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 in accordance 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:

1) to lessen congestion in the streets;
2) to provide adequate light and air;
3) to prevent the overcrowding of land;
4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
5) to regulate in accordance with a comprehensive plan;
6) to avoid spot zoning; and
7) 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.

Signature(s) ______________________ Date: 3/18/08

Please type or print name(s) clearly:

Hunter Marshall, President

March 18, 2008

America's Home Buyers, Inc.
EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print.

See instructions, page 6

1) Petitioner(s):
   Note: Conditional Use District
   Petitioner(s) must be owner(s) of petitioned property.
   
   Hunter Marshall
   America's Home Buyers

   Address
   PO Box 99548
   Raleigh NC 27624

   Telephone / E-Mail
   919-255-0360
   Hmarshall2@nc.rr.com

2) Property Owner(s):
   
   Hunter Marshall
   America's Home Buyers

   Address
   PO Box 99548
   Raleigh NC 27624

   Telephone / E-Mail
   919-255-0360
   Hmarshall2@nc.rr.com

3) Contact Person(s):
   
   Hunter Marshall
   America's Home Buyers

   Address
   PO Box 99548
   Raleigh NC 27624

   Telephone / E-Mail
   919-255-0360
   Hmarshall2@nc.rr.com

4) Property Description:
   Please provide surveys if proposed zoning boundary lines do not follow property lines.
   
   Wake County Property Identification Number(s) (PIN):

   General Street Location (nearest street intersections):
   This site is located on Lynn road, South West of intersection to Creedmoor road

5) Area of Subject Property (acres):
   0.3611

6) Current Zoning District(s)
   Classification:
   Residential - 4

7) Proposed Zoning District
   Classification:
   Office and Insitution 1, Conditional Use

Rezoning Petition
Form Revised December 21, 2007
8) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Street Address(es):</th>
<th>City/State/Zip:</th>
<th>Wake Co. PIN #’s:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey Cutlip</td>
<td>6412 Godfrey Drive</td>
<td>Raleigh NC 27612</td>
<td>0797327842</td>
</tr>
<tr>
<td>Charles Bullock</td>
<td>6400 Godfrey Drive</td>
<td>Raleigh NC 27612</td>
<td>0797328654</td>
</tr>
<tr>
<td>Glenda Carol</td>
<td>6408 Godfrey Drive</td>
<td>Raleigh NC 27612</td>
<td>0797328759</td>
</tr>
<tr>
<td>Janice Johnson</td>
<td>2416 Hinton Street</td>
<td>Raleigh NC 27612</td>
<td>0797329651</td>
</tr>
<tr>
<td>Michael Cole</td>
<td>2609 Westmill Court</td>
<td>Raleigh NC 27613</td>
<td>0797338003</td>
</tr>
<tr>
<td>Raymond Edwards</td>
<td>2605 Westmill Court</td>
<td>Raleigh NC 27613</td>
<td>0797339013</td>
</tr>
<tr>
<td>Comma Alger Danieley</td>
<td>2601 Westmill Court</td>
<td>Raleigh NC 27613</td>
<td>0797339087</td>
</tr>
<tr>
<td>Dwight Scott</td>
<td>2412 Hinton Street</td>
<td>Raleigh NC 27612</td>
<td>0797420680</td>
</tr>
<tr>
<td>LynnBrooke Centre Condo</td>
<td>8521 Wapello Lane</td>
<td>Raleigh NC 27613</td>
<td>0797421765</td>
</tr>
<tr>
<td>GS Edinborough Commons</td>
<td>11 State Street</td>
<td>Charleston SC 29401</td>
<td>0797434423</td>
</tr>
</tbody>
</table>

For additional space, photocopy this page.

Rezoning Petition
Form Revised December 21, 2007
EXHIBIT D. Petitioner’s Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

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 which District Plan area the subject property is located within and the recommended land use for this property:

   The subject property is located in the Northwest district. Current zoning is residential-4.

B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

   The subject property is not located within any adopted plans.
C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

The proposed map amendment is inconsistent with the comprehensive plan because Lynn road is currently designated as a residential thoroughfare along which medium density residential uses are recommended. However this district is almost 14% of Raleigh’s population and is expected to increase by 31% percent by 2030, therefore it is vital to have a strong mix of residential, office, and retail space in this area. In addition, the neighboring property Lynnbrooke Centre is zoned Office and Institution 1- Conditional Use.

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):

North: Residential-20 Conditional Use (Edinborough Commons Apts), and Residential-4 (single family homes)
South: Residential-4 (single family homes)
East: Office and Institution 1 Conditional Use (Lynnbrooke Centre)
West: Residential-4 (single family homes)

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

No current or proposed overlay districts in place.

North: Lynn road, across road you have large buffer of pine trees
South: Large hardwood trees acting as buffer
East: Large retaining wall with miscellaneous shrubs, office building height is 40 feet
West: Tall privacy fence and hardwood trees as buffer

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 property is located a few hundred yards away from a very busy intersection off Lynn road and Creedmoor road. The traffic is too intense for this property to be zoned as it is currently for residential purposes. Therefore a small office building would be better suited for this lot and more compatible with the surrounding area.
III. **Benefits and detriments of the proposed map amendment.**

A. For the landowner(s):

No detriments. Benefits would be a more marketable and desirable community which offers a diverse mix of low density and medium density residential in addition to the conservative mix of office and retail space.

B. For the immediate neighbors:

The only detriment would be to the four residential homes surrounding this property. However with the proper building and landscape design the impact would be minimal. Benefits are having amenities more readily available to people in the surrounding communities.

C. For the surrounding community:

No detriments. The benefits would be the added services, and potential employment opportunities that would be provided.

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

Rezoning this parcel of land to Office and Institution 1-Conditional Use, would allow the Northwest district to keep pace with the rapid business development of the greater Raleigh area. The surrounding areas would have additional amenities and services that are not currently readily available.

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

This property resides on Lynn road a major thoroughfare which does not make this ideal for residential uses. This lot is adjacent to a small business complex. If zoning were changed to allow this property to be used for business purposes it would allow the neighboring community closer and convenient access to those business services.

V. **Recommended items of discussion (where applicable).**

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

The zoning was applicable when the previous structure was erected in 1945.
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.

The adjacent property Lynnbrooke Centre was recently developed with zoning of Office and Institution 1- Conditional Use the previous zoning was also Residential-4. There are many other pockets within this corridor that have recently allowed zone changing for small businesses.

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

Rezoning this land to Office and Institution 1- Conditional Use will allow for the continuance of business growth and development in the Northwest district. In addition further employment opportunities will be created for the surrounding areas.

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

There will be limited impact on public services if zoning is changed on this small 0.36 acre lot. If cross access is provided to the adjacent property to the east (LynnBrooke Centre) then no direct access to Lynn road would be required. The existing access point would be eliminated therefore lessening the traffic congestion on this major thoroughfare. The property is not located in a flood plain nor are there environmental issues associated with this land. This property is not adjacent to any existing or proposed parks or greenways. There are existing eight inch sanitary sewer and sixteen inch water mains in Lynn road which would have no problems serving the proposed zoning.

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

Z-34-08
Amended on 5-29-2008
Hunter mansion
Case File: Z-34-08 Conditional Use; Lynn Rd.

General Location: Southside of Lynn Road, southwest of its intersection with Creedmoor Road.

Planning District / CAC: Northwest / Northwest-Umstead

Request: Petition for Rezoning from Residential-4 to Office & Institution-1 Conditional Use District.

Comprehensive Plan Consistency: The request is inconsistent with the Comprehensive Plan

Valid Protest Petition (VSP): NO.

Recommendation: The Planning Commission finds that the request is inconsistent with the Comprehensive Plan and based on the Findings and Reasons of this report, recommends that this request be denied.
CASE FILE: Z-34-08 Conditional Use

LOCATION: This site is located on the south side of Lynn Road, southwest of its intersection with Creedmoor Road.

REQUEST: This request is to rezone approximately 0.361 acres, currently zoned Residential-4. The proposal is to rezone the property to Office & Institution-1 Conditional Use District.

COMPREHENSIVE PLAN CONSISTENCY: The request is inconsistent with the Comprehensive Plan

RECOMMENDATION: The Planning Commission finds that the request is inconsistent with the Comprehensive Plan and based on the Findings and Reasons of this report, recommends that this request be denied.

FINDINGS AND REASONS:

(1) That the request is inconsistent with the Comprehensive Plan in that, the subject site is recommended for low density residential uses as it is located on the residential side of the Policy Boundary Line that defines the Creedmoor/Millbrook Neighborhood Focus area.

(2) That the proposed condition that requires access through the adjacent property should be clarified through a cross-access agreement or by limiting direct access from Lynn Road to one point. The revised condition #4 submitted on 7/30/08 is less restrictive than condition #4 that was previously offered by the applicant dated 5/29/08 and therefore, in keeping with Sec.10-1065 (C) would be deemed unacceptable. Therefore, it would be irresponsible for the Planning Commission to recommend approval of this case when the condition of record, which prohibits direct access from Lynn Road and requires cross access with the adjacent property, may not be achievable thereby rendering the property unusable.

(3) That the proposed request, while compatible with the surrounding uses, with its unresolved access issues may not render larger public benefit to the adjacent property owners or to the community.

(4) That based on the above stated reasons, the Planning Commission recommends denial of this case.

The Planning Commission recommends that the applicant request a waiver of the 2-year waiting period, and resolve the access issue for further consideration of this rezoning proposal.

To PC: 7/22/08
Case History: Deferred at PC to clarify cross-access availability; 8/12/08 PC voted denial.
To CC: 9/2/08 City Council Status: ______________________
Staff Coordinator: Dhanya Sandeep
Motion: Mullins  
Second: Holt  
In Favor: Anderson, Bartholomew, Butler, Chambliss, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith  
Opposed: 
Excused: 

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 Staff Report attached.

Signatures: (Planning Dir.) (PC Chair)

date:  
date: 8/15/08
Zoning Staff Report: Z-34-08 Conditional Use

LOCATION: This site is located on the south side of Lynn Road, southwest of its intersection with Creedmoor Road.

AREA OF REQUEST: 0.361 acres

PROPERTY OWNER: Hunter Marshall, America’s Home Buyers

CONTACT PERSON: Hunter Marshall, 919-255-0360

PLANNING COMMISSION RECOMMENDATION DEADLINE: November 12, 2008

<table>
<thead>
<tr>
<th>ZONING: Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential-4</td>
<td>Office &amp; Institution – 1 CUD</td>
</tr>
<tr>
<td>Current Overlay District</td>
<td>Proposed Overlay District</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ALLOWABLE DWELLING UNITS: Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 dwelling unit</td>
<td>w / Staff approval: 5 dwelling units w / PC approval: 9 dwelling units</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ALLOWABLE OFFICE SQUARE FOOTAGE: Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not permitted</td>
<td>11,793 square feet (FAR 0.75)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ALLOWABLE RETAIL SQUARE FOOTAGE: Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not permitted</td>
<td>Not permitted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ALLOWABLE GROUND SIGNS: Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tract ID sign</td>
<td>Low Profile (Height=3.5 feet; Area=70 sq.ft.)</td>
</tr>
</tbody>
</table>

ZONING HISTORY: This property has been zoned Residential-4 for several years.

SURROUNDING ZONING: NORTH: Residential-4 & Residential-20 CUD (Z-19-94) SOUTH: Residential-4 & Residential-6 CUD EAST: Office & Institution-1 CUD (Z-45-05) & Residential-4
Zoning Conditions – Z-45-05

a. Reimbursement for future right-of-way dedication shall be based on R-4 values.
b. Non-residential buildings on the Property shall be limited to a maximum building height of forty (40) feet.
c. All exterior building and parking lot lighting fixtures directed toward residential properties shall be of full cut-off (shielded) design, and be a maximum of twenty (20) feet in height.
d. Any building constructed on the Property shall have a pitched roof with a minimum slope of 6:12.
e. Required transitional protective yards may not be reduced in width by the installation of a wall or fence.
f. Cross-access will be provided to the 7 parcels encompassed in this petition in the event that they are not recombined into a single parcel.
g. Vehicular access from Lynn Road will be limited to no more than (2) access points.

WEST: Residential-4

LAND USE: Vacant, wildly vegetated lot

SURROUNDING LAND USE:
NORTH: Single family & multi-family residential uses
SOUTH: Single family residential use
EAST: Office use (Lynnbrooke Center)
WEST: Single family residential uses

DESIGNATED HISTORIC RESOURCES: None

EXHIBIT C AND D ANALYSIS:

COMPREHENSIVE PLAN SUMMARY TABLE: In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City’s adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

<table>
<thead>
<tr>
<th>Element</th>
<th>Application to case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning District</td>
<td>Northwest</td>
</tr>
<tr>
<td>Urban Form</td>
<td>Outside edges of a Neighborhood Focus Area; residential side of a PBL</td>
</tr>
<tr>
<td>Specific Area Plan</td>
<td>Creedmoor Road Corridor Plan</td>
</tr>
<tr>
<td>Guidelines</td>
<td>None</td>
</tr>
</tbody>
</table>

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

The rezoning sites are located in the Northwest Planning District, along a Residential thoroughfare, just outside the edges of a Neighborhood Focus area. The request is inconsistent with the Comprehensive Plan in that, the properties are located on the residential side of the Policy Boundary.
Line and therefore, recommended for low density residential uses. The Policy Boundary Line is designated by the Neighborhood Focus Area at the intersection of Creedmoor and Lynn Roads per the Creedmoor Road Corridor Plan, and is applied to delineate residential from non-residential uses. The proposal to rezone the subject parcel to Office & Institution-1 with stated conditions would allow the development of low intensity office uses.

The Creedmoor Road Corridor Plan primarily provides policy recommendations for lots with frontage on Creedmoor Road. However, emphasis is given to encourage strengthening the edges of low-density residential areas, and providing for a clear separation of focus areas to preserve the integrity of residential areas. New development should not adversely impact adjoining residential properties as a result of stormwater run-off or noise caused by high levels of activity of service area functions. Adverse impacts on adjacent residential properties should not be created by new development as a result of bulk, scale, mass, fenestration or orientation of structures. The applicant has included a few conditions that address building height, building scale, vehicular access, signage and lighting specifications.

### Compatibility of the proposed rezoning with the property and surrounding area.

The parcels are located in an area surrounded predominantly by low density residential uses. To the immediate north, west and south are low density residential properties zoned Residential-4. Further to the south are a few properties zoned Residential-6 CUD. To the immediate east, the abutting large parcel was rezoned in 2005 to Office & Institution-1 CUD (Z-45-05) and developed for low density office uses (Lynnbrooke Center). Shopping Center zoning exists further east at the intersection of Lynn and Creedmoor Roads located within a designated focus area. To the northeast, to the north of Lynn Road is property with Residential-20 CUD zoning, which has been developed for multi-family residential uses (Edinborough Common Apts.).

The proposal to rezone the subject parcel to Office & Institution-1 with stated conditions would allow the development of low intensity office uses. The applicant notes that the subject properties are located a few hundred yards away from a very busy intersection off Lynn Road and Creedmoor Road, and the traffic along Lynn Road is too intense for this property to be utilized for low density residential uses a permitted use under the existing zoning. The applicant further states that a rezoning to permit a small office building would be better suited for this lot and more compatible with this area.

The subject properties are the only two remaining properties in this block with frontage along Lynn Road, a residential thoroughfare with heavy traffic. Given the small size of the subject sites (0.36 acre), it is unpractical to utilize the subject property for single-family detached uses that will require direct access from Lynn Road, a busy thoroughfare. A driveway access to the Lynnbrooke Center located less than 100 feet from the subject property would encourage limiting any direct access from Lynn Road to one point. The most appropriate use would be low intensity office complex which utilizes cross-access. However, if direct access is acquired from Lynn Road, it should be implemented with minimal impacts on the abutting single family residential use. The applicant indicates that the rezoning would be appropriate with the surrounding area. The conditions offered would strengthen the edges of residential uses and protect the surrounding single family neighborhoods from any adverse impacts.

### Public benefits of the proposed rezoning

The applicant notes that the benefits associated with this rezoning would be a more marketable and desirable community which offers a diverse mix of low and medium density residential in addition to the conservative mix of office and retail space. The Northwest District is experiencing growth and therefore, it is vital to have a strong mix of residential, office and retail space in this area.

The petitioner proposes to redevelop the property while maintaining a compatible scale and minimizing impacts to the low density residential neighborhood to the west and south. Proposed conditions reduce potential negative impacts on the adjoining single family properties to the west and south. The proposed rezoning and its uses would be complementary to the adjacent low intensity
office center to its east while still strengthening the edges of residential uses and protecting the surrounding single family neighborhoods from any adverse impacts.

4. Detriments of the proposed rezoning

As noted by the applicant, the only detriment perceived would be to the four single family lots abutting the western edge of the properties. However, by incorporating appropriate conditions that address scale, mass, bulk, parking, height & buffering, any negative impacts to these lots could be alleviated. With appropriate building and landscape design, impacts would be minimal, while the benefits rendered would be the additional amenities available to people in the surrounding communities, reduction of traffic conflicts, and better use of the property.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

**TRANSPORTATION:** Lynn Road is classified as a major thoroughfare and is constructed to City standards as five-lane curb and gutter section with sidewalks on both sides within a varying 85-90-foot right of way. Neither NCDOT nor the City have any projects scheduled in the vicinity of this case.

**TRANSIT:** This site is within close proximity of current and future bus routes, but does not provide an **appropriate** space for a bus stop. No transit easement is needed.

**HYDROLOGY:** FLOODPLAIN: None
DRAINAGE BASIN: Haresnipe
STORMWATER MANAGEMENT: Pt. 10 Ch. 9

**PUBLIC UTILITIES:**

<table>
<thead>
<tr>
<th></th>
<th>Maximum Demand on Current Zoning</th>
<th>Maximum Demand on Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>Approx. 722 gpd</td>
<td>Approx. 1,173 gpd</td>
</tr>
<tr>
<td>Waste Water</td>
<td>Approx. 722 gpd</td>
<td>Approx. 1,173 gpd</td>
</tr>
</tbody>
</table>

The proposed rezoning would add approximately 451 gpd of wastewater and water to the wastewater collection and water distribution systems of the City’s utilities. There are existing water and sanitary sewer mains in the Lynn Road right-of-way which would serve the proposed rezoning area.

**PARKS AND RECREATION:** This property is not adjacent to a greenway corridor. Existing recreation services are provided at Lake Lynn Park to meet the needs of this property.

**WAKE COUNTY PUBLIC SCHOOLS:** The maximum number of dwelling units permitted under the proposed zoning would be 9, while the current zoning permits 1 unit. This would result in the following increase in school enrollment: 1 elementary, 1 middle and 0 high school. Base school assignments would be to the following schools, operating at the capacities indicated:

**Impacts on School Capacity**

<table>
<thead>
<tr>
<th>School name</th>
<th>Current enrollment</th>
<th>Current Capacity</th>
<th>Future Enrollment</th>
<th>Future Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn Road</td>
<td>472</td>
<td>74.3%</td>
<td>473</td>
<td>74.5%</td>
</tr>
<tr>
<td>Carroll</td>
<td>714</td>
<td>83.9%</td>
<td>715</td>
<td>84.0%</td>
</tr>
<tr>
<td>Sanderson</td>
<td>1,876</td>
<td>98.8%</td>
<td>1,876</td>
<td>98.8%</td>
</tr>
</tbody>
</table>
IMPACTS SUMMARY: The proposed zoning could result in the following increase in school enrollment:
1 elementary and 1 middle school (total of 2 new students).

No major impacts on infrastructure services have been noted for this case.

OPTIONAL ITEMS OF DISCUSSION

1. An error by the City Council in establishing the current zoning classification of the property.

   The zoning was applicable when the previous structure was built in 1945.

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 be properly applied to it now were it being zoned for the first time.

   The Residential-4 zoning on the property was appropriate when the property was last developed. However, since that time, this area has experienced significant growth and the current zoning on the property would not be appropriate for low density residential uses, given its frontage onto Lynn Road, a busy residential thoroughfare. Since the properties were initially zoned R-4, Lynn Road has been converted into a busy 5 lane thoroughfare, experiencing an increase in traffic. This significant change in the circumstances in land use and traffic pattern make the parcels unsuitable for low density residential development allowed under the existing R-4 zoning category. Given the conditions attached to the petition, the development of these parcels as low intensity offices can be successfully integrated with the adjoining office uses, when carefully designed and provide for a transitional buffer between the high impact residential thoroughfares and the residential uses to the east.

APPEARANCE COMMISSION: This request is not subject to Appearance Commission review.

CITIZEN’S ADVISORY COUNCIL: DISTRICT: Northwest
CAC CONTACT PERSON: Jay M. Gudeman, 789-9884;
Nancy Murray, 845-8845

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

1. Outstanding issues
   - The request is inconsistent with the Comprehensive Plan in that, it is recommended for low density residential uses.