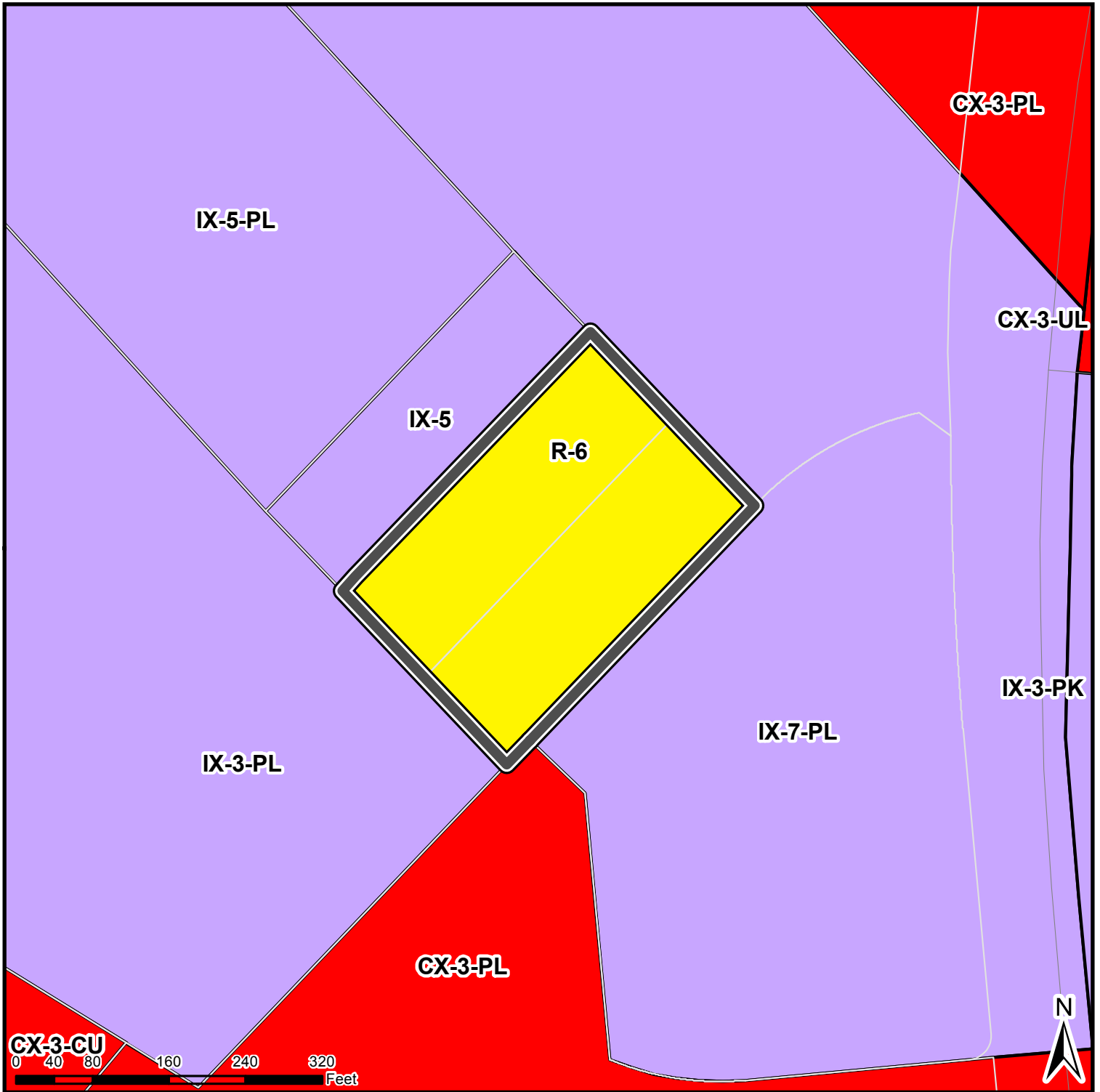


Existing Zoning Map

Z-11-2017



Submittal Date

4/27/2017

Request:

2.14 acres from
R-6
to IX-7

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-11-17 Capital Boulevard

<i>Location</i>	West of the Capital Boulevard and Sumner Boulevard intersection. Address: 5849 and 5909 Capital Boulevard PIN: 1727302289, 1727302309
<i>Request</i>	Rezone property from R-6 to IX-7
<i>Area of Request</i>	2.14 acres
<i>Property Owner</i>	Lumley LLC
<i>Applicant</i>	Thomas C. Worth and Isabel Worthy Mattox
<i>Citizens Advisory Council (CAC)</i>	North CAC
<i>PC Recommendation Deadline</i>	February 27, 2018

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>	Community Mixed Use
<i>URBAN FORM</i>	City Growth Center
<i>CONSISTENT Policies</i>	Policy LU 2.6 Zoning and Infrastructure Impacts Policy T 1.6 Transportation Impacts Policy LU 7.5 High-Impact Commercial Uses Policy LU 8.10 Infill Development Policy LU 8.12 Infill Compatibility
<i>INCONSISTENT Policies</i>	Policy LU 1.2 Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

N/A

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
3/21/2017		12/12/2017	



Zoning Staff Report – Z-11-17

Capital Boulevard

General Use District

Case Summary

Overview

The proposal seeks to rezone two vacant properties totaling 2.14 acres from Residential-6 (R-6) to Industrial Mixed Use-7 stories (IX-7). The subject site is located off of Capital Boulevard north of its intersection with Oak Forest Drive and gets access from a private drive.

Northwest of the subject site is a vacant one acre parcel. Northeast and southeast of the subject site is Johnson Lexus of Raleigh and Mercedes-Benz of Raleigh. Southwest of the subject site is a 20 acre light industrial park.

The current zoning of the subject site is Residential-6 (R-6). The subject site is surrounded by Industrial Mixed Use (IX) zoning ranging from three to seven stories in height, some with Parking Limited frontage. A small portion of the subject site also borders Commercial Mixed Use-3 Stories-Parking Limited (CX-3-PL) zoning.

The subject site is designated as Community Mixed Use on the Future Land Use Map as are the properties to the northeast, east, south and west. The property to the northwest is designated as Regional Mixed Use. The subject site is not provided area specific guidance by the Comprehensive Plan.

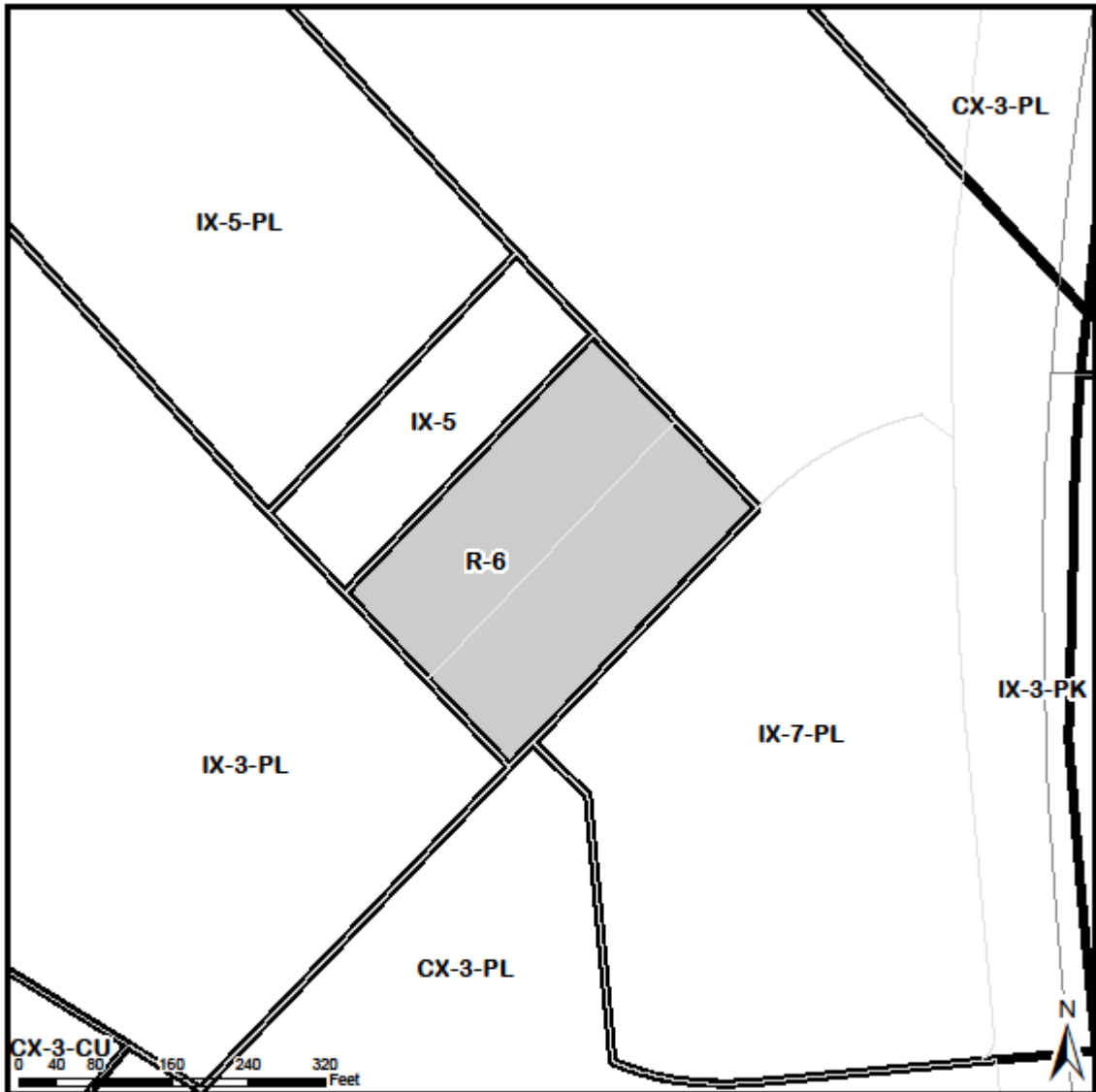
The Urban Form Map locates the subject site within a City Growth Center of approximately 1,500 acres. The center extends from Spring Forest Road to I-540, north to south, and from Litchford Road to Fox Road, east to west. City Growth Centers are areas where significant development is anticipated.

More broadly, the area is characterized uses with a regional service area such as vehicle sales, light industrial and large scale retail.

Outstanding Issues

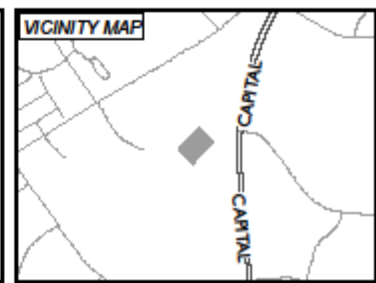
<i>Outstanding Issues</i>	<i>Suggested Mitigation</i>
1. No CAC vote.	1. Engage the CAC or a vote.

Existing Zoning Map Z-11-2017



Submittal Date
4/27/2017

Request:
2.14 acres from
R-6
to IX-7



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-6	IX-7-PL	CX-3-PL	IX-7-PL	IX-3-PL IX-5
<i>Additional Overlay</i>	-	-	-	-	-
<i>Future Land Use</i>	Community Mixed Use	Regional Mixed Use	Community Mixed Use	Community Mixed Use	Regional Mixed Use and Community Mixed Use
<i>Current Land Use</i>	Single Family	Auto Sales	Auto Sales	Auto Sales	Light Industrial and Auto Sales
<i>Urban Form (if applicable)</i>	City Growth Center	City Growth Center	City Growth Center	City Growth Center	City Growth Center

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	6 units (2.8 units/acre)	38 units (17.76 units/acre)
<i>Setbacks:</i>		
<i>Front:</i>	10'	3'
<i>Side:</i>	5' to 10'	0' to 6'
<i>Rear:</i>	20'	0' to 6'
<i>Retail Intensity Permitted:</i>	-	19,423
<i>Office Intensity Permitted:</i>	-	41,322

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	2.14	2.14
<i>Zoning</i>	R-6	IX-7
<i>Max. Gross Building SF (if applicable)</i>	13,200	162,798
<i>Max. # of Residential Units</i>	6	38
<i>Max. Gross Office SF</i>	-	41,322
<i>Max. Gross Retail SF</i>	-	19,423
<i>Max. Gross Industrial SF</i>	-	162,798
<i>Potential F.A.R</i>	.14	1.75

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

The proposed rezoning is:

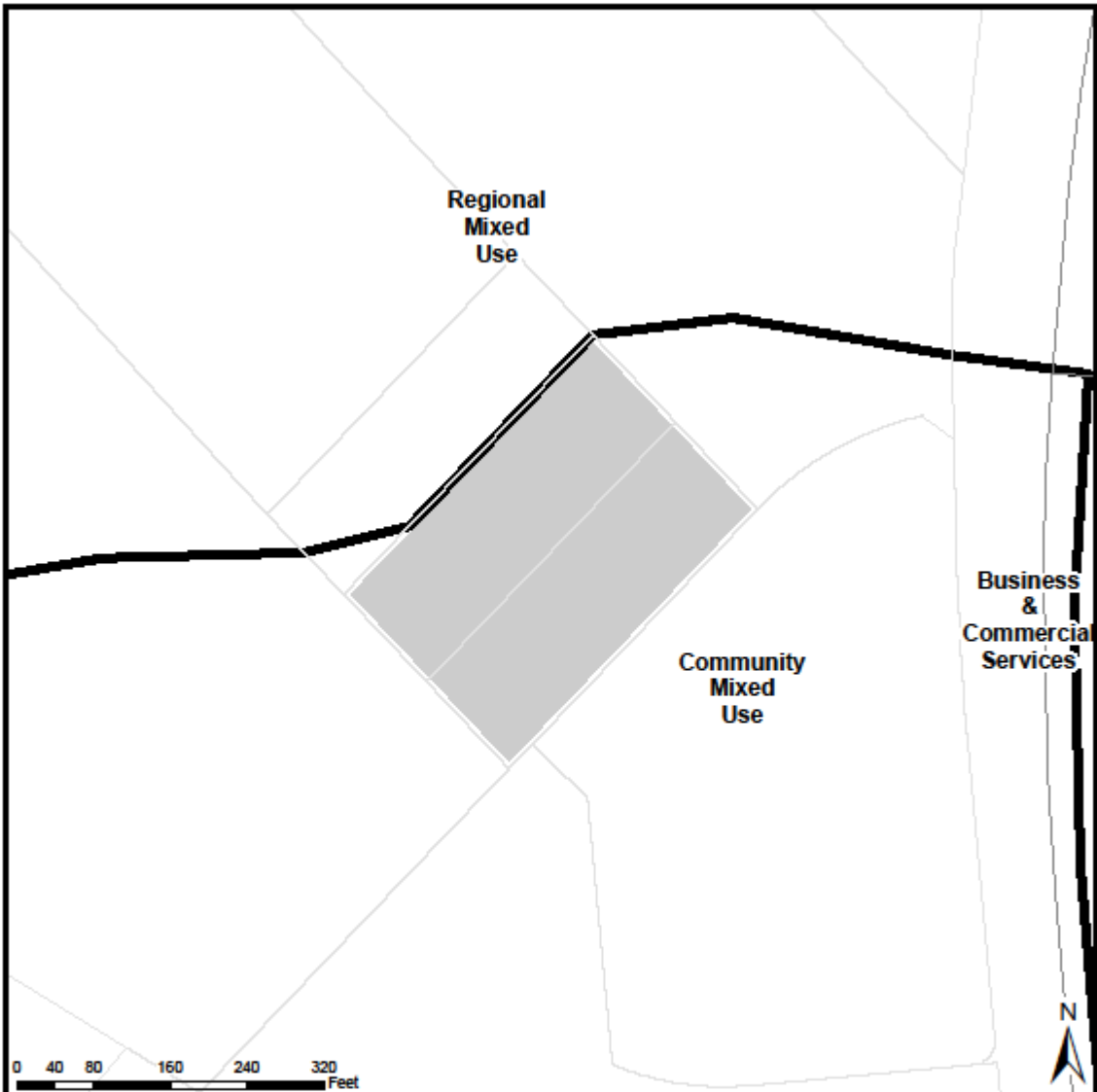
Compatible with the property and surrounding area.

Incompatible.

Analysis of Incompatibility:

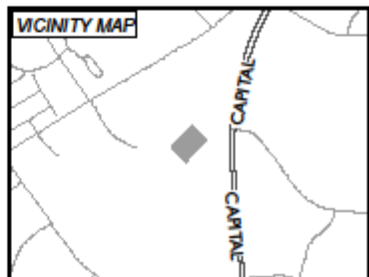
The request is compatible with the surrounding area due to the nature of the existing land use and similar current zoning entitlement. The subject site is surrounded mostly by general use IX zoning with heights ranging from three to seven stories. The existing land uses in the area include multiple auto dealerships, light industrial warehousing, and a regional shopping mall. While no adjacent or nearby properties are developed with seven story structures, the establishment of such a structure would not negatively impact the character of the neighboring or surrounding uses.

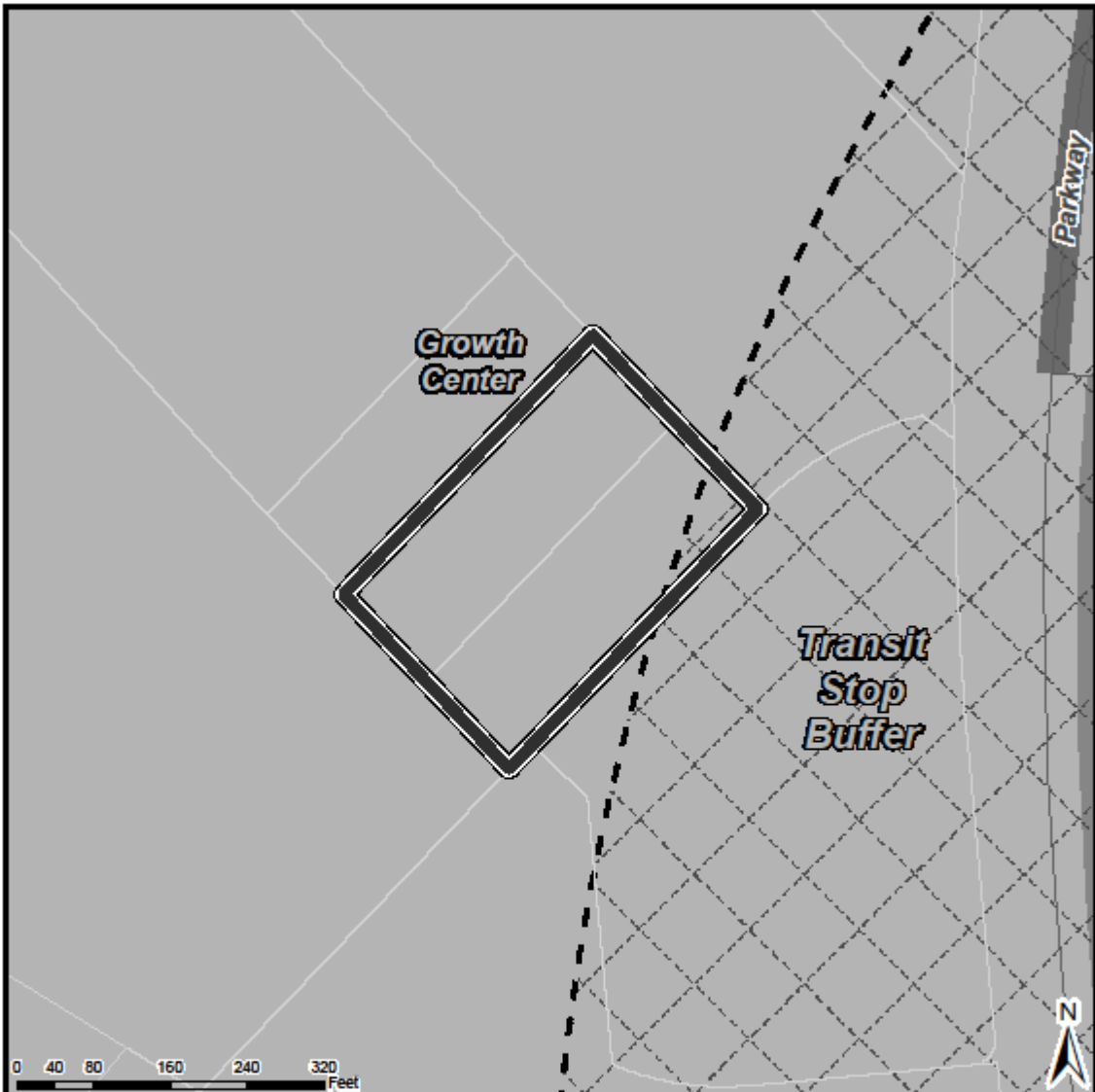
Future Land Use **Z-11-2017**




Submittal Date
4/27/2017

Request:
2.14 acres from
R-6
to IX-7






Submittal Date
4/27/2017

Request:
2.14 acres from
R-6
to IX-7



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:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

The request is consistent with the vision, themes, and policies contained in the Comprehensive Plan.

The request is consistent with the vision theme Economic Prosperity and Equity which encourages economic expansion. The subject site is identified in a City Growth Center, areas where the city anticipates significant development. Increased intensity on the subject site will help to realize this vision.

The request is consistent with the vision theme Managing Our Growth. The siting of higher-impact commercial uses on the subject site helps to realize the vision theme by creating a more concentrated node of intensity along a major highway and away from lower intensity uses that may be negatively impacted.

- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

The use being considered is not specifically designated on the Future Land Use Map in the area where its location is proposed.

The subject site is designated as Community Mixed Use which envisions medium-sized shopping centers and larger pedestrian-oriented retail districts. The requested zoning district allows more intense uses than what is envisioned in Community Mixed Use areas.

- C. 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?

The request can be established without adversely altering the character of the area. The character of the area is defined by higher-impact uses such as auto dealerships and service businesses.

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

The Street Plan shows an extension of Sumner Boulevard through the subject site. Portions of the extension would be required of the property owner at the time of site development. Current access to the site is gained from easements on neighboring properties. Community facilities and streets would be required of the property owner to serve the subject site.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

Analysis of Inconsistency:

The request is inconsistent with the recommendations of the Future Land Use Map (FLUM). The FLUM designates the subject site as Community Mixed Use which envisions medium-sized shopping centers and large scale pedestrian oriented retail districts like Cameron Village. Large-format supermarkets, department stores, banks, movie theatres and hotels are other uses envisioned for Community Mixed Use areas. The request to rezoning the subject site to Industrial Mixed Use (IX) is inconsistent with these recommendations because the IX district permits more intense uses than what the Community Mixed Use land use designations envision.

2.3 Urban Form

Urban Form designation:

Not applicable (no Urban Form designation)

The rezoning request is:

Consistent with the Urban Form Map.

Inconsistent

Analysis of Inconsistency:

The request is inconsistent with the Urban Form Map which identifies the site within a City Growth Center of approximately 1,500 acres in size. Significant development is anticipated for these areas and an urban or hybrid approach to frontage is. The request does not include a frontage designation and is therefore inconsistent with the recommendations of the Urban Form Map. The subject site shares a property lines with four other parcels, three of which have parking limited frontage designations. Developed alone, with the extension of Sumner Boulevard, a frontage designation may not have a great impact. However, based on common ownership with neighboring properties, a consistent frontage would be beneficial at time of development.

2.4 Policy Guidance

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

Policy LU 2.6 Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

Policy T 1.6 Transportation Impacts

Identify and address transportation impacts before a development is implemented.

- Transportation and utility infrastructure are not negatively impacted by the change in zoning. A traffic impact analysis was submitted for review and it was determined that the impacts of the requested development intensities was small and acceptable. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.

Policy LU 7.5 High-Impact Commercial Uses

Ensure that the City's zoning regulations limit the location and proliferation of fast food restaurants, sexually-oriented businesses, late night alcoholic beverage establishments, 24- hour mini-marts and convenience stores, and similar high impact commercial establishments that generate excessive late night activity, noise, or otherwise affect the quality of life in nearby residential neighborhoods.

- The request is consistent with this policy because the uses permitted in the IX district can be established on the subject site without impacting the quality of life in nearby residential neighborhoods.

Policy 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.

- The requested zoning district complements the character of the surrounding area. The subject site which is comprised of two single family parcels is surrounded by high-intensity commercial uses. The existence of single family homes in the area creates sharp changes in the physical development pattern.

Policy LU 8.12 Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

- The request to rezoning the properties is compatible with the surrounding area. The height request of seven stories can be established without negatively impacting the adjacent structures and uses. The neighboring properties to the subject site have height limits of three, five, and seven stories. Establishing a seven story structure on the subject

site, or assembling nearby sites and constructing a seven story structure, would be compatible with the high-intensity commercial character of the area.

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

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 subject site is designated as Community Mixed Use which envisions medium-sized shopping centers and larger pedestrian-oriented retail districts. The requested zoning district allows more intense uses than what is envisioned in Community Mixed Use areas. The request is inconsistent with the recommendations of the Future Land Use Map.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

The public benefits of the request are the increased uses and intensity permitted in an area anticipated for significant development. The current zoning on the property is Residential-6 (R-6) which is intended for residential neighborhood and is incompatible with the surrounding high-intensity commercial uses.

3.2 Detriments of the Proposed Rezoning

The detriments of the proposed zoning are limited to the potential traffic impacts of the increased development. The traffic impact analysis that was submitted for review identified the possibility of westbound queues spilling back onto the travel lanes of Capital Boulevard. The risk of this spillback was determined to be small and acceptable.

4. Impact Analysis

4.1 Transportation

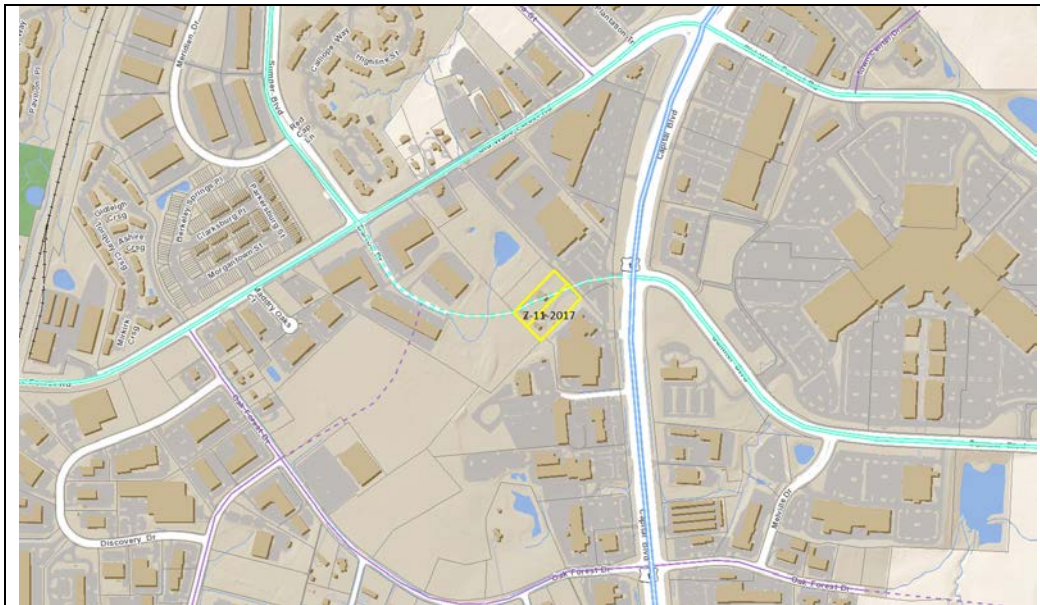
The site is on a private street located 500 feet southwest from the intersection of Capital Boulevard and Sumner Boulevard. The Z-11-2017 site lies approximately 0.3 miles from Old Wake Forest Road, though it will not have direct access to that facility. Old Wake Forest Road is part of an on-going City of Raleigh widening project.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D.

Access to this site is described by a private access easement recorded in Book 8968, page 503, Wake County Registry. The easement of record from Capital Boulevard to the Z-11-2017 parcels cannot be used, as it cuts through the traffic islands and parking lot of an adjacent business. Access is currently provided via an alternative private easement, which appears to have been created by estoppel, over the land of the adjoining property to the southeast. It is unclear if an unrecorded easement for a single family residence can be arbitrarily expanded to provide access for industrial or retail uses. This private access easement leads to a private frontage road that runs parallel to Capital Boulevard. As a private road, it is not subject to the City of Raleigh's traffic code. The City cannot set speed

limits, restrict turning movements or otherwise regulate traffic flow along this private frontage road. The private frontage road connects to Capital Boulevard at two points. The first is a Right-In/Right-Out driveway that lies south of the Z-11-2017 site. The second access point is at the intersection (signalized) of Capital Boulevard at Sumner Boulevard. There is roughly 100 feet of separation between the frontage road and the travel lanes of Capital Boulevard. This space would only allow four passenger cars to stack up between the frontage road and the Capital Boulevard/Sumner Boulevard intersection. There is risk of queue spillback into the intersection during high demand periods once the Z-11-2017 parcels are developed.

In accordance with UDO section 8.3.2, the maximum block perimeter for IX-7 zoning is 4,000 feet. The block perimeter for Z-11-2017, as defined by public rights-of-way for Capital Boulevard, Oak Forest Road and Old Wake Forest Road is 10,500 feet. The Raleigh Street Plan shows a future extension of Sumner Boulevard, between Capital Boulevard and Old Wake Forest Road, running through the center of the Z-11-2017 parcels.



The existing land is vacant and generates no traffic. Current zoning would allow for six single family dwellings and would produce six trips per hour during the PM peak periods. Approval of case Z-11-2017 could increase PM peak trip volume would increase by 101 veh/hr if it was developed for retail use. These volumes are long-term averages and will vary from day to day.

Z-11-2017 Existing Land Use (Vacant)	Daily	AM	PM
	0	0	0
Z-11-2017 Current Zoning Entitlements (Single Family Residential)	Daily	AM	PM
	58	5	6
Z-11-2017 Proposed Zoning Maximums (Retail)	Daily	AM	PM
	1,347	57	107
Z-11-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,289	52	101

Impact Identified:
Block Perimeter exceeds UDO standard, limitations on site access.

4.2 Transit

The site is not served by a public street but is near three routes:

- Route 1 – Capital serves Capital Park, William Peace University, Highwoods, Tarrymore, Square, Mini City-Park & Ride, Triangle Town Center-Park & Ride, Wake Tech-Adult Education Center, and Capital Crossing Shopping Center.
- Route 25L – Triangle Town Center serves Triangle Town Center-Park & Ride, Wake Tech-North, WRAL Soccer Fields, WakeMed North Healthplex, North Ridge Shopping Center and Millbrook Exchange Park-Park & Ride.
- GoTriangle Route WRX connects Downtown Raleigh to the Town of Wake Forest.

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Perry
<i>Stormwater Management</i>	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>	2500 gpd	12,610 gpd
<i>Waste Water</i>	2500 gpd	12,610 gpd

1. The proposed rezoning would add approximately 10,110 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
3. Water would need to be extended to the site.

Impact Identified: Extend water to serve the site at time of development.

4.5 Parks and Recreation

1. There are no greenway or park impacts associated with this site
2. Nearest park access is provided by Spring Forest Road Park, 1.3 miles
3. Nearest greenway access is provided by Spring Forest Trail, 0.7 miles

Impact Identified: None

4.6 Urban Forestry

1. The two subject parcels together are 2 acres or larger in size and would be subject to Raleigh's tree conservation laws if recombined and submitted for development: Reference UDO Article 9.1 Tree Conservation.
2. Each parcel is smaller than 2 acres in size and independently is not subject to Raleigh's tree conservation laws.
3. The proposed rezoning from R6 to IX will not impact future tree conservation requirements.

Impact Identified:

4.7 Designated Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

4.8 Community Development

Impact Identified: None.

4.9 Impacts Summary

The major impact of the request is the traffic impacts of the increased development potential which were identified in a traffic impact analysis. The impacts and risks associated with the increase in traffic generation were determined to be acceptable. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy. Water would also need to be extended to serve the site at time of development.

4.10 Mitigation of Impacts

At the time of site review, impacts associated with specific site design and proposed use and intensity will be mitigated.

5. Conclusions

The request is inconsistent with the Future Land Use Map designation of Community Mixed Use but the request is consistent with the Comprehensive Plan overall and can be established without adversely impacting the character of the area.

The request realizes two major vision themes of Economic Prosperity and Equity and Managing Our Growth. These vision themes aim to grow the local economy while ensuring that new development does not negatively impact neighboring uses. The rezoning request from Residential-6 (R-6) to Industrial Mixed Use-7 Stories (IX-7) helps to realize these vision themes by expanding uses and increasing development intensity in an area slated for significant growth.

The broad character of the area is defined high-intensity commercial uses including multiple auto dealerships, light industrial uses, and a regional shopping center. The request to rezoning is in keeping with the existing character.

Z-11-2017 Existing Land Use (Vacant)	Daily	AM	PM
	0	0	0
Z-11-2017 Current Zoning Entitlements (Single Family Residential)	Daily	AM	PM
	58	5	6
Z-11-2017 Proposed Zoning Maximums (Retail Use)	Daily	AM	PM
	1,347	57	107
Z-11-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,289	52	101
Z-11-2017 Traffic Study Worksheet			
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No	
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	Yes	
C	More than 100 veh/hr trips in the peak direction	No	
D	Daily Trips \geq 3,000 veh/day	No	
E	Enrollment increases at public or private schools	Not Applicable	
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	
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No	
C	Creates a fourth leg at an existing signalized intersection	No	
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	Yes, access is via a private 2-Lane frontage road with short (100') stem length from Capital Blvd.	
E	Access is to/from a Major Street as defined by the City's Street Plan Map	Yes, access is via a private 2-Lane frontage road onto US-1/Capital Blvd.	
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	No	
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	No	
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	No	



City of Raleigh North Carolina

November 8, 2017

MEMORANDUM

TO: Jason Myers, AICP
Senior Transportation Planner

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

SUBJECT: Traffic Impact Analysis Review for Rezoning Case Z-11-2017

I have reviewed the Traffic Impact Analysis (TIA) report for rezoning case Z-11-2017, submitted by Kimley-Horn and Associates. The two subject parcels are located on a private street approximately 400 feet west of Capital Boulevard, just south of where it intersects with Sumner Boulevard. The following intersections were studied as part of this traffic analysis report:

- Capital Boulevard at Sumner Boulevard /Johnson AutoPlex driveway *(Traffic Signal Control)*
- Capital Boulevard at Johnson Lexus driveway *(Stop Controlled)*
- N/S Service Road at Sumner Boulevard *(Stop Controlled)*
- N/S Service Road at E/W Access Road *(Stop Controlled)*
- N/S Service Road at Johnson Lexus driveway *(Stop Controlled)*

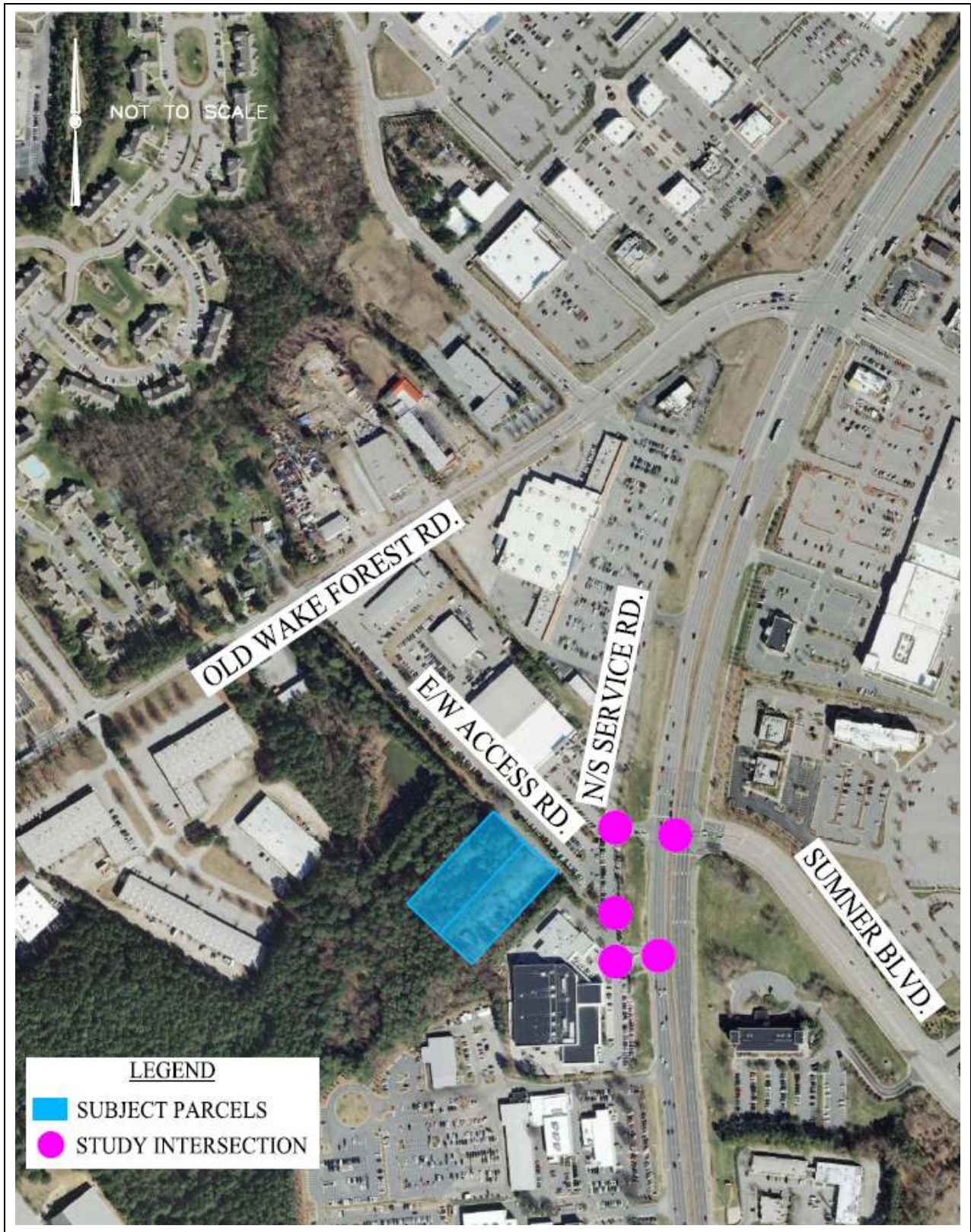
The Raleigh Street Plan shows a future extension of Sumner Boulevard, between Capital Boulevard and Old Wake Forest Road, running through the center of the Z-11-2017 parcels. Until Sumner Boulevard is extended, access to the Z-11-2017 site will be from a private street known as the E/W Access Road. Both of the Z-11-2017 parcels are “land-locked”, i.e., they have no frontage on public streets. The parcels were formerly used for single family dwellings but are currently vacant. The existing zoning would allow for six single family dwellings. The highest trip-generating use under the proposed rezoning to IX-7 would allow for 19,423 square feet of retail space. Table 1 summarizes the expected change in trip volumes. Note that these figures represent long-runs averages; actual volumes will vary from day to day. A location map for case Z-11-2017 is shown in Figure 1.

Table 1: Z-11-2017 Trip Generation

Land Use	Daily Trips (veh/day)	AM Peak (veh/hr)	PM Peak (veh/hr)
Current Zoning: Single Family Residential	58	5	6
Proposed Use: Shopping Center	1,348	57	107

The surrounding parcels are developed for commercial uses such as car dealerships, warehouses and flex space. There are no residential uses within the block perimeter formed by Capital Boulevard, Oak Forest Drive and Old Wake Forest Road.

Figure 1: Z-11-2017 Site Location



Area Crash History

Kimley-Horn and Associates analyzed the crash history of Capital Boulevard within 500' north and south of Sumner Boulevard for the period between January 2012 and August 2017. During this period, a total of 124 crashes were reported. There were no Fatal crashes and one Class A injury crash within the study area though a number of minor injury (Class B and Class C) crashes were reported. Note that Class A injuries result in serious bodily harm while Class B and Class C are injuries that can be treated with basic first aid. The Severity Index is 2.86 for the intersection of Capital Boulevard at Sumner Boulevard. The citywide average severity index during this same period was 3.10; therefore Capital Boulevard at Sumner Boulevard is slightly below the citywide mean for crash-related injuries. The intersection does not appear in the NCDOT's Highway Safety Improvement Program (HSIP) list of potentially hazardous locations.

Only one crash involved a pedestrian, which was also the one Class A crash reported during the study period. The pedestrian in this case was struck by his own vehicle after exiting the vehicle and failing to set the gear to PARK. The most recognizable crash pattern involved rear-ends crashes (83 of the 124 reported crashes), of which more than 50 occurred on the northbound approach of Capital Boulevard. These crashes are believed to be the result of systematic congestion along Capital Boulevard. Kimley-Horn's traffic study did not make any street improvement recommendations based on their crash history analysis.

Multimodal Traffic Assessment

The signalized intersection of Capital Boulevard and Sumner Boulevard accommodates pedestrians with designated crosswalks and actuated pedestrian signals. Pedestrian levels of service will meet or exceed LOS D for all approaches. Pedestrian crossings of Capital Boulevard at any other location will be problematic as there will be few gaps in the motor vehicle traffic stream long enough to allow pedestrian to cross multiple travel lanes. The Capital Boulevard Pedestrian Improvements Project (U-5514) added sidewalks along both sides of Capital from Spring Forest Road to Old Wake Forest Road. Project U-5514 greatly enhanced pedestrian travel along the corridor.

There are no exclusive bike lanes or bicycle sharrows along this segment of Capital Boulevard. The BikeRaleigh Plan Update calls for separated bicycle facilities along Capital Boulevard and Sumner Boulevard in the Long Term Bikeway Plan but there is no timetable for constructing them.

Any development on the subject parcels would be served by GoRaleigh transit route 1 – Capital Boulevard. Transit service runs every fifteen minutes between 7:00am and 7:00pm with less frequent service at other times. Bus stops are located on both sides of Capital Boulevard, south of Sumner. Sidewalks are adjacent to both stops. A transit shelter and bench has been installed on the west side of Capital Boulevard; there is no transit shelter on the east side.

Motor Vehicle Traffic Impacts

Analyses indicate that the signalized intersection of Capital Boulevard at Sumner Boulevard/ Johnson AutoPlex driveway would operate at LOS B (overall) in the AM peak hour under all analysis scenarios. Development of the Z-11-2017 parcels under their proposed zoning would degrade overall level of service from LOS C to LOS D in the PM peak. The eastbound and westbound movements would experience LOS E under current zoning during the AM and PM peak hours. Eastbound level of service would degrade to LOS F under the proposed IX-7 zoning while the westbound approach would remain at LOS E. This result is not unexpected as priority is given to the northbound and southbound movements along Capital Boulevard.

As can be seen in Figure 1, the N/S Service Road runs parallel to Capital Boulevard and provides access to the Johnson AutoPlex and the Z-11-2017 parcels. The N/S Service Road is a private street; it is not subject to the City of Raleigh's traffic code. The City cannot set speed limits, restrict turning movements or otherwise regulate traffic flow along private streets. While Stop signs are in place along the N/S Service Road, compliance is not enforceable. Of particular concern is the short separation between the edge of travelled way on Capital Boulevard and the travelled way of the N/S Service Road. There is space to store four passenger cars between these two streets. It was necessary to investigate vehicle queuing and determine the likelihood of queue spillback into adjacent traffic lanes on Capital Boulevard.

In order to determine the potential for queue spillback, Transportation Planning staff used a two-pronged approach. First, a Poisson¹ probability distribution was generated to compute the likelihood of more than four vehicle arrivals on the westbound approach to the N/S Service Road. Since there is sufficient space to store four passenger cars without interfering with traffic on Capital Boulevard, the probability of more than four arrivals during one signal cycle was considered a good assessment of risk for queue spillback. Traffic volumes departing Capital Boulevard and travelling westbound must equal the number of westbound vehicles arriving at the N/S Service Road. Therefore, westbound traffic volumes were “balanced” between these two streets. After balancing, there are 169 westbound arrivals per hour at the N/S Service Road. The Poisson results, as shown in Table 2, indicate that the risk of more than four arrivals per cycle during the PM peak hour of an average day is approximately one-fourth of one percent (0.28%).

Table 2: Poisson Arrival Probabilities

Potential Arrivals (x)	0	1	2	3	4	5	6
Probability of (x) Arrivals	39.11%	36.72%	17.24%	5.39%	1.27%	0.24%	0.04%

The second approach was based on observing the traffic models submitted in conjunction with the Z-11-2017 traffic analysis report. The parameter for *Enter Blocked Intersection* within the SimTraffic analysis program was set to “Yes” for all movements along the N/S Service Road in the PM peak hour. SimTraffic was then put through ten simulation runs and each run was observed for any indication of queue spillback. Note that the cycle length at Capital Boulevard and Sumner Boulevard is 180 seconds long and there are 20 cycles during a one-hour analysis period. The simulation runs showed westbound queues spilling back onto Capital Boulevard in 6 out of 200 cycles observed.

In conclusion, rezoning case Z-11-2017 will increase daily traffic volumes from 58 veh/day to 1,348 veh/day. Access to the Z-11-2017 site can only be by private streets until Sumner Boulevard is extended from Capital Boulevard to Old Wake Forest Road. There is a short separation between the edge of travelled way on Capital Boulevard and the travelled way of the N/S Service Road with only enough space to store four passenger cars between these two streets. Thus there is a risk of westbound queues at the N/S Service Road spilling back onto the travel lanes of Capital Boulevard. However, the risk is small and is deemed to be acceptable by Transportation Department staff.

¹ A model that predicts probability of a given number of arrivals occurring in a fixed interval of time. Transportation Planning staff can provide additional details upon request.

Rezoning Application



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

REZONING REQUEST			
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	R-6	Height	
Proposed Zoning Base District	IX	Height	7
Overlay(s) _____ Overlay(s) _____ Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
472574	2-11-17		

GENERAL INFORMATION			
Date	April 27, 2017	Date Amended (1)	May 11, 2017
Date Amended (2)			
Property Address (1) 5849 Capital Blvd.; (2) 5909 Capital Blvd.			
Property PIN (1) 1727302289; (2) 1727302309		Deed Reference (book/page) (1) DB 15172-1547; (2) DB 9862-2396	
Nearest Intersection Sumner Blvd and Capital Blvd			
Property Size (acres) (1) 1.07 A; (2) 1.07 A	(For PD Applications Only) Total Units		Total Square Feet
Property Owner/Address		Phone	Fax
Lumley LLC 5849 Capital Boulevard Raleigh, NC 27616		Email	
Project Contact Person/Address		Phone	Fax
Thomas C. Worth Jr. PO Box 1799, Raleigh, NC 27602		Worth: 919-831-1125; Mattox: 919-828-7171	919-831-1205
Isabel Worthy Mattox PO Box 946, Raleigh, NC 27602		Email Worth: curmudgtcw@earthlink.net. Mattox: Isabel@mattoxfirm.com	
Owner/Agent Signature		Email	
 C. David Johnson Jr., Manager			

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



CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number	OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted	
Existing Zoning Proposed Zoning	

Narrative Of Zoning Conditions Offered

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

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 *Lumley LLC*
34: [Signature], Manager Print Name C. David Johnson, Jr.

REZONING APPLICATION ADDENDUM #1

Comprehensive Plan Analysis

OFFICE USE ONLY

Transaction #

Rezoning Case #

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.

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 Future Land Use Map which designates this as property for Commercial Mixed Use and the Urban Form Map which includes this property in a City Growth Center. The proposed rezoning will allow more intense, commercial development as envisioned by the Comprehensive Plan. In addition, the rezoning is consistent with many Comprehensive Plan policies as stated on attached Schedule 1.
2. The proposed rezoning which will facilitate a mix of commercial and industrial uses is consistent with the Future Land Use Map which designates this property for Community Mixed Use.
3. The proposed rezoning which will facilitate a mix of commercial development and redevelopment is consistent with the Urban Form Map which designates this property as a City Growth Center.
4. See attached Schedule 1 for consistency with other Comprehensive Plan policies.

PUBLIC BENEFITS

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

1. The rezoning will allow the redevelopment of two single family lots to promote higher density, a more compact land use pattern, and greater compatibility with the surrounding commercial parcels.
2. The rezoning will allow commercial development on two single family lots that are located in a section of commercially zoned property where it is no longer practical or beneficial to retain single family residential use.
3. The rezoning will allow additional commercial development and investment along a key corridor to the city.

REZONING APPLICATION ADDENDUM #2

Impact on Historic Resources

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

OFFICE USE ONLY

Transaction #

Rezoning Case #

INVENTORY OF HISTORIC RESOURCES

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: City Growth Center

[Click here](#) to view the Urban Form Map.

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response: It is anticipated that the property will include or serve retail uses.</p>
2.	<p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p>Response: Although the subject property includes two vacant and dilapidated houses, the property is not adjacent to low density neighborhoods and in fact is surrounded by properties with intense industrial and commercial zoning and/or uses.</p>
3.	<p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p>Response: Long term prospects for the subject property include a street connection between Capital Boulevard and Wake Forest Road.</p>
4.	<p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p>Response: It is expected that vehicular access will be provided between the subject property and the businesses fronting on Capital Boulevard.</p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p>Response: Block faces for these properties have not yet been established.</p>

6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response: Long term prospects for the subject property include a street connection, however, its location and building placement are site plan matters.</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response: The subject properties are adjacent to and expected to be used in conjunction with car dealership support facilities and thus will not likely be pedestrian oriented.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response: Placement of buildings on the properties is a site plan matter.</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response: It is anticipated that the subject property will be visible and easily accessible from adjacent streets and buildings.</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response: It is anticipated that the subject property will contain direct access and will be visually permeable.</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response: Again, this area is not a pedestrian area, however, the property is adjacent to retail uses.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: The subject property is expected to be partially enclosed by the buildings fronting on Capital Boulevard.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i> Response: It is anticipated that the subject property will include some seating opportunities.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response: It is not anticipated that the subject property will negatively impact surrounding developments.</p>
15.	<p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i> Response: It is anticipated that parking lots for this property will be located behind the primary buildings fronting Capital Boulevard.</p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i> Response: The placement and composition of parking structures, if any, will be a site plan matter.</p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i> Response: The subject property is within a half mile of a planned or existing transit stop and even closer to Capital Area Bus Stops.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response: Convenient pedestrian access will exist between the subject properties and the closest bus stop.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i> Response: We are not aware of sensitive environmental areas on the subject property.</p>

20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response: It is anticipated that a discussion of a new street connection will follow rezoning.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response: It is anticipated that a discussion of a new street connection will follow rezoning and sidewalks will be included in that discussion.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response: It is anticipated that a discussion of a new street connection will follow rezoning. New trees will be included in that discussion.</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response: Placement of building on the subject property is a site plan matter.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response: Architectural details are a site plan matter.</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response: Architectural details are a site plan matter.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response: It is anticipated that a discussion of a new street connection will follow rezoning.</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Rezoning application review fee (see <u>Fee Schedule</u> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

MASTER PLAN SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; Include electronic version via cd or flash drive	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

May 11, 2017

HAND DELIVERED

Mr. Matt Klem
Planning Department
City of Raleigh
One Exchange Plaza, Second Floor
Raleigh, NC 27601

Re: Lumley LLC
5849 and 5909 Capital Boulevard
Rezoning Application Transaction Nos. 472574 and Z-11-17

Dear Matt:

We are enclosing an original amended Rezoning Application for the above-referenced matter which has been signed by the current property owner. The amended Rezoning Application reflects that the Hol-Dav, Inc. lot has been conveyed to Lumley LLC since the original filing date of April 27, 2017.

Please let us know if you have any questions.

Sincerely,



Isabel Worthy Mattox

Enclosure

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

March 30, 2017

John Anagnost
City of Raleigh Planning Department
One Exchange Plaza, Suite 204
Raleigh, North Carolina 27601

RE: NEIGHBORHOOD MEETING REPORT Regarding Proposed Rezoning Petition of 5849 Capital Boulevard, Raleigh, NC 27616, 1.07 acres as recorded in Deed Book 15172 Page 1547, Wake County Registry, owned by Lumley LLC; and 5909 Capital Boulevard, Raleigh, NC, 1.07 acres as recorded in Deed Book 9862 Page 2396, Wake County Registry, owned by Hol-Dav Inc. (together, the "Rezoning Property") (Lumley LLC and Hol-Dav Inc. collectively "Owner").

Dear John:

As indicated in my attached letter, the Neighborhood Meeting for the above-referenced prospective rezoning case was held on March 21, 2017 at 7:00 PM at the Millbrook Exchange Park Community Center, Room 1, located at 1905 Spring Forest Road, Raleigh, NC 27615 to discuss the proposed rezoning of the Property located 5849 Capital Boulevard and 5909 Capital Boulevard, Raleigh, NC.

The persons and organizations contacted about this meeting (the "Neighbors") are indicated on the attached list. The parties in attendance were:

- Isabel Worthy Mattox as attorney for the Owner; and
- Ron Hendricks as civil engineer of the Owner.

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

March 7, 2017

TO ALL ADDRESSEES

RE: NOTICE OF NEIGHBORS MEETING 5849 Capital Boulevard, Raleigh, NC 27616, 1.07 acres as recorded in Deed Book 15172 Page 1547, Wake County Registry, owned by Lumley LLC; and 5909 Capital Boulevard, Raleigh, NC, 1.07 acres as recorded in Deed Book 9862 Page 2396, Wake County Registry, owned by Hol-Dav Inc. (together, the "Rezoning Property") (Lumley LLC and Hol-Dav Inc. collectively "Owner").

Dear Property Owner:

You are receiving this letter because you are the owner of property located in the vicinity of property for which a rezoning is now being contemplated. We anticipate that a rezoning request will be filed which will request that the Rezoning Property described above be rezoned from R-6 to IX-7. We plan to file a Rezoning Application on behalf of the Owner in the near future.

In accordance with the requirements of the Raleigh Unified Development Ordinance, notice is hereby given to you as the owner of the Rezoning Property or the owner of property within 100 feet of the Rezoning Property (collectively, "Notice Neighbors") of a meeting to discuss the prospective rezoning at Millbrook Exchange Park Community Center, Room 1, located at 1905 Spring Forest Road, Raleigh, NC 27615. This meeting will be held at 7:00 p.m. on the evening of Tuesday, March 21, 2017.

The prospective development team will be present to meet with you and answer any questions which you may have regarding this proposed Rezoning Application.

If the Rezoning Application is filed as now planned, it will be vetted by City Staff over the

next few weeks and referred to the Planning Commission for review. To follow this process, please consult the City at rezoning@raleigh.gov or contact the City Planning Department at 919-996-2626. If you have any questions about the proposed Rezoning Application, either before our meeting of March 21, 2017 or at any time after our meeting, please contact me.

Sincerely,

Isabel Worthy Mattox

cc: David Johnson
Ron Hendricks
Thomas C. Worth, Jr.

1727302309
HOL DAV INC
5839 CAPITAL BLVD
RALEIGH NC 27616-2937

1727202654
KENNEDY, KENNETH D JR
PO BOX 6427
RALEIGH NC 27628-6427

1727301427
HOL DAV INC
5839 CAPITAL BLVD
RALEIGH NC 27616-2937

1727302289
LUMLEY LLC
5839 CAPITAL BLVD
RALEIGH NC 27616-2937

1727302961
SILVER MOON LLC
5839 CAPITAL BLVD
RALEIGH NC 27616-2937

1726391665
MLC AUTOMOTIVE LLC
PO BOX 40110
RALEIGH NC 27629-0110

1727304088
GOLD MOON LLC
5839 CAPITAL BLVD
RALEIGH NC 27616-2937

Mr. John Anagnost
March 30, 2017
Page 2

No neighbors attended the meeting and at 7:30 PM, the meeting was adjourned.

Sincerely,

Isabel Worthy Mattox

Enclosures
cc (via email):
David Johnson
Tom Worth
Ron Hendricks