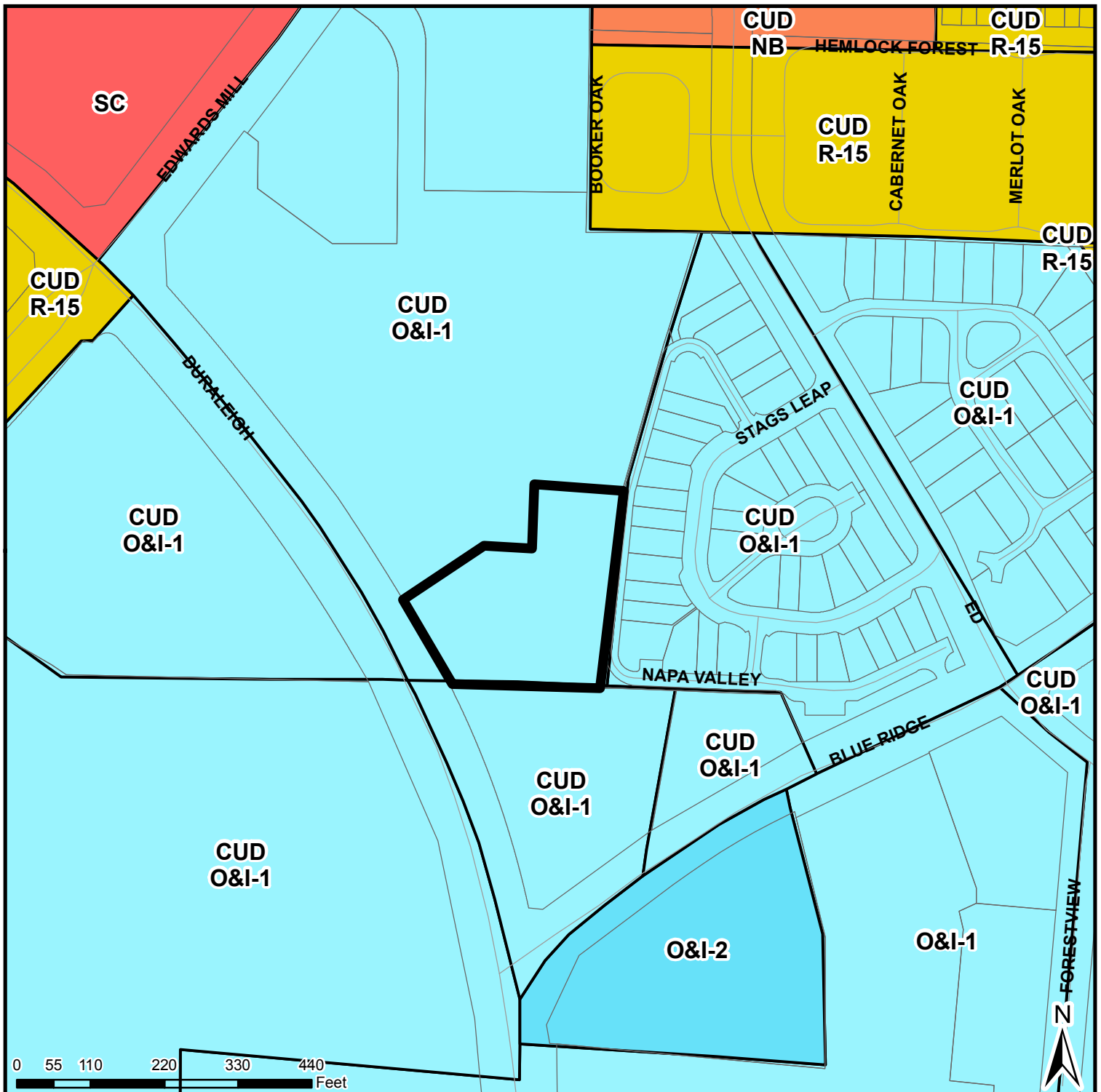
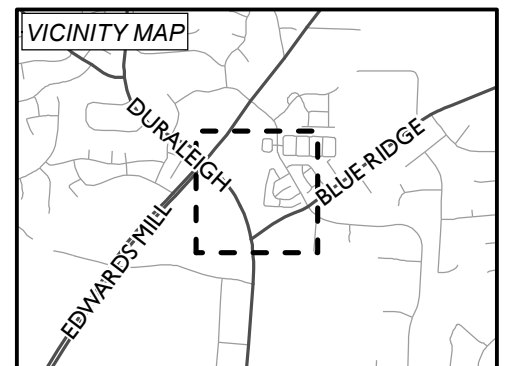


Z-21-2013

**Submittal
Date**

5/1/2013

Request:
1.5 acres from O&I-1 CUD to OX-3





Certified Recommendation

Raleigh Planning Commission

CR# 11549

Case Information: Z-21-13 - Duraleigh Road

<i>Location</i>	Duraleigh Road, east side, north of its intersection with Blue Ridge Road Address: 3050 Duraleigh Road PIN: 0785745412
<i>Request</i>	Rezone property from O&I-1 CUD to OX-3 CUD
<i>Area of Request</i>	1.5 acres
<i>Property Owner</i>	Bomcelveen LLC
<i>Applicant</i>	Bomcelveen LLC
<i>Citizens Advisory Council</i>	Northwest: Jay M. Gudeman, Chairperson; (919) 789-9884
<i>PC Recommendation Deadline</i>	October 25, 2013

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Office & Residential Mixed Use
<i>CONSISTENT Policies</i>	Policy LU 1.3 – Conditional Use District Consistency Policy LU 2.2 – Compact Development Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 4.5 – Connectivity Policy LU 5.1 – Reinforcing the Urban Pattern Policy LU 5.6 – Buffering Requirements Policy LU 6.4 – Bus Stop Dedication Policy LU 7.1 – Nodal Development Policy LU 7.4 – Scale and Design of New Commercial Uses Policy LU 8.10 – Infill Development Policy UD 7.3 – Design Guidelines
<i>INCONSISTENT Policies</i>	(None.)

Summary of Proposed Conditions

1. Prohibited uses: Outdoor Recreation, Overnight Lodging, Industrial, Resource Extraction
 2. Maximum gross floor area: 30,000 square feet.
 3. Protective yard a minimum 50 feet in width to be maintained along east lot line.
- NOTE: Minor modifications to the above are expected per discussion at the Planning*

Commission meeting, the final wording of which is to be crafted and presented following the City Council's receipt of this recommendation, per the procedures set forth in UDO Sec. 10.2.4.F.2.

Public Meetings

Neighborhood Meeting	Public Hearing	Committee	Planning Commission
4/30/13			9/10/13: Recommended Approval

☐ **Valid Statutory Protest Petition**

Attachments:

1. Staff Report
2. Applicant Responses to Design Guidelines for Mixed Use Areas (Table UD-1)

Planning Commission Recommendation

<i>Recommendation</i>	The Planning Commission finds that this case is consistent with the Comprehensive Plan and should be approved in accordance with the zoning conditions submitted May 1, 2013 but amended per discussion at the Planning Commission meeting.
<i>Findings & Reasons</i>	<ol style="list-style-type: none">1. The proposal is consistent with the Future Land Use Map and applicable Comprehensive Plan policies. The Future Land Use Map designates this area for Office and Residential Mixed Use, and thereby appropriate for office development.2. The proposal is reasonable and in the public interest. Most land uses currently permitted on the site would continue to be so.3. The proposal is compatible with the surrounding area. Conditions maintain or enhance the compatibility of the site with adjacent uses and development.
<i>Motion and Vote</i>	Motion: Schuster Second: Swink In Favor: Braun, Buxton, Fluhrer, Lyle, Mattox, Schuster, Sterling Lewis, Swink and Terando

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.

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	_____ Date
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Staff Coordinator: Doug Hill Doug.Hill@raleighnc.gov



Zoning Staff Report – Case Z-21-13

Conditional Use District

Case Summary

Overview

The proposal seeks to revise existing zoning conditions and permit new office construction. The subject site and all contiguous properties are currently zoned Office and Institution, with build-out ranging from banks and offices, to townhouses and a retirement home complex.

The proposal would continue the trend of subdivision and new office construction on the parent tract, exemplified most recently by the two-story Southern Community Bank building on Edwards Mill Road (S-30-07 & SP-34-07). The oldest building on the parent tract is the largest, with more than 98,000 sf on three floors. The subject parcel, located just to the south, is currently developed with approximately 100 parking spaces serving that adjoining office property. South of the subject site, a separate property contains a one-story bank with drive-through. Adjoining properties to the east are built out in two-story townhouse units, buffered by a 50-foot-wide transition yard which the current proposal would maintain. Across Duraleigh Road from the subject site is the three-story Brighton Gardens retirement home. The wooded area south of that contains a surface parking facility (approved as SP-14-11) serving the Rex Hospital complex, itself located to the south on Blue Ridge Road.

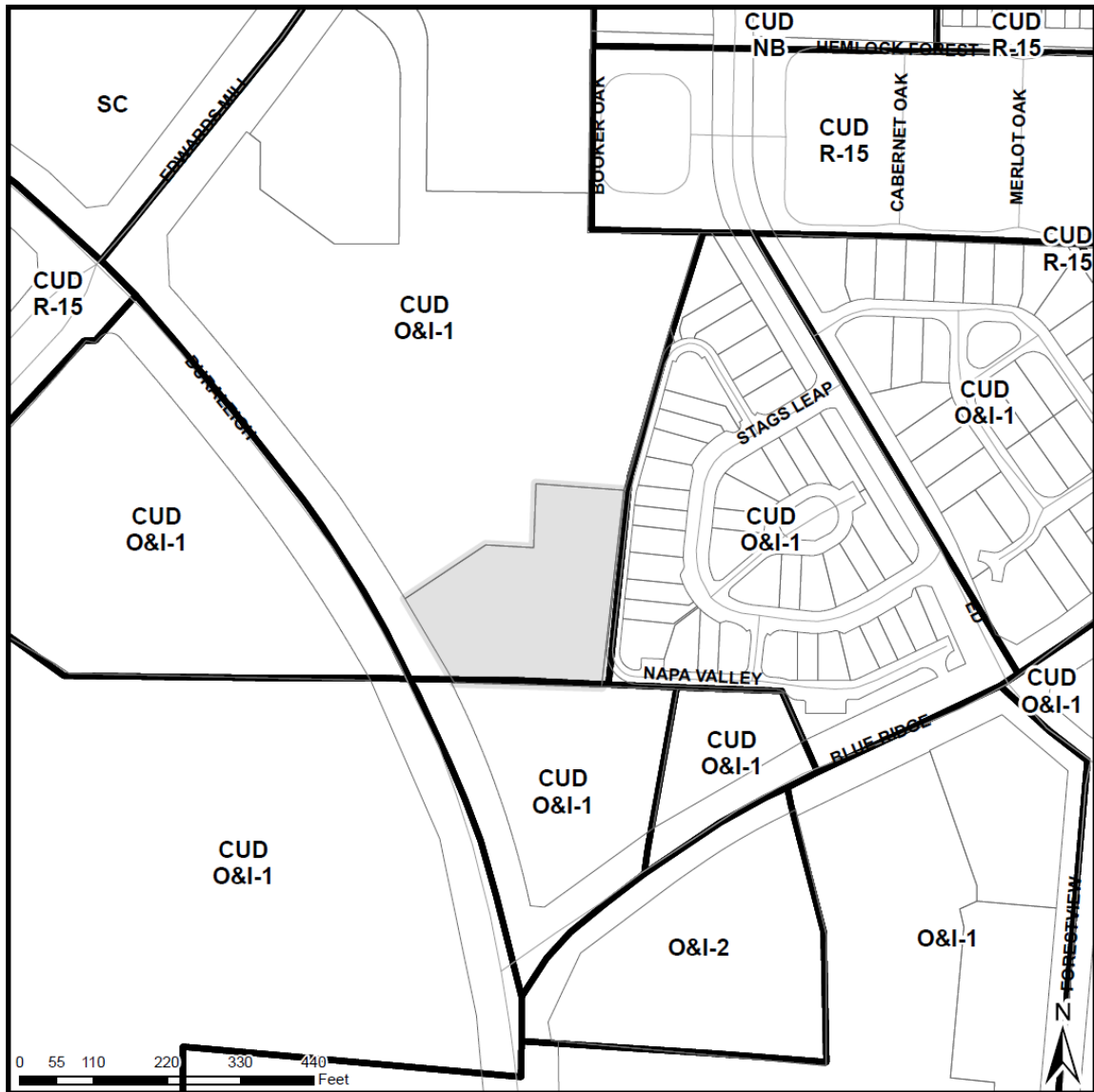
The site is at the edge of the area encompassed by the recent Blue Ridge Road District Study, and is situated immediately north of the proposed "Health and Wellness District". While no specific recommendations are made in the Study regarding the property, multi-modal improvements to adjacent Duraleigh Road are a component of the Study's "complete streets" transportation initiatives.

Outstanding Issues

<i>Outstanding Issues</i>	<i>Suggested Mitigation</i>
1. Potential impacts on downstream sewer capacity and fire flow needs.	1. Provide downstream sewer capacity and fire flow studies; make improvements as needed.

Existing Zoning Map

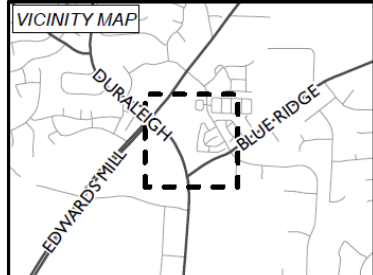
Z-21-2013



**Submittal
Date**

5/1/2013

Request:
1.5 acres from O&I-1 CUD to OX-3



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	O&I-1 CUD	O&I-1 CUD	O&I-1 CUD	O&I-1 CUD	O&I-1 CUD
<i>Additional Overlay</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Future Land Use</i>	O&R MU	O&R MU	O&R MU	O&R MU	O&R MU; Institutional
<i>Current Land Use</i>	Parking lot	Office	Bank w/ drive-through	Townhouses	Retirement home; Parking lot
<i>Urban Form: Centers</i>	<i>n/a</i>	<i>n/a</i>	City Growth Center	<i>n/a</i>	<i>n/a</i>
<i>Urban Form: Corridors</i>	Urban Thoroughfare	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	Urban Thoroughfare

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	15 DUs/ acre (up to 25/ acre with Planning Commission approval)	No defined limit
<i>Setbacks:</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	30 feet 5 feet 20 feet	<i>General Building:</i> <i>5 feet</i> <i>6 feet</i> <i>6 feet</i>
<i>Height:</i>	50 feet (per conditions)	3 stories/ 50 feet (per district designation)
<i>Retail Intensity Permitted:</i>	4,900 sf max (i.e., 10% for bldg. 49,005 sf gross); nonresidential-related services only	4,500 sf max. (15% of conditioned 30,000 sf gross site limit)
<i>Office Intensity Permitted:</i>	49,005 sf max (per 0.75 FAR)	30,000 sf max. (conditioned sf gross site limit)

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	1.5	1.5
<i>Zoning</i>	O&I-1 CUD	OX CUD - 3
<i>Max. Gross Building SF</i>	49,005 (for Office)	30,000 (as conditioned)
<i>Max. Gross Residential SF</i>	(not defined)	30,000 (as conditioned)
<i>Max. Gross Office SF</i>	49,005	30,000 (as conditioned)
<i>Max. Gross Retail SF</i>	4,900 (10% of 49,005 sf bldg)	4,500 (15% of 30,000 sf)
<i>Potential F.A.R</i>	0.75	0.46

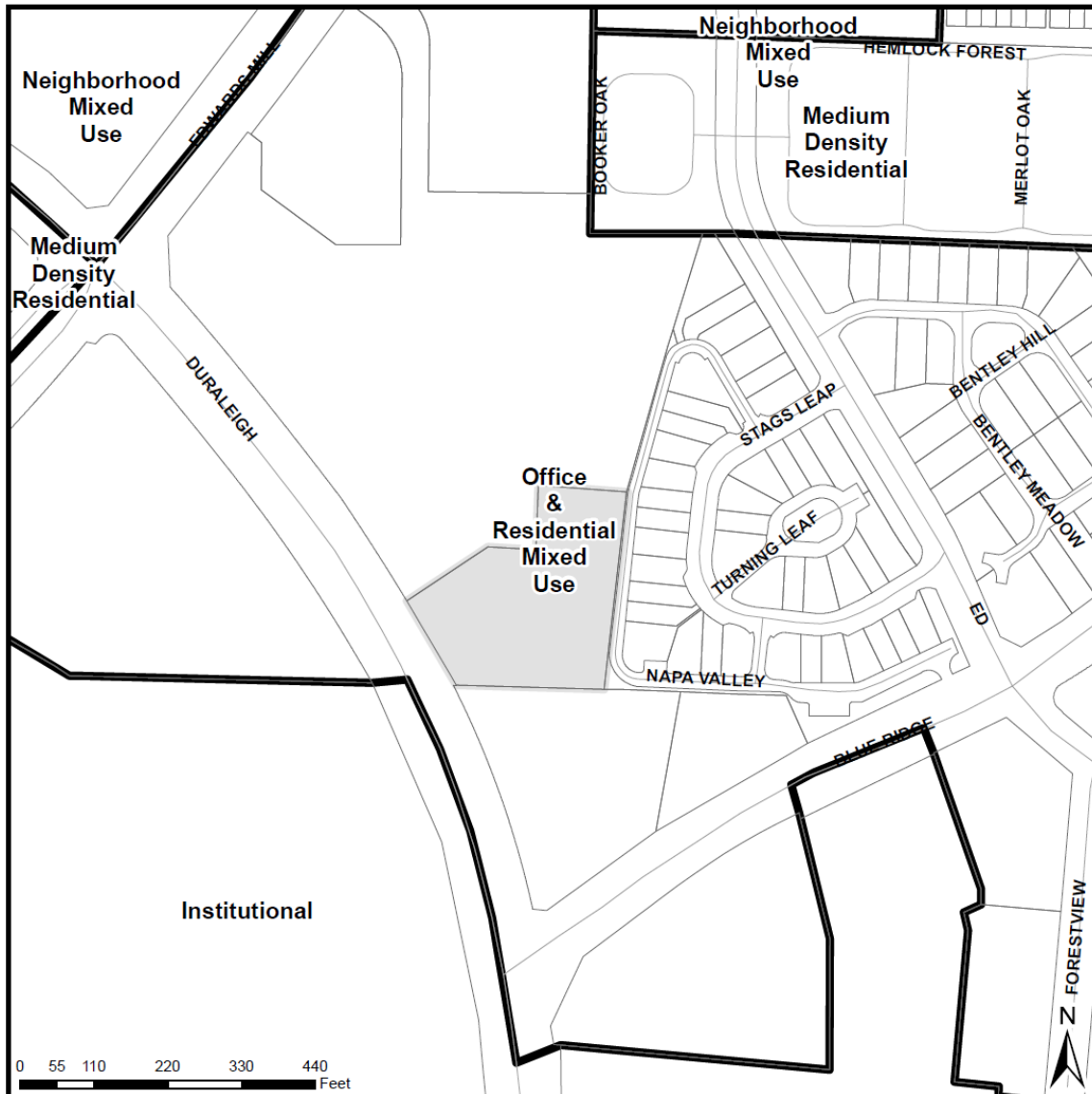
The development intensities for proposed zoning districts were estimated using the **Envision Tomorrow impact analysis tool. Reasonable assumptions are factored into the analysis to project the worst case development scenario for the proposed rezoning. The estimates presented in this table are rough 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.

Future Land Use Map

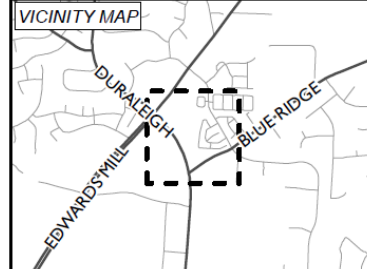
Z-21-2013



**Submittal
Date**

5/1/2013

Request:
1.5 acres from O&I-1 CUD to OX-3



2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation: Office and Residential Mixed Use

The rezoning request is:

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

2.2 Policy Guidance

The rezoning request is **consistent** with applicable policies of the Comprehensive Plan.

2.3 Area Plan Policy Guidance

The rezoning request is not located 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

- Increases compactness of area development, while substituting habitable space for surface parking.
- Site is well served by existing infrastructure and access; no major infrastructural demands or impacts expected.
- Maintains existing transition yard width along property line shared with residences to the east, and existing height cap toward contextual continuity.

3.2 Detriments of the Proposed Rezoning

(None identified.)

4. Impact Analysis

4.1 Transportation

<u>Primary Streets</u>	<u>Classification</u>	<u>2009-2012 NCDOT Traffic Volume (ADT)</u>	<u>2040 Traffic Volume Forecast (CAMPO)</u>			
Duraleigh Road	Avenue, 4 Lane Divided	24,000	36,775			
Edwards Mill Road	Avenue, 6 Lane Divided	21,000	22,346			
Blue Ridge Road	Avenue, 2 Lane Divided	10,800	14,344			
<i>Street Conditions</i>						
<u>Duraleigh Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of- Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	5	60'	Yes	100'	5' sidewalks on both sides Segment of MUP on south side	None
City Standard	4	73'	Yes	101'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	Yes	No	Yes	Yes	Yes	No
<u>Edwards Mill Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of- Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	5	65'	Yes	100'	Yes	None
City Standard	6	95'	Yes	123'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	No	No	Yes	No	Yes	No
<u>Blue Ridge Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of- Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	35'	segments of curb & gutter on both sides	75'	segments of 5' sidewalk on both sides	None
City Standard	2	48'	Yes	75'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	Yes	No	No	Yes	No	No
Expected Traffic Generation [vph]	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	68	69	1			
PM PEAK	101	104	3			

Suggested Conditions/ Impact Mitigation:	Traffic Study Determination: Staff has reviewed a trip generation differential report for this case and a traffic impact analysis study is not recommended for Z-21-13.
Additional Information:	Neither NCDOT nor the City of Raleigh has any roadway construction projects scheduled in the vicinity of this case.

Impact Identified: None.

4.2 Transit

The site is served by an existing transit stop on Duraleigh Road, fronting the parent tract.

Impact Identified: None.

4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<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>	4,875 gpd	28,826 gpd
<i>Waste Water</i>	4,875 gpd	28,826 gpd

The proposed rezoning would add approximately 23,951 gpd to the wastewater collection and water distribution systems of the City. Presently there are existing eight (8") inch sanitary sewer and sixteen (16") inch water mains in the Duraleigh Road. The subsequent development would use these mains for connection to the City's utility systems.

Impacts Identified: Downstream sanitary sewer improvements may be required by the City of the developer, depending on actual use. The developer must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with or prior to the proposed development being constructed. Verification of available capacity for fire flow is required as part of the building permit submittal process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

The subject rezoning case does not impact the recreational level of service. The subject tract is not adjacent to a greenway corridor.

<i>Proximity to Greenway</i>	<i>Proximity to Park</i>
0.88 mile	0.7 mile
(Reedy Creek)	(Laurel Hills)

Impact Identified: None.

4.6 Urban Forestry

This site is less than 2 acres and will not have to meet Tree Conservation requirements (UDO Sec 9.1.2).

Impact Identified: No tree conservation requirements on this site.

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 District, it is not subject to Appearance Commission review.

4.10 Impacts Summary

- Potential impacts on downstream sewer capacity and fire flow needs.

4.11 Mitigation of Impacts

- Complete downstream sewer capacity and fire flow studies; provide improvements as needed.

5. Conclusions

The proposed rezoning would promote compact development of a nature consistent with Future Land Use designation. Conditions are provided which could increase the compatibility of and minimize potential impacts from site development.

Design Guidelines for Mixed Use Areas

RALEIGH COMPREHENSIVE PLAN

Policy UD 7.3

Design Guidelines

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

Elements of Mixed-Use Areas

1. *All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed Uses should be arranged in a compact and pedestrian-friendly form.*

Response: The proposed rezoning is consistent with this guideline because it permits residential and office uses within walking distance to existing residential, office and retail uses.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

2. *Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.*

Response: This guideline is inapplicable because the property is not adjacent to lower density neighborhoods. The property is, however, adjacent to a townhome community, and the proposed rezoning limits height to 3 stories and 50 feet and provides a 50 feet wide buffer area adjacent to the townhome community, thereby providing an appropriate transition.

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

3. *A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*

Response: This guideline is inapplicable given the size and location of the property. The property will not be gaining a separate access to the public right-of-way, but will instead use existing access points through cross-access agreements, which will provide access to Duraleigh Road and Edwards Mill Road.

4. *Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*

Response: The property will gain access to the public right-of-way via cross-access easements over adjoining properties, consistent with this guideline.

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.*

Response: The property will not be gaining a new, separate access to Duraleigh Road, but the access point on the adjoining property to Duraleigh Road meets the block length standards of this guideline.

Site Design/Building Placement

6. *A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.*

Response: Based on the requirement for a 50-wide buffer yard adjacent to the townhome community and the location of the existing parking areas, the building will likely be located along the Duraleigh Road right-of-way, consistent with this guideline.

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.*

Response: Based on the requirement for a 50-wide buffer yard adjacent to the townhome community and the location of the existing parking areas, the building will likely be located along the Duraleigh Road right-of-way, consistent with this guideline.

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*

Response: This guideline is not applicable because the property is not located at a street intersection.

Site Design/Urban Open Space

9. *To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, the development of the property must comply with the UDO standards for outdoor amenity areas, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, the development of the property must comply with the UDO standards for outdoor amenity areas, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, given the size of the parcel, it is likely that the outdoor amenity area will be located near the building, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, given the size of the parcel, it is likely that the outdoor amenity area will be located near the building, consistent with this guideline.

Site Design/Public Seating

13. *New public spaces should provide seating opportunities.*

Response: The UDO standards for outdoor amenity areas will require provision of seating opportunities, consistent with this guideline.

Site Design/Automobile Parking and Parking Structures

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*

Response: Much of the parking area associated with the proposed building is already in place, which drives the probable building location closer to the Duraleigh Road frontage, consistent with this guideline.

15. *Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.*

Response: Much of the parking area associated with the proposed building is already in place, which drives the probable building location closer to the Duraleigh Road frontage, consistent with this guideline.

16. *Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.*

Response: No parking structures are contemplated for development of the property.

Site Design/Transit Stops

17. *Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.*

Response: The rezoning is consistent with this guideline, because the CAT-4 and CAT-16 routes have bus stops located in close proximity to the property.

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*

Response: The rezoning is consistent with this guideline, as sidewalks currently exist along Duraleigh Road, Edwards Mill Road and Blue Ridge Road.

Site Design/Environmental Protection

19. *All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.*

Response: This guideline is inapplicable because there appear to be no natural resources or sensitive landscape areas on the property.

Street Design/General Street Design Principles

20. *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.*

Response: No public streets or new driveways are anticipated as part of development of the property.

21. *Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.*

Response: There is currently a 6-foot wide sidewalk along the frontage of the property, consistent with this guideline given the context of the area and proposed use.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.*

Response: This guideline is inapplicable, because no new public streets are anticipated as part of the development of the property.

Street Design/Spatial Definition

23. *Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.*

Response: The proposed building will likely be located along the Duraleigh Road frontage given the location of existing parking areas and the 50-foot wide natural buffer adjacent to the townhome community, consistent with this guideline.

Building Design/Facade Treatment

24. *The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.*

Response: This guideline is more appropriately addressed at the time of site plan approval.

25. *The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.*

Response: The ground-level transparency requirements in the UDO will provide pedestrian-level interest, consistent with this guideline.

Building Design/Street Level Activity

26. *The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

Response: The proposed building will likely be located along the Duraleigh Road frontage near the existing sidewalk given the location of existing parking areas and the 50-foot wide natural buffer adjacent to the townhome community, consistent with this guideline.



Z-21-13

Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - ☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - ☐ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - ☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - a. to lessen congestion in the streets;
 - b. to provide adequate light and air;
 - c. to prevent the overcrowding of land;
 - d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - e. to regulate in accordance with a comprehensive plan;
 - f. to avoid spot zoning; and
 - g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)

Print Name

Date

Bonnie McElveen-Hunter 4/26/2013

EXHIBIT B. Request for Zoning Change

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

Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s) (for conditional use requests, petitioners must own petitioned property)	BOMCELVEEN, LLC	1301 Carolina St. Greensboro, NC 27401	
Property Owner(s)	Same as above	Same as above	
Contact Person(s)	Chad Stelmok Kimberly Development Group	7100 Six Forks Rd. Suite 100 Raleigh, NC 27615	
	Michael Birch Morningstar Law Group	630 Davis Drive Suite 200 Morrisville, NC 27560	919.590.0388 mbirch@morningstarlawgroup

Property information

Property Description (Wake County PIN)	0785-74-5412
Nearest Major Intersection	Duraleigh Road, between Blue Ridge Road and Edwards Mill Road
Area of Subject Property (in acres)	+/- 1.5 acres
Current Zoning Districts (include all overlay districts)	O&I-1 CUD (Z-12-89)
Requested Zoning Districts (include all overlay districts)	Office Mixed Use - 3 (OX-3)

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

[illegible]

List of Subject & Adjacent Property Owners

1	BELL, VARA JOHNSON 3947 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747610
2	COMPTON, ANNIE LAURIE 3925 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747345
3	CNL RETIREMENT PC1 NC LP RYAN LLC PO BOX 56607 ATLANTA GA 30343-0607 0785649530
4	GRIFFIN, IRENE S 3945 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747517
5	GOMER, MARTHA D 3941 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747500
6	GUNN, STEVE H & SHARON D 3935 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747403
7	HARRELL, CHARLIE M III CHRIS B HARRELL 2900 LAKE BOONE PL RALEIGH NC 27608-1151 0785747504
8	HTA RALEIGH LLC 16435 N SCOTTSDALE RD STE 320 SCOTTSDALE AZ 85254-1694 0785743871
9	JOHNSON, ROBERT E 3937 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747406
10	LAWSON, ARNOLD & SYLVIA 3951 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747634

11	MCCASKILL, DONNA J 3933 STAGS LEAP CIR RALEIGH NC 27612-2308 0785747400
12	MUSANTE, GERARD J & RITA G 3101 CORNWALL RD DURHAM NC 27707-5101 0785746114
13	REX HOSPITAL INC 4420 LAKE BOONE TRL RALEIGH NC 27607-7505 0785637844
14	VINEYARD AT BENTLEY RIDGE OWNERS ASSOC. CAS INC 207 W MILLBROOK RD STE 110 RALEIGH NC 27609-4490 0785840529
15	WEINBRENNER, GEORGE J & JUDY C 3931 STAGS LEAP CIR RALEIGH NC 27612-2308 0785746385
16	BOMCELVEEN LLC 1301 CAROLINA ST GREENSBORO NC 27401-1032 0785745412

EXHIBIT C. Request for Zoning Change

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

Conditional Use District requested: Office Mixed Use – 3 (OX-3)

Narrative of conditions being requested:

1. The following uses, as listed in Section 6.1.4 "Allowed Principal Use Table", shall be prohibited on the property:
 - a. Outdoor Recreation – all types
 - b. Overnight Lodging – all types
 - c. Industrial – all types
2. The floor area ratio for the property shall not exceed 0.46.
3. A landscaped area measuring a minimum fifty (50) feet in width shall be maintained along the property's common boundary line with that parcel described as Open Space 1 in Book of Maps 1999 at Page 292. This landscaped area shall contain at least five (5) trees, each at least six (6) feet in height.

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)

Print Name

Date

Bonnie McElven-Hunter Bonnie 9/13/13
McElven-Hunter

EXHIBIT D. Request for Zoning Change

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

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

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

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

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

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

The property is designated Office & Residential Mixed Use on the Future Land Use Map. This Future Land Use Map category recommends office and residential uses. The proposed OX zoning district permits both office and residential land uses, which is consistent with the Future Land Use Map guidance.

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

The property is not located within any Area Plan or other City Council-adopted plan. However, the property is located just north of the boundary of the Blue Ridge Road District Study area. Also, the property is located within a mixed use community center as shown on the Growth Framework Map. The Comprehensive Plan designates mixed use community centers where there is an existing mix of uses and where such area is targeted for infill development.

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

The proposed map amendment is consistent with the Comprehensive Plan, based on its consistency with the Future Land Use Map recommendation and its consistency with the following Comprehensive Plan policies:

EXHIBIT D. Request for Zoning Change

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

- Policy LU 1.2 Future Land Use Map and Zoning Consistency
- Policy LU 1.3 Conditional Use District Consistency
- Policy LU 2.6 Zoning and Infrastructure Impacts
- Policy LU 5.4 Density Transitions
- Policy LU 5.6 Buffering Requirements
- Policy LU 7.4 Scale and Design of New Commercial Uses
- Policy UD 2.4 Transitions in Building Intensity

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

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

Property to the north is developed with a three-story office building, two-story bank and another three-story office building, all with surface parking areas. Property to the east is developed with two-story, rear-loaded townhomes. Property to the south is developed for a single-story bank with five drive-through lanes. Property to the west, across Duraleigh Road (major thoroughfare) includes a wooded tract developed with a surface parking lot serving Rex Hospital and a parcel developed for a multi-story nursing home facility.

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

Property to the north is zoned O&I-1 CUD, and is built-out for multi-story buildings with limited tree cover. Property to the east is zoned O&I-1 CUD, and is built-out for multi-story townhomes with no tree cover and minimal setbacks. Property to the south is zoned O&I-1 CUD, and is built-out for a drive-through use with limited buffer area adjacent to the vacant parcel to the east. Property to the west, across Duraleigh Road, is zoned O&I-1 CUD. One parcel is heavily wooded along Duraleigh Road; the other parcel has tree cover adjacent to the wooded tract.

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

The proposed map amendment is compatible with the suitability of the property given the property's location near the intersection of a major thoroughfare with a minor thoroughfare (Blue Ridge Road) and a secondary arterial (Edwards Mill Road) and its placement in an existing office development. Also, the proposed zoning map amendment is compatible with the character of the surrounding area because all of the surrounding area is zoned O&I-1 and permits office uses, and is developed for multi-story buildings. Specifically, properties within the same subdivision are developed for two- and three-story office buildings.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment benefits the landowner by subjecting the property to a zoning district under the new Unified Development Ordinance while permitting those office uses already permitted on the property.

EXHIBIT D. Request for Zoning Change

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B. For the immediate neighbors:

The proposed map amendment benefits the immediate neighbors by maintaining the 50-foot wide buffer adjacent to the townhome development, maintaining the 50-foot building height limit, and further limiting the types of uses permitted on the property. Additionally, the proposed rezoning will subject the property to the updated development regulations in the Unified Development Ordinance.

C. For the surrounding community:

The proposed map amendment benefits the surrounding community by ensuring development that is consistent with the Comprehensive Plan and Future Land Use Map and compatible with the character of the surrounding area.

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

No, the rezoning of this property does not provide a significant benefit which is not available to the surrounding properties. The surrounding properties are zoned for office and residential uses, similar to those uses permitted by this proposed map amendment. Additionally, the proposed zoning conditions are similar to those conditions applicable to surrounding properties.

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

The subject property is located within an existing office development, and is currently developed as a surface parking area that serves the nearby office buildings. Also, the property is located near the intersection of a major thoroughfare (Duraleigh Road) with a minor thoroughfare (Blue Ridge Road) and a secondary arterial (Edwards Mill Road), which provides sufficient access to and from the property. Third, the property is surrounded by property zoned and developed for office uses, similar to that permitted by the proposed rezoning. Fourth, the property is located in close proximity to an employment center which generates demand for office space. These characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

V. Recommended items of discussion (where applicable).

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

This item of discussion is not applicable.

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

Since the property was last zoned, the City Council has adopted a new Unified Development Ordinance that establishes new zoning districts. If the property were being zoned for the first time under the new Unified Development Ordinance, the legacy O&I-1 district could not be applied. Based on the current zoning of the property, the Future Land Use Map designation of the property, and the surrounding uses and zoning districts, the most appropriate zoning district under the Unified Development Ordinance is Office Mixed Use.

FILING ADDENDUM: Instructions for filing a petition to amend the official Zoning Map of the City of Raleigh, North Carolina

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

This item of discussion is not applicable.

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

The property has access to public water and sewer infrastructure, is located along adequate transportation infrastructure (major thoroughfare and secondary arterial), is located within a city fire district (District 14), and is located in close proximity to a city parks and recreation center (Laurel Hills Park and Community Center). No adverse impact to these public services and infrastructure is expected as a result of the proposed map amendment.

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

Based on the proposed map amendment's consistency with the Future Land Use Map and Comprehensive Plan policies and the compatibility with surrounding uses and supporting infrastructure, the rezoning advances the fundamental purposes of zoning by regulating in accordance with the Comprehensive Plan and by regulating with reasonable consideration to the character of the district, the suitability of the land for particular uses and the encouragement of the most appropriate use of the land throughout the City.

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

The petition has no other arguments on behalf of the proposed map amendment at this time.

Design Guidelines for Mixed Use Areas

RALEIGH COMPREHENSIVE PLAN

Policy UD 7.3

Design Guidelines

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

Elements of Mixed-Use Areas

1. *All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed Uses should be arranged in a compact and pedestrian-friendly form.*

Response: The proposed rezoning is consistent with this guideline because it permits residential and office uses within walking distance to existing residential, office and retail uses.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

2. *Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.*

Response: This guideline is inapplicable because the property is not adjacent to lower density neighborhoods. The property is, however, adjacent to a townhome community, and the proposed rezoning limits height to 3 stories and 50 feet and provides a 50 foot wide buffer area adjacent to the townhome community, thereby providing an appropriate transition.

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

3. *A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*

Response: This guideline is inapplicable given the size and location of the property. The property will not be gaining a separate access to the public right-of-way, but will instead use existing access points through cross-access agreements, which will provide access to Duraleigh Road and Edwards Mill Road.

4. *Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*

Response: The property will gain access to the public right-of-way via cross-access easements over adjoining properties, consistent with this guideline.

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.*

Response: The property will not be gaining a new, separate access to Duraleigh Road, but the access point on the adjoining property to Duraleigh Road meets the block length standards of this guideline.

Site Design/Building Placement

6. *A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.*

Response: Based on the requirement for a 50-wide buffer yard adjacent to the townhome community and the location of the existing parking areas, the building will likely be located along the Duraleigh Road right-of-way, consistent with this guideline.

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.*

Response: Based on the requirement for a 50-wide buffer yard adjacent to the townhome community and the location of the existing parking areas, the building will likely be located along the Duraleigh Road right-of-way, consistent with this guideline.

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*

Response: This guideline is not applicable because the property is not located at a street intersection.

Site Design/Urban Open Space

9. *To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, the development of the property must comply with the UDO standards for outdoor amenity areas, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, the development of the property must comply with the UDO standards for outdoor amenity areas, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, given the size of the parcel, it is likely that the outdoor amenity area will be located near the building, consistent with this guideline.

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.*

Response: Given the suburban context and the size of the property, this guideline is inapplicable. However, given the size of the parcel, it is likely that the outdoor amenity area will be located near the building, consistent with this guideline.

Site Design/Public Seating

13. *New public spaces should provide seating opportunities.*

Response: The UDO standards for outdoor amenity areas will require provision of seating opportunities, consistent with this guideline.

Site Design/Automobile Parking and Parking Structures

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*

Response: Much of the parking area associated with the proposed building is already in place, which drives the probable building location closer to the Duraleigh Road frontage, consistent with this guideline.

15. *Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.*

Response: Much of the parking area associated with the proposed building is already in place, which drives the probable building location closer to the Duraleigh Road frontage, consistent with this guideline.

16. *Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.*

Response: No parking structures are contemplated for development of the property.

Site Design/Transit Stops

17. *Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.*

Response: The rezoning is consistent with this guideline, because the CAT-4 and CAT-16 routes have bus stops located in close proximity to the property.

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*

Response: The rezoning is consistent with this guideline, as sidewalks currently exist along Duraleigh Road, Edwards Mill Road and Blue Ridge Road.

Site Design/Environmental Protection

19. *All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.*

Response: This guideline is inapplicable because there appear to be no natural resources or sensitive landscape areas on the property.

Street Design/General Street Design Principles

20. *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.*

Response: No public streets or new driveways are anticipated as part of development of the property.

21. *Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.*

Response: There is currently a 6-foot wide sidewalk along the frontage of the property, consistent with this guideline given the context of the area and proposed use.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.*

Response: This guideline is inapplicable, because no new public streets are anticipated as part of the development of the property.

Street Design/Spatial Definition

23. *Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.*

Response: The proposed building will likely be located along the Duraleigh Road frontage given the location of existing parking areas and the 50-foot wide natural buffer adjacent to the townhome community, consistent with this guideline.

Building Design/Facade Treatment

24. *The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.*

Response: This guideline is more appropriately addressed at the time of site plan approval.

25. *The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.*

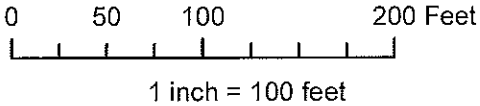
Response: The ground-level transparency requirements in the UDO will provide pedestrian-level interest, consistent with this guideline.

Building Design/Street Level Activity

26. *The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

Response: The proposed building will likely be located along the Duraleigh Road frontage near the existing sidewalk given the location of existing parking areas and the 50-foot wide natural buffer adjacent to the townhome community, consistent with this guideline.

Zoning Map



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

EXHIBIT D**SUMMARY OF DISCUSSION ITEMS**

On Tuesday, April 30, 2013, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcel subject to the proposed rezoning. The following items were discussed:

1. Differences between O&I-1 district and OX district
2. Uses permitted by O&I-1 district and OX district
3. Height of proposed building
4. Location of proposed building and parking area
5. Privacy of adjacent townhome community
6. Lighting adjacent to townhome community
7. Location of dumpsters and loading areas
8. Service hours for dumpsters
9. Maintenance of natural buffer yard adjacent to townhome community
10. Additional plantings within natural buffer yard
11. Fence or wall within natural buffer yard
12. Impact on adjacent property values
13. Proposed changes to current zoning conditions
14. Access points to public roads from proposed building
15. Anticipated number of additional vehicle trips
16. Projected start date for construction
17. Types of office tenants

EXHIBIT E

NEIGHBORHOOD MEETING ATTENDEES

(See attached)

Neighborhood Meeting Sign-In

4/30/13

Name	Address	Contact
DALE SUSANNE WARREN	3954 STAGS LEAP CIR.	919 781 6944
Patrick Brennan	3953 Stags Leap Circle	919 789 4830
Daniel Etelagh	3927 Napa Valley Dr.	919-795-5715
LADY COMPTON	3925 STAGS LEAP	919-812-6863
Peggy Dennis	3957 Stags Leap Cir	919-782-2410
Beth Harrison	3925 Napa Valley Dr.	919-810-3022
George & Judy Weinbreuner	3931 Stags Leap Cir	919-782-4966
Kathie Kalmowitz	3955 Stags Leap Cir	919-785-9859
Kay Stockett	3901 Stags Leap Cir	919-788-0300
Becky Rickman	3940 Stags Leap Circle	919-787-6950
Vara Bell	3947 Stags Leap Cir	919-782-0895
Donna McCaskill	3933 Stags Leap Cir	919-605-0167
Frank P Band	1204 Cowper Drive	919-839-1065