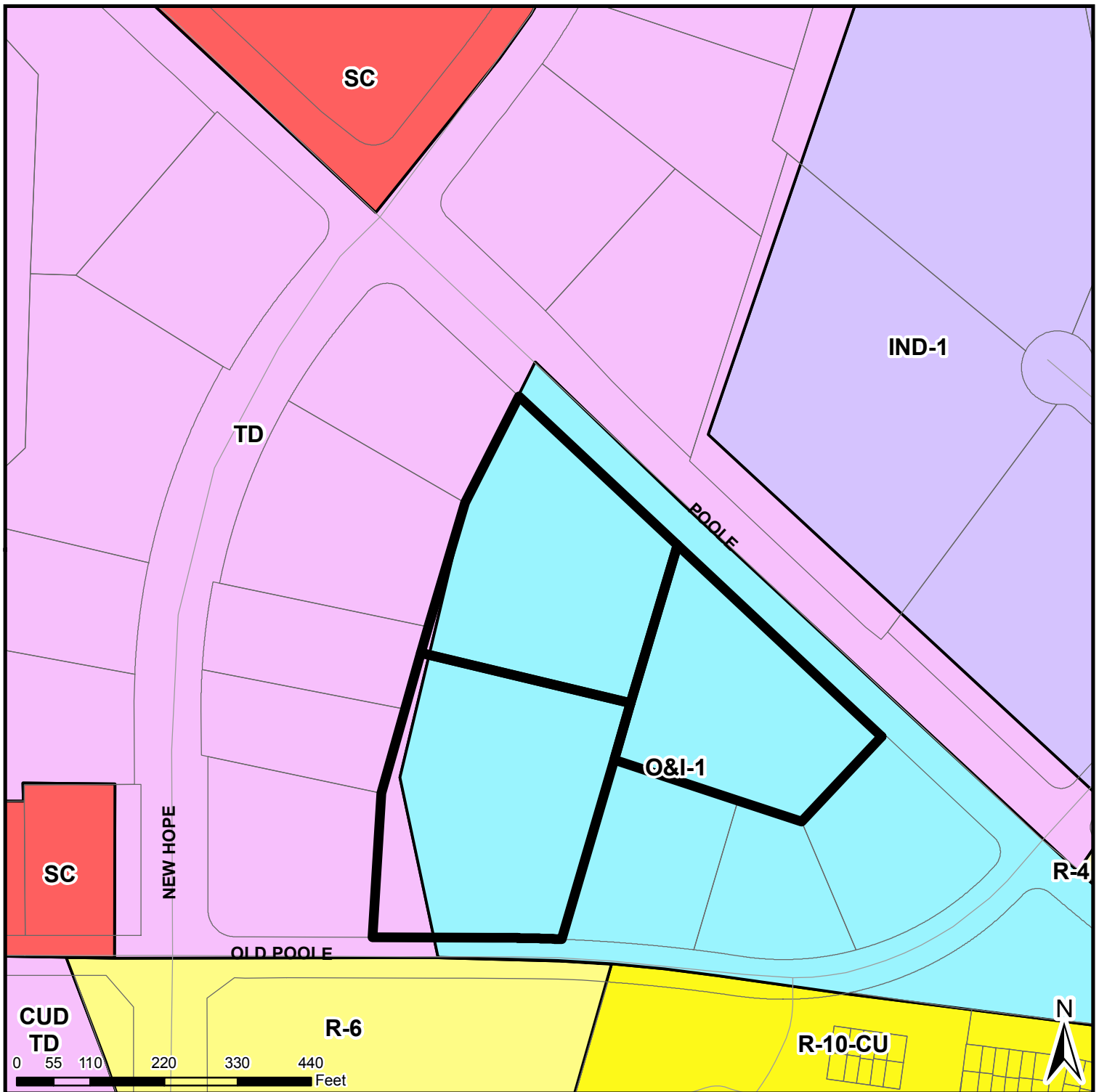


# Existing Zoning Map

# Z-30-2013

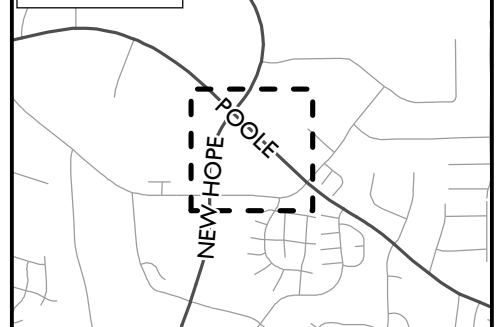


**Submittal  
Date**

9/19/2013

**Request:**  
**7.23 acres from O&I-1 & TD**  
**to CX-3-CU**

VICINITY MAP





## Certified Recommendation

Raleigh Planning Commission

CR# 11555

### Case Information: Z-30-13 Poole Rd. and Old Poole Rd.

<i>Location</i>	Poole and Old Poole Roads (double frontage) just east of New Hope Road 4530 and 4560 Poole Road and 5001 Old Poole Road PIN: 1733130231, 1733133022, 1733029848
<i>Request</i>	Rezone properties from O&I-1 and TD to CX-3-CU
<i>Area of Request</i>	7.23 acres
<i>Property Owner</i>	Ammons East Corporation 140 Ammons Drive Raleigh, NC 27615-6501
<i>Applicant</i>	Mr. Lacy H. Reaves Smith Anderson Law Firm 150 Fayetteville St. Suite 2300 Raleigh, NC 27601
<i>Citizens Advisory Council</i>	Southeast CAC Co-Chairs Bill Lynn 919-231-8153 or lynnewilliam@aol.com Tim Sit 919-632-9483 or sit@mindspring.com
<i>PC Recommendation Deadline</i>	January 22, 2014

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Neighborhood Mixed Use
<b><i>CONSISTENT Policies</i></b>	<ol style="list-style-type: none"><li>1. Policy LU 3.2: Location of Growth</li><li>2. Policy LU 6.4: Bus Stop Dedication</li><li>3. Policy LU 7.1: Encouraging Nodal Development</li><li>4. Policy LU 7.4: Scale and Design of New Commercial Uses</li><li>5. Policy LU 10.6: Retail Nodes</li></ol>
<b><i>INCONSISTENT Policies</i></b>	None identified

## Summary of Proposed Conditions

1. Certain uses are prohibited
2. Development intensity shall not exceed that which would produce more than 4,170 daily vehicle trips, no more than 293 AM peak hour trips and no more than 387 PM peak hour trips.
3. Transit easement offered.

## Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
July 16, 2013		Date: Action	Date: Action

☐ **Valid Statutory Protest Petition**

### Attachments

1. Staff report

## Planning Commission Recommendation

<i>Recommendation</i>	The Planning Commission recommends approval of this rezoning proposal. The Planning Commission also requests that at the next available time for changes to the zoning conditions, condition number 2 be modified to allot potential vehicular trip generation among the three parcels rather than one total potential trip generation for the three parcels combined.
<i>Findings &amp; Reasons</i>	The proposal is consistent with the Comprehensive Plan, particularly the Future Land Use Map, and is compatible with the surrounding land uses, zoning and Future Land Use Map designations.
<i>Motion and Vote</i>	Motion: Swink Second: Buxton In Favor: Braun, Buxton, Fleming, Lyle, Sterling Lewis, Swink Excused: 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	<u>10/22/13</u> Date
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Staff Coordinator: James Brantley [james.brantley@raleighnc.gov](mailto:james.brantley@raleighnc.gov)



## Zoning Staff Report – Case Z-30-3

### Conditional Use District

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## Case Summary

### Overview

The properties are located in east Raleigh about 3/4<sup>th</sup> mile east of the I-440 Beltline. The three parcels included in the rezoning request lie within the triangle of land formed by Poole Road on the north, Old Poole Road on the south, and New Hope Road on the west. The parcels are currently vacant. They are traversed in a northeast/southwest direction by a utility easement containing several overhead lines and utility poles. The easement covers approximately 2.8 acres of the total 7.23 acres requested for rezoning. There are buildable portions of the site, to the west and east of the utility easement.

The general area contains a mix of uses, including particularly single story office, flex, commercial and industrial buildings, and vacant land, surrounding the site. The Fieldstone Crossing Townhouses lie to the southeast of the site, across Old Poole Road. There are several townhouse and single family neighborhoods further to the southeast and east of the site.

The subject properties are currently zoned mostly O&I-1, with a portion of the southwest corner zoned TD. Adjacent properties to the southeast are also zoned O&I-1. TD zoning lies immediately to the west and north of the site. There is also IND-1 zoning to the north of the site. R-6 and R-10 CUD zoning lie to the south, across Old Poole Road. In the larger area, some SC and NB zoning is found to the west of the site, generally in the New Hope Road corridor, and a large area of industrial zoning lies to the northeast.

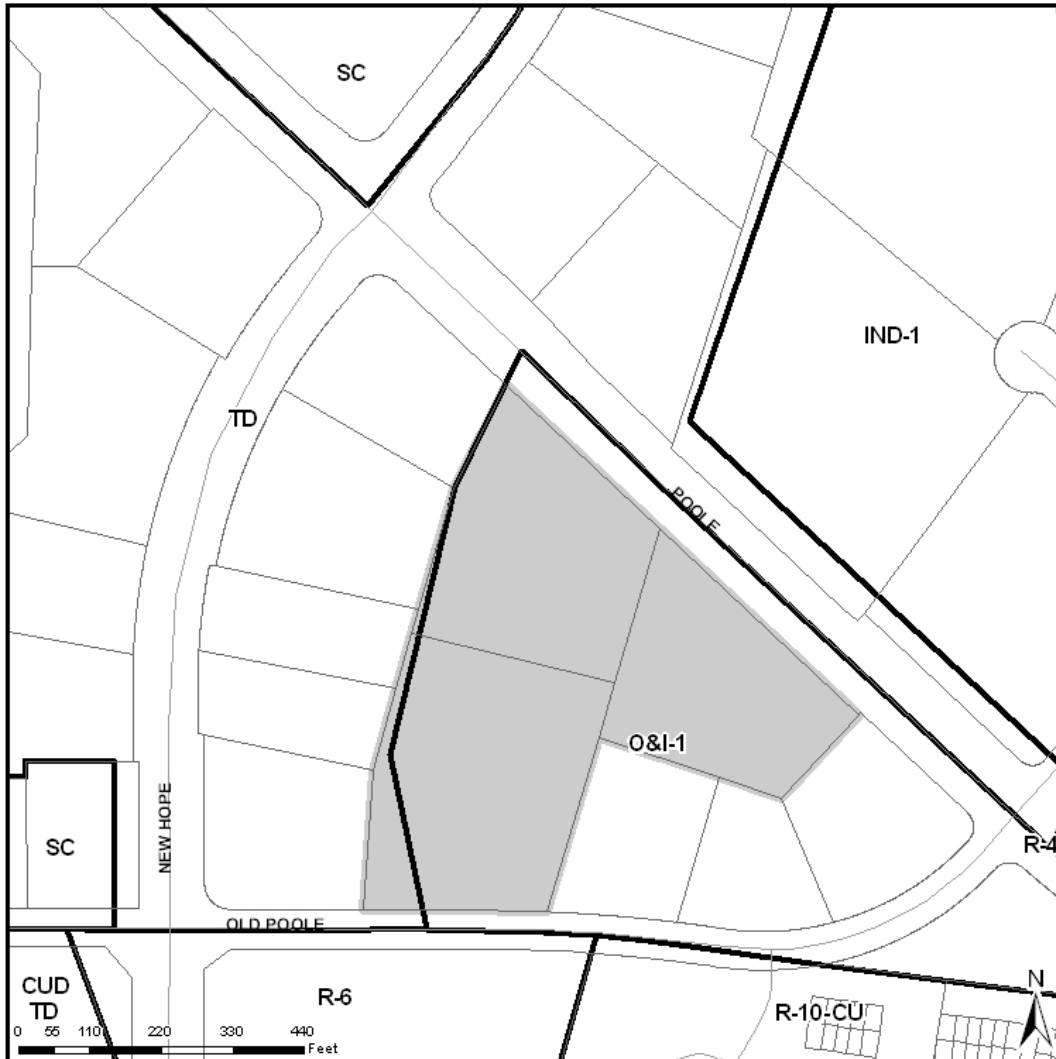
The sites, including all of the properties bound by Poole Road on the north, Old Poole Road on the south and New Hope Road to the west, are designated for Neighborhood Mixed Use on the Future Land Use Map. This mixed use area extends westward, and up and down New Hope Road. To the northeast is an extensive area designated for Business and Commercial Services. To the south is a large area designated for Moderate Density Residential.

### Outstanding Issues

<i>Outstanding Issues</i>	1. No outstanding issues	<i>Suggested Mitigation</i>	None suggested.
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## ZONING REQUEST

### Existing Zoning Map **Z-30-2013**



**Submittal  
Date**

9/19/2013

**Request:**  
7.23 acres from O&I-1 & TD  
to CX-3-CU

**VICINITY MAP**



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	O&I-1, TD	TD, IND-1	R-6	O&I-1	TD
<i>Additional Overlay</i>	N/A	N/A	N/A	N/A	N/A
<i>Future Land Use</i>	Neighborhood Mixed Use	Business and Commercial Services	Moderate Density Residential	Neighborhood Mixed Use	Neighborhood Mixed Use
<i>Current Land Use</i>	Vacant, extensive utility easement	Industrial, flex space, cell tower	Vacant	Vacant, daycare, commercial	Vacant, commercial/flex, office, gas station
<i>Urban Form (if applicable)</i>	N/A	N/A	N/A	N/A	N/A

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	15 dwelling per acre	No density maximum; 3 story height limit*
<i>Setbacks:</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	20 feet 5 feet 20 feet	5 feet 0 or 6 feet 0 or 6 feet
<i>Retail Intensity Permitted:</i>	Accessory retail only	No floor area maximum; 3 story height limit*
<i>Office Intensity Permitted:</i>	.75 FAR	No floor area maximum; 3 story height limit*

\*Condition #2 limits development intensity. Development intensity shall not exceed that which would produce more than 4,170 daily vehicle trips, no more than 293 AM peak hour trips and no more than 387 PM peak hour trips.

### **1.3 Estimated Development Intensities**

	<b><i>Existing Zoning</i></b>	<b><i>Proposed Zoning</i></b>
<b><i>Total Acreage</i></b>	7.23 acres	7.23 acres
<b><i>Zoning</i></b>	O&I-1, TD	CX-3
<b><i>Max. Gross Building SF (if applicable)</i></b>	236,205 square feet	153,000 square feet
<b><i>Max. # of Residential Units</i></b>	108	124
<b><i>Max. Gross Office SF</i></b>	236,204 square feet	117,000 square feet
<b><i>Max. Gross Retail SF</i></b>		50,000 square feet
<b><i>Max. Gross Industrial SF</i></b>	N/A	65,000
<b><i>Potential F.A.R.</i></b>	.75	.48

The proposed rezoning is:

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

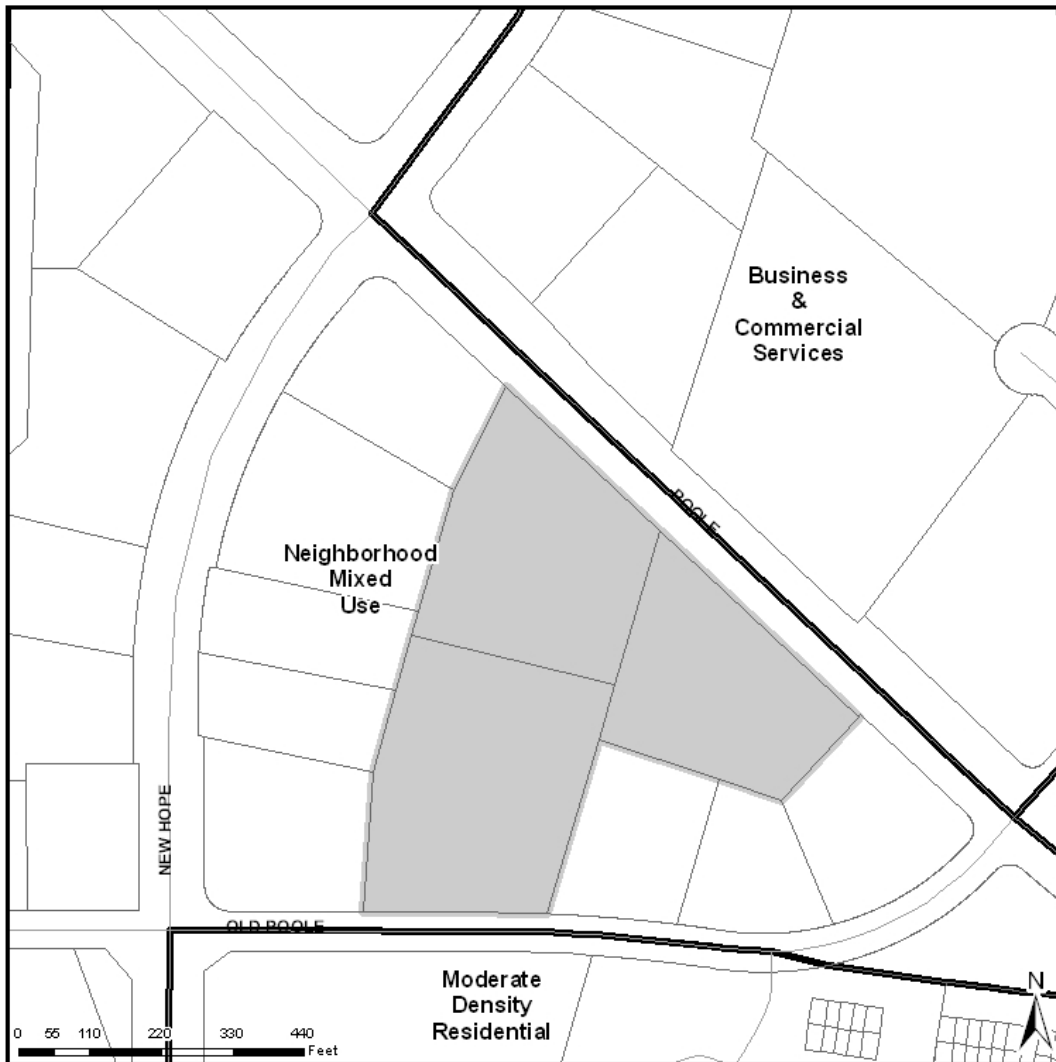
☐ **Incompatible.**

Office and retail uses on the site are generally compatible with the surrounding development pattern of mixed nonresidential uses.

## FUTURE LAND USE MAP

### Future Land Use Map

**Z-30-2013**



**Submittal  
Date**

9/19/2013

#### **Request:**

**7.23 acres from O&I-1 & TD  
to CX-3-CU**

#### **VICINITY MAP**



## 2. Comprehensive Plan Consistency Analysis

### 2.1 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

The site is designated for Neighborhood Mixed Uses on the Future Land Use Map. Relatively small-scaled office and retail development are appropriate within areas of this designation.

### 2.2 Policy Guidance

The proposal is consistent with the following policies:

Policy LU 3.2: Location of Growth  
Policy LU 6.4: Bus Stop Dedication  
Policy LU 7.1: Encouraging Nodal Development  
Policy LU 7.4: Scale and Design of New Commercial Uses  
Policy LU 10.6: Retail Nodes

### 2.3 Area Plan Policy Guidance

The site is not within a small area plan.

## 3. Public Benefit and Reasonableness Analysis

### 3.1 Public Benefits of the Proposed Rezoning

The proposal would increase the availability of goods and services for the residential areas to the east and south.

### 3.2 Detriments of the Proposed Rezoning

None identified.

## 4. Impact Analysis

### 4.1 Transportation

1. Traffic Study Determination: Staff has reviewed a trip generation differential report for this case as conditioned, and a traffic impact analysis study is not recommended for Z-30-13.

2. The block perimeter for the proposed site is approximately 3,500 feet. Section 8.3.2 of the Unified Development Ordinance identifies a maximum block perimeter of 3,000 feet for a structure less than four stories under the Commercial Mixed Use zoning classification. A new street may be required to maintain a well-connected street network.

**Impact Identified:**

None

**4.2 Transit**

1. This area does not currently have transit service
2. The City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study both identify this as a corridor to receive new service
3. Please dedicate a 15x20' transit easement along Poole Rd
4. If transit service has been instituted and if requested
  - a. Prepare a 15x20' cement pad on the transit for the installation of a shelter
  - b. Pour a 30' cement strip between the sidewalk and curb at the location of the transit easement
  - c. Install an ADA accessible shelter on the transit easement

**Impact Identified:** A transit easement on the site will help with the expansion of transit service into the area.

**Subsequently the applicant has submitted revised conditions that satisfy this request.**

**4.3 Hydrology**

<i>Floodplain</i>	No.
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	N/A

**Impact Identified:** Site is subject to Section 9.2 (Stormwater Controls) of Raleigh Unified Development Ordinance.

**4.4 Parks and Recreation**

The subject tract is not adjacent to any greenway corridors. The subject tract does not impact the recreation level of service in this area.

**Impacts Identified: None.**

**4.5 Public Utilities**

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	26,840 gpd	134,797 gpd
<i>Waste Water</i>	26,840 gpd	134,797 gpd

**Impact Identified:** The proposed rezoning would add approximately 107,957 gpd to the resource recovery collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.

The petitioner must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed. Verification of available capacity for water 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 Urban Forestry***

This property will have to comply with UDO Article 9.1. There will be required tree conservation areas along the wooded areas adjacent to Poole Rd.

**Impact Identified: None.**

#### ***4.6 Designated Historic Resources***

N/A

#### ***4.7 Community Development***

N/A

#### ***4.8 Appearance Commission***

N/A

#### ***4.9 Impacts Summary***

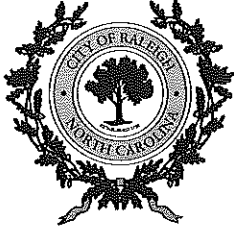
The proposal will have minimal impacts on City infrastructure. The Transit Division has asked for a transit easement.

#### ***4.10 Mitigation of Impacts***

Applicant should address the Transit Division's request for a transit easement.

## **5. Conclusions**

The proposed rezoning is consistent with the Comprehensive Plan and particularly the Future Land Use Map. The allowed uses in the proposed zoning district are compatible with the surroundings. The presence of the extensive overhead utility line network will provide site planning and aesthetic challenges in the future development of the properties.



# Planning & Development

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

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use  Existing Zoning Classification: O&I-1, TD Proposed Zoning Classification Base District <u>CX</u> Height <u>3</u> Frontage <u>N/A</u>  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. <u>Transaction number 364790 (Presubmittal Conference)</u>	Transaction Number  <u>364790</u>

GENERAL INFORMATION		
Property Address 4530 and 4560 Poole Road and 5001 Old Poole Road		Date September <u>18<sup>th</sup></u> , 2013
Property PIN 1733-13-0231, 1733-13-3022, and 1733-02-9848 (collectively, the "Property")		
Nearest Intersection: Poole Road and Old Poole Road		Property size (in acres) 7.23 acres
Property Owner: Ammons East Corporation	Phone 919-847-5460	Fax 919-847-4128
	Email	
Project Contact Person: Lacy H. Reeves	Phone 919-821-6704	Fax 919-821-6800
	Email: lreeves@smithlaw.com	
Owner/Agent Signature: Ammons East Corporation By: <u>[Signature]</u> Justus M. Ammons, President	Email	

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

9/18/13  
3:21 P.M.



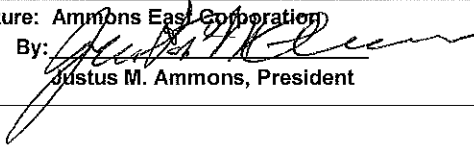
# Planning & Development

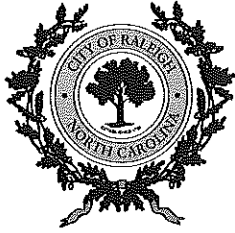
**Development Services**  
**Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number	Z-30-13	Transaction Number
Date Submitted: September 19, 2013		364790

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The following uses shall be prohibited upon the Property: Dormitory, Fraternity, Sorority; Emergency Shelter Type A; Emergency Shelter Type B; Telecommunication Tower (less than 250 feet); Telecommunication Tower (greater than 250 feet); Adult Establishment; Outdoor Sports or Entertainment Facility (less than 250 seats); Outdoor Sports or Entertainment Facility (more than 250 seats); Commercial Parking Lot; Remote Parking Lot; Heliport; Bar, Nightclub, Tavern, Lounge; Detention Center, Jail, Prison; Vehicle Sales; Vehicle Repair (minor and major); and Gasoline Sales.
2.	The land use or uses developed upon the Property shall be limited to a use or uses which when analyzed using the Trip Generation Manual published by the Institute of Transportation Engineers, and appropriately adjusted to account for Pass-By Trips and Internal Capture, will generate no more than 4,170 daily vehicle trips with no more than 293 vehicle trips in the AM peak hour and no more than 387 vehicle trips in the PM peak hour.
3.	If requested by the City, the Property owner shall offer to the City prior to recordation of a subdivision plat or issuance of a building permit, whichever shall first occur, a transit easement along Poole Road measuring fifteen feet (15') by twenty feet (20'). The location of the easement shall be approved by the Transit Division at the time of such subdivision or site plan approval and the City Attorney shall approve the form of the conveyance document.
4.	
5.	
6.	
7.	

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: Ammons East Corporation By:  Justus M. Ammons, President	Print Name



# Planning & Development

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

## Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive plan, or that the request be reasonable and in the public interest.	Transaction Number 364790 Zoning Case Number Z-30-13

### 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 Property is designated Neighborhood Mixed Use in the Future Land Use Map and is adjacent to an area designated Business and Commercial Services; these designations support a rezoning of the Property to CX-3 District. CX is requested, rather than NX, because CX would allow Light Manufacturing. This would enable uses entailing both fabrication and retail sales of fabricated products. An example would be a glass retailer that cuts glass to order and fabricates glass doors and other glass products for retail customers.
2. In its description of areas designated for Neighborhood Mixed Use, the Comprehensive Plan provides at page 34 that "[h]eights would generally be limited to three stories." This case is consistent with this policy, which is reflected in Table LU-2.
3. Poole Road is designated a Secondary Arterial in the Arterials, Thoroughfares and Collector Streets Map of the Comprehensive Plan and a Multi-Modal Corridor in the Growth Framework Map. Commercial development is appropriate along streets with these designations.
4. This rezoning request is consistent with the following policies contained in the Comprehensive Plan: Policy LU 1.3, Policy LU 2.2, Policy LU 4.9, Policy LU 6.4, and Policy LU 8.11 (the Property is encumbered by power lines).

### PUBLIC BENEFITS

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

1. This rezoning request proposes to replace City Code zoning districts with a new district created by the UDO, thereby mandating UDO standards and principles for the development of the Property.
2. This rezoning would promote and enable retail uses and services in an area where such uses are not allowed under existing zoning, but are recommended by the Comprehensive Plan.
- 3.
- 4.

## URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

The Property is not within a "mixed use center" as shown on the Urban Form Map or along a Main Street or Transit Emphasis Corridor.

1. *All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.*
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.*
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.*
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.*
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.*
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.*
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.*
8. *If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.*
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.*
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.*
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.*
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.*
13. *New public spaces should provide seating opportunities.*
14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*
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.*
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.*

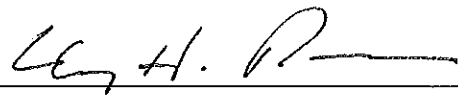
17.	<i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i>
19.	<i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i>
20.	<i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i>
21.	<i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i>
22.	<i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i>
23.	<i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i>
24.	<i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i>
25.	<i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i>
26.	<i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i>

**PROPOSED REZONING****7.23 Acres - South Side of Poole Road Between  
South New Hope Road and Old Poole Road****REPORT OF JULY 16, 2013 NEIGHBORHOOD MEETING**

In accordance with Section 10.2.4 of the Unified Development Ordinance, a neighborhood meeting was scheduled with respect to this rezoning case at 5:00 p.m. on Tuesday, July 16, 2013 at the office of the Smith Anderson Law Firm on the 23<sup>rd</sup> Floor of the Wells Fargo Building at 150 Fayetteville Street in Raleigh. Attached as Exhibit A is a list of those persons and organizations contacted about the meeting. Those persons and organizations were mailed a letter of invitation concerning the meeting, a copy of which is attached as Exhibit B. The letters were mailed on or about June 28, 2013 via first class U.S. Mail.

Although a representative of the applicant in this case was present at the appointed time at the office of Smith Anderson and remained for approximately one-half hour, none of the invitees arrived for the meeting. Accordingly, the meeting was not held. A change was made to the rezoning petition subsequent to the scheduled neighborhood meeting in that Gasoline Sales was added as a use to be prohibited on the property.

Respectfully submitted this 16<sup>th</sup> day of September, 2013.

  
\_\_\_\_\_  
Lacy H. Reaves  
Attorney for Petitioner