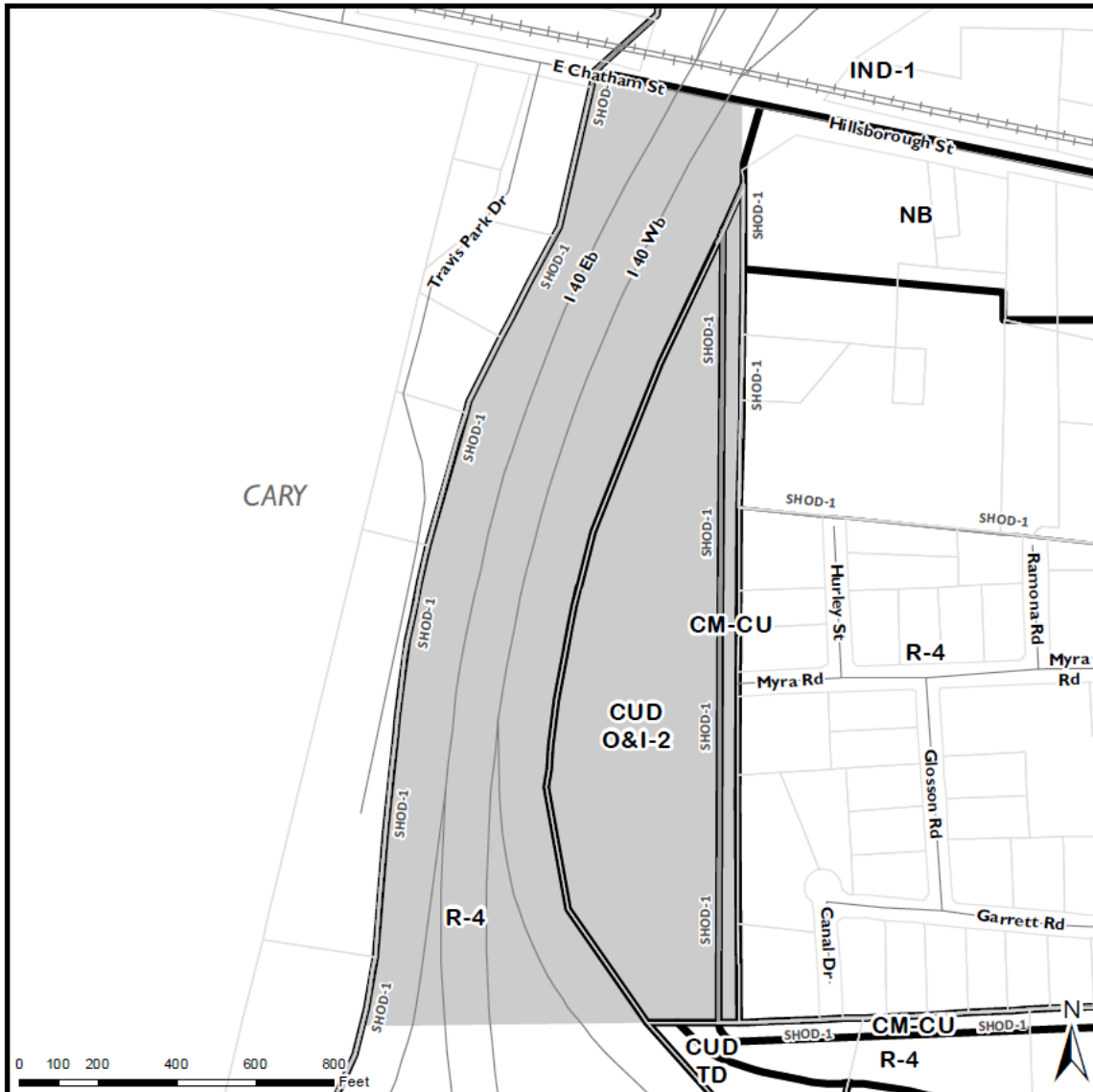
The rezoning proposes to retain the present zoning's buffering of the adjoining neighborhood. The proposed height cap (4 stories) is less than that currently conditioned (5 stories). The proposal also offers to extend City water service, to the benefit of existing households and future adjacent development. Special Highway Overlay District-1 provisions would remain in place along I-40.

### Outstanding Issues

<i>Outstanding Issues</i>	<i>(None.)</i>	<i>Suggested Mitigation</i>	<i>(n/ a)</i>
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# Existing Zoning Map

**Z-4-2014**

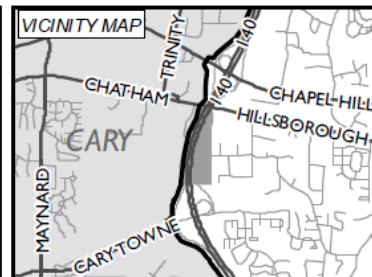


Submittal  
Date

1/16/2014

## Request:

15.37 acres from  
O&I-2 CUD w/SHOD-1 & CM-CUD  
to RX-4-CU w/SHOD-1



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	O&I-2 CUD; CM CUD	R-4	TD CUD; R-4; CM CUD	R-4; NB	R-4
<i>Additional Overlay</i>	SHOD-1	SHOD-1	SHOD-1	SHOD-1; (none)	SHOD-1
<i>Future Land Use</i>	O&RMU	O&RMU	O&RMU	O&RMU	O&RMU
<i>Current Land Use</i>	Vacant (wooded)	I-440 r/w	I-440 r/w; vacant	Church; single-family residences; vacant lots	I-440 r/w
<i>Urban Form (if applicable)</i>	Transit-oriented district; Parkway corridor (I-440); partially within ½-mile Transit Stop Radius	Transit-oriented district; Parkway corridor (I-440); Transit-emphasis corridor (Hillsborough Street)	Transit-oriented district	Transit-oriented district	Parkway corridor (I-440)

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	230 (at 15 units/acre)	200 (per conditions)
<i>Setbacks (min.):</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	<i>Office:</i> 30 feet 5 feet 20 feet <i>Residential:</i> 10 feet 5 feet 20 feet	<i>Apartment building type:</i> 5 feet 0 or 6 feet 0 or 6 feet (Min. 65' setback conditioned along east lot line)
<i>Retail Intensity Permitted:</i>	- 0 - (ancillary uses only)	8,000 sf *
<i>Office Intensity Permitted:</i>	230,000 sf	8,000 sf *

\* 4,000 per building, two buildings projected

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	15.37	15.37
<i>Zoning</i>	O&I-2 & CM CUD w/ SHOD-1	RX-4-CU w/ SHOD-1
<i>Max. Gross Building SF</i>	230,000 (per conditions)	(not specified)
<i>Max. # of Residential Units</i>	230	200

<i>Max. Gross Office SF</i>	230,000	8,000
<i>Max. Gross Retail SF</i>	- 0 - ( <i>ancillary uses only</i> )	8,000
<i>Potential F.A.R.</i>	0.34	( <i>not specified</i> )

\* The development intensities for proposed zoning districts were estimated using the ***Envision Tomorrow*** impact analysis tool. Reasonable assumptions are factored into the analysis to project the worst case development scenario for the proposed rezoning. The estimates presented in this table are rough estimates intended only to provide guidance for analysis in the absence of F.A.R.'s and density caps for specific UDO districts.

The proposed rezoning is:

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

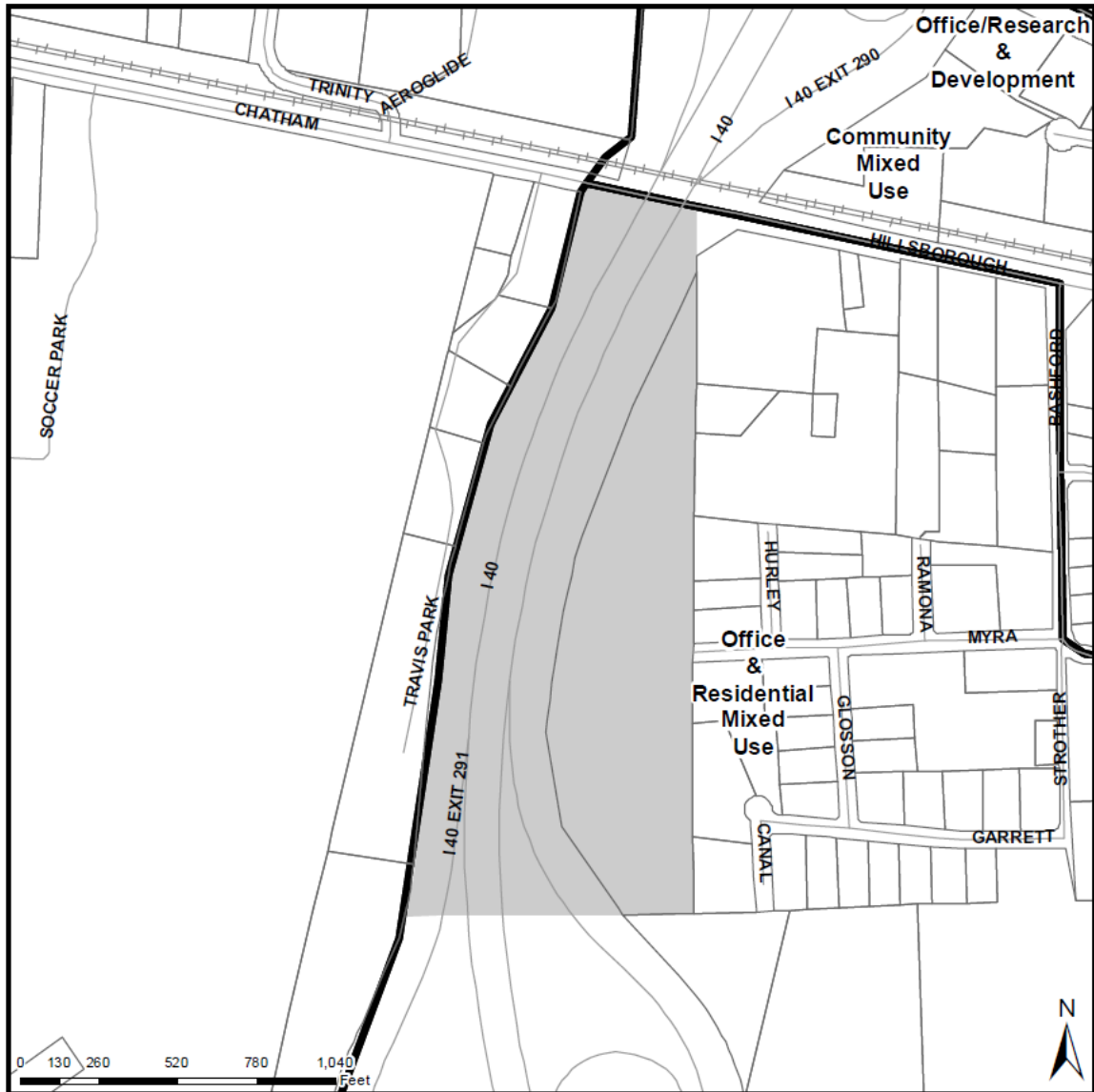
☐ **Incompatible.**

Analysis of Incompatibility:

(n/a)

# Future Land Use Map

**Z-4-2014**

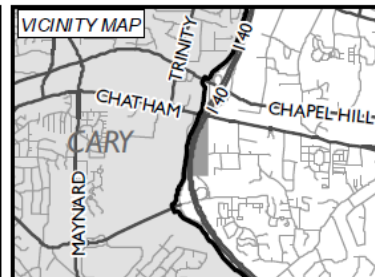


**Submittal  
Date**

1/16/2014

## Request:

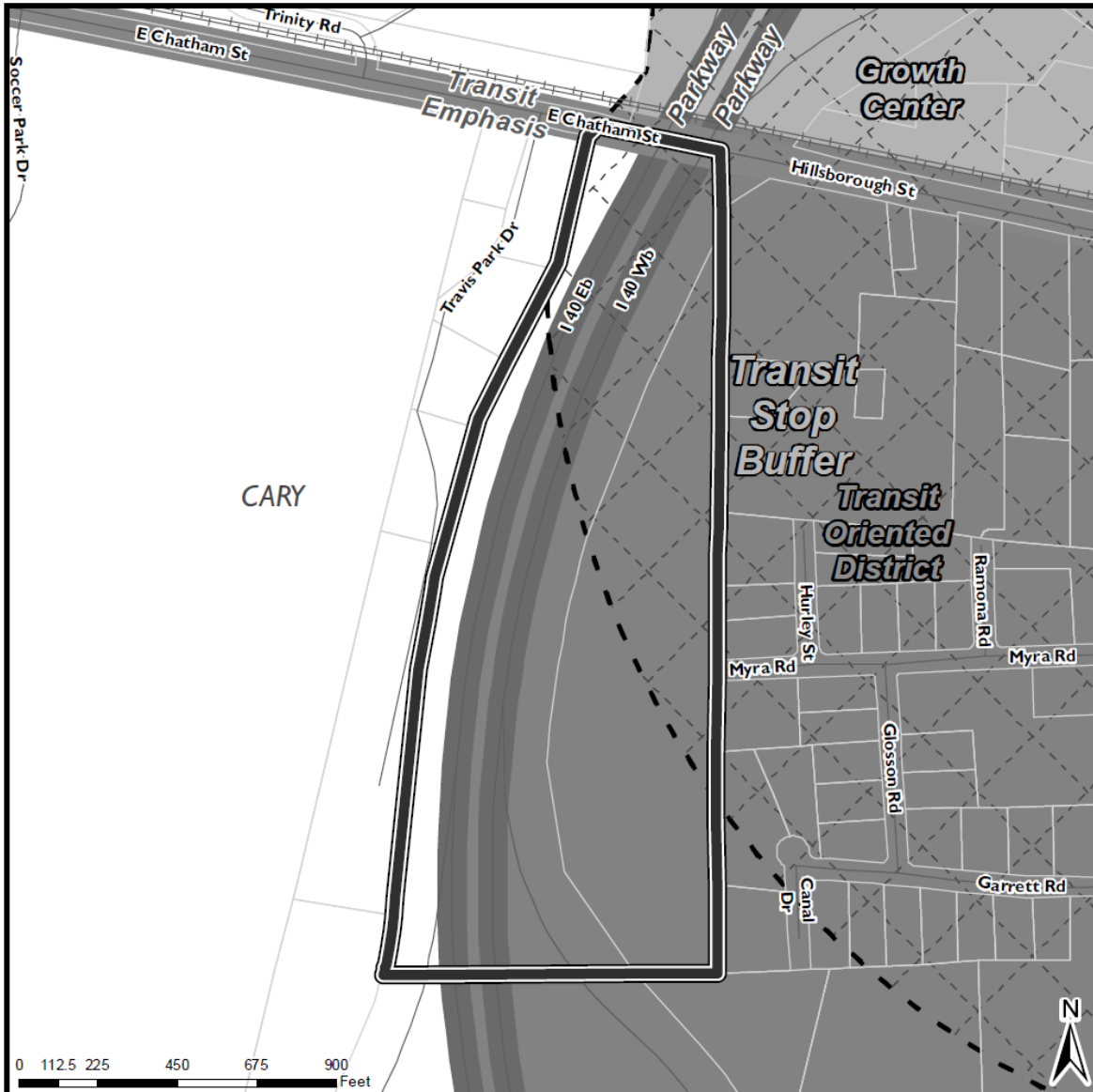
15.37 acres from  
O&I-2 CUD w/SHOD-1 & CM-CUD  
to RX-4-CU  
w/ -SHOD-1





# Urban Form Map

**Z-4-2014**

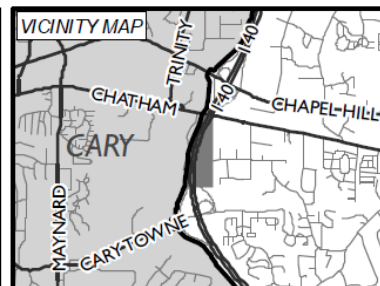


**Submittal  
Date**

1/16/2014

## Request:

**15.37 acres from  
O&I-2 CUD w/SHOD-1 & CM-CUD  
to RX-4-CU  
w/ -SHOD-1**



## 2. Comprehensive Plan Consistency Analysis

### 2.1 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:

n/a

### 2.2 Urban Form

**Urban Form designation:** Transit-Oriented District, edging Parkway Corridor (I-40); site is partially within ½-mile Transit Stop Buffer

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

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

n/a

### 2.3 Policy Guidance

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

(None.)

### 2.4 Area Plan Policy Guidance

The rezoning request is not within a portion of the City subject to an Area Plan.

### 3. Public Benefit and Reasonableness Analysis

#### 3.1 Public Benefits of the Proposed Rezoning

- Provides higher-density housing in proximity to Hillsborough Street and Western Boulevard, as well as future transit station.
- Proffers water and sewer improvements which would also benefit neighboring properties.

#### 3.2 Detriments of the Proposed Rezoning

- Due to existing conditions/ design of current streets in the area, current access options are limited.

### 4. Impact Analysis

#### **4.1 Transportation**

Section 6.5.4 (Residential Access) of the UDO requires one access point from a public street for every 150 dwelling units. If built out to the proposed 200-unit cap, the site will require 2 access points. Where the access points are to be located, given the constraints of I-40, would be addressed during the site plan phase. A traffic impact analysis is not recommended for case Z-4-14.

**Impact Identified:** None (see accompanying Transportation Evaluation).

#### **4.2 Transit**

C-Tran currently serves Chatham Street at the Soccer Park. Both the City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study call for increased service along Hillsborough Street, which will promote it to a transit intensive corridor.

The transit plans do not anticipate neighborhood circulators in this area. Therefore, consideration should be given to pedestrian accessibility to transit routes.

**Impact Identified:** A large multi-family development will create additional demand for transit in the area.

#### **4.3 Hydrology**

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Subject to Part 10A, Chapter 9
<i>Overlay District</i>	None

Site is subject to Stormwater regulations with respect to runoff and nitrogen. Neuse River Buffer exists on the site.

**Impact Identified:** None.

#### **4.4 Public Utilities**

	<b>Maximum Demand (current)</b>	<b>Maximum Demand (proposed)</b>
<i>Water</i>	104,687 gpd	48,000 gpd
<i>Waste Water</i>	104,687 gpd	48,000 gpd

The proposed rezoning would not impact the wastewater collection and water distribution systems of the City. There are no existing sanitary sewer and water mains adjacent to the proposed rezoning area; therefore the petitioner/developer will be required to extend the public utilities to the property.

**Impact Identified:** At the time of development plan submittal, a downstream sewer capacity study may be required to determine the adequacy of capacity to support the proposed development. Any required improvements identified by the study would be required to be permitted and constructed prior to the issuance of a building permit. 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 of the developer.

#### **4.5 Parks and Recreation**

The site is not adjacent to an existing or planned greenway or greenway connector. Park services are currently provided by Lake Johnson.

**Impact Identified:** None.

#### **4.6 Urban Forestry**

The primary and secondary tree conservation areas have already been identified for this site.

**Impact Identified:** None.

#### **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 Appearance Commission**

As the proposal does not involve a Planned Development, it is not subject to Appearance Commission review.

#### **4.10 Impacts Summary**

Demand for transit is expected to increase as a result of this rezoning. Sewer/ fire flow matters may need to be addressed.

#### **4.11 Mitigation of Impacts**

Address sewer and fire flow capacities and explore options for improving access to transit at the site plan stage.

## **5. Conclusions**

The proposed zoning is consistent with the Comprehensive Plan and Future Land Use Map. It would retain development options possible under the existing zoning (e.g., providing multi-family housing, assuring existing wooded buffer along I-40), while modifying some provisions to be more stringent than those current in place (e.g., reducing maximum building stories), and some to be less restrictive (e.g., allow limited encroachment into the east lot-line buffer area; reduce minimum setback).

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.	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. The RX zoning includes the possibility that limited retail could be developed on site in the future.
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. Transitions will be provided through a fifty (50) foot wide CM-zoned area between the main developable tract and the R-4 single-family development to the east.
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. It is anticipated that the property will be adequately connected into the area's road network through a new public street to be constructed.
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. It is anticipated that the development will be connected with a new public street and, in addition, the new road will be stubbed to another existing right-of-way and other cross access ways will be provided.
5.	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. It is anticipated that the length of the new public street will extend approximately four hundred (400) feet before being interrupted by a cross street.
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. Off-street parking serving the Property along existing streets is not anticipated; entrances to the parking lot will be primarily located at the sides or rear of the development.
7.	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. It is anticipated that many of the buildings will be located in close proximity to the new public street.
8.	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. It is anticipated that a main building will be located on the corner of 2 streets.
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. It is anticipated that recreational and green areas will be visually and practically accessible.
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. It is anticipated that the main recreational area will be accessible from multiple points of access via sidewalk and will be visually permeable, although flanked by buildings on each side.
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. It is anticipated that the open space area will have buildings on both sides with multiple entrance points from sidewalks into the open space.
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. It is expected that the main open space will be visually enclosed with 2 buildings.
13.	New public spaces should provide seating opportunities. The UDO standards for outdoor amenity areas require seating opportunities, consistent with this guideline. It is anticipated that there will be seating opportunities to the open space/recreational area.

14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> <b>It is anticipated that parking lots will be dispersed throughout the site and will be located primarily in the interior of the site.</b>
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> <b>It is expected that parking lots will be located behind buildings and/or in the interior of the site.</b>
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> <b>No parking structures are expected to be constructed for the proposed development.</b>
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> <b>Hillsborough Street is designated a Transit Emphasis Corridor on the Urban Form Map of the Comprehensive Plan. It is hoped that pedestrian cross access to Hillsborough Street can be secured.</b>
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> <b>It is anticipated that public sidewalks will provide convenient and comfortable pedestrian access between building entrances upon the Property and nearby transit stops.</b>
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> <b>A fifty (50) foot wide strip of property will be conserved as CM. In addition, a fifty (50) foot wide SHOD yard will be preserved.</b>
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> <b>It is contemplated that a public street with pedestrian scale will be constructed through the property.</b>
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> <b>Sidewalk width will be determined at the time of site plan approval.</b>
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> <b>Street trees will be planted along the new street as required by the UDO.</b>
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> <b>It is expected that the buildings will flank and thus define the public street.</b>
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> <b>It is anticipated that the primary entrance of each building will be on the front façade and shall open to the street.</b>
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> <b>It is expected that windows, entrances and signage will create pedestrian interest along the street.</b>
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> <b>It is expected that sidewalks will be constructed along the street and along with cross access ways will be the primary place of pedestrian movement.</b>



# Planning & Development

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

## 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-2 CUD with Special Highway Overlay District-1 and CM-CUD Proposed Zoning Classification Base District RX with Special Highway Overlay District Height 4 stories Frontage N/A  If the property has been previously rezoned, provide the rezoning case number. Z- 34-96  Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 381580	Transaction Number

GENERAL INFORMATION		
Property Address 6815 Hillsborough Street		Date Originally submitted January 16, 2014, revision submitted April 10, 2014.
Property PIN 0774-41-7095		
Nearest Intersection Hillsborough Street and I-40		Property size (in acres) 15.37 Acres +/-
Property Owner Center 205, LLC	Phone (336) 275-6198	Fax
	Email dburton@cipconst.com	
Project Contact Person Thomas C. Worth, Jr. P. O. Box 1799 Raleigh, NC 27602	Phone 919-831-1125	Fax 919-831-1205
	Email cumudgtcw@earthlink.net	
Owner/Agent Signature CENTER 205, LLC By: <u>Thomas C. Worth, Jr.</u> , Manager		



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



# Planning & Development

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

Revision 10.16.13

Conditional Use District Zoning Conditions	OFFICE USE ONLY
Zoning Case Number Z-4-14	Transaction Number
Date Submitted April <u>10</u> , 2014	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The maximum number of dwelling units on the subject property shall not exceed two hundred (200) dwelling units.
2.	A building setback of sixty-five (65) feet shall be maintained parallel to the current eastern boundary of the rezoned property adjoining PIN #'s 0774.19 51 1558 (DB 3107-342), 0774.19 51 3472 (DB 3511-428), 0774.19 51 1155 (DB 4313-385), 0774.19 51 1053 (DB 2046-442), 0774.19 50 1943 (DB 2406-442), 0774.19 50 1773 (DB 2697-378), 0774.19 50 1452 (DB 6243-103) and 0774.19 50 1143 (DB 4584-428) (the "Setback Boundary"). The setback described in this condition may include any transition zones, protective yards or buffers as required by the City of Raleigh Unified Development Code.
3.	The maximum height of any building constructed on the subject property shall not exceed four stories/ fifty-nine (59) feet.
4.	Prior to obtaining any Certificate of Occupancy for any building on the subject property, the property owner shall cause a public water line at least twelve (12) inches in diameter to serve the development on the subject property and "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196 to be constructed within the public right-of-way accessing the subject property, as prescribed by the City of Raleigh.

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 <u>CENTER 205, LLC</u> By: <u>Thomas Higgins</u> Manager	Print Name Thomas Higgins
---	------------------------------



# Planning & Development

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

Revision 10.16.13

Conditional Use District Zoning Conditions	OFFICE USE ONLY
Zoning Case Number Z-4-14	Transaction Number
Date Submitted April <u>10</u> , 2014	

5.	<p>The 50-foot wide strip of land running parallel to the common property line between the subject property and the "Glosson Estates Subdivision" as recorded in Book of Maps 1963, Page 196, hereinafter referred to as a "Buffer," shall include no buildings or paving or other improvements (except fencing, landscaping, stormwater facilities and utilities) and shall serve as a buffer, between the single family residential uses in the "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196 and the multi-family uses to be developed on the subject property, subject to the provisions set forth herein.</p> <ul style="list-style-type: none"><li>a. The westernmost twenty (20) foot wide strip of property within the Buffer may be used for the installation of storm drainage facilities, erosion control devices, electric, telephone, cable television and similar installations (fiber optic cable, etc.) gas and/or water, sanitary sewer installations and similar utilities located underground, all subject to approval of the appropriate local government authority and utility providers and, if allowed, for the planting of new vegetation, construction of fences, walls, berms, pedestrian, bicycle or greenway trails and for similar construction which tends to enhance the area's visual appeal or provide sight or noise screening characteristics. Any such construction shall be designed and undertaken so as to create as little disturbance of the buffer as possible while still honoring utility service, health and safety requirements.</li><li>b. Private utility easements and services serving the subject property, adjacent properties and/or the "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196 may be granted, constructed and maintained in the buffer if not in conflict with public utility providers.</li><li>c. Public utility easements, services and mains as may be required to serve the subject property, adjacent properties and/or the "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196 may be granted, constructed and maintained in the buffer.</li><li>d. A six and one-half (6.5) foot high chain link, wrought iron, vinyl or wooden fence or masonry wall shall be installed and maintained within and parallel to the Buffer for the entire length of the common property line between the subject property and the property located north of the "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196, and continuing parallel to the "buffer" along the entire length of the "Glosson Estates Subdivision" as recorded in BOM 1963, Page 196 and the subject property except for a break to accommodate the connection and access to Myra Road. The fence or masonry wall shall be constructed in a manner which minimizes the removal of trees.</li><li>e. Plantings, landscaping, berms, walls and/or fences not in conflict with public utility providers shall be installed in the Buffer as may be required or permitted in Transition Zones as per the Raleigh UDO, provided that trees or vegetation in the easternmost thirty (30) feet shall not be disturbed unless required to do so to comply with the UDO Transition Zone or other City requirements or to extend City utilities.</li><li>f. Notwithstanding any provision of condition 5, a connection between a road within the subject property may be made across the Buffer to the public right-of-way of Myra Road.</li></ul>
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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: Thomas Higgins CENTER 205, LLC  
By: Thomas Higgins Manager

Print Name  
Thomas Higgins



# Planning & Development

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

## 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 <b>2-4-14</b>

### 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 Rezoning Request is consistent with the Comprehensive Plan Future Land Use Map which recommends a mix of uses including residential uses.
2. With regard to the Urban Form Map, the Property is within a Transit-Oriented District and is within a Transit Stop Half-Mile Buffer Area. In addition, Hillsborough Street is designated for Future Fixed-Guideway Transit and I-40 is designated as a Parkway Corridor.
3. The proposed rezoning and development are also consistent with many of the policies of the Comprehensive Plan as follows:  
  
H1.8 Zoning for Housing. Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. The map amendment will facilitate the development of new housing.  
  
LU1.2 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 Map shall not be used to review development applications which do not include a zoning map or text amendment. The proposed rezoning is consistent with the Future Land Use Map.  
  
LU2.2 Compact Development. New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space and reduce the negative impacts of low intensity and non-contiguous development. Development at the proposed density would result in a more compact land use pattern on the parcels than currently exists. The rezoning would permit increased densities in the area. The increase in residential density would capitalize on the adjacent services without a major impact on infrastructure.  
  
LU3.2 Location-Growth. The development of vacant properties shall occur first within the City's limits, then within the City's planning jurisdiction, and lastly within the City's USAs to provide for more compact and orderly growth, including provision of conservation areas. Although the subject property is technically outside Raleigh's city limits, it is within Raleigh's extra-territorial jurisdiction and core area and a natural place for development (which will follow rezoning).  
  
LU4.6 and 4.7 Transit Oriented Development and Access. Promote transit-oriented development around planned transit stations through appropriate development regulation, education, station area planning, public-private partnerships and regional cooperation. Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure. The proposed zoning and development contemplates multi-family housing within a Transit-Oriented District within a half-mile of a proposed transit station and along a major Parkway Corridor, per the Urban Form Map.

**LU4.9 Corridor Development.** Promote pedestrian-friendly and transit-supportive development patterns along multi-modal corridors designated on the Growth Framework Map, and any corridor programmed for "transit intensive" investments such as reduced headways, consolidated stops and bus priority lanes and signals. The prospective redevelopment will promote pedestrian-friendly development and transit supportive development along the multi-modal corridors of Western Boulevard, Hillsborough Street and I-40.

**LU4.10 Development of Freeway Interchanges.** Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified minor thoroughfare or higher, and preferably including a vertical and/or horizontal mixture of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major thoroughfare while limiting driveway connections to the major thoroughfare. The proposed rezoning is located near the interchange of I-40 and Western Boulevard but does not provide direct access to either of such major roadways.

**LU5.1 Reinforcing the Urban Pattern.** New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance. The proposed development will be consistent with the new development to the southeast and, through appropriate buffers and transition zones, will allow the preservation of the character of the existing development in the area.

**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 proposed development, which is adjacent to areas of lower intensity, will provide effective physical buffers to the existing low density residential development to avoid adverse effects. Specifically, a 50-foot wide strip of land will be zoned Conservation Management to buffer properties to the east.

**LU 8.1 Housing Variety.** Accommodate growth in newly developing areas of the City through mixed-use neighborhoods with a variety of housing types. New development will add to the housing variety in the area.

**LU 8.10 Infill Development.** Encourage infill development on vacant land within the City, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. New development will fill a gap in the urban fabric and be compatible with the mix of housing types in the area.

**PU1.5 Sizing Water and Sewer Lines.** Size water and sewer lines with capacity for future growth. The utility lines constructed to serve the proposed development will be of a sufficient size to serve adjacent properties in the future.

**PU2.4 Water and Sanitary Sewer Installations.** Require that water and sanitary sewer lines installed by property owners are constructed along the entire adjacent right-of-way or through the entire property as appropriate to permit further extension to adjacent properties. Utilities to be constructed for the proposed development will be installed along a public right-of-way to permit future expansion to City sewer for adjacent properties.

**PU4.4 Wastewater Collection System Expansion.** Expand the wastewater collection system to serve potential annexation areas, urbanizing areas, and long-term growth areas with gravity sewer extensions and minimal use of pump stations. The proposed development will facilitate the expansion of the City's gravity sewer service to allow for future connection for potential annexation areas in a Transit Oriented District.

**PU5.4 Discharge Control Methods.** Apply discharge control methods that control both peak and volume and that are economically, aesthetically and environmentally acceptable as well as effective in stormwater management. The proposed development will apply discharge control methods which will be designed to control peak and volume in an aesthetic and environmentally acceptable manner.

**T2.9 Curb Cuts.** The development of curb cuts along public streets—particularly on thoroughfares and arterials—should be minimized to reduce vehicular conflicts, increase pedestrian safety, and improve roadway capacity. New development will limit the number of curb cuts to the neighborhood and will dictate that traffic ingresses and egresses on the Farmgate Road extension which intersects with Western Boulevard.

**UD 1.7 Scenic Corridors.** Retain and enhance our visual and natural assets including vistas, boulevard medians, tree-lined streets, forested hillsides, wetlands and creeks along scenic corridors into and through Raleigh. New development will promote tree conservation along the I-40 a major transportation corridor.

**UD 5.3 Improving Neighborhood Connectivity.** Explore opportunities to conveniently connect existing neighborhoods to adjacent commercial centers and community facilities and services. An offer of cross access to adjoining property owners will facilitate improvement of connectivity.

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**PUBLIC BENEFITS**

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

1.	The rezoning will allow for multi-family housing to be developed on the subject property, which will serve the growing population of Raleigh.
2.	The rezoning and succeeding development will bring water and sewer utilities to the subject property which will facilitate future connections by citizens who do not now have public utilities.
3.	The rezoning will allow dense development in a Transit-Oriented District.

**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. 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. The RX zoning includes the possibility that limited retail could be developed on site in the future.
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. Transitions will be provided through a fifty (50) foot buffer area between the main developable tract and the R-4 single-family development to the east.
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. It is anticipated that the property will be adequately connected into the area's road network through a new public street to be constructed.
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. It is anticipated that the development will be connected with a new public street and, in addition, the new road will be stubbed to another existing right-of-way and other cross access ways will be provided.
5. 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. It is anticipated that the length of the new public street will extend approximately four hundred (400) feet before being interrupted by a cross street.
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. Off-street parking serving the Property along existing streets is not anticipated; entrances to the parking lot will be primarily located at the sides or rear of the development.
7. 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. It is anticipated that many of the buildings will be located in close proximity to the new public street.
8. 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. It is anticipated that a main building will be located on the corner of 2 streets.
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. It is anticipated that recreational and green areas will be visually and practically accessible.
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. It is anticipated that the main recreational area will be accessible from multiple points of access via sidewalk and will be visually permeable, although flanked by buildings on each side.
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. It is anticipated that the open space area will have buildings on both sides with multiple entrance points from sidewalks into the open space.
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. It is expected that the main open space will be visually enclosed with 2 buildings.
13. New public spaces should provide seating opportunities. The UDO standards for outdoor amenity areas require seating opportunities, consistent with this guideline. It is anticipated that there will be seating opportunities to the open space/recreational area.



14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> It is anticipated that parking lots will be dispersed throughout the site and will be located primarily in the interior of the site.
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> It is expected that parking lots will be located behind buildings and/or in the interior of the site.
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> No parking structures are expected to be constructed for the proposed development.
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> Hillsborough Street is designated a Transit Emphasis Corridor on the Urban Form Map of the Comprehensive Plan. It is hoped that pedestrian cross access to Hillsborough Street can be secured.
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> It is anticipated that public sidewalks will provide convenient and comfortable pedestrian access between building entrances upon the Property and nearby transit stops.
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> A fifty (50) foot wide strip of property will be conserved as a buffer. In addition, a fifty (50) foot wide SHOD yard will be preserved.
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> It is contemplated that a public street with pedestrian scale will be constructed through the property.
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> Sidewalk width will be determined at the time of site plan approval.
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> Street trees will be planted along the new street as required by the UDO.
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> It is expected that the buildings will flank and thus define the public street.
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> It is anticipated that the primary entrance of each building will be on the front facade and shall open to the street.
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> It is expected that windows, entrances and signage will create pedestrian interest along the street.
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> It is expected that sidewalks will be constructed along the street and along with cross access ways will be the primary place of pedestrian movement.

**THOMAS C. WORTH, JR.**

Attorney

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Certified Mediator

Professional Building  
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curmudgtcw@earthlink.net

January 16, 2014

Ms. DeShele Sumpter  
Planner I  
Department of City Planning  
One Exchange Plaza, Suite 304  
Raleigh, NC 27601

RE: **NEIGHBORHOOD MEETING REPORT** Regarding the Proposed Rezoning Petition of Center 205, LLC (the "Owner") of approximately 15.37 acres, with an address of 6815 Hillsborough Street, Raleigh, NC (the "Property").

Dear Ms. Sumpter:

As indicated in my attached letter of November 21, 2013 the Neighborhood Meeting was held on December 9, 2013 at Powell Drive Park, 740 Powell Drive, Raleigh, NC 27606 at 7:00 PM.

The persons and organizations contacted about this meeting are indicated upon the attached list and the roster of those in attendance and their respective addresses are as indicated upon the attached Attendance Roster.

I began the meeting with a general discussion of the subject Property utilizing an aerial map and a zoning map both obtained from Wake County Graphic Information Services (GIS) and of the rezoning process under the new Unified Development Ordinance (UDO). I confirmed the present zoning categories of O&I-2 CUD, Conservation Management CUD and SHOD-I while referencing Rezoning Case Z-34-96 for the Conditions which now apply to the Property. I then discussed briefly the proposed rezoning of the Property under the UDO as the RX Zone (Residential Mixed Use Zone) referring to language in the UDO for the general criteria for this proposed zoning. Finally I referred briefly to the Future Land Use Map (FLUM) recommendation is for this area to be developed for Office & Residential Mixed Use (ORMU) a recommendation of the mixed uses including office and multifamily residential and referred to the Urban Form Map which reflects that this property is in and near a transit oriented district.

Mr. Dennis Burton, P.E., Land Development Manager of CIP Construction Company (a division of Carroll Investment Company headed by its President Mr. Roy Carroll) then presented information about Mr. Carroll and his background and made mention of other projects now underway in other cities by CIP Construction Company. The subject Property is owned by Center 205, LLC which is also owned by Carroll Companies. Mr. Burton, utilizing three illustrative graphics, presented his company's concept for this development which if approved and constructed would be known as Bacarra II to complement his company's Bacarra I development which has just commenced. The discussion included the qualification



process for the residents of its developments, all of which his company manages. His comments were supplemented by Mr. Will Davies, Senior Vice President of CIP Construction Company.

Mr. Burton was followed by Mr. Bradley Bowling, P.E. of Priest, Craven & Associates, Inc. He explained in detail the prospective water and sewer utilities proposed for this development with an explanation of where those utilities are now located and how and where they would be extended to this development. Mr. Bowling also discussed, based on very preliminary information, how and where utilities might be extended in the future to serve the homes in Glosson Estates and the adjacent Ephesus Baptist Church. His explanatory comments were added to during the course of the meeting by Mr. Tommy Craven of Priest Craven.

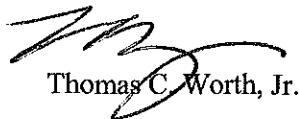
The summary of the issues discussed were as follows:

1. Initially a question was raised as to the correct Rezoning Case reference (and therefore the Conditions presently applicable to the Property) as I had mentioned in my introductory comments that the applicable Case is Z-34-96 (not its companion Case Z-35-96).
2. Questions concerning the prospect for annexation of the Property and of Glosson Estates, the adjacent neighborhood of single family detached homes, into the City of Raleigh. Although at the meeting we indicated that the subject Property is within the City, we have subsequently confirmed that it is not in the City. In order to develop the Property and connect to City water and sewer, annexation of the subject Property will be required following rezoning, however in my opinion rezoning of this Property will not set a precedent for the annexation of Glosson Estates. It is still my opinion, as stated in the meeting, that an involuntary annexation of Glosson Estates is a non-issue given my understanding of applicable North Carolina General Statutes.
3. Questions about the prospect for future public utility connections to Glosson Estates and also to the adjacent properties of Ephesus Baptist Church. This discussion focused on the prospect for stubs to be installed in conjunction with the development of the Property if this Rezoning Case is approved and was subsequently developed as proposed. There were also questions about prospective utility stubs to be installed in conjunction with this same Owner's project known as Bacarra I located immediately south of Glosson Estates development of which just commenced on or about December 2, 2013.
4. Questions were raised concerning the control of stormwater with specific questions about the creeks located upon the Property and upon the Baccara I Property. The sizes of the culverts which would be expected to handle the stormwater were discussed as was the effect upon Glosson Estates if the culverts could not handle the stormwater in significant storm events.
5. Questions about the possible adverse effect upon the water table which serves the wells in Glosson Estates resulting from the development of the Property as the construction of I-40 and of apartment projects in the vicinity of Glosson Estates are now suspected of adversely affecting the water pressure and the quality of the water in the Glosson Estates wells.
6. Questions about the expense of connecting public water and sewer utilities to the homes in Glosson Estates as the Property (if the Case is approved) and Baccara I will be served by public water and sewer in conjunction with the dedication and construction of the public street originating on Western Boulevard opposite its present intersection with Farmgate Road to serve both Baccara I and the Property. There were also questions as to who would pay the costs of such connections and the possible sharing of such costs by the City of Raleigh.
7. Questions about the continued retention of the fifty foot (50') width Conservation Management Area along the entire east line of the Property adjacent to Glosson Estates and the Ephesus Baptist Church properties, with particular focus upon Myra Road which presently stubs to the east line of the Conservation Management Area. Additionally questions were raised concerning a fence within or adjacent to the CM area, as to location, height and material and regarding buffers along the east line.

8. Questions about the opening of Myra Road into the Property and a confirmation that the Owner would be opposed to any such opening of Myra Road other than for ingress and egress by emergency vehicles.
9. Questions concerning the retention of green areas upon the Property in view of the need to locate buildings and associated parking to serve the residents of the apartments (to be capped at 200 apartments) with related questions about trees in the Conservation Management Area and in the 50' width Shod I area adjacent to the I-40 right of way along the entire west line of the Property.
10. Question concerning the future status of the large tree located on the Property approximately in line with the present stub of Myra Road, which tree is thought to be located within the SHOD-I Area.
11. Questions about the proposed setback of buildings from the east line of the Property (adjacent to Glosson Estates and Ephesus Baptist Church), the height and type of the proposed buildings, the expected number of residents in the buildings upon the Property and in the buildings in Bacarra I.
12. Questions regarding the prospects for fill and/or cut in connection with the development of the Property.
13. Questions regarding the timeline for the development of Bacarra I with an indication of the hope by the Owner that its first residents would occupy apartments within approximately one year with the projection of completion of this development within approximately twenty (20) months from the date of this meeting.
14. Question concerning the opening of Strother Road by the Owner in conjunction with the development of Bacarra I with the reply that only the dedication of the right of way for Strother would be accomplished by the Owner.
15. Question as to whether this Case would be presented to the West CAC with the answer in the affirmative although the timing is presently not known.
16. Question as to how Neighbors can track the Case through the process with the City of Raleigh with the answer that tracking can be best accomplished through the Raleigh Planning Department website as follows: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning).

If you have any questions about the report please do not hesitate to contact me.

Sincerely,



Thomas C. Worth, Jr.

TCWjr/dsw

Enclosures

cc: Neighbor Meeting Attendees  
(including Jim Paumier, Co-Chair of the West CAC)

# ATTENDANCE AT NEIGHBORHOOD MEETING

Bacarra II  
 Neighborhood Meeting  
 7:00 PM  
 December 9, 2013  
 Powell Drive Community Center  
 740 Powell Drive

NAME	ADDRESS	PHONE #
Jim Worth	Street: 2315 Woodrow Dr. Raleigh NC 27609 Email:	919) 831-1125
TOMMY CRAVEN	Street: 3803B COMPUTER DR RAL NC 27609 Email: TCRAVENC.PRIESTCRAVEN.COM	919 781 0300
BRADLEY BOWLING	Street: 3803B COMPUTER DR RAL NC 27609 DR Email: BBOWLINGC.PRIESTCRAVEN.COM	919 781 0300
WILL DAVIES	Street: CIP CONSTRUCTION 201 N. ELM ST GREENSBORO, NC 27401 Email: W.DAVIES@CIP.CONST.COM	919/606-0066
Lewis Strong	Street: 5329 Barclay Dr Raleigh 27606 Email:	
DENNIS BARTON	Street: CIP CONSTRUCTION 201 N. ELM STREET, SUITE 201 GREENSBORO, NC 27401 Email: dbarton@cipconst.com	336-275-6198 X305
Jane Quincey	Street: 6204 Barrett Rd Email: JQuincey1@yahoo.com	919-851-0381
Carol Sherlock	Street: 506 GLOSSON RD Email: CAS528@NC.RR.COM	919 851 0659
TOM SHERLOCK	Street: 506 GLOSSON RD Email: TSHERLOCK2@NC.RR.COM	'1
Auris Peterson	Street: 6304 GARRETT RD RAL, NC 27606 Email:	919 851-8957
Jane Mullikin	Street: 505 Glosson Rd. Raleigh, NC 27606 Email:	919- 851- 1598

# ATTENDANCE AT NEIGHBORHOOD MEETING

Bacarra II  
 Neighborhood Meeting  
 7:00 PM  
 December 9, 2013  
 Powell Drive Community Center  
 740 Powell Drive

NAME	ADDRESS	PHONE #
Anne Bamhill	Street: 6208 Garrett Rd Rte Email:	919- 851-0610
James Bamhill	Street: 6208 Garrett Rd. Email:	11
Moazzem Hossain	Street: 6220 Myra Road Email:	521-5043
STEVE HARRIS	Street: 605 HURLEY ST Email: HARRIS54@NATIONWIDE.COM	919-255-0899
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