



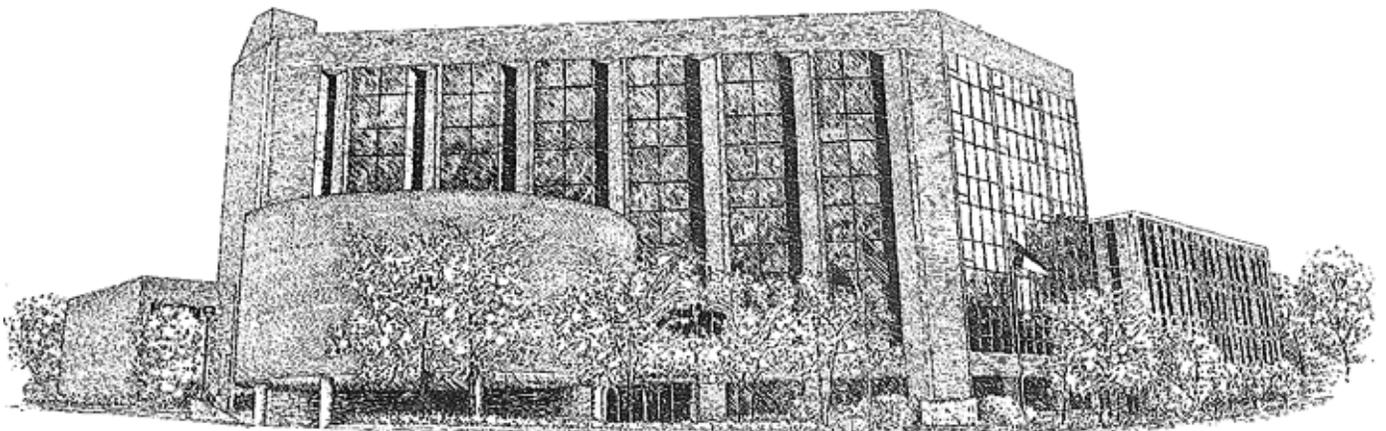
Official Agenda

RALEIGH CITY COUNCIL

Nancy McFarlane, Mayor
Kay C. Crowder, Mayor Pro Tem
Mary-Ann Baldwin
Corey D. Branch
David N. Cox
Bonner Gaylord
Russ Stephenson
Dickie Thompson

MONDAY, MARCH 28, 2016
4:00 P.M. UDO WORK SESSION
CITY COUNCIL CHAMBER

Avery C. Upchurch Government Complex



222 West Hargett Street, Raleigh, North Carolina 27602

A. MEETING CALLED TO ORDER BY THE MAYOR

B. AGENDA

1. Z-27D-14 Citywide Remapping

Ken Bowers, Planning

This is a request to rezone property to apply Unified Development Ordinance Districts; additional information is included in the staff report.

For the 65 parcels still subject to legacy zoning, Planning Commission recommends approval of rezoning. The specific details of the Planning Commission's recommendations can be found on page 2 of the attached staff report in a table named, "Summary of Planning Commission Recommendations – Z-27D-14."

For all but one item, Planning Commission's zoning recommendations are less restrictive than the zoning advertised for the July 7, 2015 and July 21, 2015 Public Hearings and require a new Public Hearing be held before Council decision.

City Council may choose to continue discussion of Z-27D-14 during a future work session or schedule the case for Public Hearing. City code requires City Council to give notice of a new Public Hearing no later than May 14, 2016.



City of Raleigh North Carolina

To: Mayor Nancy McFarlane
Members of City Council

From: Travis R. Crane, Assistant Planning Director

Date: 22 March 2016

Re: City Council Work Session/UDO Zoning Map

The City Council will conduct a work session on Monday, March 28, 2016 to discuss the last remaining parcels associated with the UDO zoning map. The City Council adopted a new UDO zoning map on November 15, 2015. During the Council adoption, several areas were identified and referred back to the Planning Commission for further review. These remaining 19 areas (65 total parcels) were reviewed by the Planning Commission during multiple public meetings. The Planning Commission responded directly to the comments received by the City Council during the adoption of the UDO zoning map.

Why were the parcels referred back to the Planning Commission?

At the public hearings on July 7th and 21st, some property owners expressed a desire for less restrictive zoning. This means the requested zoning district was more permissive than the zoning contained on the UDO zoning map. The City Council cannot grant a less restrictive zoning district after the public hearing has occurred.

An example of less restrictive zoning could be a more intense zoning district, such as a change from RX to NX zoning. Another example of less restrictive zoning is a greater height category, such as an increase from three stories to five stories. Finally, a more permissive frontage would be considered less restrictive, such as a change from an Urban Limited frontage to a Parking Limited frontage.

The City Council identified certain comments as reasonable and referred these items back to the Planning Commission. A public hearing can be conducted and the City Council can then consider these requests for additional entitlements.

Were members of the public permitted to participate in the Planning Commission meetings?

Yes. City staff provided notice of the Planning Commission meetings. Staff posted signs on the properties to be considered and mailed notices to affected property owners; both owners of property to be considered in the

rezoning and property owners within 100 feet of these areas. The Planning Commission conducted open meetings where public comment was accepted.

What if City Council does not agree with the Planning Commission recommendations?

The City Council is not compelled to approve the recommendation of the Planning Commission. The City Council must rezone the parcels to a UDO district. During the work session and prior to the advertisement for a public hearing, the City Council can discuss zoning that is either more or less restrictive than what has been recommended by the Planning Commission. Staff has provided a matrix which displays the following information:

1. Part 10 zoning district;
2. July public hearing UDO zoning map district; and
3. Planning Commission recommendations from 2016

The Part 10 zoning district is not a viable option and is only listed for informational purposes. Because the public hearing has not been scheduled, the City Council can consider less restrictive zoning districts during the work session.

If the City Council prefers the zoning that was shown at the public hearing, no additional public hearing is required. A public hearing is only required if the City Council wishes to assign a different zoning district.

What are the next steps in this process?

The City Council can choose to schedule a public hearing for any parcels to be rezoned. The UDO requires that a notice of a public hearing be provided by May 14, 2016. The last regular meeting of the City Council that would provide time to meet all noticing requirements is Tuesday, June 7, 2016. The City Council can continue to consider the rezoning request after the public hearing. The zoning districts can be altered after the public hearing, but only to a more restrictive zoning district.

Key Dates

Date	Action	Notes
March 15, 2016	City Council receives PC recommendation	Have 60 days from this date to provide notice for a public hearing
March 28, 2016	City Council work session	Can discuss more or less restrictive zoning districts
May 14, 2016	Last day to provide notice for a public hearing	Once notice is provided, all changes to the map must be more restrictive
June 7, 2016	Last regular City Council evening meeting to conduct public hearing	City Council can act on the request once the public hearing closes

City Council Work Session – 28 March 2016

Z-27D-14/UDO Remapping – Items for Further Discussion

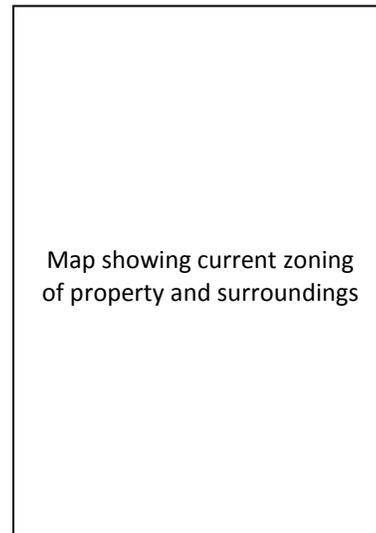
During the July 7th and July 21st Public Hearings, City Council received a number of comments regarding the UDO zoning map. Council referred 19 comments about 65 parcels for less restrictive zoning for further review by Planning Commission. Planning Commission completed their review on March 8, 2016 and delivered their recommendation to Council on March 15, 2016. Planning Commission’s zoning recommendations are less restrictive than the zoning advertised for the July 2016 Public Hearings and require a new Public Hearing be held before Council Decision. The work session allows for discussion of any adjustments for less restrictive zoning that Council may wish to make in advance of scheduling the new Public Hearing. Council must give notice of the new Public Hearing no later than May 14, 2016.

This report includes information about Planning Commission’s recommendations for the 19 comments referred to them by Council for further review.

Each of the 19 comments for the parcels to be rezoned is formatted as shown here:

Location

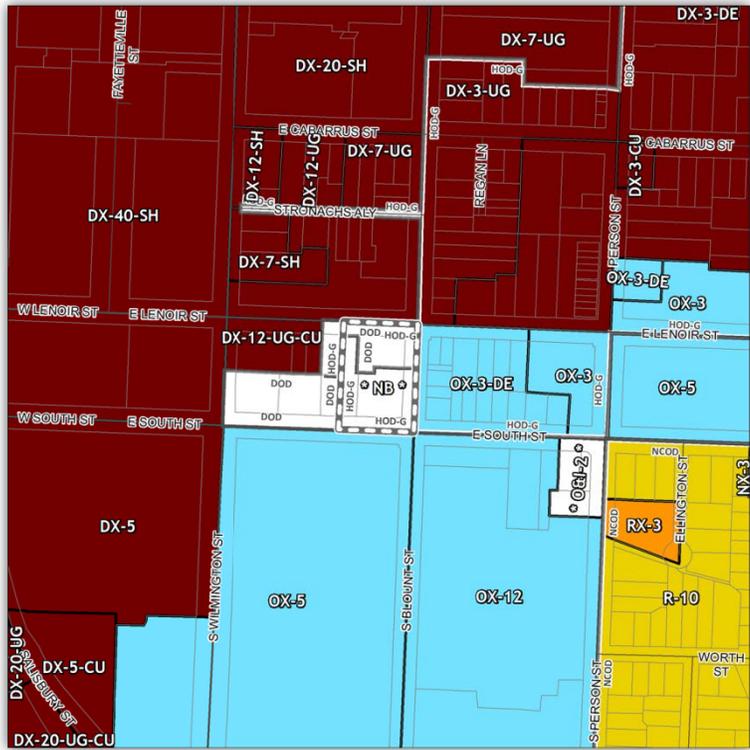
Planning Commission Recommendation The zoning recommended by Planning Commission
Public Hearing Recommendation Zoning originally advertised as part of public hearing notification
Existing Zoning Current Part 10 zoning
Future Land Use Future Land Use Map designation from the 2030 Comprehensive Plan
Urban Form Urban Form Map designation, if any



Summary of Planning Commission Recommendations – Z-27D-14

Item	PC Date	Site Address	Current Zoning	Public Hearing (Z-27B-14) Zoning	Planning Commission Recommendation
1	1/5/2016	600 S Blount St	NB w/HOD-G & DOD	OX-4-SH w/HOD-G	OX-4 w/HOD-G
		121 & 125 E South St	NB w/HOD-G		
2	1/5/2016	401 N Harrington St	IND-2 w/DOD	DX-12-SH	DX-20-SH
3	1/5 & 1/26	6301 Mt Herman Rd	TD w/AOD	IX-3-PK w/AOD	IH-CU w/AOD
4	1/5/2016	8024 Glenwood Ave	CUD NB	OX-3-CU	NX-3-CU
5	1/12/2016	900 & 904 Coleman St	R-20	R-10	R-10
6	1/5/2016	1408 Brookside Dr	O&I-1	RX-3	OX-3
7	1/5/2016	4208 New Bern Ave	IND-1 w/SHOD-3	IX-3-PK	IX-3-PL
8	1/5 & 1/12	1900 Blue Ridge Rd	O&I-1 & AP	CX-5-UL, CX-12-UL, OX-3	CX-12-UL
9	1/26/2016	3312 & 3600 New Bern Ave	CUD TD w/SHOD-1	CX-3-PK-CU & RX-3-PK-CU w/SHOD-1	CX-3-CU w/SHOD-1
10	2/2/2016	10100 & 10200 Lumley Rd	CUD TD w/SHOD-2 & AOD	OP-5-PK w/SHOD-2 & AOD	OX-7-PL w/SHOD-2 & AOD
		10211 Lumley Rd	CUD TD w/SHOD-2	CX-3-PK w/SHOD-2	CX-3-PL w/SHOD-2
		10370 Lumley Rd	CUD TD	CX-5-PK	CX-5-PL
		10310 Moncreiffe Rd	CUD TD	CX-3-PL & CX-3-PK	CX-5-PL
		8811 & 8851 Ellstree Ln	CUD TD w/SHOD-2 & AOD	CX-3-PK w/SHOD-2 & AOD	CX-3-PL w/SHOD-2 & AOD
		0 Brier Creek Pkwy	CUD TD w/SHOD-2 & AOD	CX-5-PK w/SHOD-2 & AOD	CX-5-PL w/SHOD-2 & AOD
		8001 Brier Creek Pkwy	TD	CX-5-PK	CX-5-PL
		8011, 8101, 8115, & 8121 Brier Creek Pkwy	CUD TD	CX-5-PK	CX-5-PL
		8161 Brier Creek Pkwy	TD	CX-5-PK	CX-5-PL
		8331 Brier Creek Pkwy	TD & CUD TD w/SHOD-2 & AOD	CX-5-PK w/ part SHOD-2 & AOD	CX-5-PL w/ part SHOD-2 & AOD
		8341 & 8401 Brier Creek Pkwy	CUD TD	CX-5-PK	CX-5-PL
		8611 Brier Creek Pkwy	CUD TD w/AOD	CX-5-PK w/AOD	CX-5-PL w/AOD
		8651 Brier Creek Pkwy	CUD TD w/SHOD-2 & AOD	CX-5-PK w/SHOD-2 & AOD	CX-5-PL w/SHOD-2 & AOD
		8701 & 8741 Brier Creek Pkwy	CUD TD	CX-5-PK	CX-5-PL
		8811 Brier Creek Pkwy	CUD TD w/SHOD-2 & AOD	CX-5-PK w/SHOD-2 & AOD	CX-5-PL w/SHOD-2 & AOD
		8901 & 8911 Brier Creek Pkwy	CUD TD	CX-3-PK	CX-5-PL
		7980 & 7990 Arco Corporate Dr	CUD TD w/AOD	CX-5-PK w/AOD	CX-7-PL w/AOD
		8001 Arco Corporate Dr	CUD TD w/SHOD-2 & AOD	OP-7 w/SHOD-2 & AOD	OX-7 w/SHOD-2 & AOD
8010 & 8020 Arco Corporate Dr	CUD TD w/AOD	CX-7-PL w/AOD	CX-7-PL w/AOD		
8021 Arco Corporate Dr	CUD TD w/SHOD-2 & AOD	OP-7-PL w/SHOD-2 & AOD	OX-7-PL w/SHOD-2 & AOD		
8041, 8045, 8051, 8061, 8080, & 8081 Arco Corporate Dr	CUD TD w/SHOD-2 & AOD	OP-5-PL w/SHOD-2 & AOD	OX-7-PL w/SHOD-2 & AOD		
11	1/5 & 1/26	3900 Sumner Blvd	TD	CX-3-UL	CX-5-UL-CU
12	1/5/2016	6830 Old Wake Forest Rd	IND-1	IX-3-PL	IX-5-PL
		5857 Capital Blvd	IND-1	IX-3	IX-5
		5839 & 6001 Capital Blvd	IND-1	CX-3-PL	IX-7-PL
13	1/5/2016	4205 Pleasantville Dr	CUD SC	CX-3-PL-CU	CX-3-CU
		4125 Mitchell Mill Rd	CUD SC	CX-3-PL-CU	CX-3-PL-CU
		4133 Mitchell Mill Rd			
14	1/5/2016	5420, 5500, & 5510 Capital Blvd	TD	IX-3-PK	IX-3-PL
15	1/5/2016	0 Gresham Lake Rd	IND-1 w/SHOD-2	IX-3 w/SHOD-2	IX-5 w/SHOD-2
16	1/12 & 2/9	118 E Lenoir St	NB w/HOD-G & DOD	DX-4-UG w/HOD-G	DX-4-UG w/HOD-G
		101, 111, & 117 E South St	NB w/DOD	CX-4-UG	CX-4-UL
17	1/12/2016	600 W Hargett St	IND-2 w/DOD	DX-3	DX-12
18	1/26 & 2/2	230 & 234 E South St	O&I-2	R-10	OX-12-UL
		706 S Person St	O&I-2	R-10	
19	2/2/2016	9721, 9733, & 9745 Fonville Rd	BC w/UWPOD	NX-3 w/UWPOD	NX-3-CU w/UWPOD

1: Lenoir-South-Blount
Planning Commission Recommendation OX-4 w/HOD-G
Z-27-14 Public Hearing Recommendation OX-4-SH w/HOD-G
Existing Zoning NB w/HOD-G, part DOD
Future Land Use Central Business District
Urban Form Downtown



1. Lenoir-South-Blount

This item comprises three parcels owned by Shaw University at the intersections of East Lenoir Street, South Blount Street and East South Street. At the release of the Public Comment Draft of the Citywide Remapping, these properties were proposed to be rezoned to Office Mixed Use-5 stories (OX-5) with Historic Overlay District-General (HOD-G). The 5 story height limit was recommended for these parcels because they are in common ownership by Shaw University and adjacent to other university parcels developed to this height.

Following a request from the Raleigh Historic Development Commission (RHDC) for a lower height designation, Planning Commission recommended that this property be reduced to 4 stories. An error in the staff report for that item led to the addition of a Shopfront frontage at this location, where no frontage existed in the initial recommendation. City Council referred back these properties during the UDO Remapping Work Session on 10/19/2015 in order to remedy this mistake.

Planning Commission recommends removal of the Shopfront frontage. This is consistent with other nearby university properties. All adjacent Shaw University properties, as well as Saint Augustine’s and Peace University properties have Office Mixed Use zoning with various heights and no frontage.

2: N Harrington St

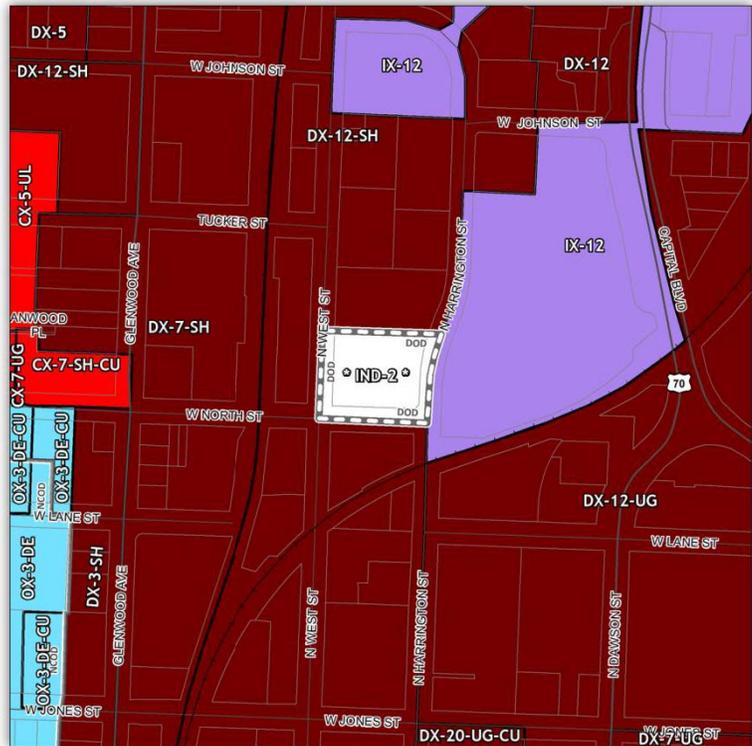
Planning Commission Recommendation
DX-20-SH

Z-27-14 Public Hearing Recommendation
DX-12-SH

Existing Zoning
IND-2 w/DOD

Future Land Use
Central Business District

Urban Form
Downtown; Transit Buffer



2. N Harrington Street

This request is related to a parcel located on the South end of the block bounded by North Harrington Street, North West Street, and West North Street. At the release of the Public Comment Draft of the Citywide Remapping, this property was proposed to be rezoned to Downtown Mixed Use-12 stories-Shopfront Frontage (DX-12-SH), with a 12-story height limit selected for a large surrounding area; approximately encompassing South of Peace Street, West of Salisbury Street, North of Jones Street, and East of the Railroad Tracks between West Street and Glenwood Avenue. This recommendation carried through to the July 2014 Public Hearing.

Following the advertisement of the Z-27-14 Public Hearing, one of the property owners inquired as to why this property was designated for a lower height than existed, at 17 stories. Staff believes this property was missed during the initial drafting and subsequent review of the map due to it being a condominium property; the way Wake County lists property data, it can be difficult to extract height information from condominium property data. Staff confirmed that the property is greater than 12 stories, requiring a less restrictive change in zoning designation to 20 stories. City Council referred back this property during the UDO Remapping Work Session on 10/19/2015 in order to remedy this mistake.

3: Mt Herman Rd

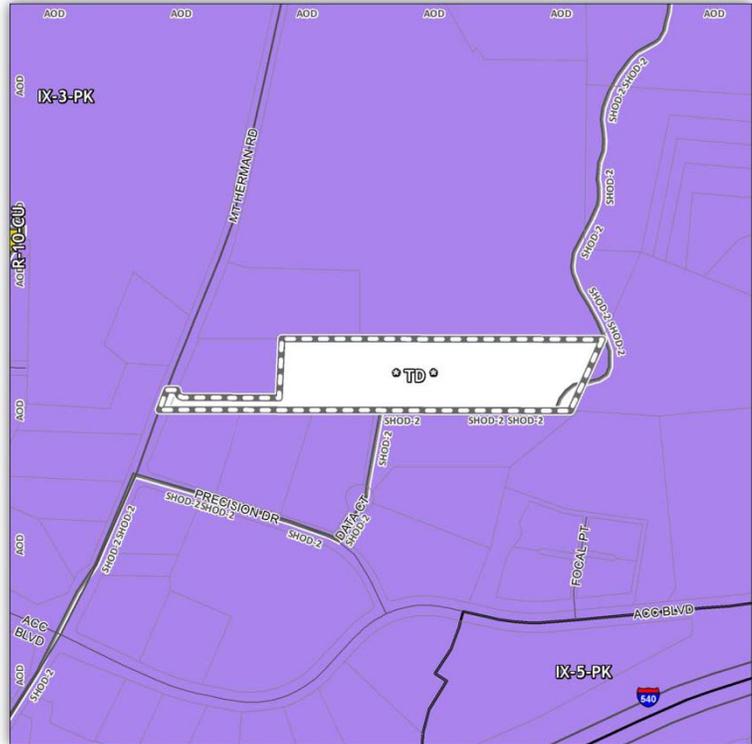
Planning Commission Recommendation
IH-CU w/AOD

Z-27-14 Public Hearing Recommendation
IX-3-PK w/AOD

Existing Zoning
TD w/AOD

Future Land Use
Business & Commercial Services

Urban Form
City Growth Center



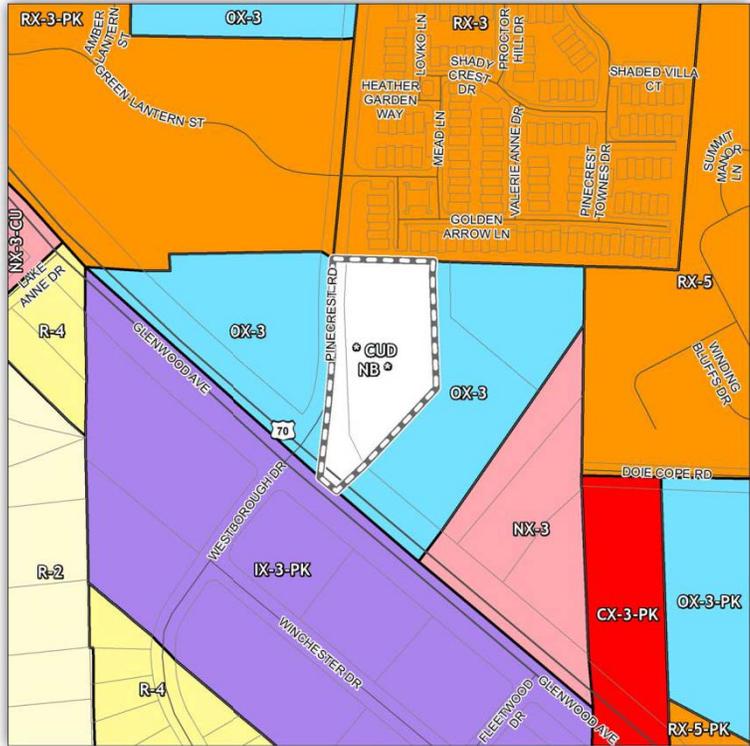
3. Mt Herman Road

During the July 2015 public hearing, the property owner requested Heavy Industrial (IH) zoning instead of the proposed Industrial Mixed Use (IX) zoning so that the existing use on the property (concrete batching facility) would not be made non-conforming. This use is only permitted in the IH zoning district.

As part of Planning Commission's review, the property owner offered conditions that prohibit many industrial uses, including heavy industrial uses such as asbestos and radioactive materials, animal processing, commercial feed lot, explosives, pulp mill, scrap metal processors, detention center, jail, prison, and several waste-related services (animal waste processing, landfill, manufacture and production of goods from composting organic material, outdoor storage of recyclable material, scrap materials, and solid or liquid waste transfer station, waste incineration.) The Airport Overlay District (AOD) will remain in place.

Although the request is inconsistent with the Future Land Use Map and the Comprehensive Plan, Planning Commission found the request to be reasonable and in the public interest as it would allow the established concrete plant to remain a conforming use of the property.

4: Glenwood Ave	
Planning Commission Recommendation	NX-3-CU
Z-27-14 Public Hearing Recommendation	OX-3-CU
Existing Zoning	CUD NB
Future Land Use Community Mixed Use	
Urban Form	N/A

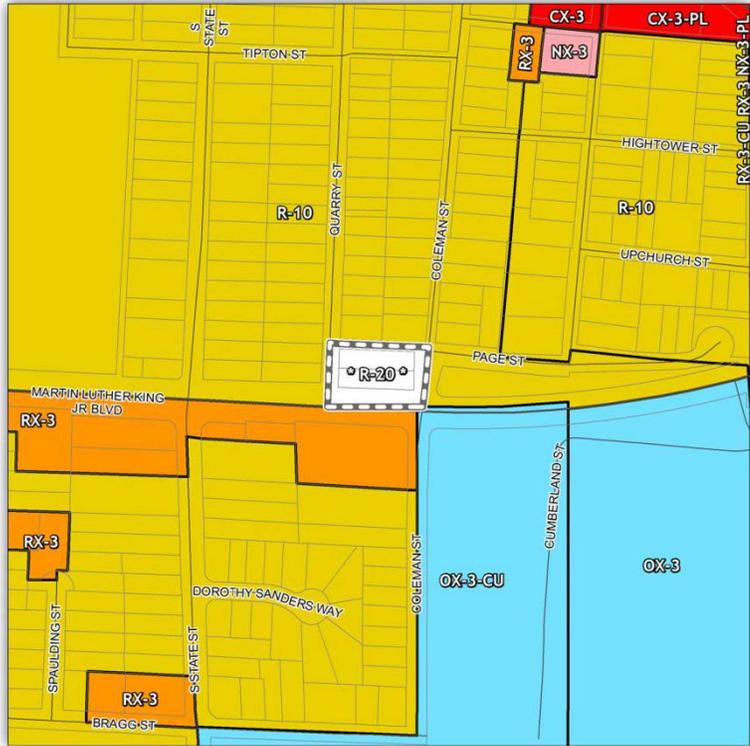


4. Glenwood Avenue

During the July 2015 public hearing, the property owner requested Neighborhood Mixed Use (NX) zoning instead of the proposed Office Mixed Use (OX) zoning so that the current entitlement and established use of retail sales (sale of office and business equipment and related products) would be maintained. Zoning conditions from Z-5-98 would be maintained.

The request is consistent with the Future Land Use Map and the Comprehensive Plan, and Planning Commission recommends approval of this request so that the existing retail entitlement would be maintained and established allowed use would not be made nonconforming.

5: Coleman St	
Planning Commission Recommendation	R-10
Z-27-14 Public Hearing Recommendation	R-10
Existing Zoning	R-20
Future Land Use	Moderate Density Residential
Urban Form	N/A

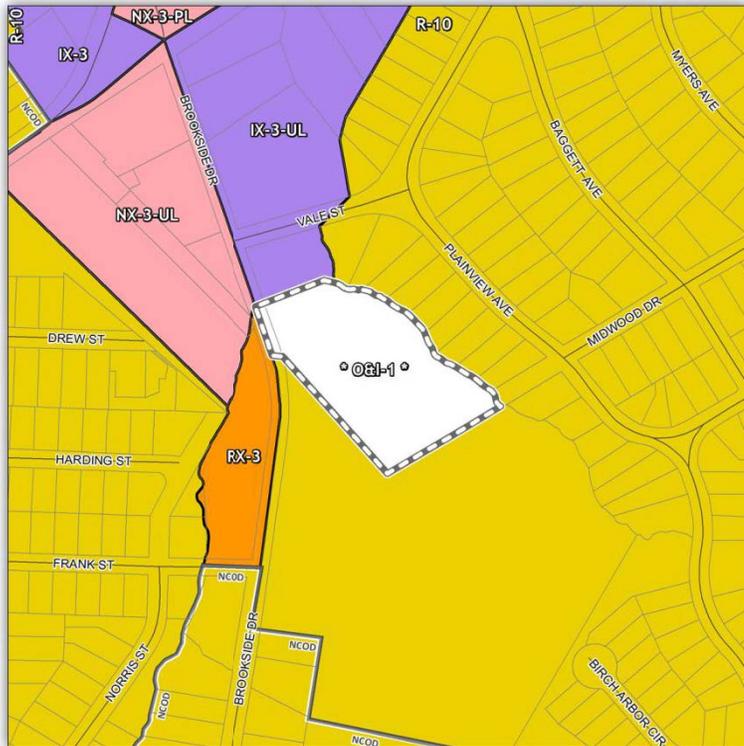


5. Coleman Street

The property owner submitted comments during the Planning Commission’s initial review of Z-27-14 and during the July 2015 public hearing to request Residential Mixed Use (RX) zoning instead of the proposed Residential-10 (R-10) zoning to preserve allowed density under the Residential-20 (R-20) zoning.

The requested RX zoning is inconsistent with the Future Land Use Map, the Olde East Raleigh Area Plan, and the Comprehensive Plan. Planning Commission continues to recommend R-10 zoning for the property.

6: Brookside Dr	
Planning Commission Recommendation	OX-3
Z-27-14 Public Hearing Recommendation	RX-3
Existing Zoning	O&I-1
Future Land Use	Medium Density Residential
Urban Form	City Growth Center



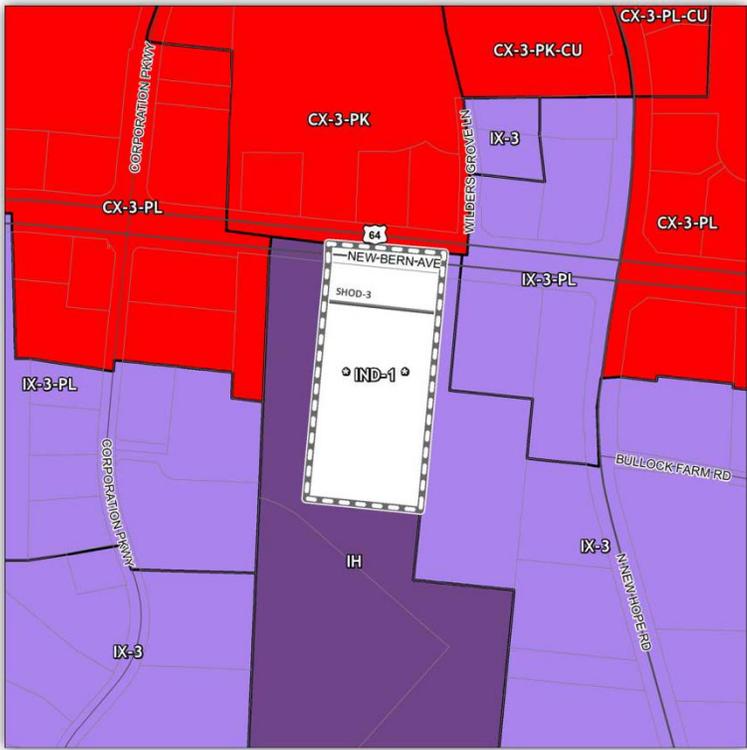
6. Brookside Drive

Representatives of the property owner proposed rezoning the property to OX-3 to retain entitlements of the current O&I-1 zoning that would permit office use on the site. The property is currently developed with four garden apartment buildings with 68 units.

The requested OX-3 zoning is inconsistent with the Future Land Use Map designation for the property – Medium Density Residential. However, OX-3 zoning would allow development that would not adversely alter the character of the surrounding area, which is composed of single family residential to the east and south and industrial and commercial uses to the north and west. Conn Elementary is located directly south of the site. Those commercial and industrial properties to the north are zoned NX- and IX- respectively, with urban frontages throughout, suggesting a more intense, urban development pattern in the future. The requested zoning would permit uses and intensities that would allow for gradual transitions from the surrounding residential context to those areas of greater intensity to the north and west.

Planning Commission recommends approval of the requested OX-3 zoning.

7: New Bern Ave	
Planning Commission Recommendation	IX-3-PL
Z-27-14 Public Hearing Recommendation	IX-3-PK
Existing Zoning	IND-1 w/SHOD-3
Future Land Use	Business & Commercial Services
Urban Form	Mixed-Use Center; Transit Emphasis Corridor



7. New Bern Avenue

Immediately preceding and during the July 2015 public hearing, the property owner submitted comments requesting that the proposed Parkway (PK) frontage designation for this property be changed to Parking Limited (-PL) or removed. The Public Hearing recommendation of PK frontage was the closest translation of the SHOD-3 standards already in effect on the property; SHOD-3 is not an overlay district included in the UDO.

The request for a Parking Limited frontage is consistent with the Future Land Use Map and the Comprehensive Plan, and Planning Commission recommends approval of the property owner’s request for alternate zoning Industrial Mixed Use-3 stories-Parking Limited (IX-3-PL) zoning.

8: Blue Ridge Rd

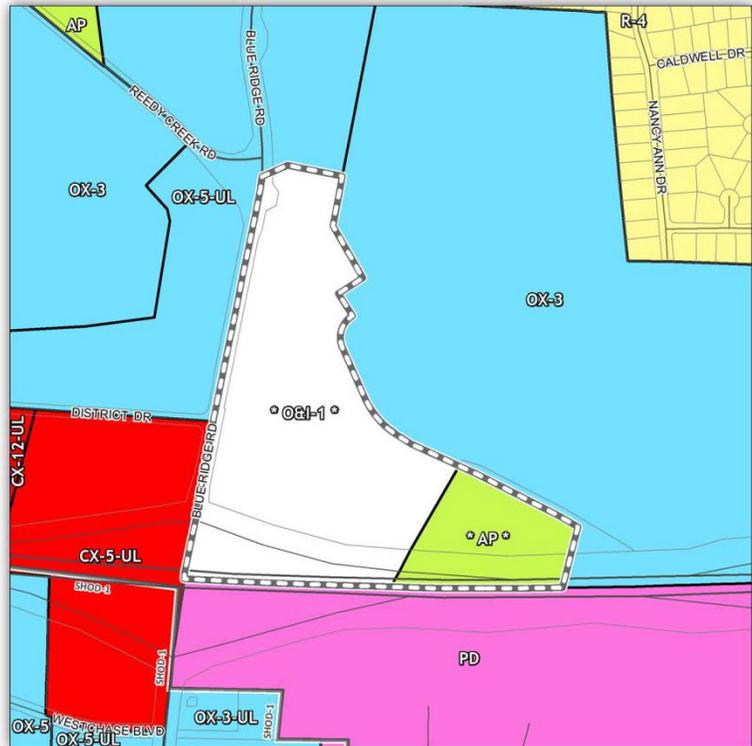
Planning Commission Recommendation
CX-12-UL

Z-27-14 Public Hearing Recommendation
CX-5-UL, CX-12-UL, OX-3

Existing Zoning
O&I-1 & AP

Future Land Use
Community Mixed Use;
Public Facilities; Institutional

Urban Form
City Growth Center;
Urban Thoroughfare; Parkway



8. Blue Ridge Road

During one of City Council's 2015 work sessions a council member brought forward a request from the property owner for additional height entitlement on the site. The Public Hearing proposed zoning reflects current differentiation of site uses and zoning, as well as guidance from the 2012 [Blue Ridge Road District Study](#), which calls for creating "a mixed use development on the NCMA side of Blue Ridge Road with potential for a hotel." The Study recommendations indicate that the eastern portion of the site will remain essentially undeveloped.

Planning Commission recommends approval of the requested Commercial Mixed Use-12 stories-Urban Limited (CX-12-UL), noting that it is consistent with the Urban Form Map, eliminates split zoning of the property, and allows greater flexibility of site redevelopment.

9: New Bern Ave

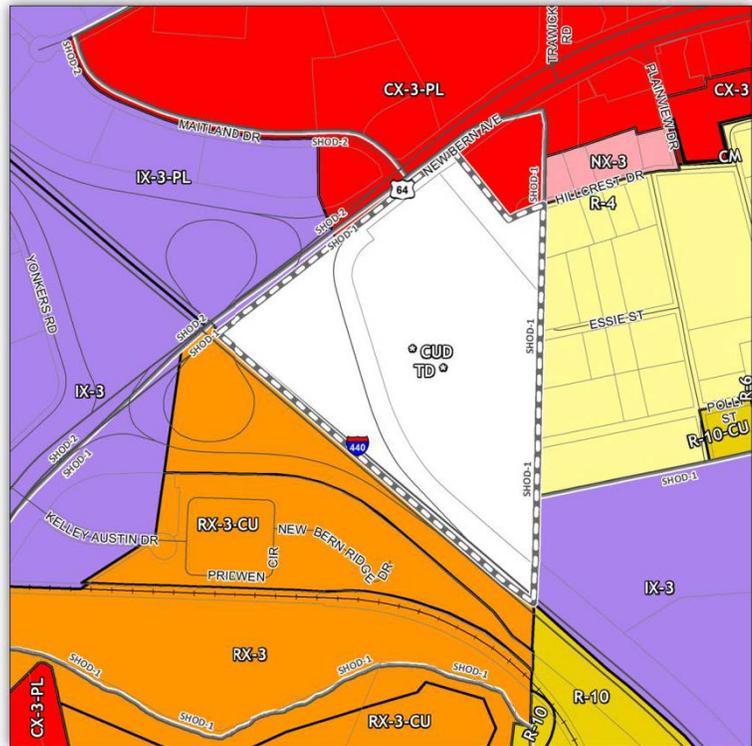
Planning Commission Recommendation
CX-3-CU w/SHOD-1

Z-27-14 Public Hearing Recommendation
CX-3-PK-CU & RX-3-PK-CU w/SHOD-1

Existing Zoning
CUD TD w/SHOD-1

Future Land Use
Office & Residential Mixed Use;
Community Mixed Use

Urban Form
City Growth Center;
Transit Emphasis Corridor; Parkway



9. New Bern Avenue

The property owner submitted comments during the Planning Commission's initial review of Z-27-14 and during the July 2015 public hearing to request removal of the proposed Commercial Mixed Use/Residential Mixed Use (CX/RX) split-zoning and to remove the proposed Parkway (-PK) frontage. In sum, the property owner requests CX-3-CU w/ SHOD-1 zoning.

The split-zoning Public Hearing recommendation mimicked the existing zoning conditions (Z-19-10) that prohibit commercial uses on the rear portion of the property. However, the zoning conditions reference commercial uses as defined in the "Schedule of Permitted Land Uses in Zoning Districts" which is the title of the permitted uses chart in the Part 10 zoning code. The Part 10 zoning code defines office uses as a standalone category separate from commercial uses.

Rezoning the rear portion of the property to RX would mean that standalone office uses would no longer be allowed. The Parkway frontage was recommended as the closest comparable zoning tool for the landscaped street protective yards required under the existing Thoroughfare District zoning. However, the SHOD-1 – which would remain in place – requires a 50-foot landscaped protective yard along the property edges adjacent to I-440 and New Bern Avenue. Removal of the Parkway frontage would mean that certain pedestrian access way requirements would not apply.

During Planning Commission review in January 2016, the applicant provided revised conditions which committed to providing a pedestrian passage to New Bern Avenue on the northernmost property (further away from the I-440 interchange) if allowed by NCDOT. Although the request is inconsistent with the Future Land Use Map and the Comprehensive Plan, Planning Commission found the request to be reasonable and in the public interest as it would maintain existing entitlements, protect trees along adjacent thoroughfares, and provide pedestrian access to New Bern Avenue.

10: Brier Creek

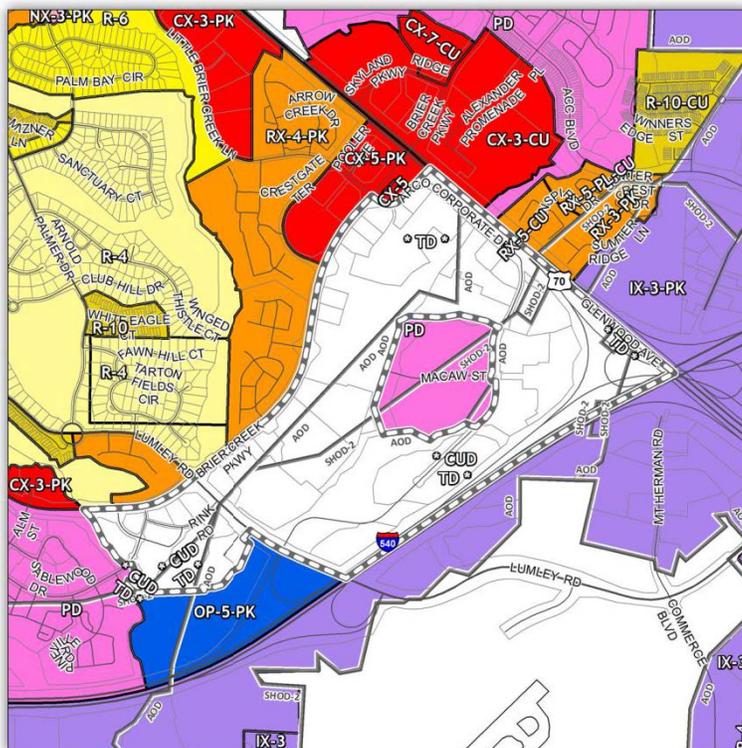
Planning Commission Recommendation
Various (see Staff Report)

Z-27-14 Public Hearing Recommendation
Various (see Staff Report)

Existing Zoning
TD & CUD TD w/SHOD-2 & AOD

Future Land Use
Regional Mixed Use; Office/Research & Development; Public Parks & Open Space

Urban Form
City Growth Center;
Main Street; Parkways

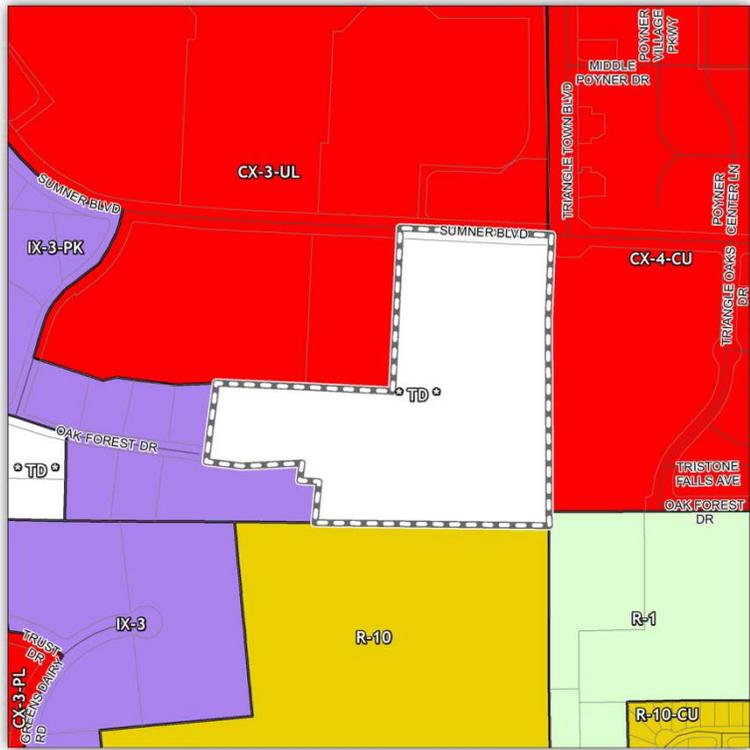


10. Brier Creek

The property owner submitted comments during the Planning Commission's initial review of Z-27-14 and during the July 2015 public hearing to request additional height entitlement, an alternate base district for areas recommended for Office Mixed Use (OP), and alternate frontage designation for properties in the Brier Creek area.

Planning Commission recommends the alternate zoning as requested during the July 2015 Public Hearing in recognition of a shift in the development pattern in the area to a more compact, mixed use, and walkable built environment as indicated by the Urban Form Map designation of Growth Center.

11: Sumner Blvd	
Planning Commission Recommendation	CX-5-UL-CU
Z-27-14 Public Hearing Recommendation	CX-3-UL
Existing Zoning	TD
Future Land Use	Community Mixed Use; Medium Density Residential; Public Parks & Open Space
Urban Form	City Growth Center; Urban Thoroughfare; Transit Buffer



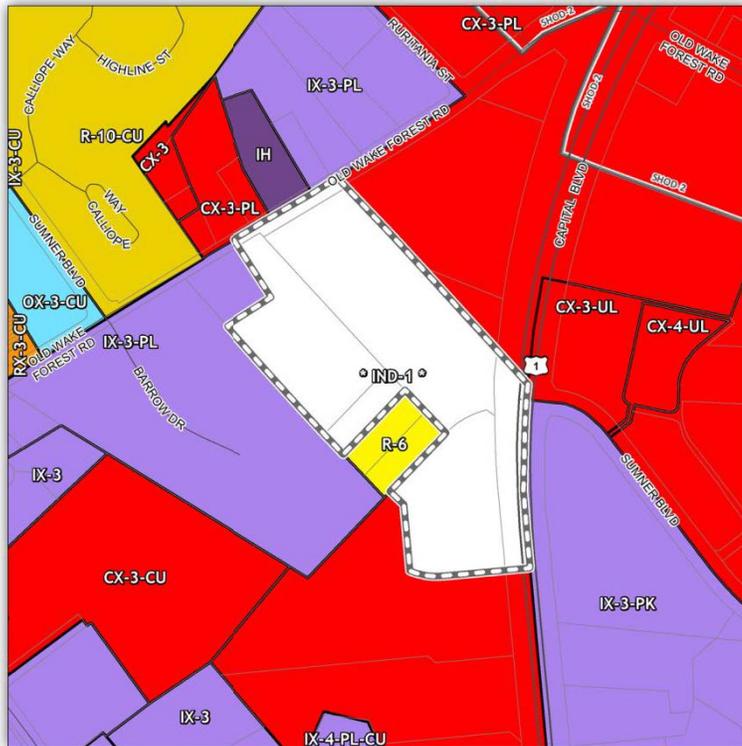
11. Sumner Boulevard

One of the last remaining large undeveloped properties in the vicinity of the Triangle Town Center Area Plan, the Public Hearing recommendation for zoning was CX-3-UL. Representatives of the owner requested additional height entitlement to support hotel development – to five stories - at the July 2015 Public Hearing, as well as removal of the frontage designation.

During Planning Commission review, the property owner agreed to the UL frontage designation and also offered a zoning condition to limit the five story height to hotel use only.

The Planning Commission recommends CX-5-UL-CU. Overall, the requested zoning is consistent with the Future Land Use Map, and the Comprehensive Plan, including the Urban Form Map and the Triangle Town Center Area Plan.

12: Old Wake Forest & Capital	
Planning Commission Recommendation	IX-5-PL, IX-5, IX-7-PL
Z-27-14 Public Hearing Recommendation	IX-3-PL, IX-3, CX-3-PL
Existing Zoning	IND-1
Future Land Use	Regional Mixed Use; Community Mixed Use
Urban Form	City Growth Center; Urban Thoroughfare; Transit Emphasis Corridor



12. Old Wake Forest Road & Capital Boulevard

The properties are located just south of the intersection of Old Wake Forest Road and Capital Boulevard, in the Triangle Town Center area. The property owner requested increased height entitlements for each of the properties, as well as removal of the frontage designation for all properties.

As part of Planning Commission review, the property owner has agreed to retain the Parking Limited frontage (-PL) on each of the properties, save for the interior property at 5857 Capital Blvd, which does not have street frontage. The property owner’s initial request to remove frontage stemmed from concerns that –PL frontage would constrain renovation, expansion and/or rebuilding on the properties. Those concerns were addressed by the adoption of TC-4-15.

Planning Commission recommends the 5- and 7-story height limits as requested by the property owner, in recognition that the site is designated as part of a City Growth Center on the Urban Form Map. Furthermore, Capital Boulevard is designated a Transit Emphasis Corridor, while Old Wake Forest Road is a designated Urban Thoroughfare on the Urban Form Map.

13: Pleasantville / Mitchell Mill

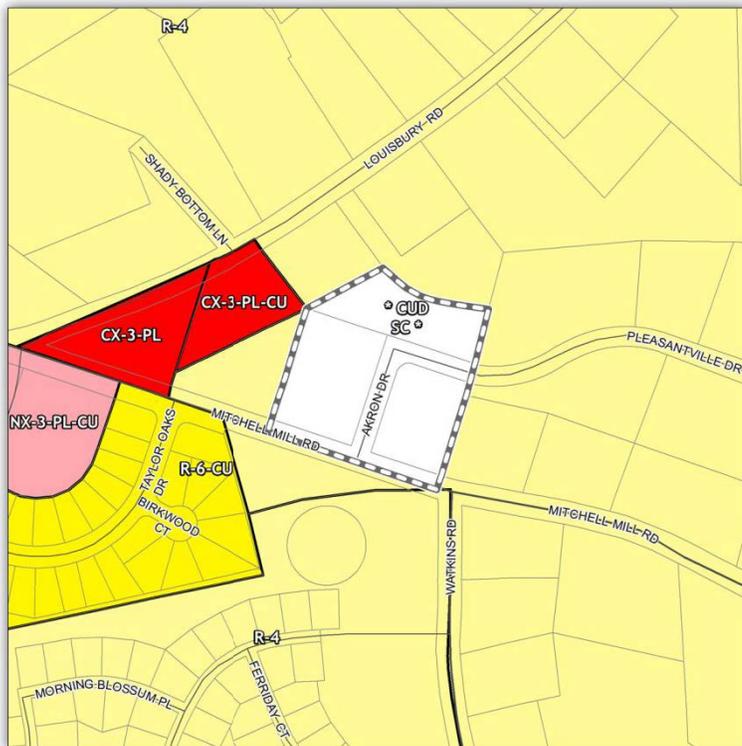
Planning Commission Recommendation
CX-3-CU, CX-3-PL-CU

Z-27-14 Public Hearing Recommendation
CX-3-PL-CU

Existing Zoning
CUD SC

Future Land Use
Community Mixed Use;
Low Density Residential

Urban Form
Mixed-Use Center; Urban Thoroughfare



13. Mitchell Mill Road & Pleasantville Road

These three properties located east of the intersection of Louisbury Road and Mitchell Mill Road were initially proposed to be rezoned to CX-3-PL-CU under the Z-27(D)-14 Remapping. Existing conditions, of which there are 19, will be carried forward once the properties are officially rezoned.

As part of Planning Commission review, the property owner has agreed to retain the Parking Limited frontage (-PL) on the two properties with frontage on Mitchell Mill Road. The property owner's initial request to remove frontage stemmed from concerns that – PL frontage would constrain renovation, expansion and/or rebuilding on the properties. Those concerns were addressed by the adoption of TC-4-15.

The Planning Commission recommends that the interior lot at 4205 Pleasantville Dr. be rezoned without frontage, recognizing that the property does not currently front on a public street.

14: Capital & Oak Forest

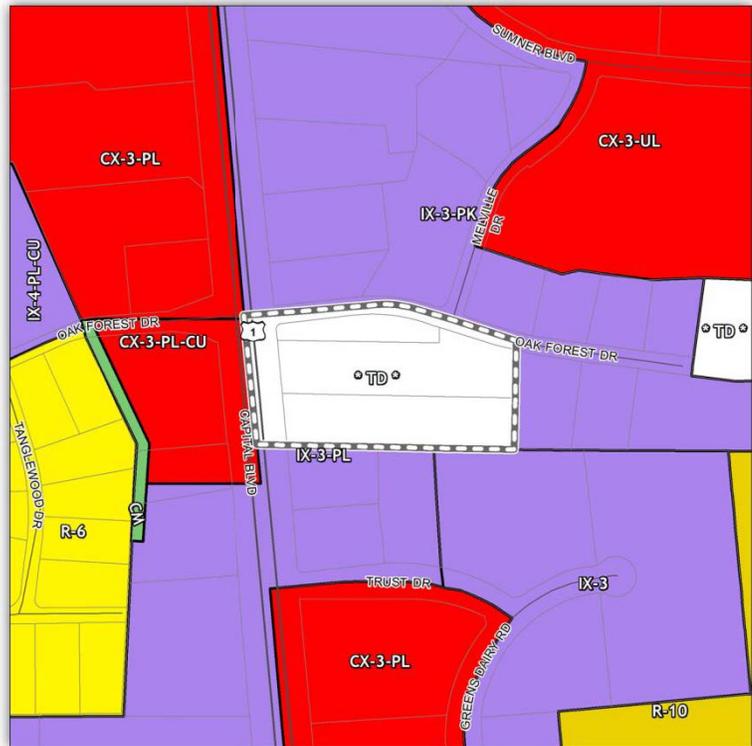
Planning Commission Recommendation
IX-3-PL

Z-27-14 Public Hearing Recommendation
IX-3-PK

Existing Zoning
TD

Future Land Use
Business & Commercial Services

Urban Form
City Growth Center; Transit Emphasis
Corridor; Transit Buffer



14. Capital Boulevard & Oak Forest Road

These three properties, at the southeastern corner of the intersection of Capital Blvd. and Oak Forest Drive, were advertised at time of July 2015 Public Hearing to be rezoned to IX-3-PK. Parkway frontage being the best translation of Thoroughfare District setback requirements.

A representative of the property owner requested removal of the frontage based on a concern that PK frontage would impede the existing use – auto sales, as well as creating nonconformance issues for the existing uses and structures. The property owner's concerns that application of frontage would create nonconformity were addressed by the adoption of TC-4-15. During Planning Commission review, an alternate frontage designation was identified that was more compatible with existing use, as well as surrounding zoning.

The Planning Commission recommended approval of the proposal to rezone the properties to IX-3-PL, which is consistent with the Future Land Use Map and the Comprehensive Plan, including the Urban Form Map.

15: Gresham Lake Rd

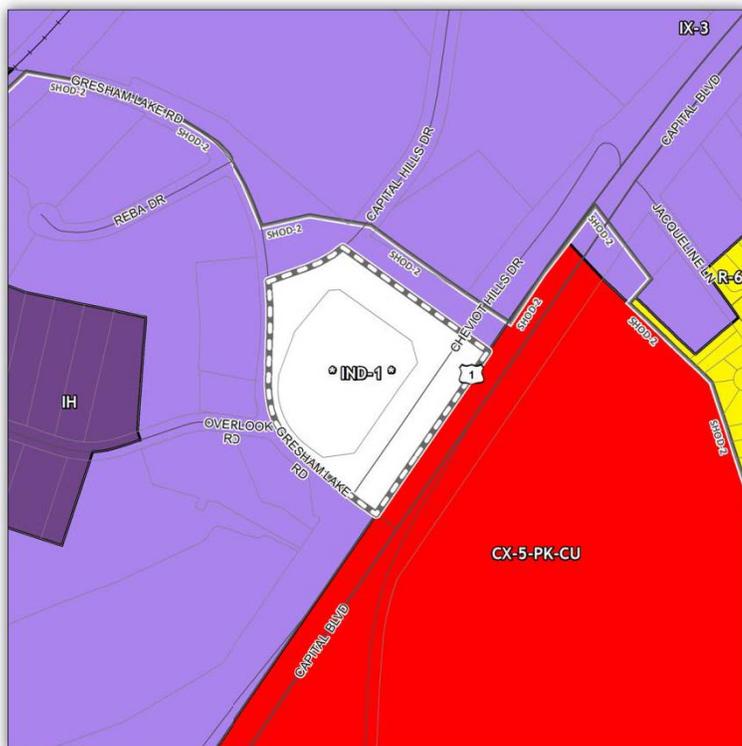
Planning Commission Recommendation
IX-5 w/SHOD-2

Z-27-14 Public Hearing Recommendation
IX-3 w/SHOD-2

Existing Zoning
IND-1 w/SHOD-2

Future Land Use
Business & Commercial Services

Urban Form
Parkway Corridor

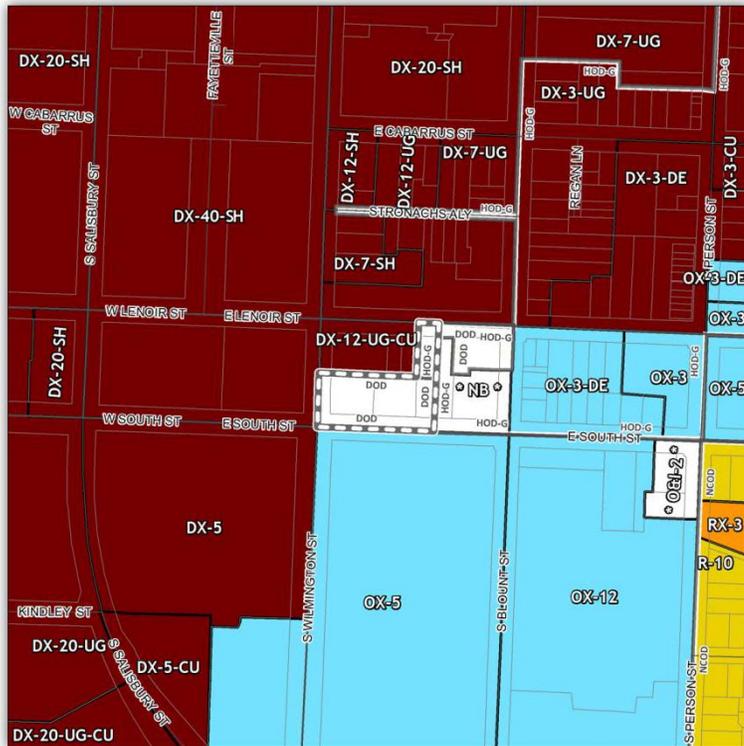


15. Gresham Lake Road

The Public Hearing recommendation for zoning would apply the same district designation to the subject site as has been done on adjacent properties: Industrial Mixed Use-3 stories, with Special Highway Overlay District-2 (IX-3 w/ SHOD-2). Alternatively, the property owner requested that site height designation be increased to 7 stories (IX-7 w/ SHOD-2), noting that a proposal for a hotel of more than 3 stories had previously been approved (and expired) for the site.

The alternative request is consistent with Future Land Use Map and several Comprehensive Plan policies. The Urban Form Map designates Capital Boulevard a Parkway Corridor. The Planning Commission recommends approval of Industrial Mixed Use-5 stories, with Special Highway Overlay District-2 (IX-5 w/ SHOD-2), to allow greater flexibility and diversity of site development, and be more consistent with current height entitlement.

16: E Lenoir St & E South St
Planning Commission Recommendation CX-4-UL / DX-4-UG w/HOD-G
Z-27-14 Public Hearing Recommendation CX-4-UG / DX-4-UG w/HOD-G
Existing Zoning NB w/DOD (part HOD-G)
Future Land Use Central Business District
Urban Form Downtown



16. E Lenoir Street & E South Street

The UDO zoning seeks to balance current use and form of this downtown site with anticipated greater intensity of use over time. At the Public Hearing, staff proposed for the parcel on E. Lenoir Street Downtown Mixed Use-4 stories-Urban General, with Historic Overlay District-General (DX-4-UG w/ HOD-G); the three parcels on E. South street were proposed for Commercial Mixed Use-4 stories-Urban General (CX-4-UG), as CX would allow the existing drive-through to remain but would require any redevelopment to be closer to the street. The property owner initially proposed only Commercial Mixed Use-4 stories (CX-4), to allow the existing drive-through circulation between the building and adjacent streets to remain. Further discussion led to the alternative proposal for the E. South Street parcels of Commercial Mixed Use-4 stories-Urban Limited (CX-4-UL).

The latter alternative request is consistent with Future Land Use Map, Urban Form Map, and most pertinent Comprehensive Plan policies. The Planning Commission recommends approval of Commercial Mixed Use-4 stories-Urban Limited (CX-4-UL) for the three E. South Street properties, and Downtown Mixed Use-4 stories-Urban General, with Historic Overlay District-General (DX-4-UG w/ HOD-G) for the E. Lenoir Street parcel, noting that those designations would provide opportunity for continuity of existing site built form and function, while requiring future site building to be closer to the street rights-of-way.

19: Fonville Rd

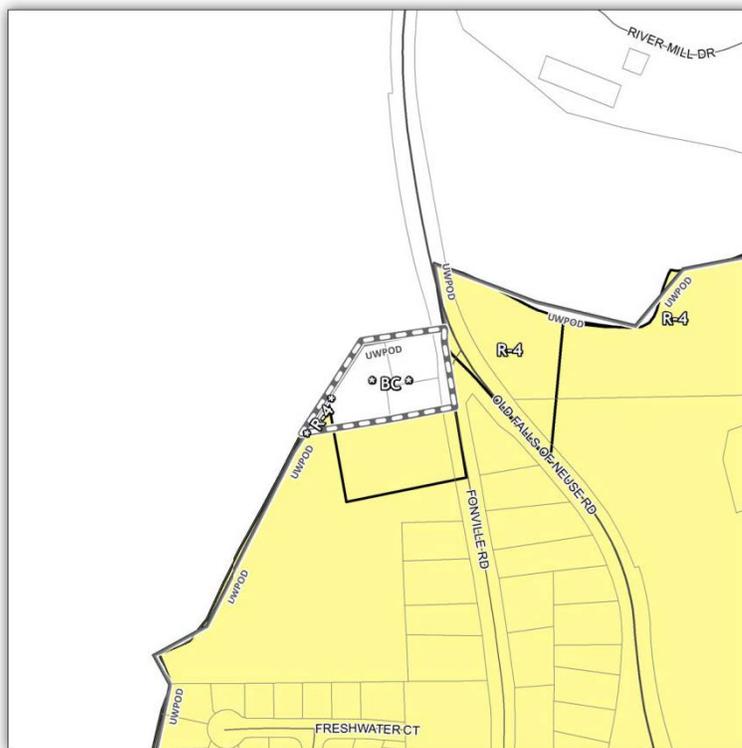
Planning Commission Recommendation
NX-3-CU w/UWPOD

Z-27-14 Public Hearing Recommendation
NX-3 w/UWPOD

Existing Zoning
BC w/UWPOD

Future Land Use
Neighborhood Mixed Use

Urban Form
N/A



19. Fonville Road

These three properties, located along Fonville Road directly adjacent to the tailrace of the Falls Lake Dam and the headwaters of the Neuse River, were proposed at time of Public Hearing to be rezoned to NX-3 to allow continued use of the property for retail sales. The properties are also within the Urban Watershed Protective Overlay District.

A concerned citizen spoke at the July 2015 Public Hearing, expressing concern that under the proposed NX- zoning, vehicle fuel sales uses would be permitted on the site.

The property owner has offered a zoning condition to prohibit vehicle fuel sales facilities be prohibited on site. Planning Commission recommends approval of NX-3-CU w/UWPOD zoning for the property.



Certified Recommendation

Raleigh Planning Commission

CR# 11688

Case Information: Z-27D-14 – Citywide Remapping

<i>Location</i>	65 parcels located throughout the city; see Attachment 1 & 2
<i>Request</i>	Rezone property to apply Unified Development Ordinance Districts; see Attachment 2 & 3
<i>Area of Request</i>	See Attachment 1
<i>Property Owners</i>	Various; see Attachment 1
<i>Applicant</i>	City of Raleigh
<i>Citizens Advisory Council (CAC)</i>	Various; see Attachment 1
<i>PC Recommendation Deadline</i>	April 1, 2016

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>	Various; see Attachment 2
<i>URBAN FORM</i>	Various; see Attachment 2
<i>CONSISTENT Policies</i>	<p>Policy LU 1.3—Conditional Use District Consistency</p> <p>Policy LU 2.2—Compact Development</p> <p>Policy LU 4.5—Connectivity</p> <p>Policy LU 4.7—Capitalizing on Transit Access</p> <p>Policy LU 4.8—Station Area Land Uses</p> <p>Policy LU 4.10: Development at Freeway Interchanges</p> <p>Policy LU 5.1—Reinforcing the Urban Pattern</p> <p>Policy LU 5.4—Density Transitions</p> <p>Policy LU 5.6—Buffering Requirements</p> <p>Policy LU 6.1—Composition of Mixed Use Centers</p> <p>Policy LU 7.4—Scale and Design of New Commercial Uses</p> <p>Policy LU 7.6—Pedestrian Friendly Development</p> <p>Policy LU 8.9—Open Space in New Development</p> <p>Policy LU 8.12—Infill Compatibility</p> <p>Policy LU 10.4—Siting of Regional Retail</p> <p>Policy LU 10.6—Retail Nodes</p> <p>Policy T 2.4—Road Connectivity</p> <p>Policy T 2.6—Preserving the Grid</p> <p>Policy T 5.5—Sidewalk Requirements</p> <p>Policy T 5.9—Pedestrian Networks</p> <p>Policy T 5.10—Building Orientation</p> <p>Policy UD 1.10—Frontage</p> <p>Policy UD 2.1—Building Orientation</p> <p>Policy UD 2.3—Activating the Street</p> <p>Policy UD 2.7—Public Open Space</p> <p>Policy DT 1.11—Downtown Edges</p> <p>Policy DT 1.13—Downtown Transition Areas</p> <p>Policy DT 1.15—High Density Development</p> <p>Policy DT 7.2—Maintaining Consistent Setbacks</p> <p>Policy DT 7.3—Streetwalls</p> <p>Policy DT 7.4—Building Entries</p>
<i>INCONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

New conditions are proposed for the following parcels:

- A. 6301 Mt. Herman Rd (see Attachment 4)
 - Prohibits certain uses

- B. 3312 & 3600 New Bern Ave (see Attachment 5)
 - Prohibits certain uses
 - Provides offer of cross-access
 - Limits residential density
 - Limits floor area gross
 - Limits location of commercial uses
 - Provides allocation covenant
 - Requires pedestrian passage

- C. 3900 Sumner Blvd (see Attachment 6)
 - More restrictive height limits for certain uses

- D. 9721, 9733, & 9745 Fonville Rd (see Attachment 7)
 - Prohibits certain uses

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
	South Central 1/25/2016	1/12/2016 1/26/2016 2/2/2016 2/9/2016 3/8/2016		

Attachments

1. Location Information
2. Z-27D-14 – Planning Commission CR
3. Summary of Planning Commission Recommendations – Z-27D-14
4. Z-27D-14: Findings and Reasons Issued by the Planning Commission
5. Conditional Use District Zoning Conditions 6301 Mt. Herman Rd
6. Conditional Use District Zoning Conditions 3312 & 3600 New Bern Ave
7. Conditional Use District Zoning Conditions 3900 Sumner Blvd
8. Conditional Use District Zoning Conditions 9721, 9733, & 9745 Fonville Rd

Planning Commission Recommendation

<i>Recommendation</i>	See Attachment 2
<i>Findings & Reasons</i>	See Attachment 3
<i>Motion and Vote</i>	Motion: Braun Second: Swink In Favor: Braun, Fluhrer, Hicks, Schuster, Swink, Tomasulo and Whitsett

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

_____	_____	_____	3/8/16
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: Bynum Walter: (919) 996- 2178; Bynum.Walter@raleighnc.gov

Z-27D-14 Location Summary

Item	Acreeage	PIN	Site Address	Owner	CAC
1	1.18	1703766323	600 S BLOUNT ST	SHAW UNIVERSITY THE	Central
		1703765249	121 E SOUTH ST	SHAW UNIVERSITY OF WAKE COUNTY	
		1703766221	125 E SOUTH ST	SHAW UNIVERSITY INC	
2	1.44	1704502819	401 N HARRINGTON ST	WEST CONDO	North Central
		1704502819	400 W NORTH ST UN500	HOLLERAN, EMILY L DESOUZA, DAVID	
		1704502819	400 W NORTH ST UN502	KERNODLE, JARED RAY	
		1704502819	400 W NORTH ST UN504	CABA PROPERTIES LLC	
		1704502819	400 W NORTH ST UN506	REICHMEIDER, ROBERT W REICHMEIDER, PATRICIA	
		1704502819	400 W NORTH ST UN508	TUGWELL, DEREK R TUGWELL, KATHERINE	
		1704502819	400 W NORTH ST UN510	ONEAL, BRIAN	
		1704502819	400 W NORTH ST UN514	BARRY, TIMOTHY C BARRY, ELIZABETH A	
		1704502819	400 W NORTH ST UN516	CARR, CARL VAUGHN CARR, ADELEH ADIBI	
		1704502819	400 W NORTH ST UN518	PHILBECK, DEREK C	
		1704502819	400 W NORTH ST UN520	COLLEENA PROPERTIES LLC	
		1704502819	400 W NORTH ST UN522	BALDWIN, BARBARA JEAN BALDWIN, JENNIFER KATHERINE	
		1704502819	400 W NORTH ST UN526	COZZI, CHRISTOPHER J	
		1704502819	400 W NORTH ST UN528	CURATOLO, CHRISTOPHER	
		1704502819	400 W NORTH ST UN530	VINECOURT, JEAN MARIE	
		1704502819	400 W NORTH ST UN532	LAMM, SCOTT M	
		1704502819	400 W NORTH ST UN534	ELMORE, STEPHEN ERIC	
		1704502819	400 W NORTH ST UN600	KELLY, JASON L.	
		1704502819	400 W NORTH ST UN602	TIETGEN, ELIZABETH	
		1704502819	400 W NORTH ST UN604	CHIPLEY, MICHAEL RYAN	
		1704502819	400 W NORTH ST UN606	MICHAELS, DAVID A	
		1704502819	400 W NORTH ST UN608	HANEY, NICHOLAS	
		1704502819	400 W NORTH ST UN610	SMALL, CONSTANCE H	
		1704502819	400 W NORTH ST UN614	CARTER, TAVIA	
		1704502819	400 W NORTH ST UN616	DUBOIS, LOGAN	
		1704502819	400 W NORTH ST UN618	TAKATS, ATTILA	
		1704502819	400 W NORTH ST UN620	BAINES, BRYAN DEAN STAUB, WALTER RICHARD III	
		1704502819	400 W NORTH ST UN622	QUICK, RYAN	
		1704502819	400 W NORTH ST UN626	VANROEKEL, KARL J VANROEKEL, LUISA	
		1704502819	400 W NORTH ST UN628	IAC PROPERTIES LLC	
		1704502819	400 W NORTH ST UN630	NRS FAMILY LLC	
		1704502819	400 W NORTH ST UN632	SANFORD, KATIE ANN	
		1704502819	400 W NORTH ST UN634	WILSON, JEFF	
		1704502819	400 W NORTH ST UN700	FEDERAL NATIONAL MORTGAGE ASSOCIATION	
		1704502819	400 W NORTH ST UN702	BODIBIT OF NEW BERN LLC	
		1704502819	400 W NORTH ST UN704	YOUN, VICTORIA	
		1704502819	400 W NORTH ST UN706	MEEKER, DAVID C MEEKER, KIMBERLIE F	
		1704502819	400 W NORTH ST UN708	INSHORE PROPERTIES LLC	
		1704502819	400 W NORTH ST UN710	RESTREPO, JAMES P. RESTREPO, KATHERINE P.	
		1704502819	400 W NORTH ST UN714	NARLA, SUSHEEL NARLA, MELODY MORETZ	
		1704502819	400 W NORTH ST UN716	LEWIS, WADE CLARK	
1704502819	400 W NORTH ST UN718	CLARK, CHRISTOPHER G JR PARK, MI-KYOUNG			
1704502819	400 W NORTH ST UN720	CHAO, NELSON CHAO, NORMA LEE			
1704502819	400 W NORTH ST UN722	MINER, GARNET JENNIFER			
1704502819	400 W NORTH ST UN726	BLOOD, GERALD W			
1704502819	400 W NORTH ST UN728	BENNETT, WILLIAM D JR			
1704502819	400 W NORTH ST UN730	STEPHENS, SCOTT A STEPHENS, TERESA			
1704502819	400 W NORTH ST UN732	VOGEL, ADAM			
1704502819	400 W NORTH ST UN734	CARVER, DAVID			
1704502819	400 W NORTH ST UN800	YAMATO, TAKAYUKI			
1704502819	400 W NORTH ST UN802	DENNING, ELIZABETH A			
1704502819	400 W NORTH ST UN804	ROWE, TODD GRUND			
1704502819	400 W NORTH ST UN806	BRODY, KENNETH J BRODY, ELIZABETH A			
1704502819	400 W NORTH ST UN808	DELGADO, JOSE			
1704502819	400 W NORTH ST UN810	HOENIG, STEFAN			

Z-27D-14 Location Summary

Item	Acreage	PIN	Site Address	Owner	CAC
2	1.44	1704502819	400 W NORTH ST UN814	BLANGO, JOHNNIE E JR	North Central
		1704502819	400 W NORTH ST UN816	LILES, JILL L	
		1704502819	400 W NORTH ST UN818	ONISHUK, FRANCES A.	
		1704502819	400 W NORTH ST UN820	BROWETT, OLIVER D	
		1704502819	400 W NORTH ST UN822	MCCALL, BRYAN C	
		1704502819	400 W NORTH ST UN826	CLARK, CHRISTOPHER G JR PARK, MI-KYOUNG	
		1704502819	400 W NORTH ST UN828	WINDSOR, DAVID GAVIN	
		1704502819	400 W NORTH ST UN830	BOHRINGER, JEROME C	
		1704502819	400 W NORTH ST UN832	HINSON, KRISTEN N	
		1704502819	400 W NORTH ST UN834	TRIESH, MUNEER M	
		1704502819	400 W NORTH ST UN900	GIBSON, MELANIE R	
		1704502819	400 W NORTH ST UN902	BULPETT, DANA R	
		1704502819	400 W NORTH ST UN904	STRICKLAND, MICHAEL	
		1704502819	400 W NORTH ST UN906	RHODES, DAPHNE	
		1704502819	400 W NORTH ST UN908	KORNAUS, KELSEY M	
		1704502819	400 W NORTH ST UN910	BERGER, THOMAS J	
		1704502819	400 W NORTH ST UN914	OSBORNE, MICHAEL	
		1704502819	400 W NORTH ST UN916	SIERRA INVESTMENT PROPERTIES LLC	
		1704502819	400 W NORTH ST UN918	MANSOUR, AZEM	
		1704502819	400 W NORTH ST UN920	LONG, MACEY A LONG, RODNEY M	
		1704502819	400 W NORTH ST UN922	KARNOSKY, MICHAEL THOMAS DESHPANDE, MADHURA JAYANT	
		1704502819	400 W NORTH ST UN926	BURLESON, LYNN P	
		1704502819	400 W NORTH ST UN928	CAMPBELL, PATRICK SHELDON CAMPBELL, WILLIAM SHELDON	
		1704502819	400 W NORTH ST UN930	KEMBLE, ROGER JOHN JANIS M KEMBLE RVCBLE TRUST	
		1704502819	400 W NORTH ST UN932	SCHTAKLEFF, SARAH E	
		1704502819	400 W NORTH ST UN934	STILLMAN, LAURA A	
		1704502819	400 W NORTH ST UN1000	LOUREIRO, NELSON	
		1704502819	400 W NORTH ST UN1002	WARWICK, JOHN CHARLES	
		1704502819	400 W NORTH ST UN1004	PHOENIX, ERIC C	
		1704502819	400 W NORTH ST UN1006	PIERCE, RICHARD A JR PIERCE, SHANNON C	
		1704502819	400 W NORTH ST UN1008	SCOTT, BETTY SUE	
		1704502819	400 W NORTH ST UN1010	CRAIN, JOHN A	
		1704502819	400 W NORTH ST UN1014	REVOCABLE LVNG TRUST OF JAMES & DEBORAH HOPKINS THE	
		1704502819	400 W NORTH ST UN1016	ALLEN, JEREMY CHRISTOPHER	
		1704502819	400 W NORTH ST UN1018	LOTZ, MICHAEL L LOTZ, LISA A	
		1704502819	400 W NORTH ST UN1020	WATSON, MARA HELEN	
		1704502819	400 W NORTH ST UN1022	HAZELTON, JOHN DICKSON, RACHEL LEE	
		1704502819	400 W NORTH ST UN1026	PRENTICE, TIMOTHY DAVID PRENTICE, PATRICIA JEAN	
		1704502819	400 W NORTH ST UN1028	MORGAN, CYNTHIA MORGAN, RICHARD	
		1704502819	400 W NORTH ST UN1030	FAULK, JUSTIN M	
		1704502819	400 W NORTH ST UN1032	REYES, RODOLFO	
		1704502819	400 W NORTH ST UN1034	HAYNES, RICHARD SCOTT	
1704502819	400 W NORTH ST UN1100	ALLEN, SAMANTHA N			
1704502819	400 W NORTH ST UN1102	NENCETTI, DAVID NENCETTI, BETH			
1704502819	400 W NORTH ST UN1104	FITE, JENNIFER A			
1704502819	400 W NORTH ST UN1106	BRINK, MARY HEATHER BRINK, ANDREW EDWIN			
1704502819	400 W NORTH ST UN1108	BAUERLEIN, LISA M			
1704502819	400 W NORTH ST UN1110	LANG, GLEN D LANG, BARBARA L			
1704502819	400 W NORTH ST UN1114	WALTERS, DOUGLAS II WALTERS, CHRISTINA			
1704502819	400 W NORTH ST UN1116	LEVINSON, SUZANNE T BLAZEJACK, THOMAS J			
1704502819	400 W NORTH ST UN1118	BHIWANDIWALLA, POURUCHIS			
1704502819	400 W NORTH ST UN1120	PAGE, SEAN GREGORY			
1704502819	400 W NORTH ST UN1122	SHAH, SHASHANT B.			
1704502819	400 W NORTH ST UN1126	SILVERSTEIN, RUSSELL			
1704502819	400 W NORTH ST UN1128	ENGLE, JAMES R			
1704502819	400 W NORTH ST UN1130	PIERCE, MELINDA A			
1704502819	400 W NORTH ST UN1132	CARMICHAEL, DAVID			
1704502819	400 W NORTH ST UN1134	MERCER, ROBERT R			

Z-27D-14 Location Summary

Item	Acreege	PIN	Site Address	Owner	CAC
2	1.44	1704502819	400 W NORTH ST UN1200	BLAKESLEY, BRENTON J	North Central
		1704502819	400 W NORTH ST UN1202	HONEYCUTT, JOSEPH BROOKS NIEHAUS, MARK W	
		1704502819	400 W NORTH ST UN1204	GARREN, BRANDON F	
		1704502819	400 W NORTH ST UN1206	TILLER, ROBERT TILLER, SALLY	
		1704502819	400 W NORTH ST UN1208	BURRITT, ARTHUR FRANCIS	
		1704502819	400 W NORTH ST UN1210	SCHMIDT, ANDREW P LAWRENCE, KATHERINE	
		1704502819	400 W NORTH ST UN1214	LYLES, JANENE	
		1704502819	400 W NORTH ST UN1216	KARMEL, A MATTHEW /TR	
		1704502819	400 W NORTH ST UN1218	RODRIGUEZ, MARIO A	
		1704502819	400 W NORTH ST UN1220	LOOTS, ERIC WESLEY	
		1704502819	400 W NORTH ST UN1222	SETHURAMAN, PARIMAL G.	
		1704502819	400 W NORTH ST UN1226	MODY, SITAL	
		1704502819	400 W NORTH ST UN1228	LOUREIRO, NELSON	
		1704502819	400 W NORTH ST UN1230	OWENS, ELBERT W	
		1704502819	400 W NORTH ST UN1232	MEENTEMEYER, ROSS K.	
		1704502819	400 W NORTH ST UN1234	CORSMEIER, SCOTT A CORSMEIER, CLAIRE R	
		1704502819	400 W NORTH ST UN1400	DELGADO, JOSE ANTONIO STAPLES, MICHAEL T	
		1704502819	400 W NORTH ST UN1402	LENNS, JOHN R LENNS, DAWN K	
		1704502819	400 W NORTH ST UN1404	SVENDSEN, HUGH SVENDSEN, SARAH	
		1704502819	400 W NORTH ST UN1406	MILLER, KIBBEN TRUSTEE EMERSON, JANET TRUSTEE	
		1704502819	400 W NORTH ST UN1408	SINGH, DENNY	
		1704502819	400 W NORTH ST UN1410	BURDETTE, TRUDY BURDETTE, JEFFREY	
		1704502819	400 W NORTH ST UN1416	BULL, SHANE BULL, JAMIE	
		1704502819	400 W NORTH ST UN1418	WALTERS, DOUG II WALTERS, CHRISTINA	
		1704502819	400 W NORTH ST UN1420	CRAIG, RYAN CRAIG, RONALD C	
		1704502819	400 W NORTH ST UN1426	BASS, KIERSTEN RYDBECK	
		1704502819	400 W NORTH ST UN1428	LOUREIRO, NELSON	
		1704502819	400 W NORTH ST UN1430	THOMPSON, JILL J	
		1704502819	400 W NORTH ST UN1432	LINDQWISTER, ULF J /TR LINDQWISTER, NGUYET A LE /TR	
		1704502819	400 W NORTH ST UN1434	CLEMENT, CHRISTOPHER G CLEMENT, PATRICIA	
		1704502819	400 W NORTH ST UN1500	REVELS, ROBERT WILSON FITCH, ANN CHRISTINE	
		1704502819	400 W NORTH ST UN1502	ROSENDALL, ERIC HANS	
		1704502819	400 W NORTH ST UN1504	NEIGHBORS, GREGORY K	
		1704502819	400 W NORTH ST UN1506	GLASS, GEOFFREY M	
		1704502819	400 W NORTH ST UN1508	MARGARIT, ELIZABETH A	
		1704502819	400 W NORTH ST UN1510	LINTON, ASHLEY C	
		1704502819	400 W NORTH ST UN1516	HALPERN, JUDITH B HALPERN, GARY J	
		1704502819	400 W NORTH ST UN1518	TERRONE, GEORGE BYRD, LESLIE	
		1704502819	400 W NORTH ST UN1520	ADAMS, MARK R	
		1704502819	400 W NORTH ST UN1526	CLARK, CHRISTOPHER G. JR PARK, MI-KYOUNG	
		1704502819	400 W NORTH ST UN1528	ARAGON, BROUGHTON	
		1704502819	400 W NORTH ST UN1530	SCHREIBER, TRACY	
1704502819	400 W NORTH ST UN1532	SNOW, WAYNE WALTER			
1704502819	400 W NORTH ST UN1534	ALEXIAS BRIDAL BOUTIQUE LLC			
1704502819	400 W NORTH ST UN1600	CHILDERS, ALFRED G			
1704502819	400 W NORTH ST UN1602	LOUREIRO, NELSON			
1704502819	400 W NORTH ST UN1604	OSCHWALD, BRIAN JAMES PATRICK			
1704502819	400 W NORTH ST UN1606	DELGADO, JOSE A STAPLES, MICHAEL T			
1704502819	400 W NORTH ST UN1608	RAMSEY, RANDALL C			
1704502819	400 W NORTH ST UN1610	MADSEN, JOHN			
1704502819	400 W NORTH ST UN1616	SILVERSTEIN, RUSSELL CONNALLY, KIM			
1704502819	400 W NORTH ST UN1618	MOSIMAN, JUSTIN			
1704502819	400 W NORTH ST UN1620	MOREAU, JAY M			
1704502819	400 W NORTH ST UN1626	LOOTS, ERIC KHAVJOU, OLGA			
1704502819	400 W NORTH ST UN1628	MURPHY, ROBERT M JR			
1704502819	400 W NORTH ST UN1630	TURNER, G TODD			
1704502819	400 W NORTH ST UN1632	SIBILLIA, KEVIN P SIBILLIA, KRISTINE T			
1704502819	400 W NORTH ST UN1634	CHILDERS, ALFRED G CHILDERS, MARYBETH B			

Z-27D-14 Location Summary

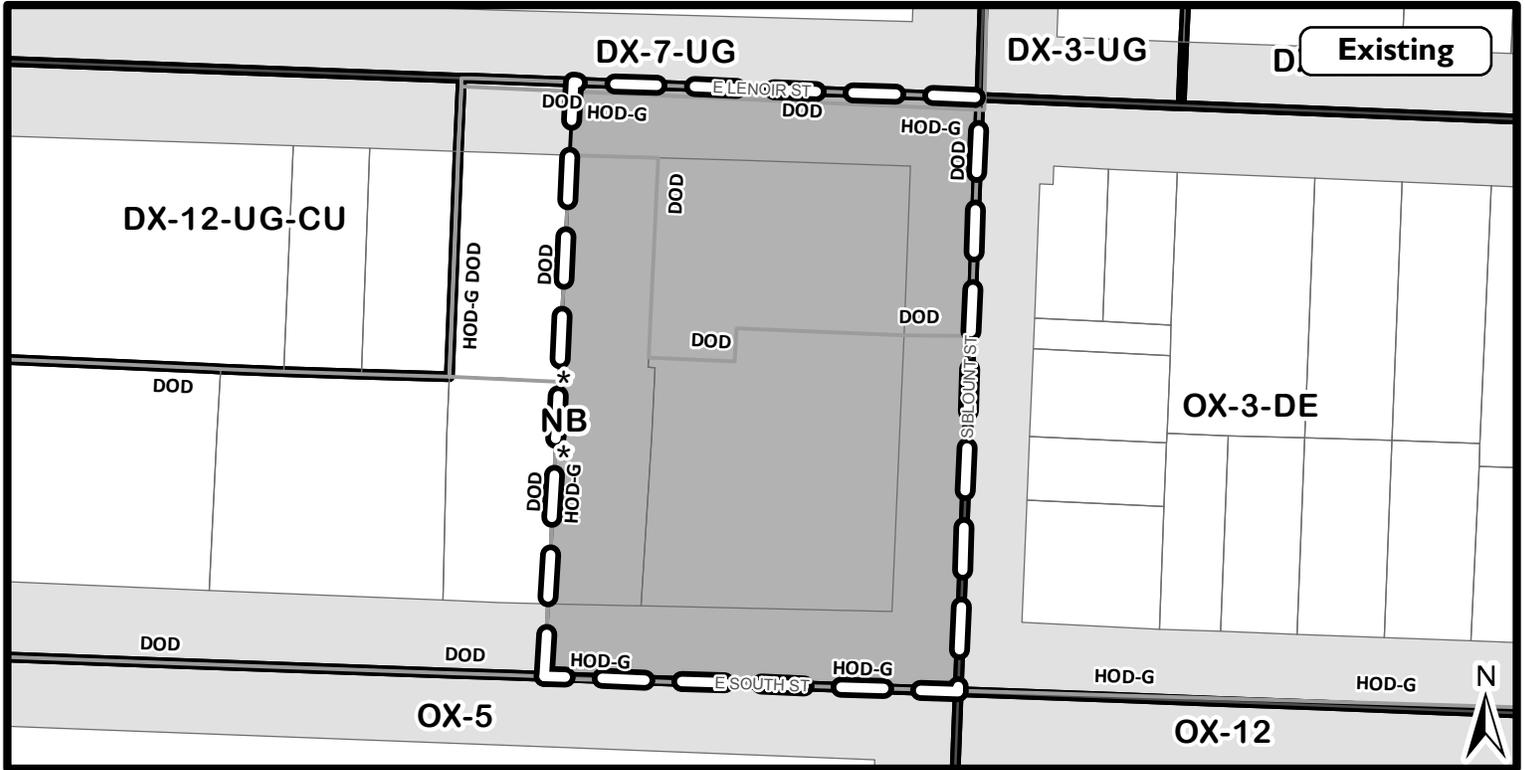
Item	Acreage	PIN	Site Address	Owner	CAC
2	1.44	1704502819	400 W NORTH ST UN110	ROSIE PROPERTIES LLC	North Central
		1704502819	400 W NORTH ST UN112	BCP 400 WEST LLC	
		1704502819	400 W NORTH ST UN120	SAB WEST LLC	
		1704502819	400 W NORTH ST UN100	ALEXIAS BRIDAL BOUTIQUE LLC	
		1704502819	401 N HARRINGTON ST	WEST DEVELOPERS LLC	
3	9.49	0778073740	6301 MT HERMAN RD	EAGLE ROCK CONCRETE LLC	Northwest
4	2.85	0787039224	8024 GLENWOOD AVE	COLONIAL LEASING LIMITED PRNERSHP	Northwest
5	0.88	1713147688	900 COLEMAN ST	MCCRAY, RONALD F	South Central
		1713147692	904 COLEMAN ST	MCCRAY, RONALD F	
6	3.53	1714157326	1408 BROOKSIDE DR	DARWIN, GORDON T	East
7	7.68	1724858510	4208 NEW BERN AVE	4S PROPERTIES LLC	Southeast
8	46.07	0784786489	0 BLUE RIDGE RD	NC MUSEUM OF ART FOUNDATION INC	Northwest
9	31.63	1724447360	3312 NEW BERN AVE	DEBNAM PROPERTIES LLC	Southeast
		1724449824	3600 NEW BERN AVE	DEBNAM PROPERTIES LLC	
10	297.73	0768555829	7980 ARCO CORPORATE DR	SERVICE RETAIL AT BRIER CREEK COMMONS LIMITED PARTNERSHIP	Northwest
		0768557740	7990 ARCO CORPORATE DR	SERVICE RETAIL AT BRIER CREEK COMMONS LIMITED PARTNERSHIP	
		0768652213	8001 ARCO CORPORATE DR	RAL LOT 2 LLC	
		0768553790	8010 ARCO CORPORATE DR	BRIER CREEK 1 & 2 LLC	
		0768551384	8020 ARCO CORPORATE DR	BRIER CREEK 1 & 2 LLC	
		0768559276	8021 ARCO CORPORATE DR	RALHIS LLC	
		0768549715	8041 ARCO CORPORATE DR	QUALCOMM INC	
		0768642550	8045 ARCO CORPORATE DR	BRIER CREEK OFFICE #4 LLC	
		0768547190	8051 ARCO CORPORATE DR	BC OFFICE 5, LLC	
		0768535777	8061 ARCO CORPORATE DR	WARD VENTURES LLC	
		0768531315	8081 ARCO CORPORATE DR	BC OFFICE 6, LLC	
		0768435332	8080 ARCO CORPORATE DR	BRIER CREEK CORP CNTR ASSOC LP	
		0768431808	0 BRIER CREEK PKWY	BRIER CREEK COMMONS LMTD PRNRSHP	
		0768466576	8001 BRIER CREEK PKWY	BEF REIT INC	
		0768464394	8011 BRIER CREEK PKWY	SOUTHLAKE ASSOCIATES	
		0768462322	8101 BRIER CREEK PKWY	MARCO POLO INC	
		0768460198	8115 BRIER CREEK PKWY	BRIER CREEK COMMONS LMTD PRNRSHP	
		0768369074	8121 BRIER CREEK PKWY	RETAIL FUND PARCEL HOLDINGS LLC	
		0768454921	8161 BRIER CREEK PKWY	AAC ROSEDALE COMMONS GP LMTD PRNRSHP	
		0768440719	8331 BRIER CREEK PKWY	BRIER CREEK COMMONS LMTD PRNRSHP	
		0768356389	8341 BRIER CREEK PKWY	SOUTHLAKE ASSOCIATES	
		0768356260	8401 BRIER CREEK PKWY	WIDEWATERS VI BRIER CREEK CO LLC DELAWARE LLC	
		0768348092	8611 BRIER CREEK PKWY	REGAL CINEMAS INC	
		0768334614	8651 BRIER CREEK PKWY	TARGET CORPORATION	
		0768239676	8701 BRIER CREEK PKWY	WACHOVIA BANK NA	
		0768237660	8741 BRIER CREEK PKWY	PALON REAL ESTATE DEVELOPMENT LLC	
		0768239018	8811 BRIER CREEK PKWY	SOUTHLAKE ASSOCIATES	
		0768220904	8901 BRIER CREEK PKWY	CHICK FIL A INC	
		0768128846	8911 BRIER CREEK PKWY	WACHOVIA BANK NATIONAL ASSOCIATION	
		0768225319	8811 ELLSTREE LN	NC PROPERTY CO LLC	
0768222237	8851 ELLSTREE LN	BRIER CREEK MEDICAL LLC			
0768128237	10211 LUMLEY RD	WAKE COUNTY OF			
0768233280	10370 LUMLEY RD	BRIER CREEK COMMONS LMTD PRNRSHP			
0768328520	10100 LUMLEY RD	RALHAM LLC			
0768339078	10200 LUMLEY RD	WARD VENTURES LLC			
0768128681	10310 MONCREIFFE RD	BRIERDALE LIMITED PARTNERSHIP			
11	25.99	1726681771	3900 SUMNER BLVD	BROUGHTON PROPERTIES	Northeast
12	24.82	1727304088	5839 CAPITAL BLVD	GOLD MOON LLC	North
		1727301427	5857 CAPITAL BLVD	HOL DAV INC	
		1727302961	6001 CAPITAL BLVD	SILVER MOON LLC	
		1727208758	6830 OLD WAKE FOREST RD	JOHNSON, C DAVID JR	
13	4.54	1747761226	4125 MITCHELL MILL RD	NATIONAL BUSINESS PARTNERS LLC	Forestville
		1747763124	4133 MITCHELL MILL RD	NATIONAL BUSINESS PARTNERS LLC	

Z-27D-14 Location Summary

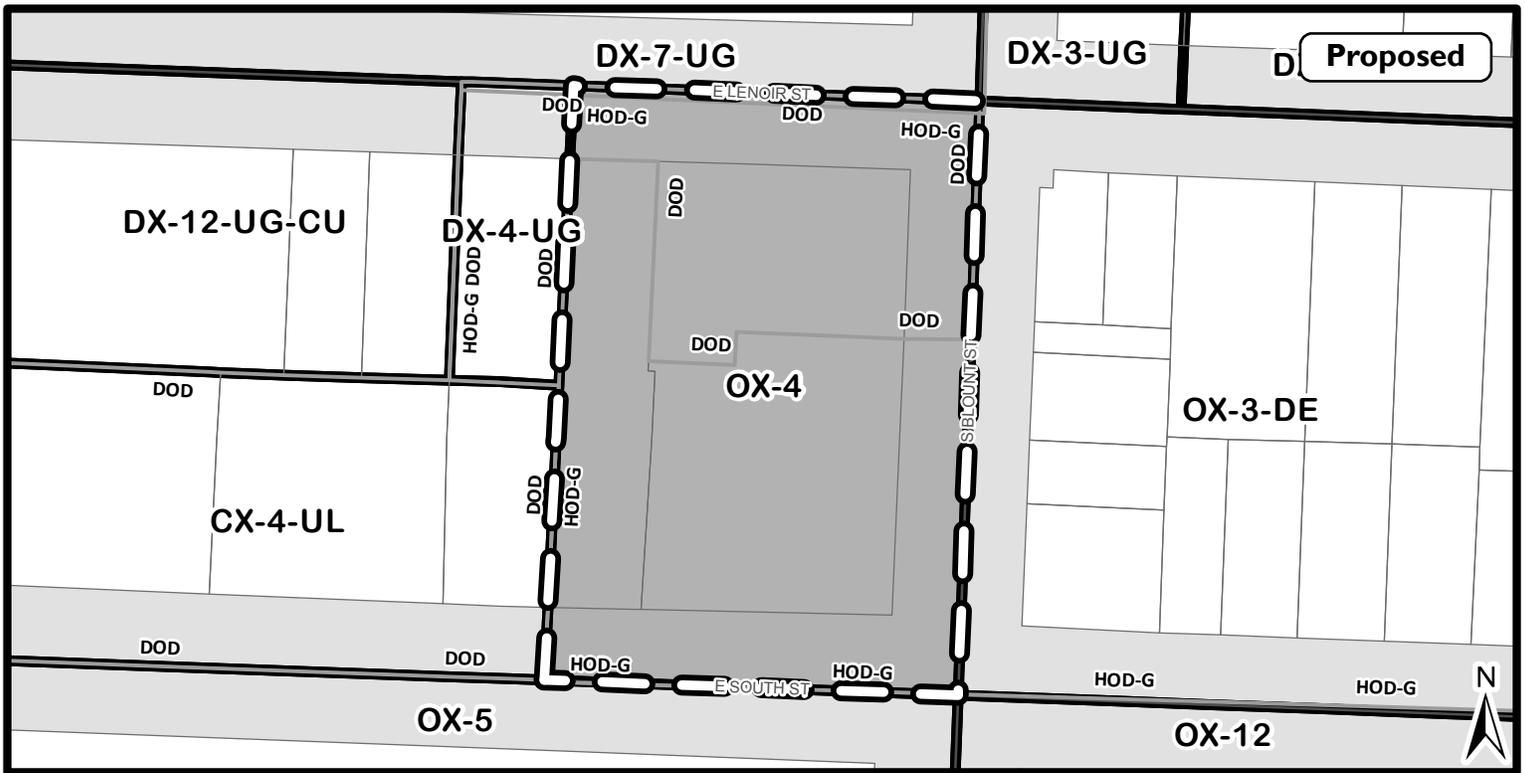
Item	Acreage	PIN	Site Address	Owner	CAC
13	4.54	1747763401	4205 PLEASANTVILLE DR	NATIONAL BUSINESS PARTNERS LLC	Forestville
14	9.10	1726484341	5420 CAPITAL BLVD	MLC AUTOMOTIVE LLC	Northeast
		1726484449	5500 CAPITAL BLVD	MLC AUTOMOTIVE LLC	
		1726483612	5510 CAPITAL BLVD	MLC AUTOMOTIVE LLC	
15	9.23	1727653974	0 GRESHAM LAKE RD	DAVIDSON & JONES HOTEL CORP	North
16	1.08	1703765313	118 E LENOIR ST	MCDONALDS REAL ESTATE CO	Central
		1703763211	101 E SOUTH ST	YOUNG, GOLDA G GURLEY, WORTH P JR	
		1703764221	111 E SOUTH ST	MCDONALDS REAL ESTATE CO	
		1703764280	117 E SOUTH ST	MCDONALDS REAL ESTATE CO	
17	1.82	1703485792	600 W HARGETT ST	EMPIRE PROPERTIES LLC	Hillsborough
18	0.55	1703851915	706 S PERSON ST	THOMPSON, E R	Central
		1703861013	230 E SOUTH ST	IRVING, VIVIAN E HEIRS	
		1703861053	234 E SOUTH ST	234 E. LENOIR ST LLC	
19	1.41	1729471182	9721 FONVILLE RD	FONVILLE, JOHN T	North
		1729473029	9733 FONVILLE RD	FONVILLE, JOHN T	
		1729473118	9745 FONVILLE RD	FONVILLE, JOHN T	

Z-27D-14 - Planning Commission CR

Existing Zoning: NB w/HOD-G, part DOD



Planning Commission Recommended Zoning: OX-4 w/HOD-G



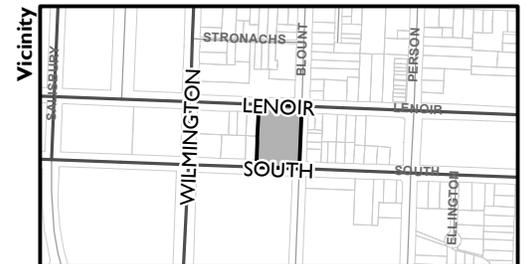
Future Land Use:

Central Business District

Urban Form:

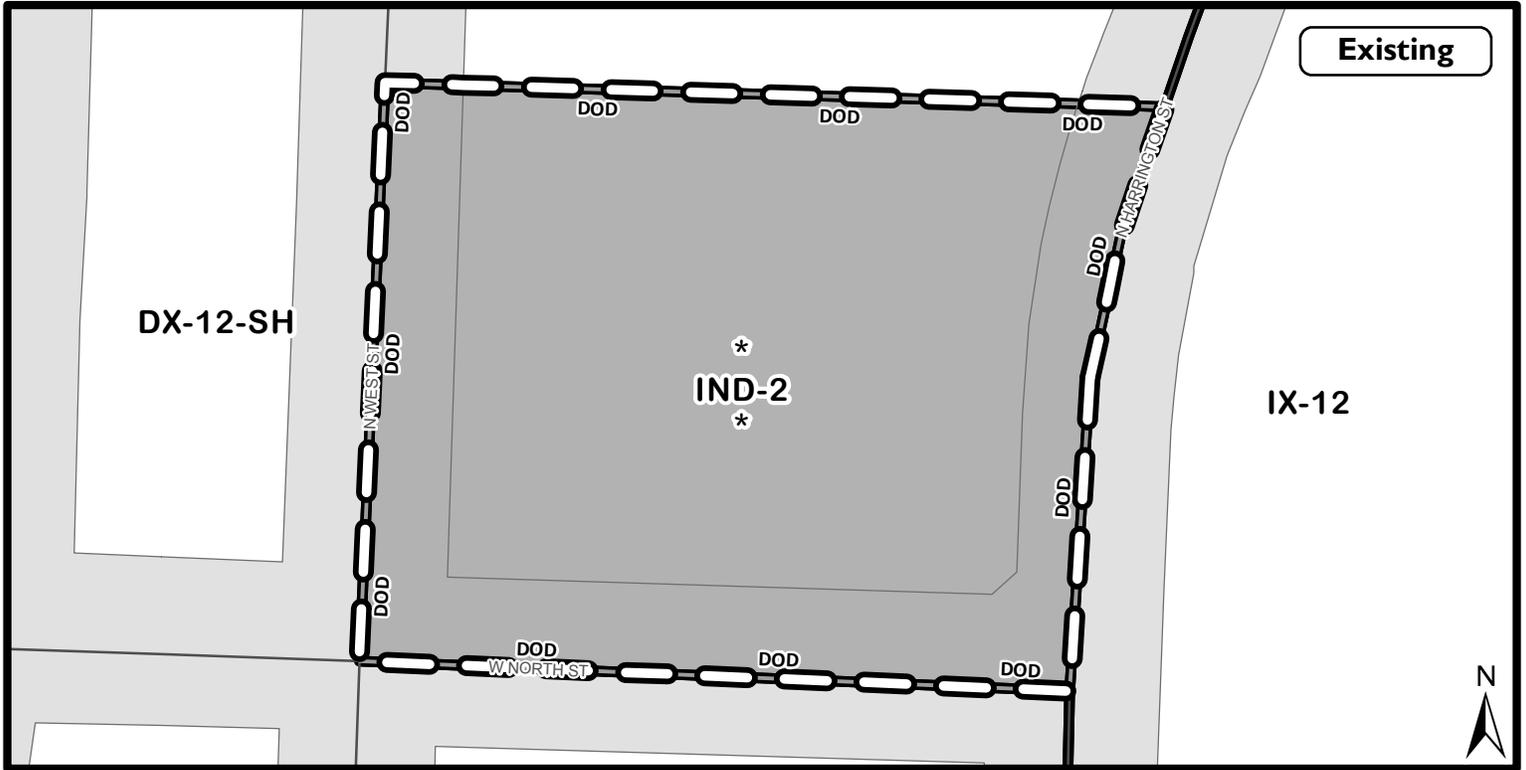
Downtown

Z-27-14 Public Hearing Zoning: OX-4-SH w/HOD-G

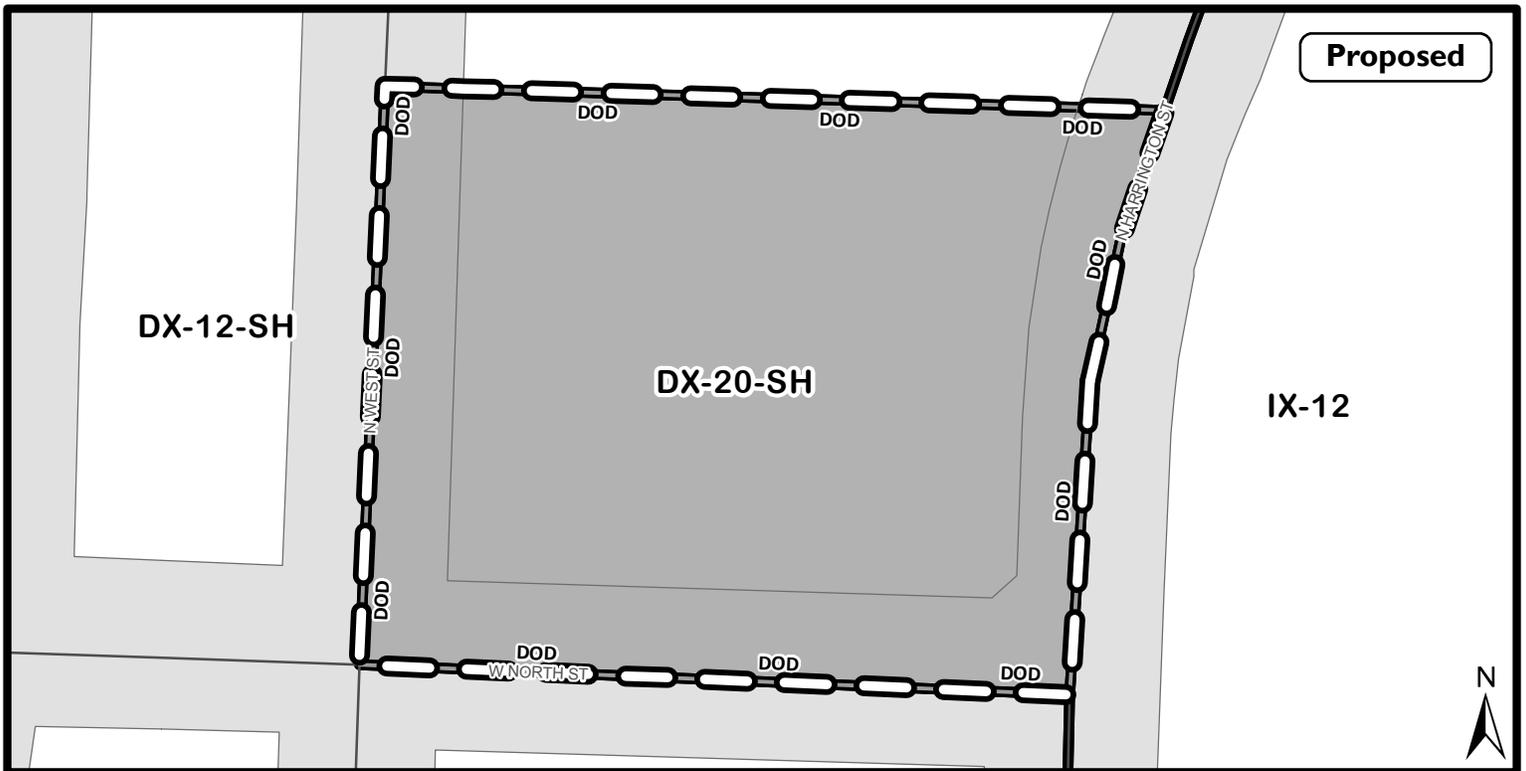


Z-27D-14 - Planning Commission CR

Existing Zoning: IND-2 w/DOD



Planning Commission Recommended Zoning: DX-20-SH



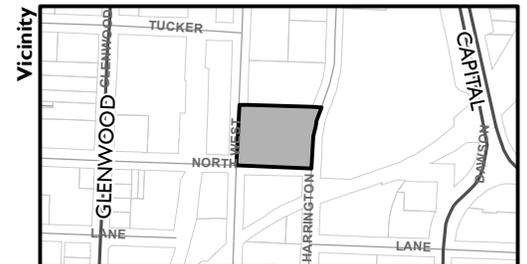
Future Land Use:

Central Business District

Urban Form:

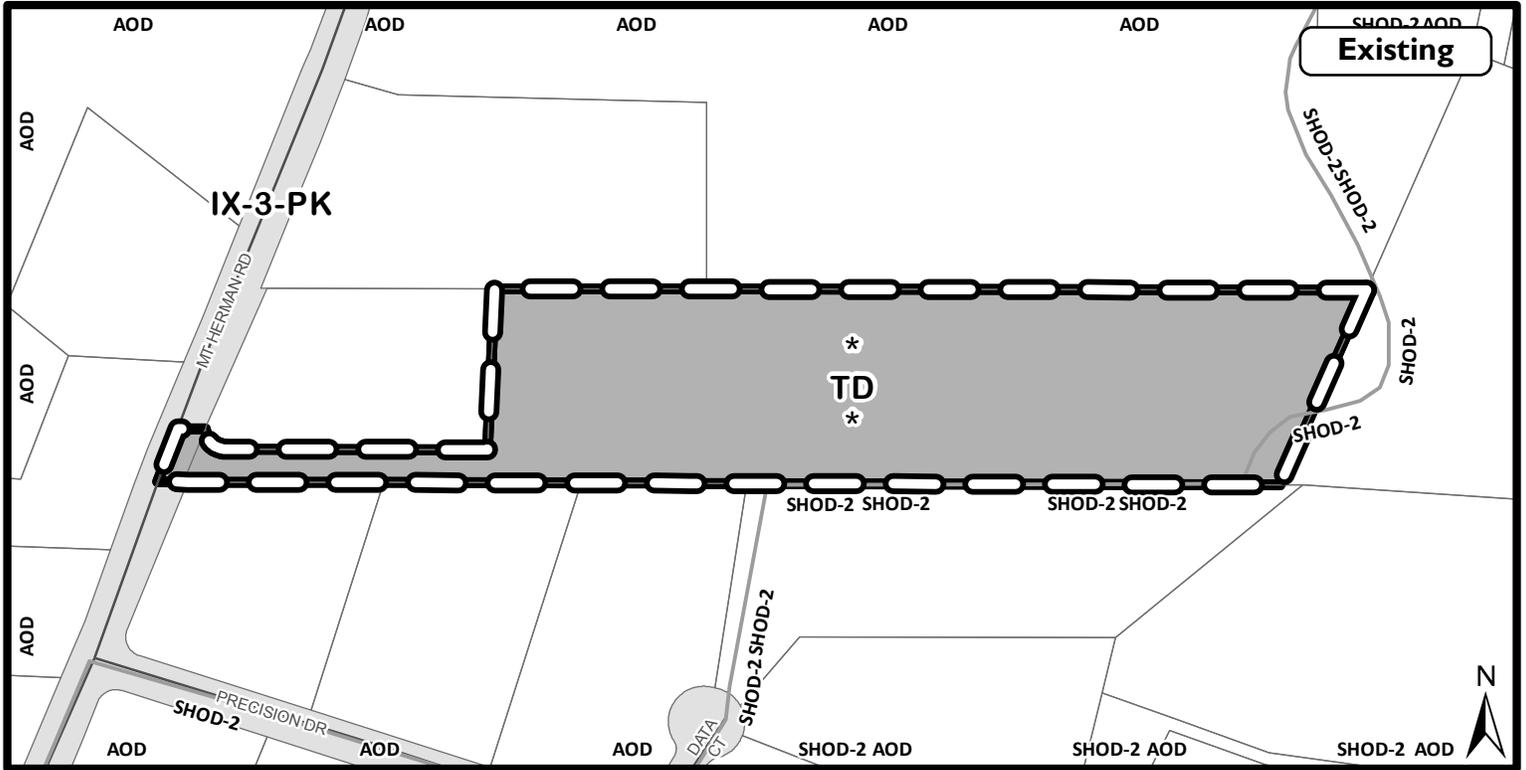
Downtown; Transit Buffer

Z-27-14 Public Hearing Zoning: DX-12-SH

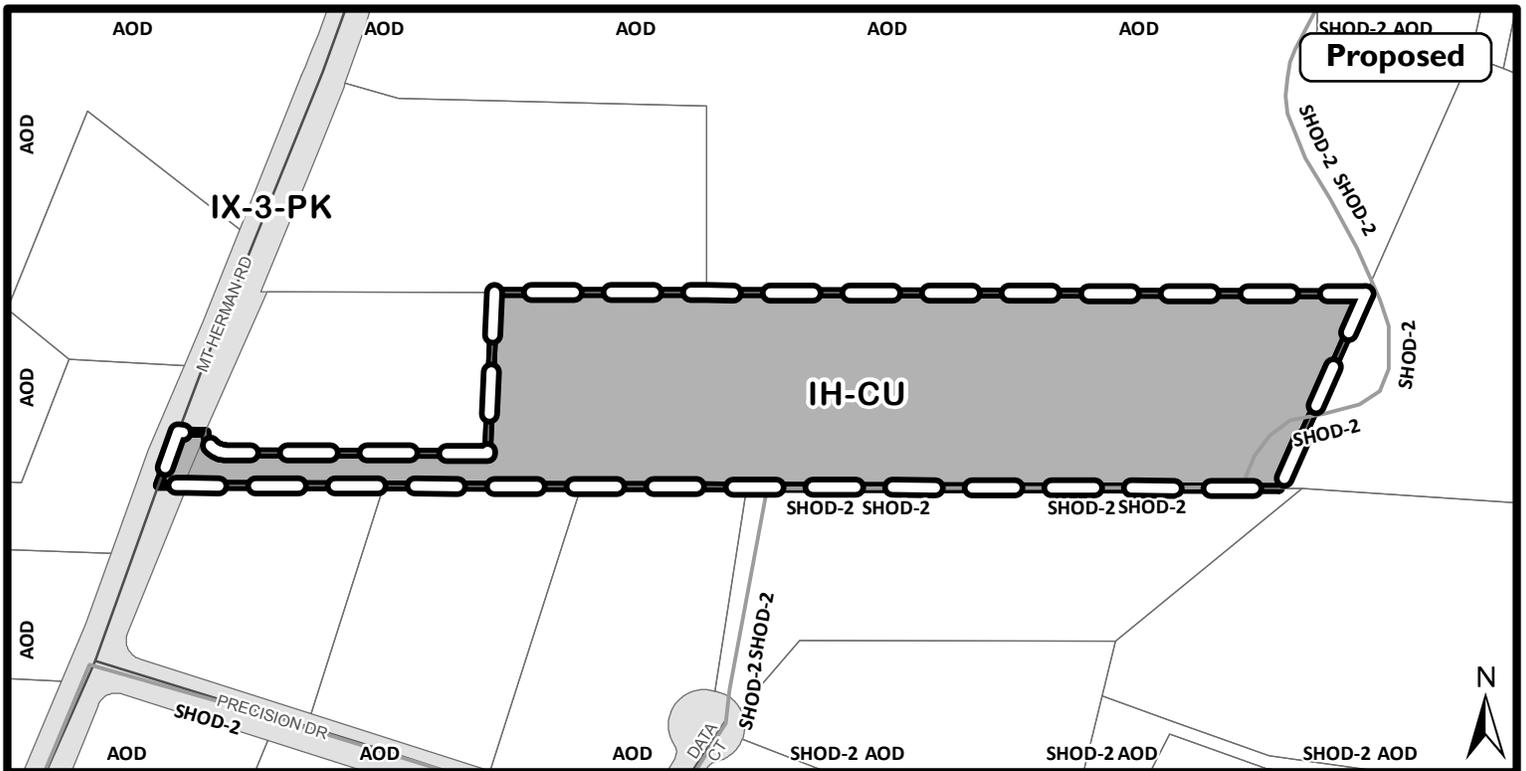


Z-27D-14 - Planning Commission CR

Existing Zoning: TD w/AOD



Planning Commission Recommended Zoning: IH-CU w/AOD



Future Land Use:

Business & Commercial Services

Urban Form:

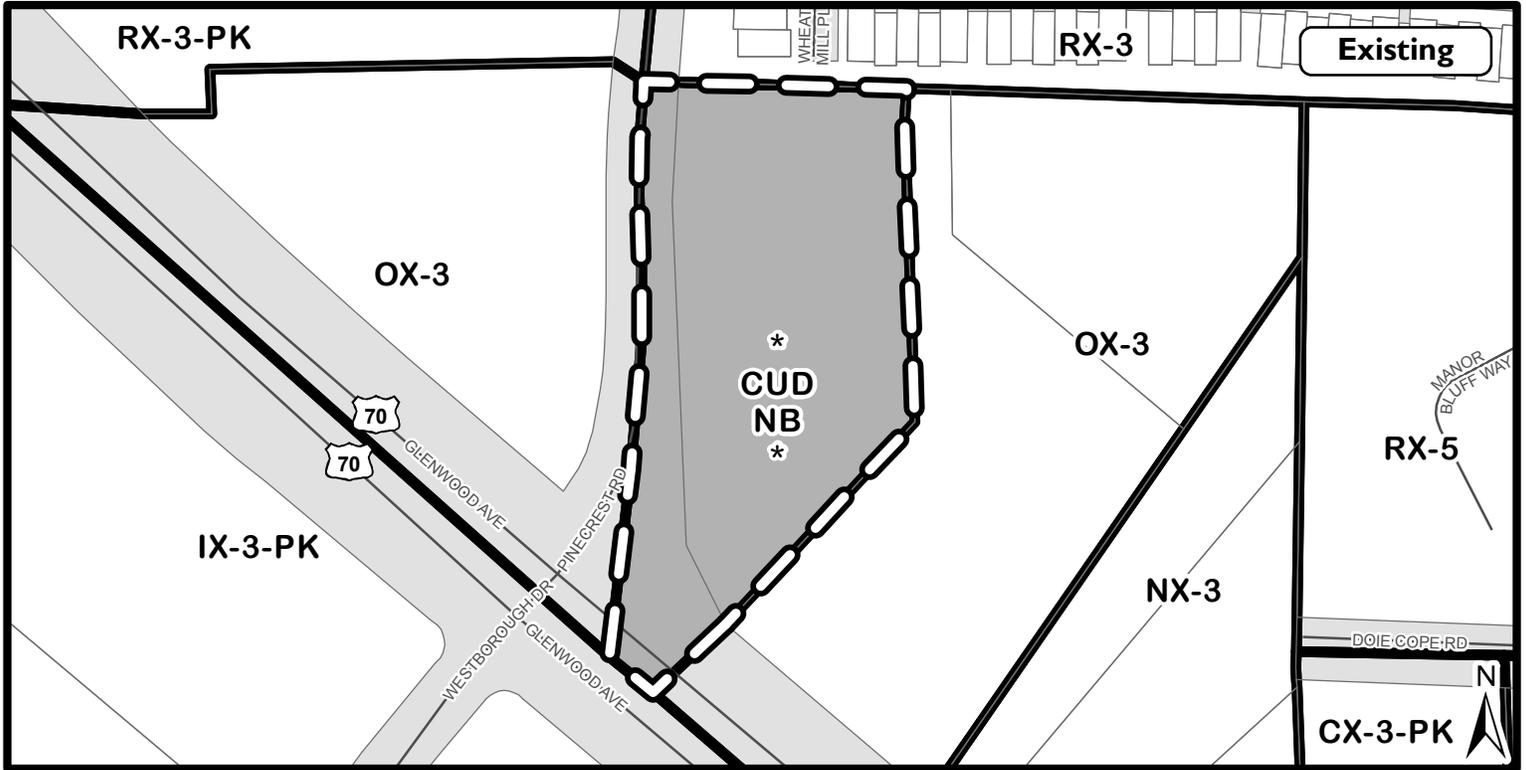
City Growth Center

Z-27-14 Public Hearing Zoning: IX-3-PK w/AOD

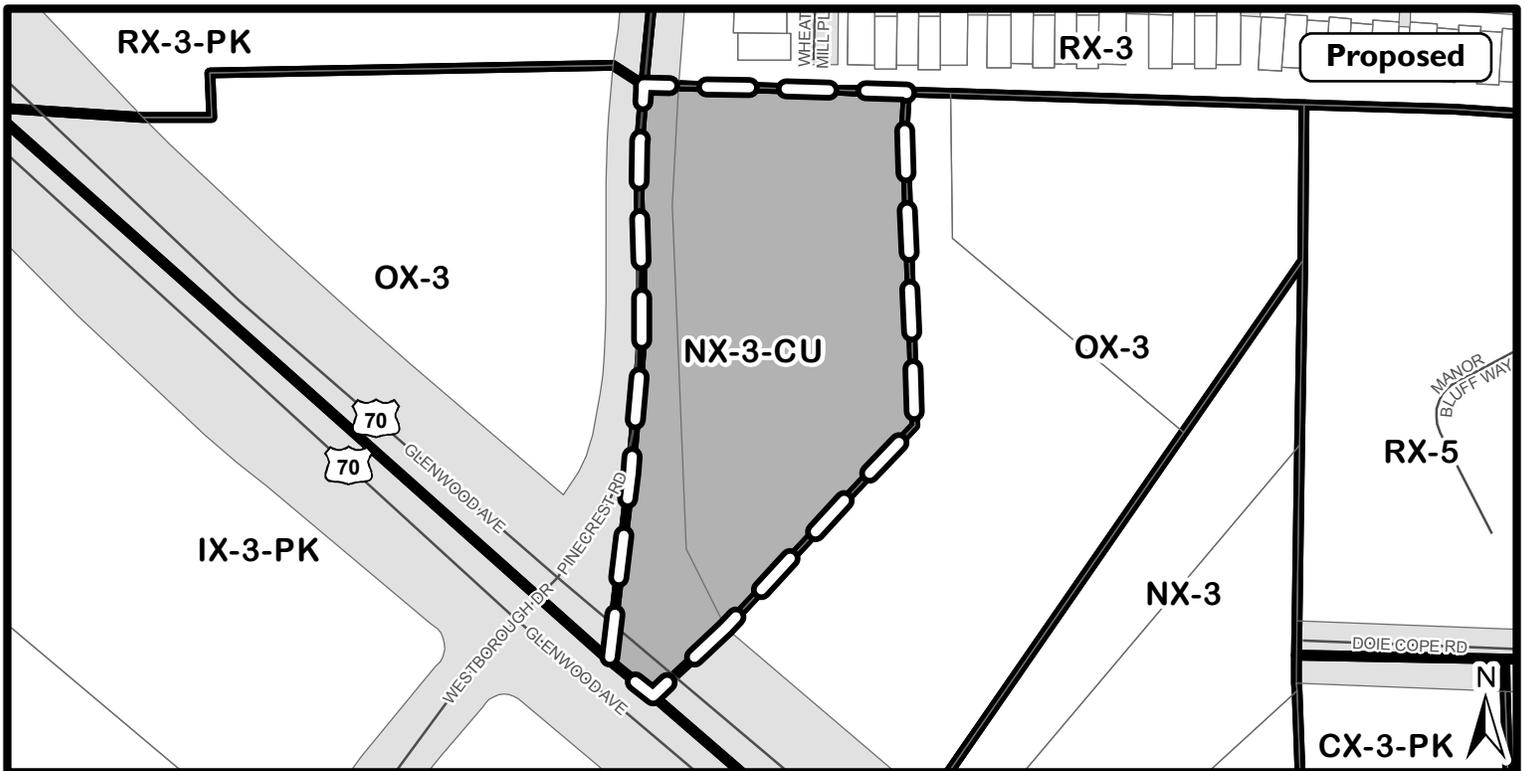


Z-27D-14 - Planning Commission CR

Existing Zoning: CUD NB



Planning Commission Recommended Zoning: NX-3-CU



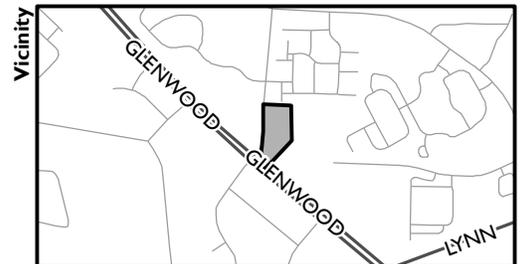
Future Land Use:

Community Mixed Use

Urban Form:

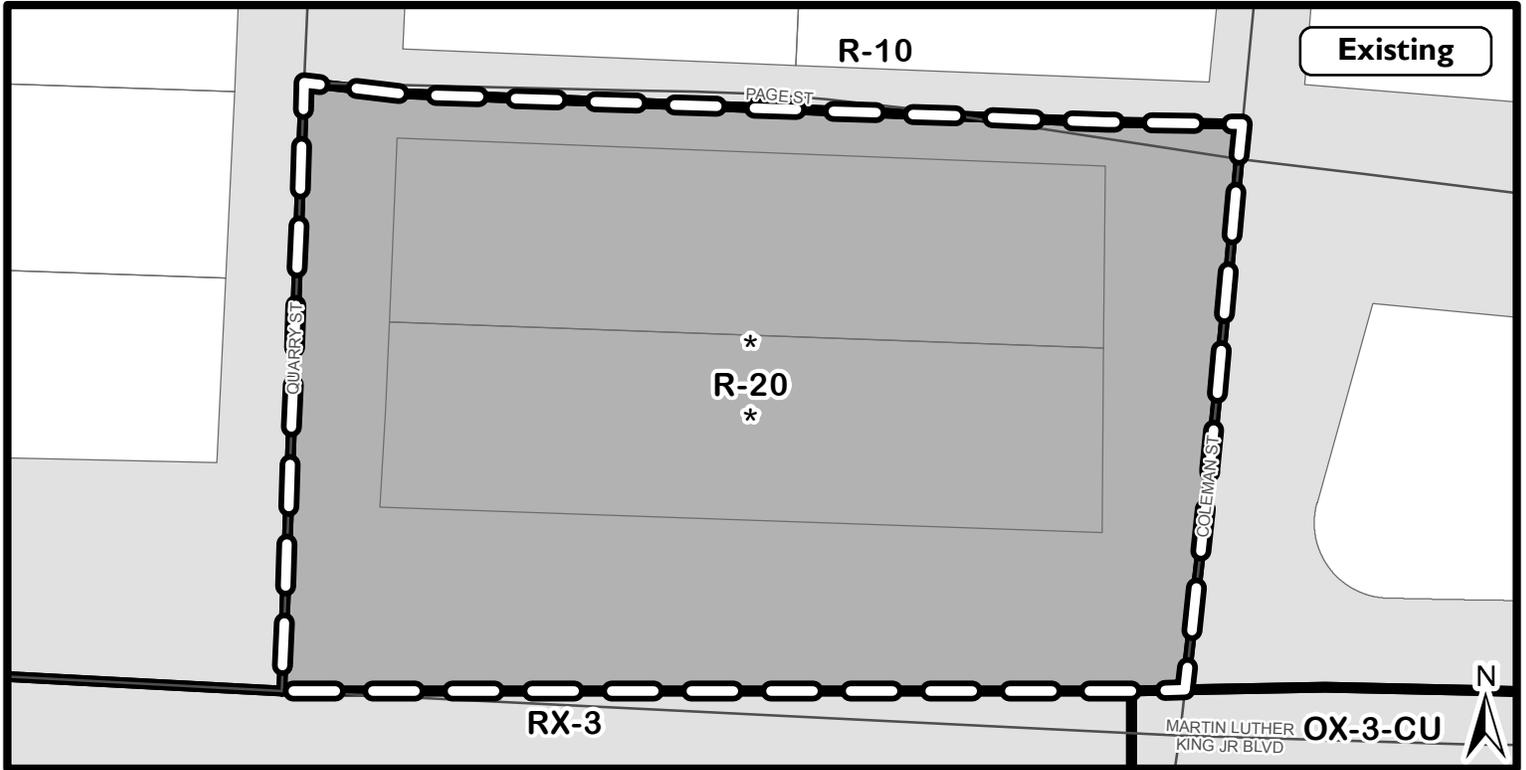
N/A

Z-27-14 Public Hearing Zoning: OX-3-CU

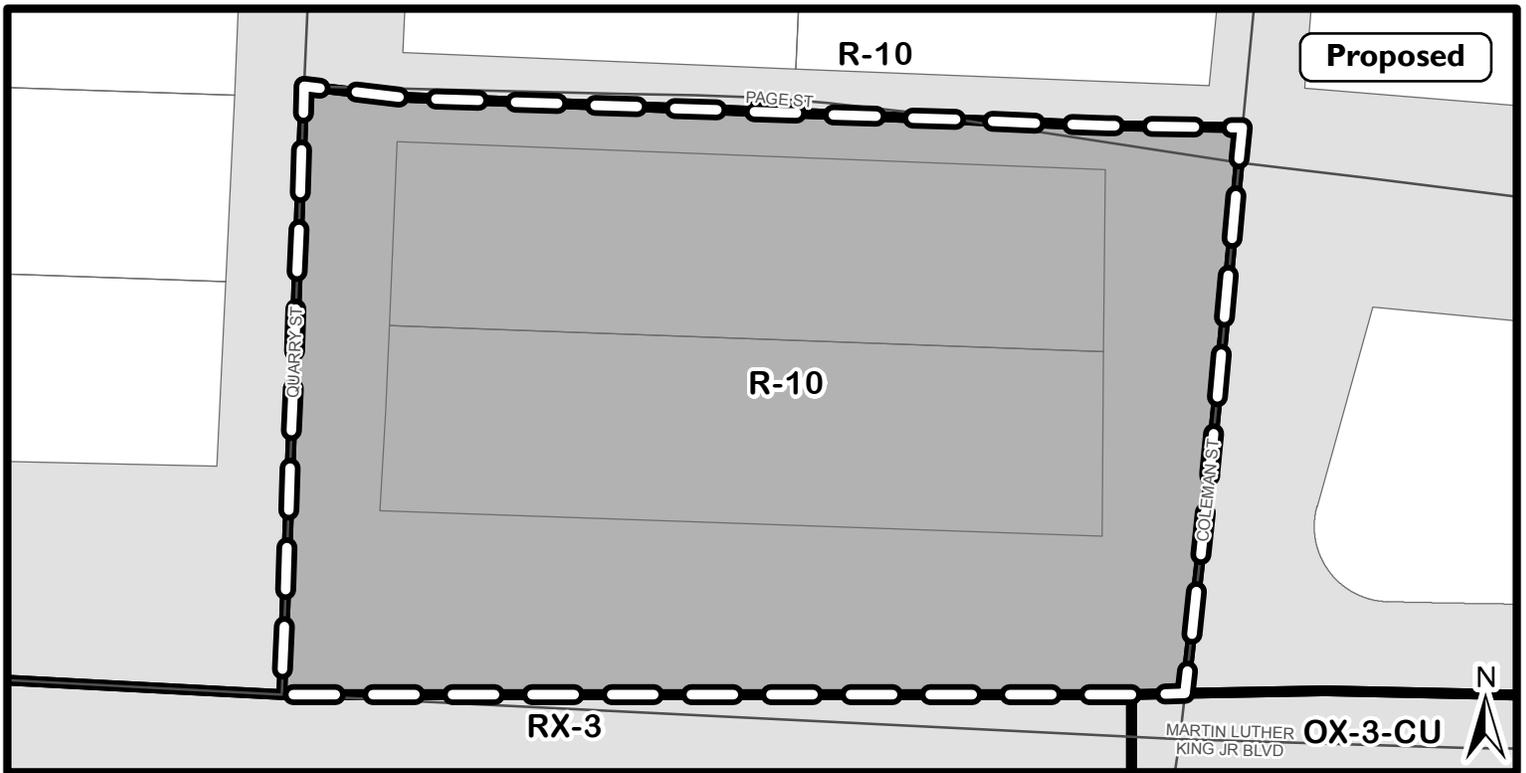


Z-27D-14 - Planning Commission CR

Existing Zoning: R-20



Planning Commission Recommended Zoning: R-10



Future Land Use:

Moderate Density Residential

Urban Form:

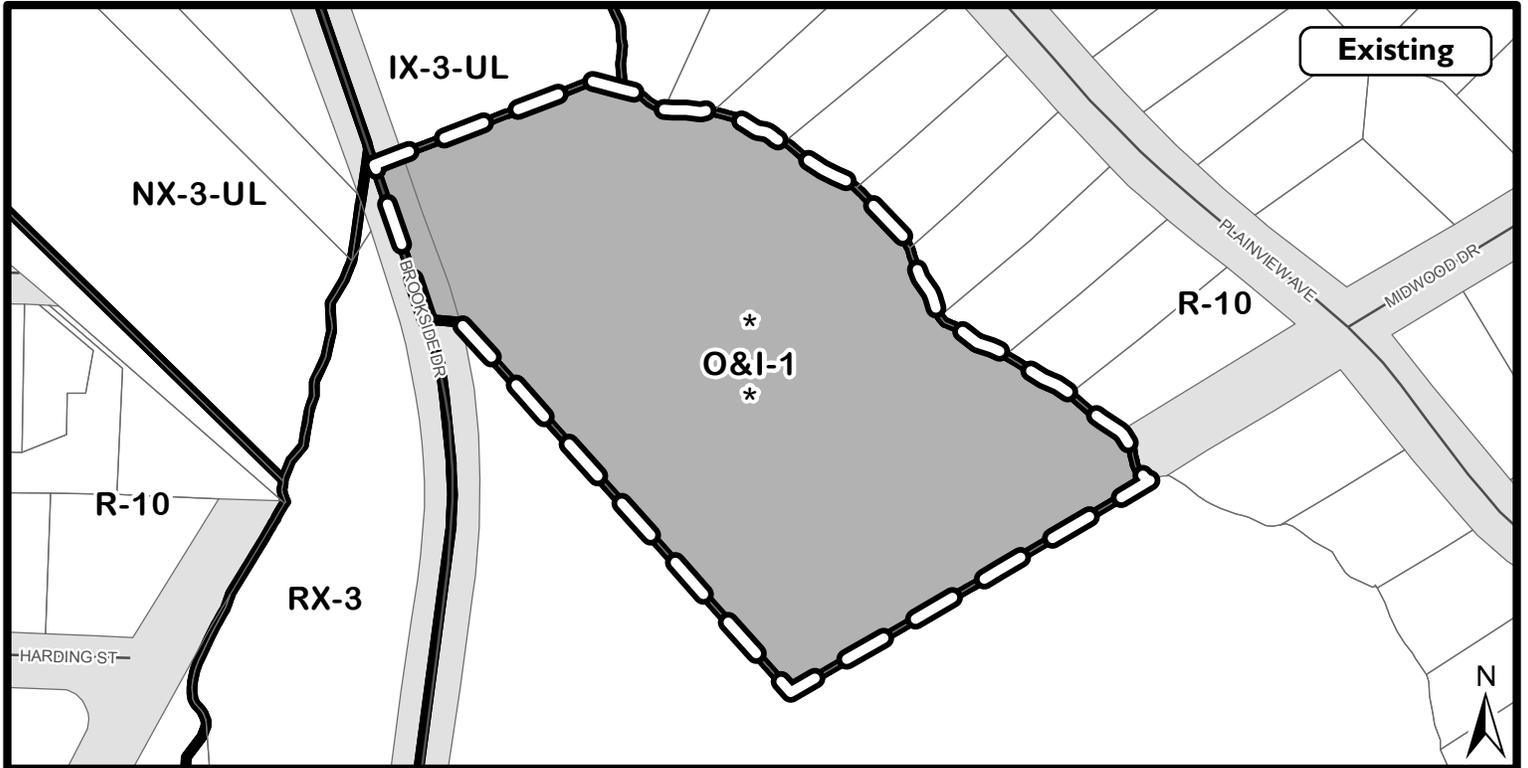
N/A

Z-27-14 Public Hearing Zoning: R-10

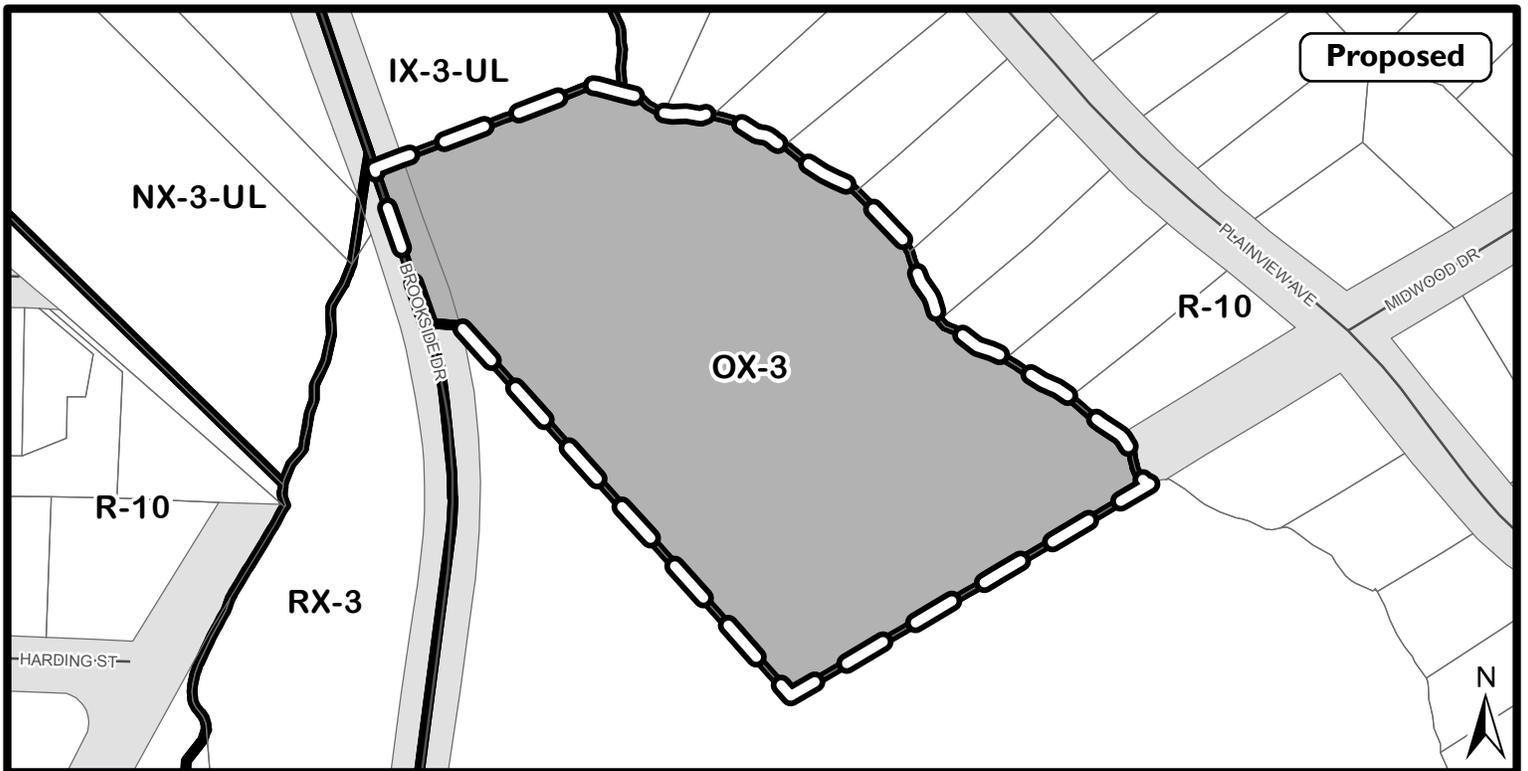


Z-27D-14 - Planning Commission CR

Existing Zoning: O&I-1



Planning Commission Recommended Zoning: OX-3



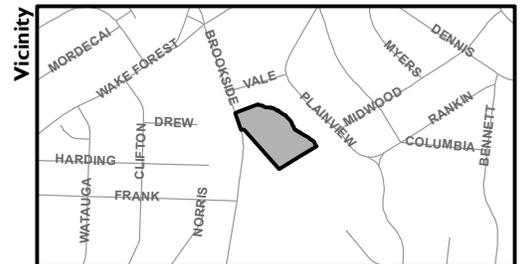
Future Land Use:

Medium Density Residential

Urban Form:

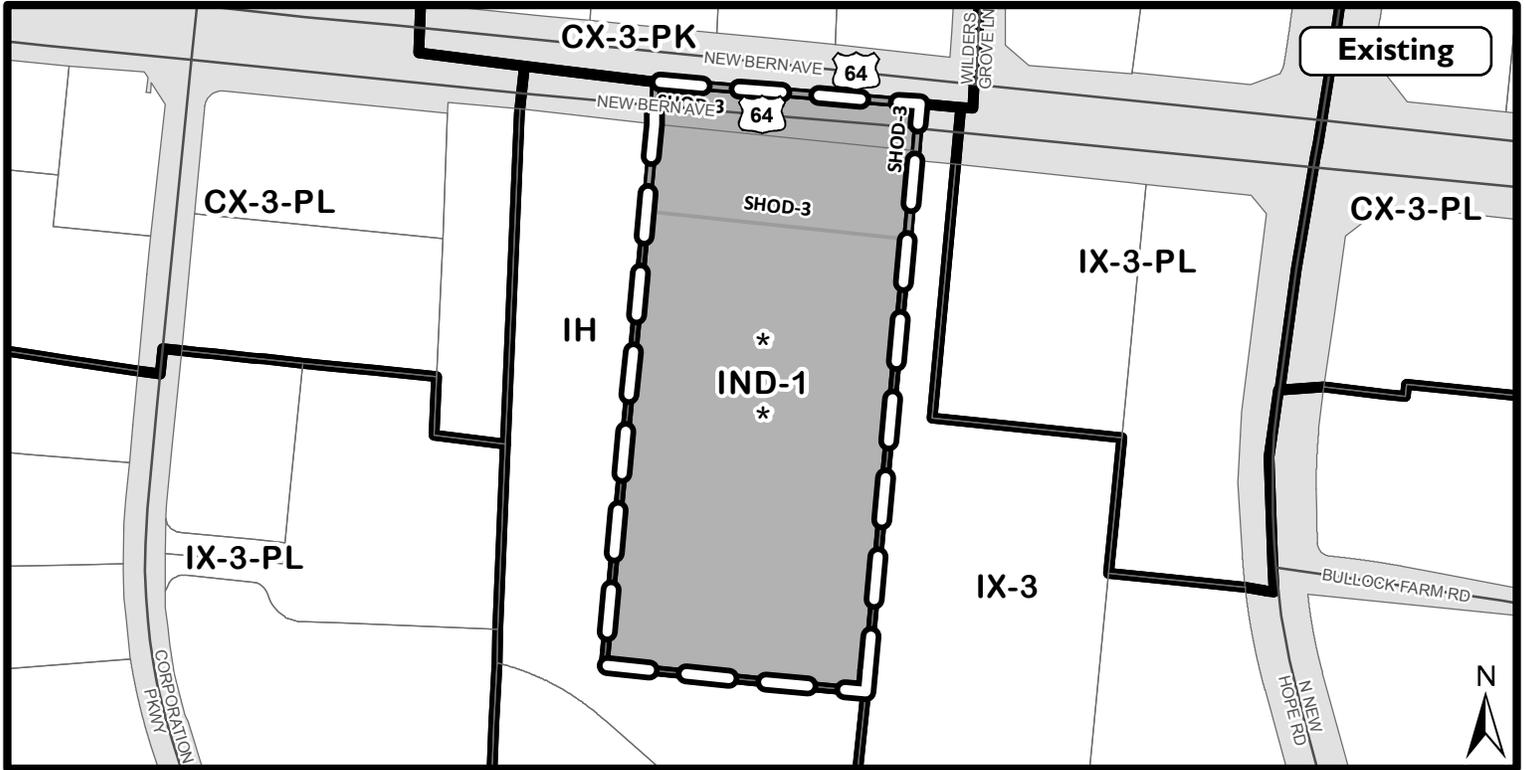
City Growth Center

Z-27-14 Public Hearing Zoning: RX-3

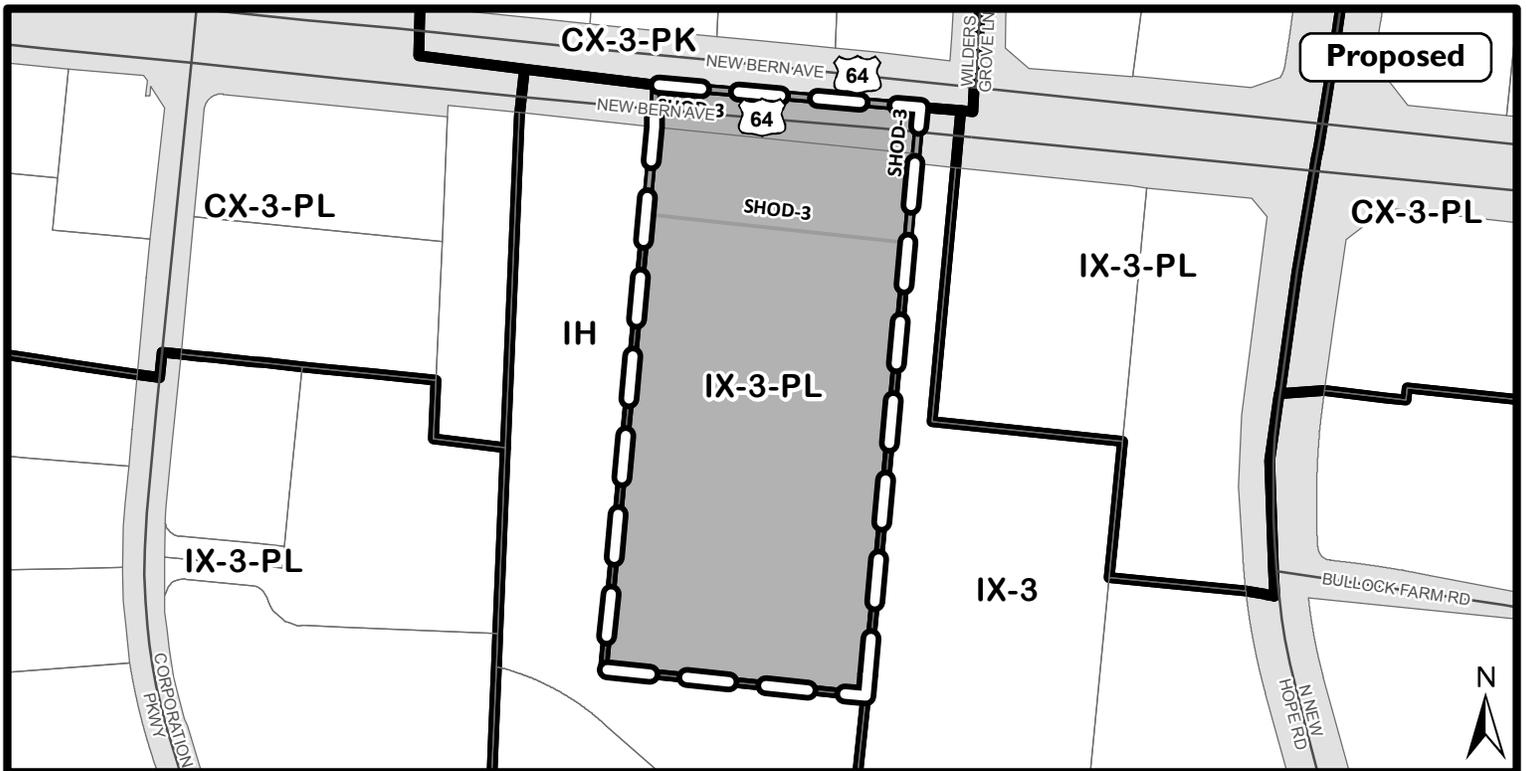


Z-27D-14 - Planning Commission CR

Existing Zoning: IND-1 w/SHOD-3



Planning Commission Recommended Zoning: IX-3-PL



Future Land Use:

Business & Commercial Services

Urban Form:

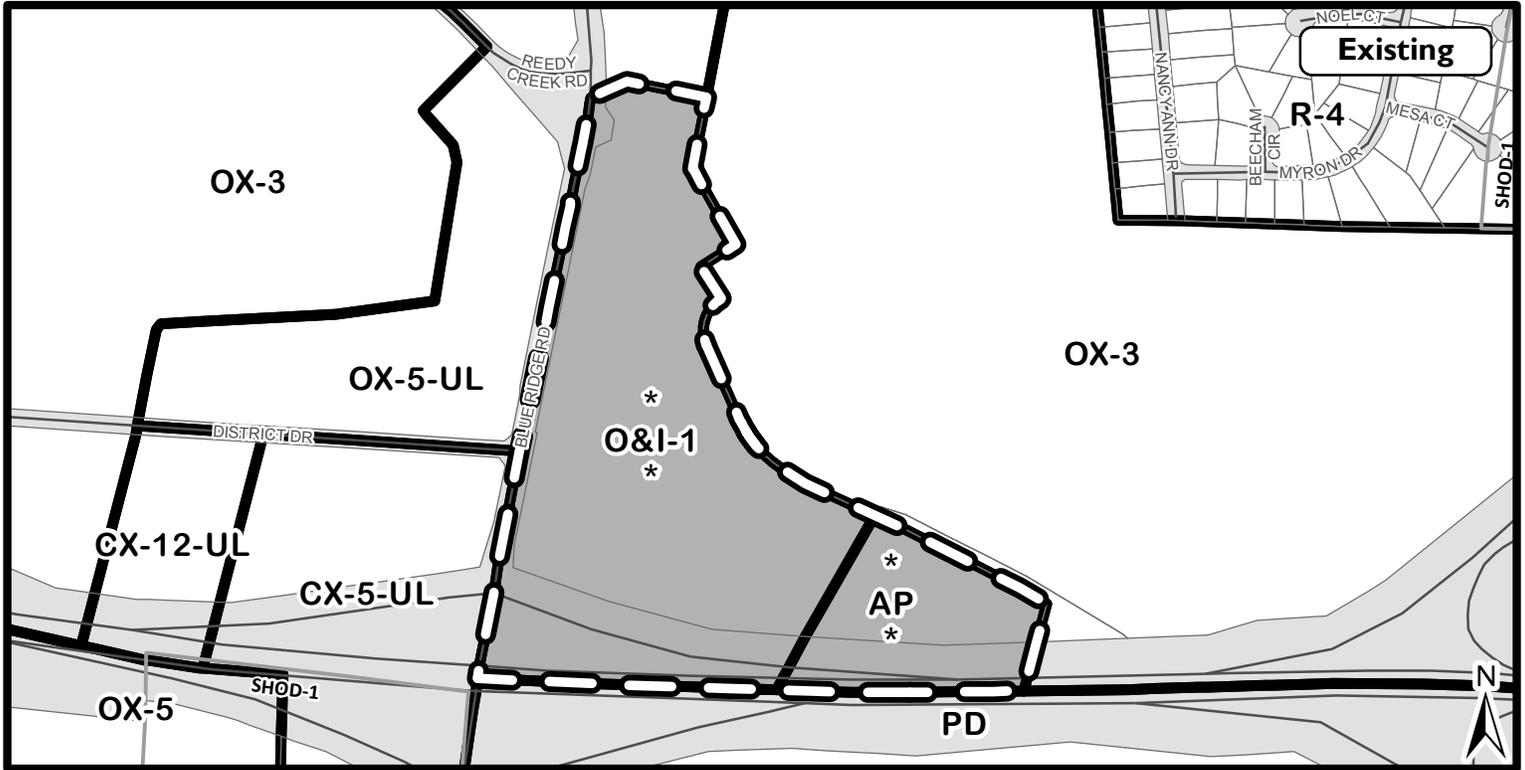
Mixed-Use Center; Transit Emphasis Corridor

Z-27-14 Public Hearing Zoning: IX-3-PK

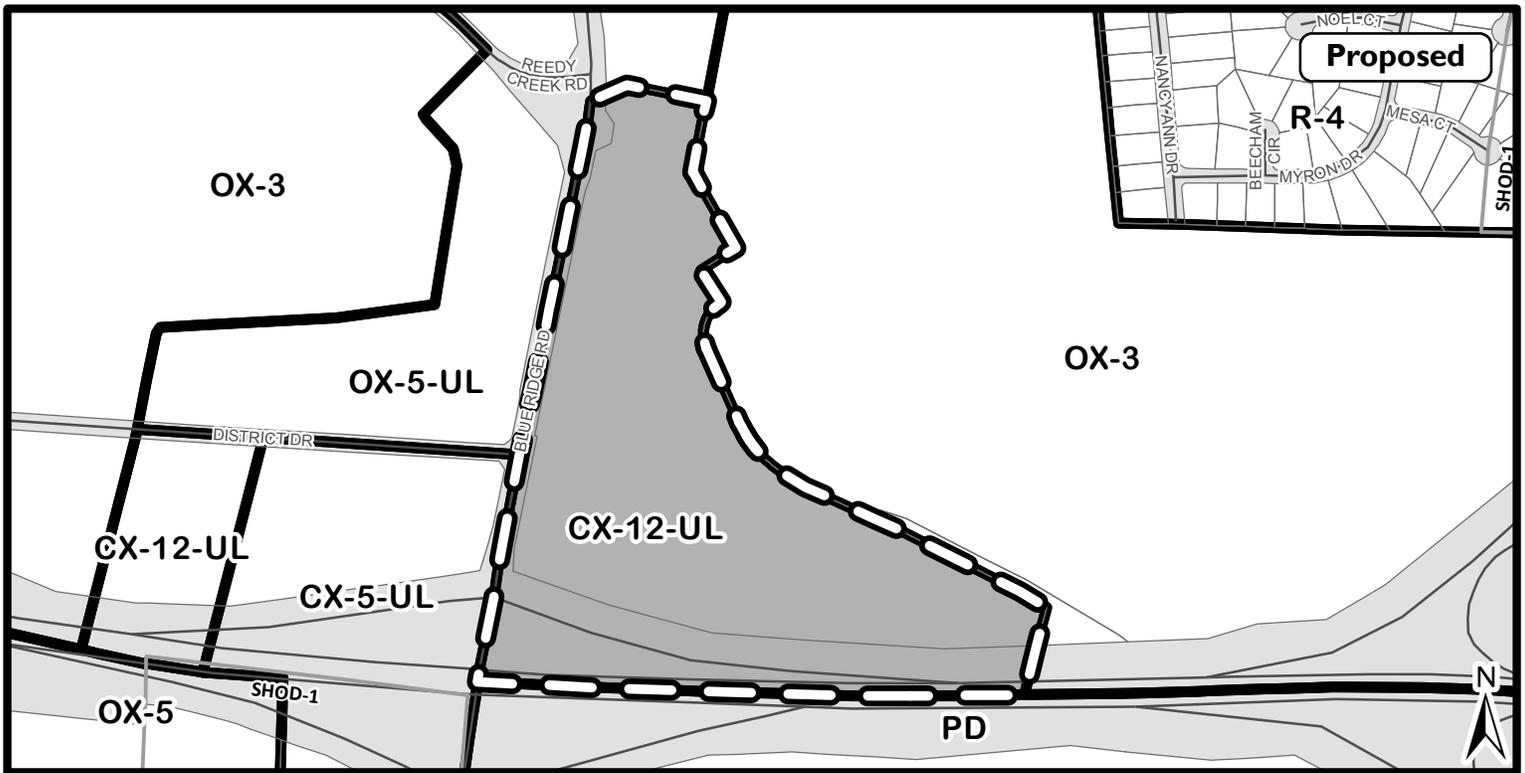


Z-27D-14 - Planning Commission CR

Existing Zoning: O&I-1 & AP



Planning Commission Recommended Zoning: CX-12-UL



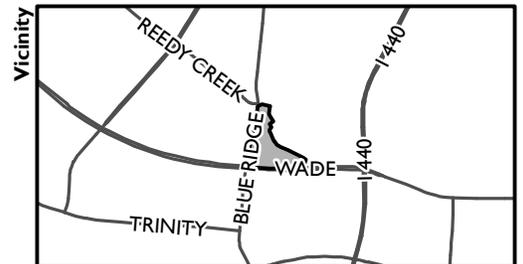
Future Land Use:

Comm Mixed Use; Public Facilities; Institutional

Urban Form:

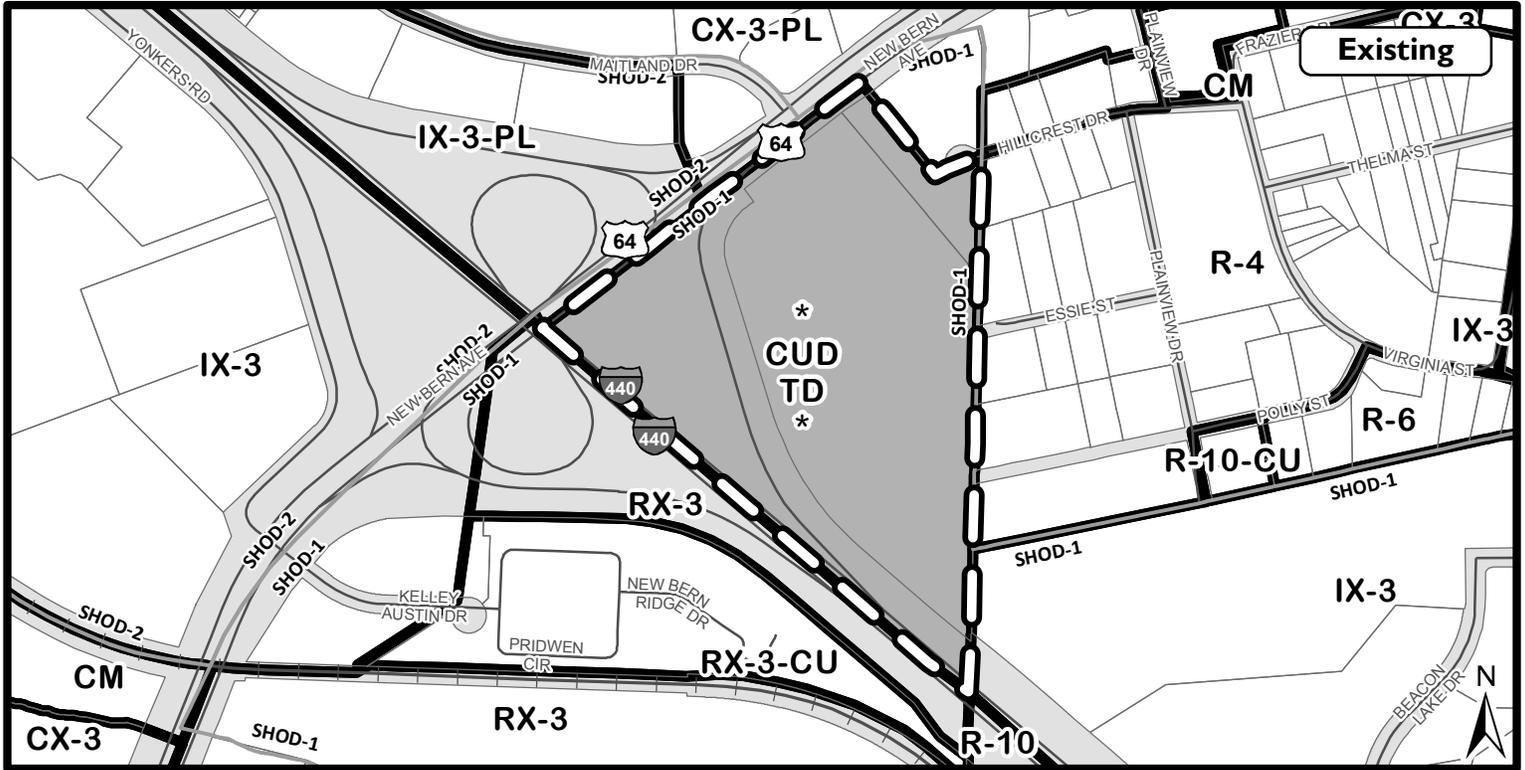
City Growth Center; Urban Thoroughfare; Parkway

Z-27-14 Public Hearing Zoning: CX-5-UL, CX-12-UL, OX-3

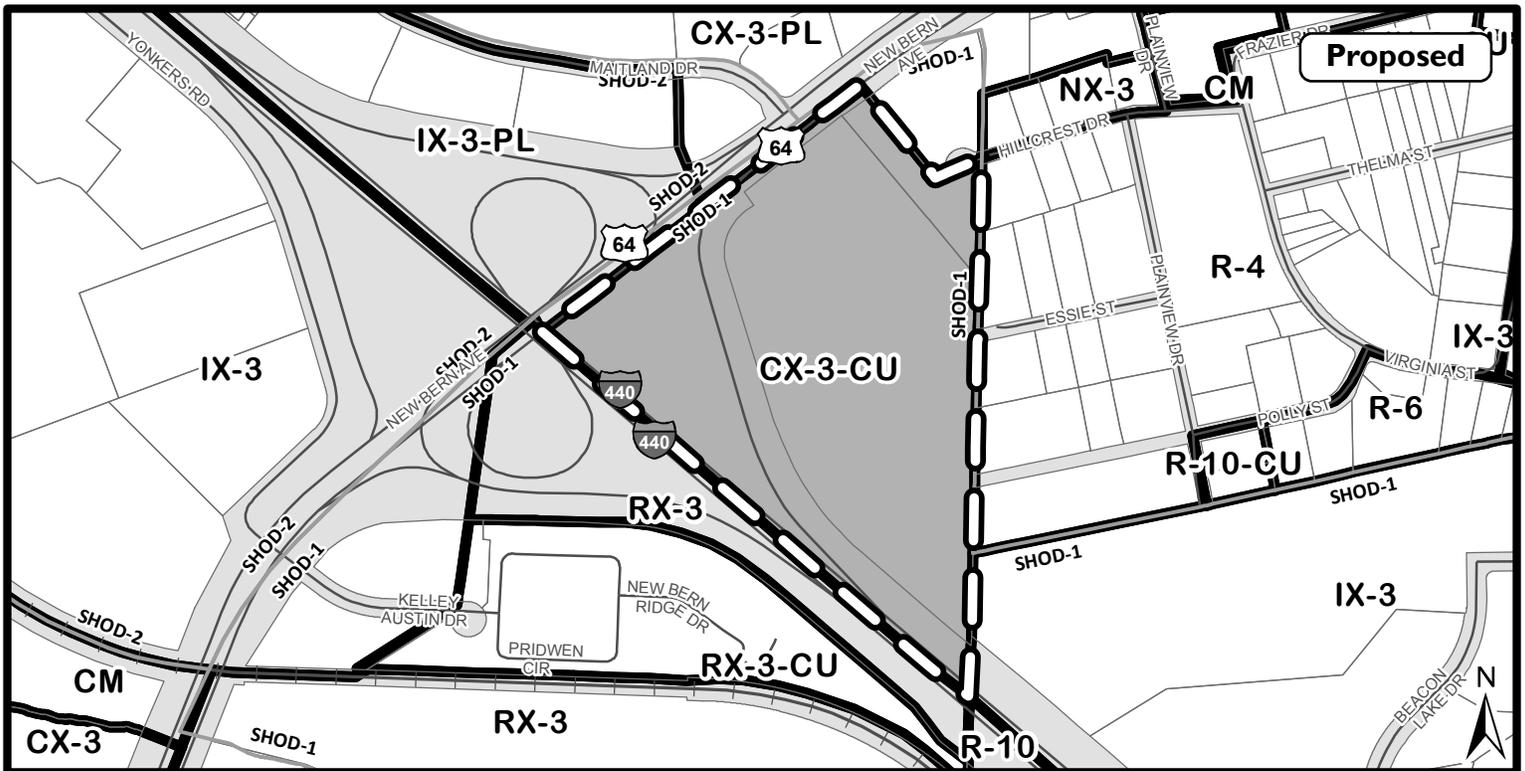


Z-27D-14 - Planning Commission CR

Existing Zoning: CUD TD w/SHOD-1



Planning Commission Recommended Zoning: CX-3-CU w/SHOD-1



Future Land Use:

Office & Res Mixed Use; Comm Mixed Use

Urban Form:

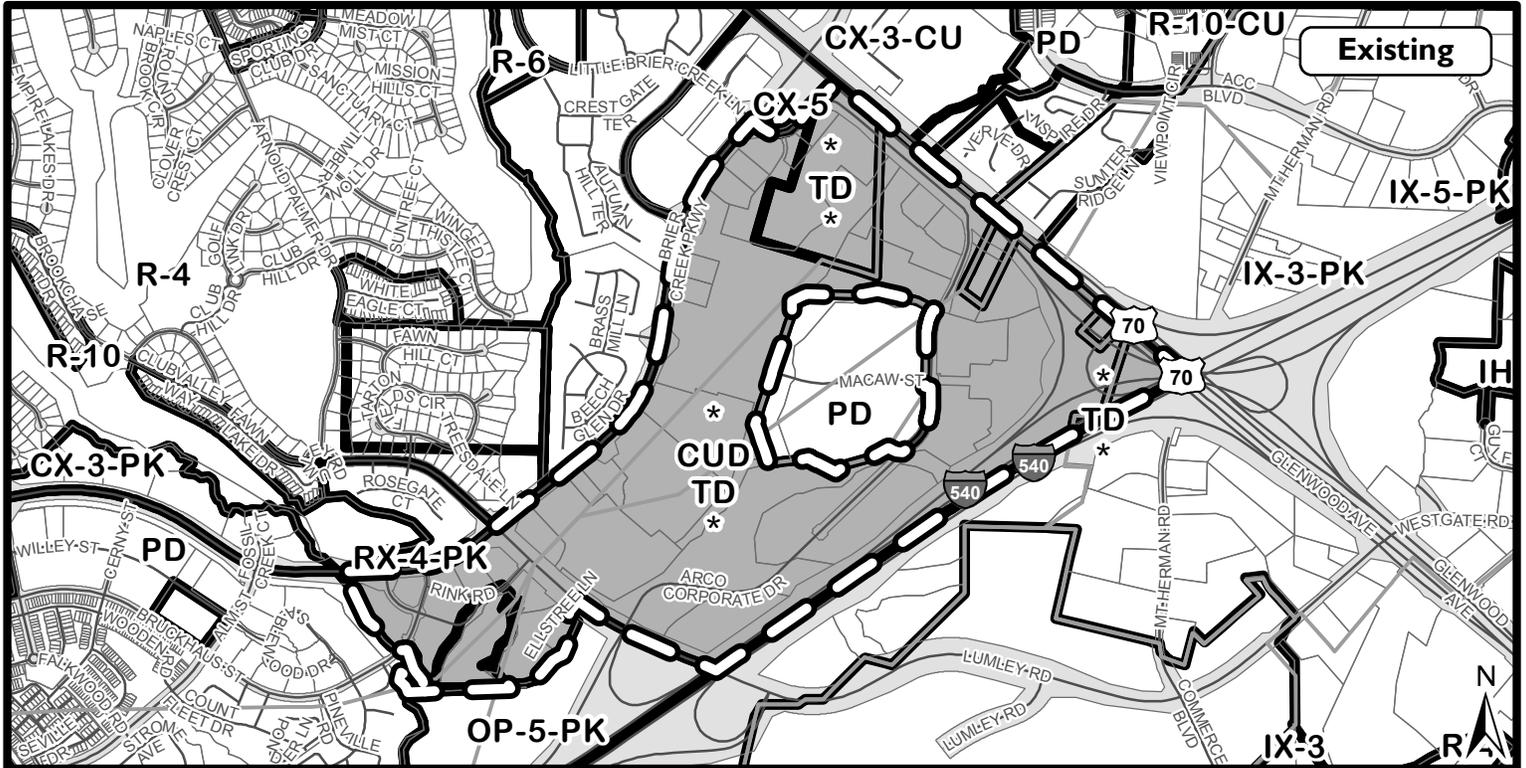
City Growth Center; Transit Emp Corridor; Parkway

Z-27-14 Public Hearing Zoning: CX-3-PK-CU, RX-3-PK-CU w/SH

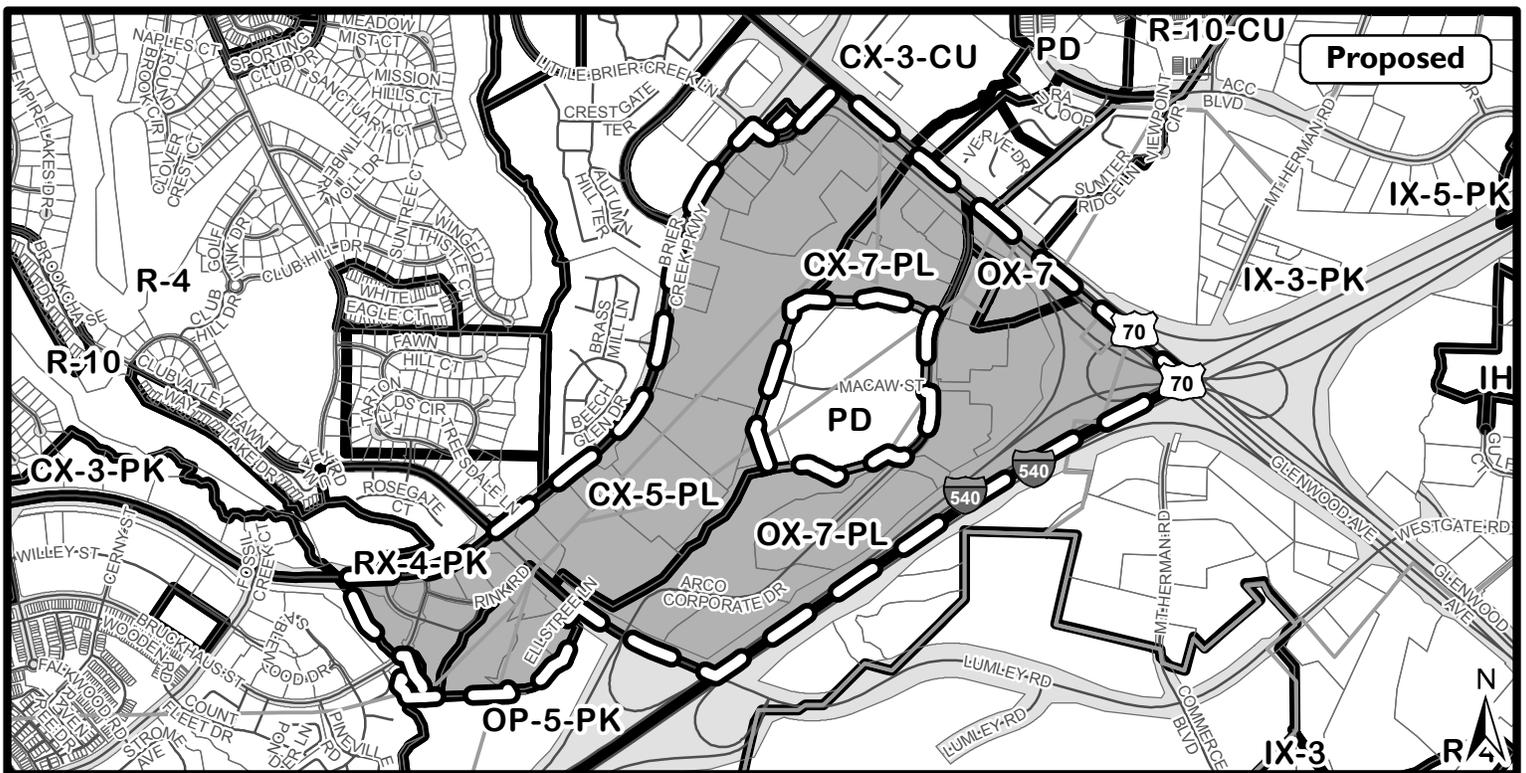


Z-27D-14 - Planning Commission CR

Existing Zoning: TD & CUD TD w/SHOD-2 & AOD



Planning Commission Recommended Zoning: Various (see Staff Report)



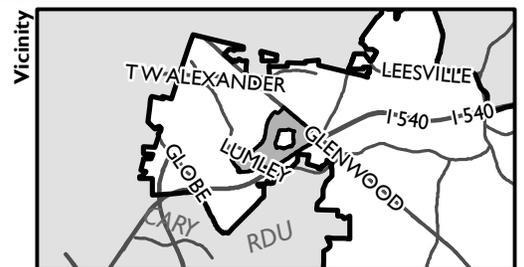
Future Land Use:

Reg Mixed Use; Off/Res & Development; Parks & Open Space

Urban Form:

City Growth Center; Main Street; Parkways

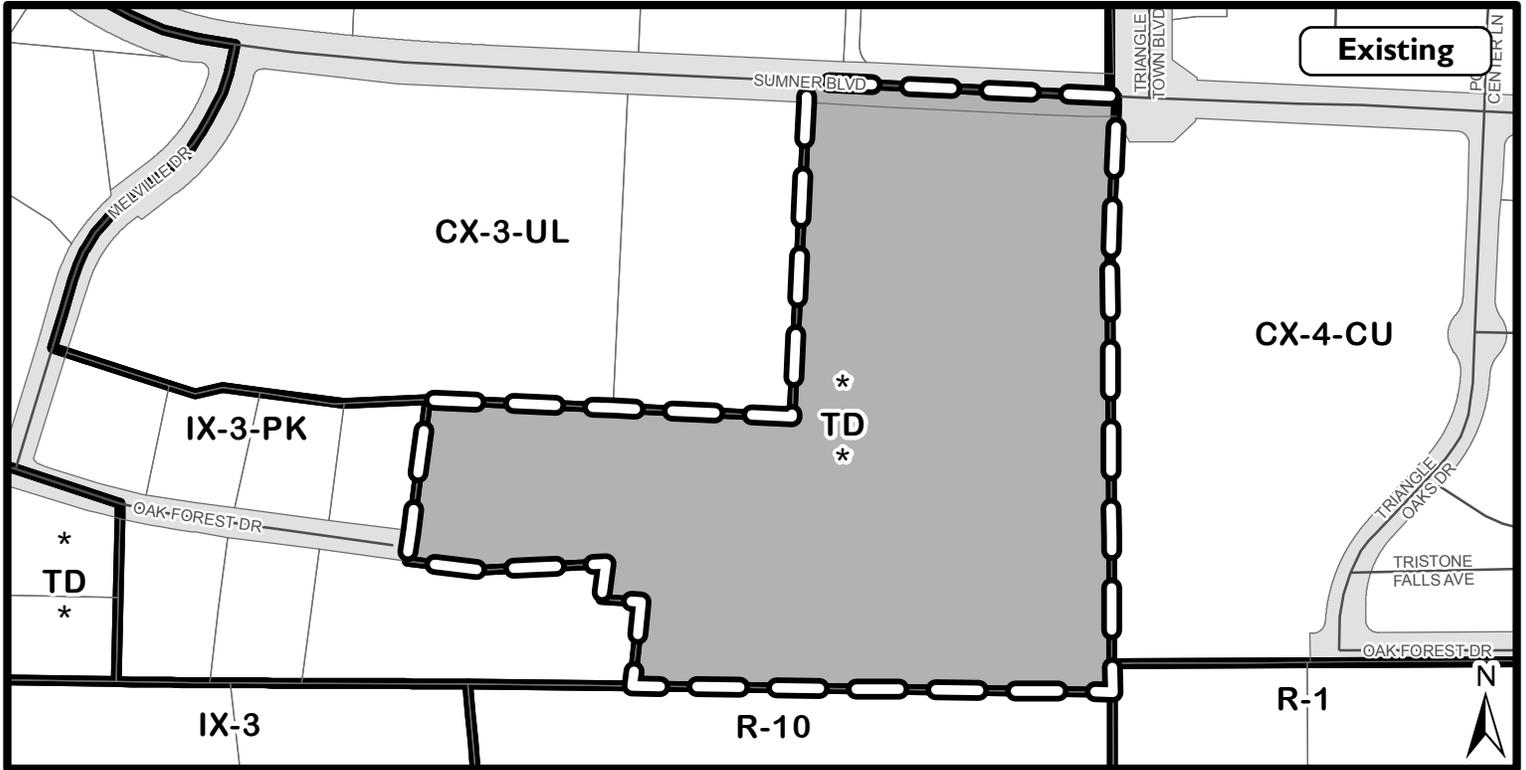
Z-27-14 Public Hearing Zoning: Various (see Staff Report)



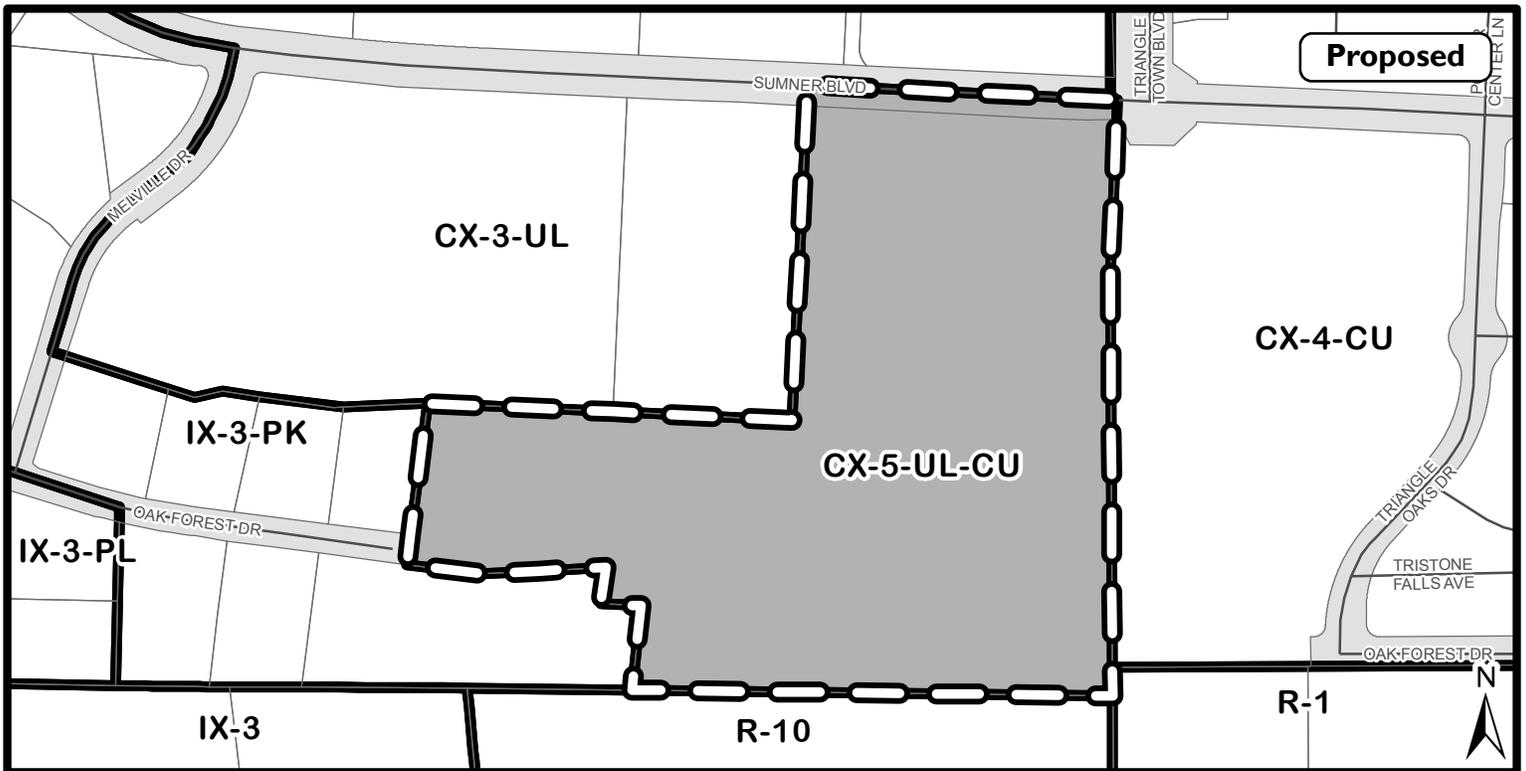
Z-27D-14 - Planning Commission CR

Item **11**

Existing Zoning: TD



Planning Commission Recommended Zoning: CX-5-UL-CU



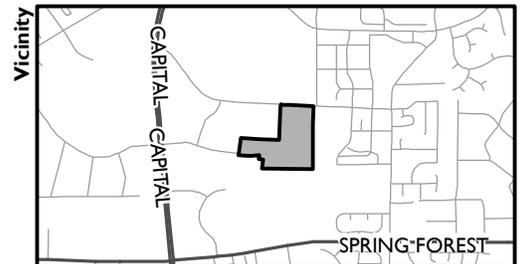
Future Land Use:

Comm Mixed Use; Med Dens Res; Parks & Open Space

Urban Form:

City Growth Center; Urban Thoroughfare; Transit Buffer

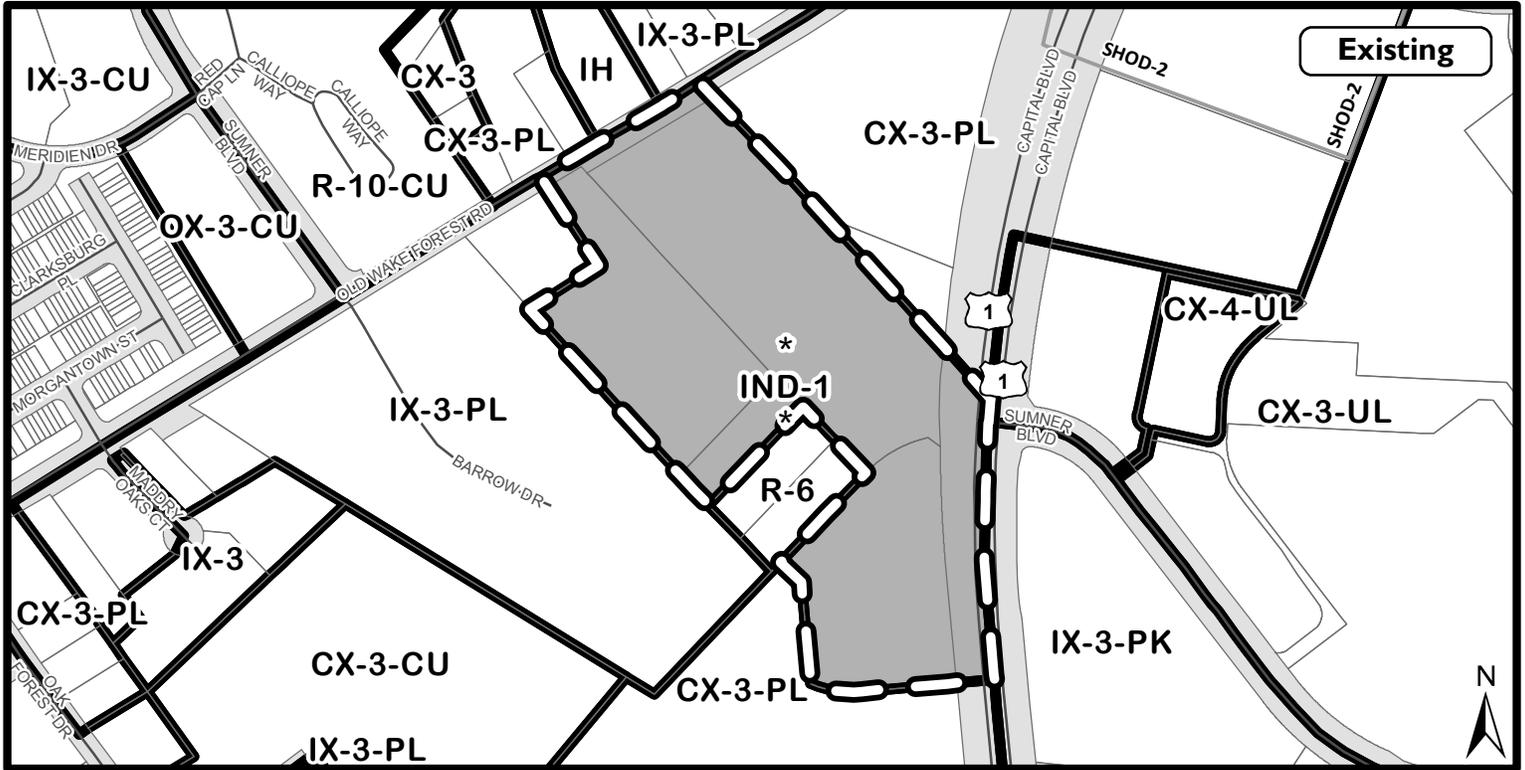
Z-27-14 Public Hearing Zoning: CX-3-UL



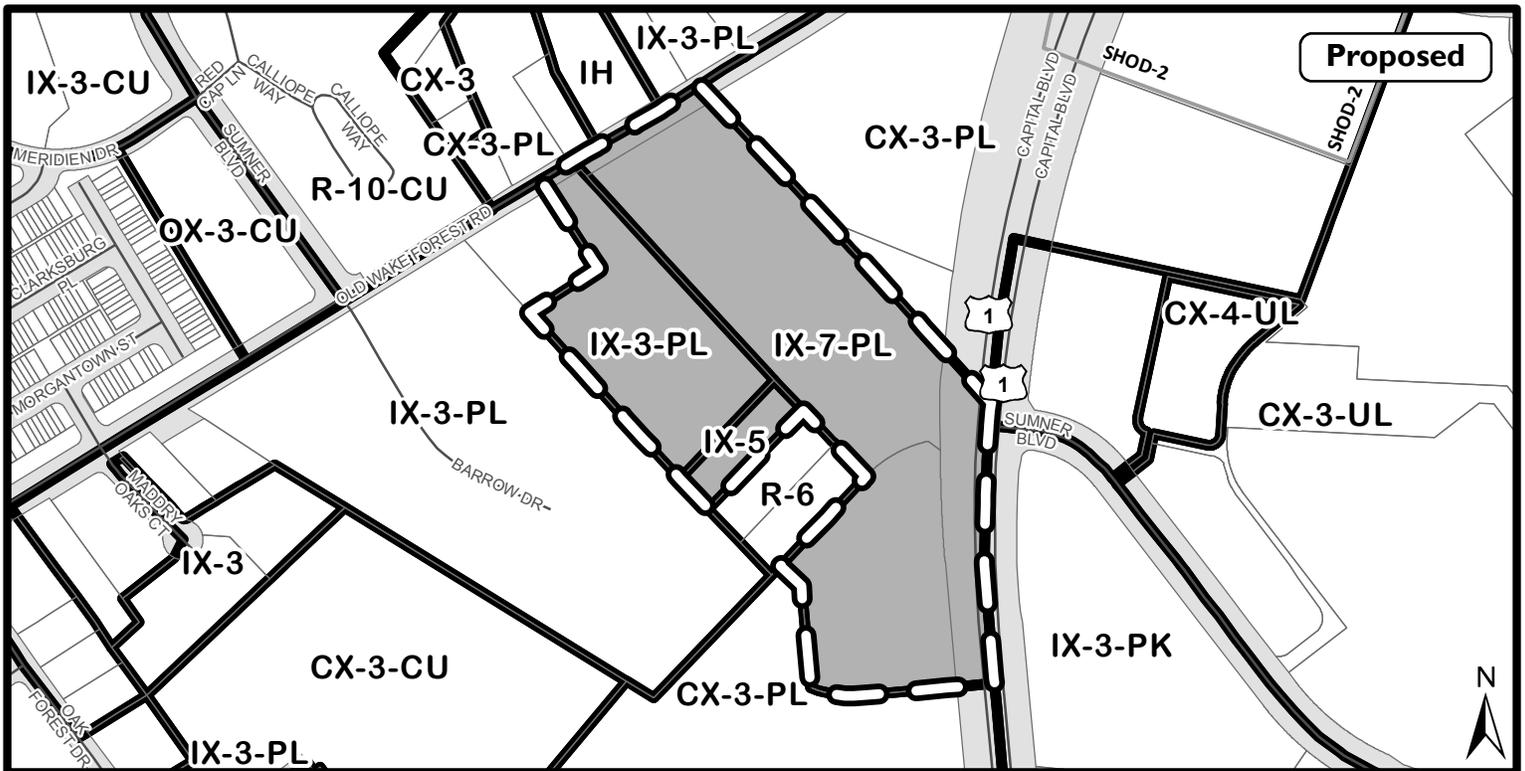
Z-27D-14 - Planning Commission CR

Item **12**

Existing Zoning: IND-1



Planning Commission Recommended Zoning: IX-5-PL, IX-5, IX-7-PL



Future Land Use:

Regional Mixed Use; Comm Mixed Use

Urban Form:

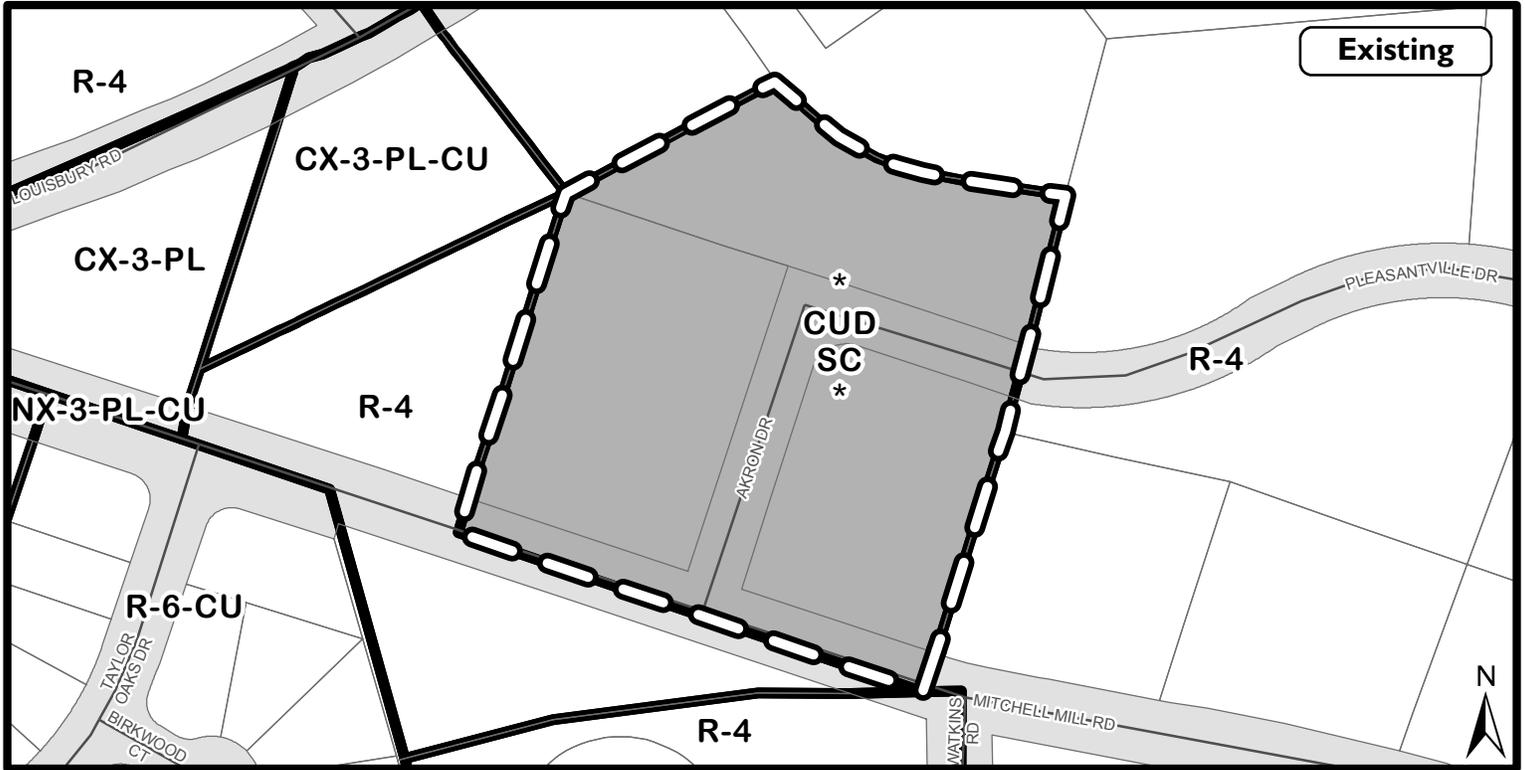
City Growth Center; Urban Thoroughfare; Transit Emp Corridor

Z-27-14 Public Hearing Zoning: IX-3-PL, IX-3, CX-3-PL

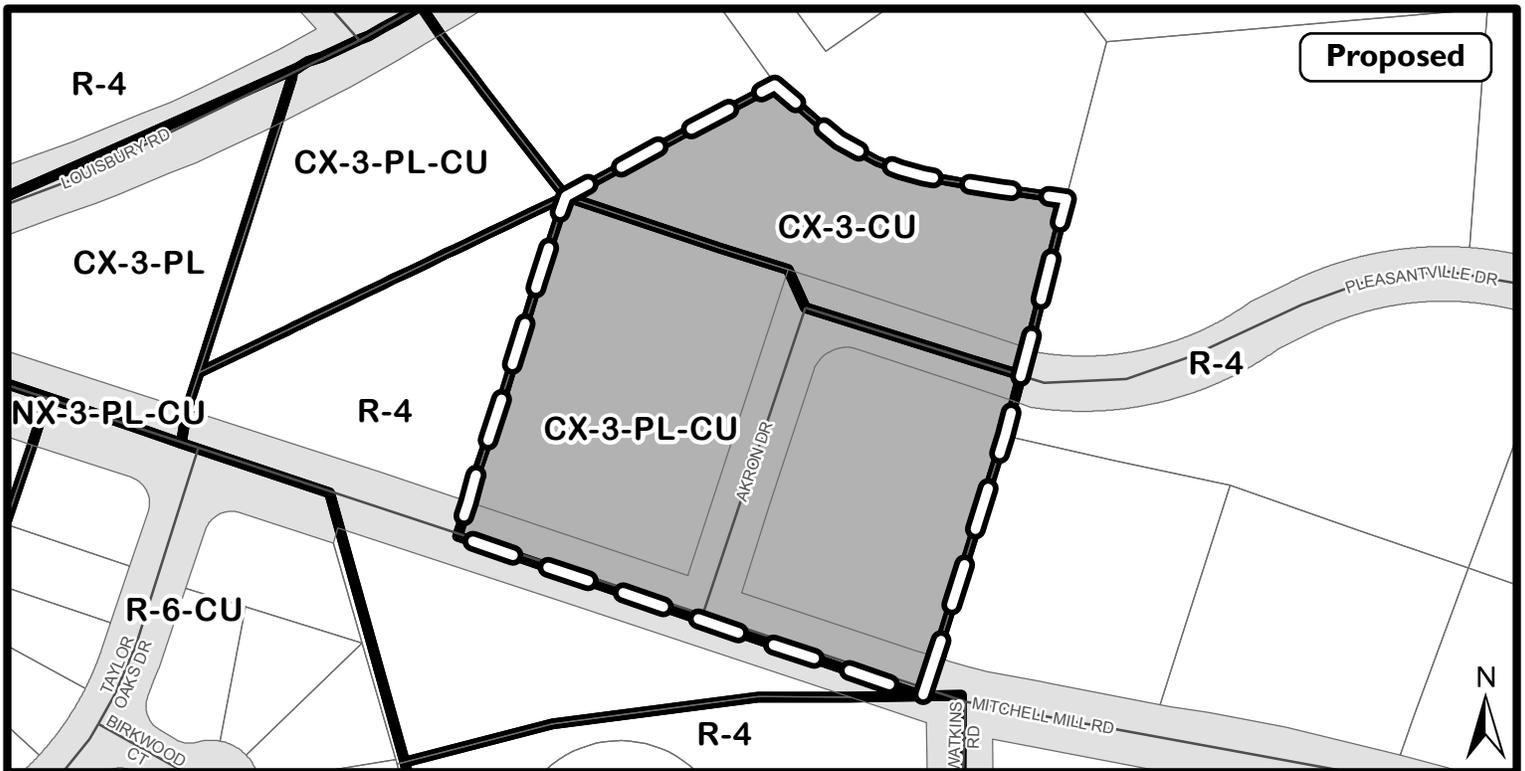


Z-27D-14 - Planning Commission CR

Existing Zoning: CUD SC



Planning Commission Recommended Zoning: CX-3-CU & CX-3-PL-CU



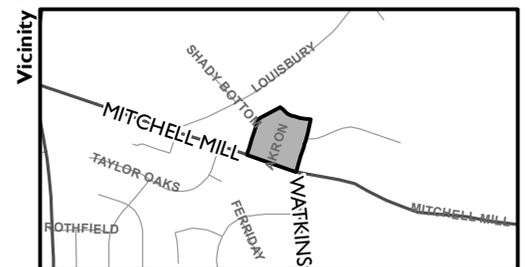
Future Land Use:

Comm Mixed Use; Low Density Residential

Urban Form:

Mixed-Use Center; Urban Thoroughfare

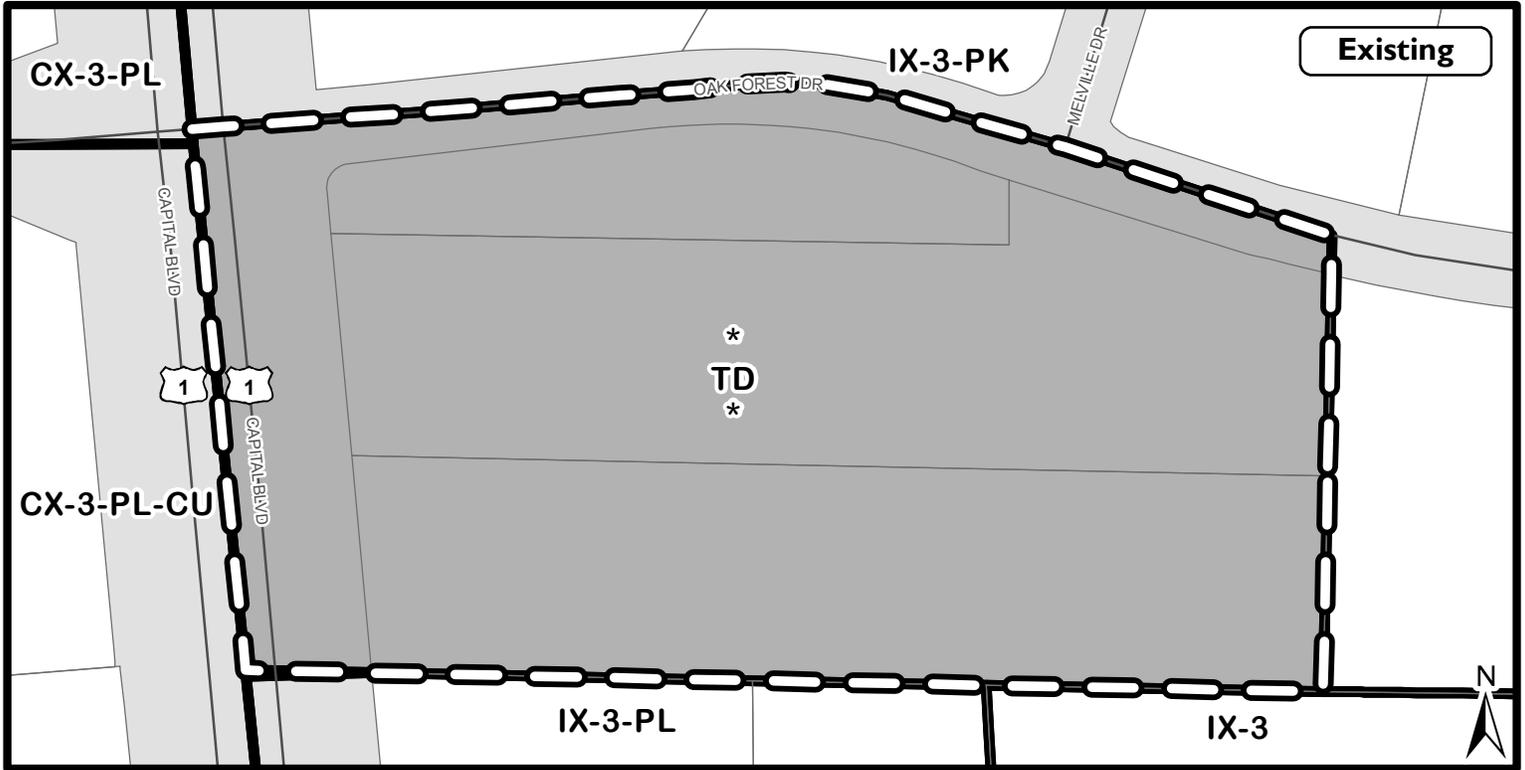
Z-27-14 Public Hearing Zoning: CX-3-PL-CU



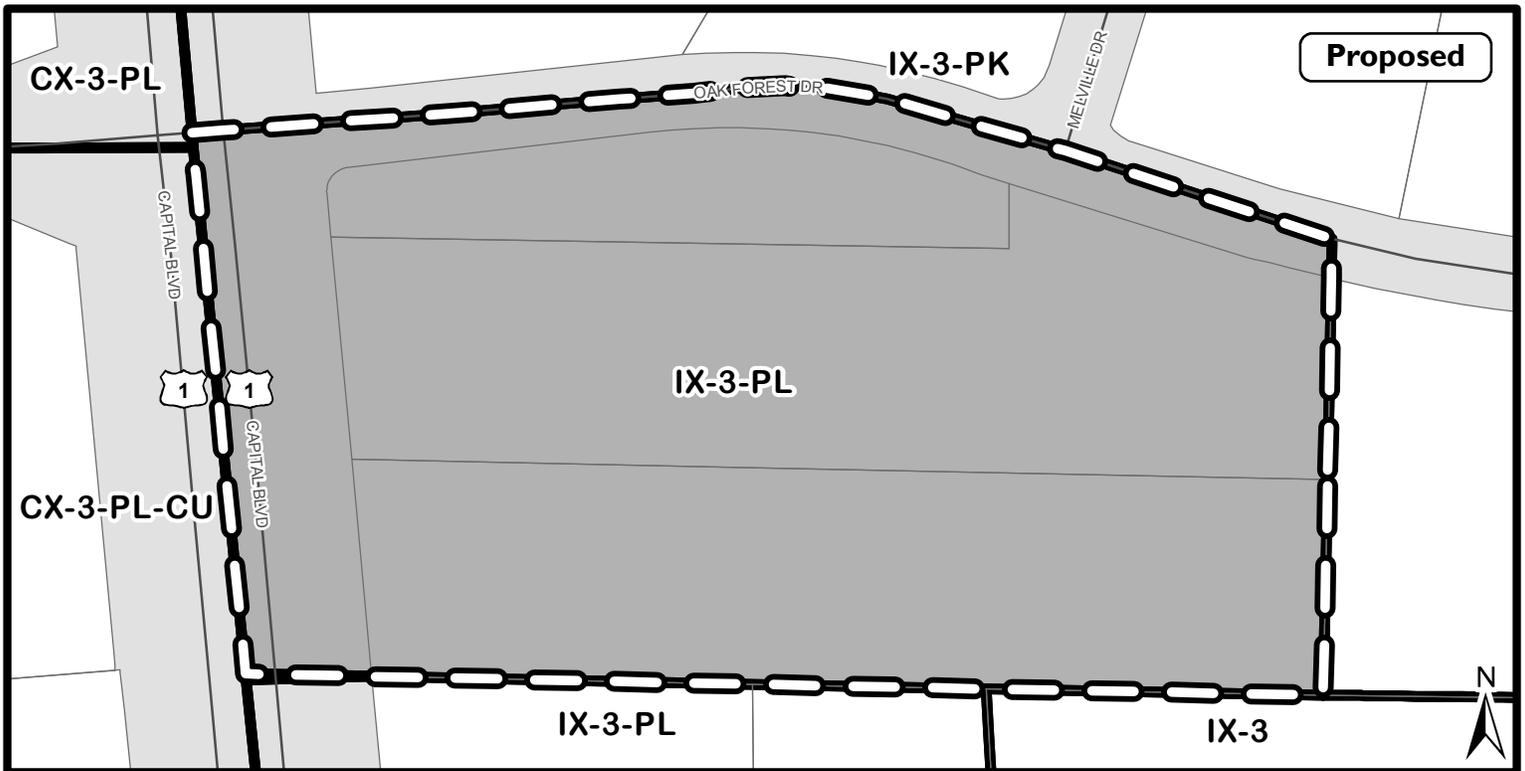
Z-27D-14 - Planning Commission CR

Item **14**

Existing Zoning: TD



Planning Commission Recommended Zoning: IX-3-PL



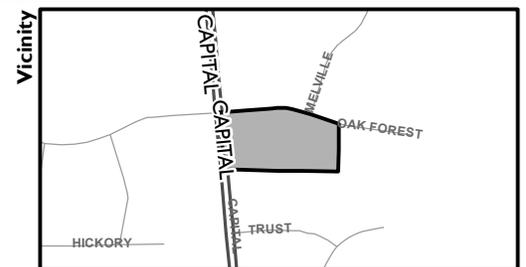
Future Land Use:

Business & Commercial Services

Urban Form:

City Growth Center; Transit Emp Corridor; Transit Buffer

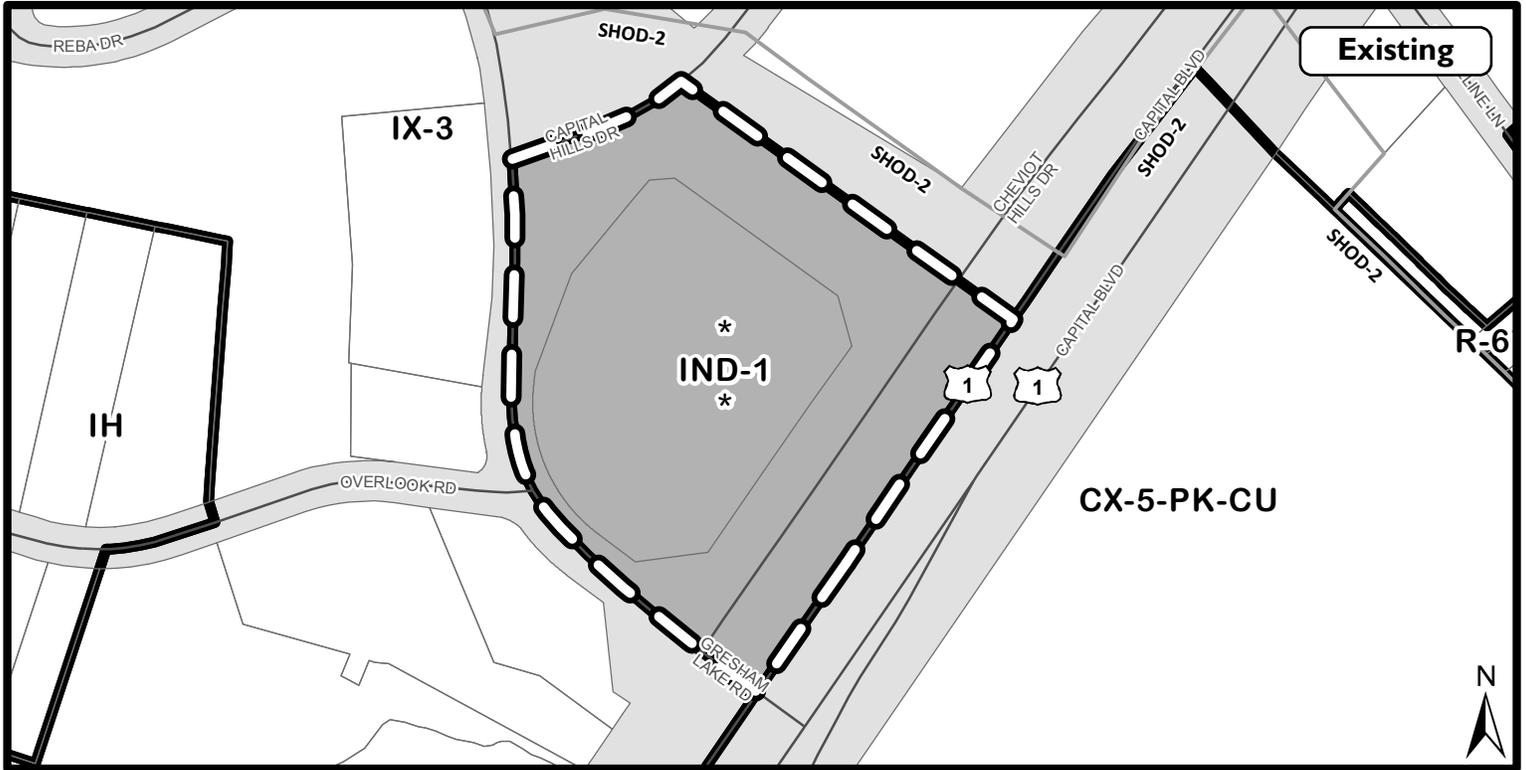
Z-27-14 Public Hearing Zoning: IX-3-PK



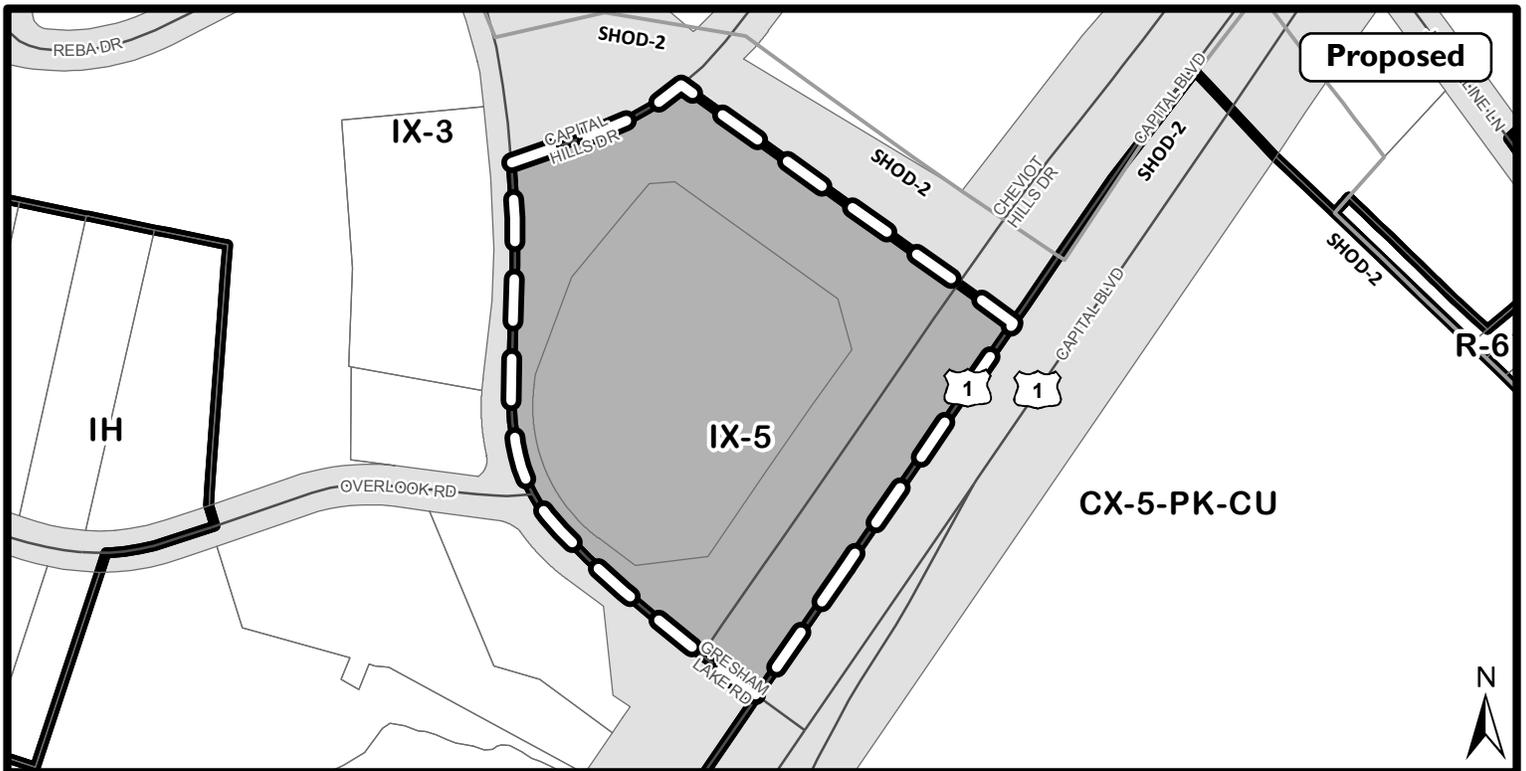
Z-27D-14 - Planning Commission CR

Item **15**

Existing Zoning: IND-1 w/SHOD-2



Planning Commission Recommended Zoning: IX-5 w/SHOD-2



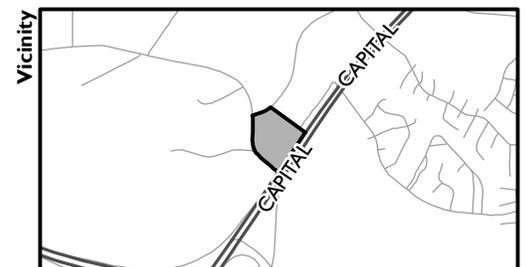
Future Land Use:

Business & Commercial Services

Urban Form:

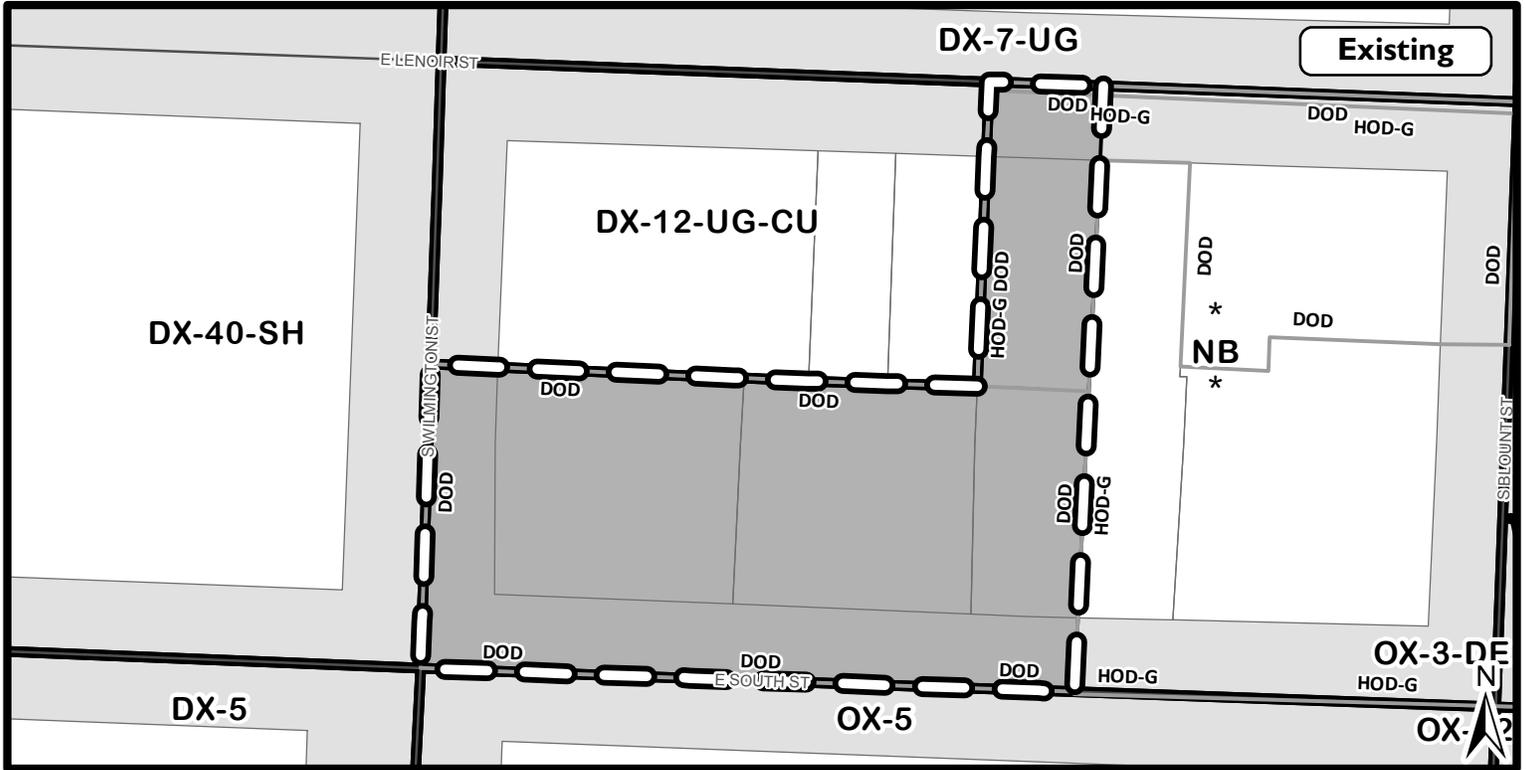
Parkway Corridor

Z-27-14 Public Hearing Zoning: IX-3 w/SHOD-2

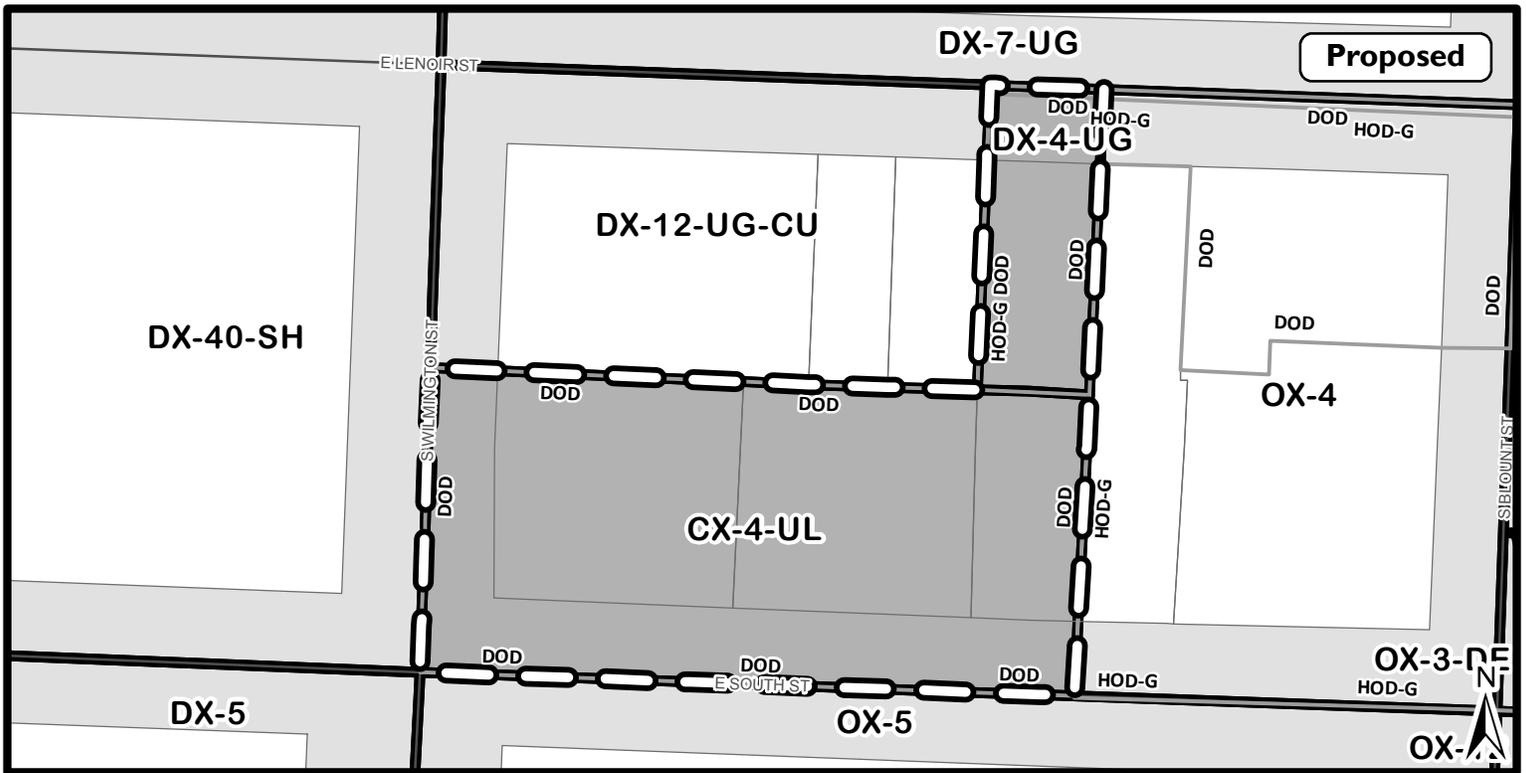


Z-27D-14 - Planning Commission CR

Existing Zoning: NB w/DOD (part HOD-G)



Planning Commission Recommended Zoning: CX-4-UL & DX-4-UG w/HOD-G



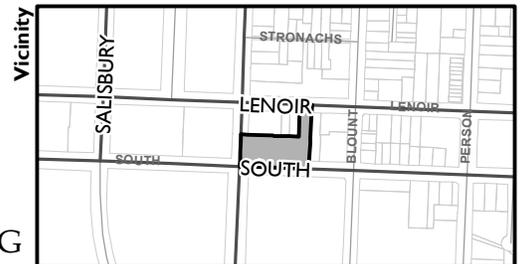
Future Land Use:

Central Business District

Urban Form:

Downtown

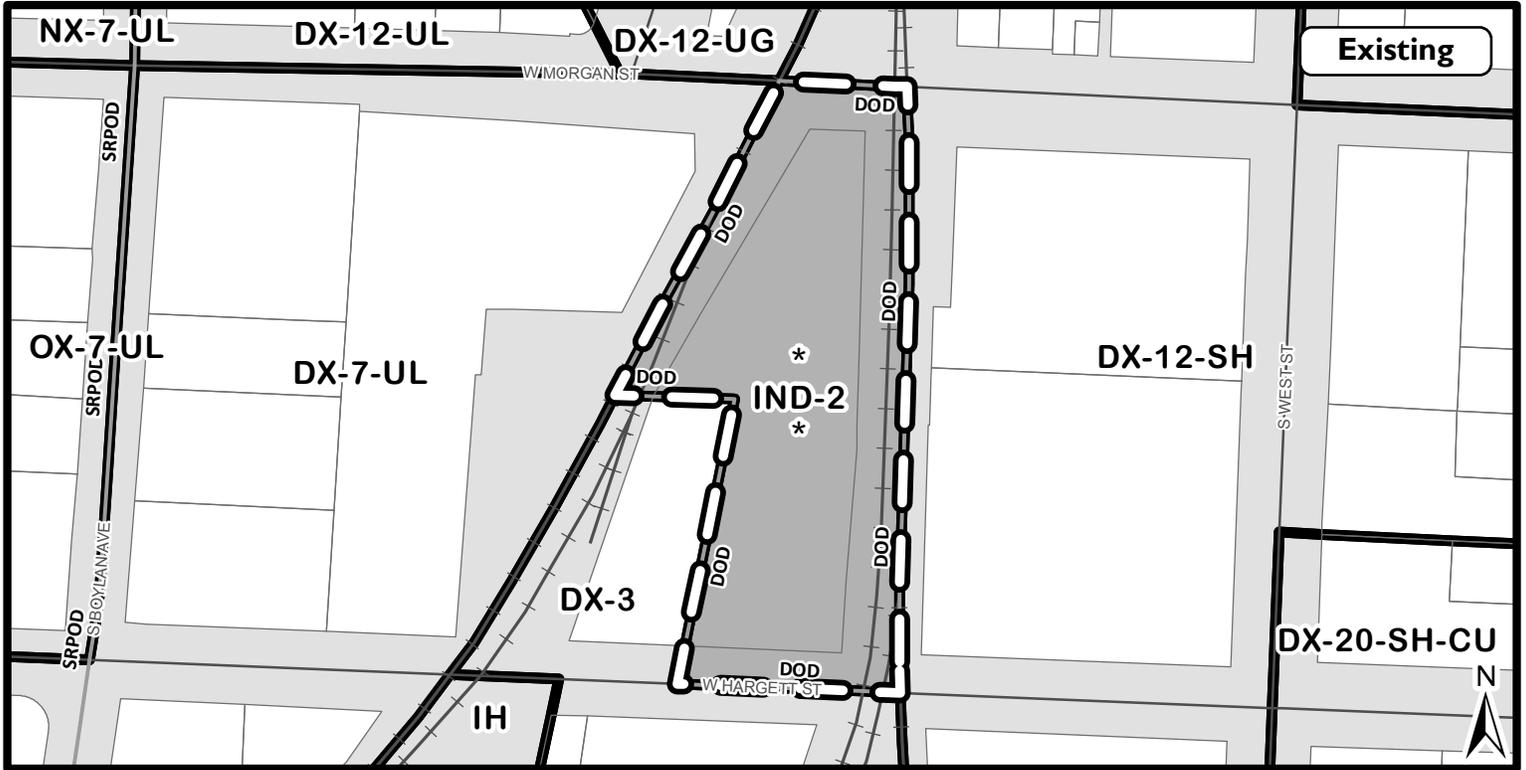
Z-27-14 Public Hearing Zoning: CX-4-UG & DX-4-UG w/HOD-G



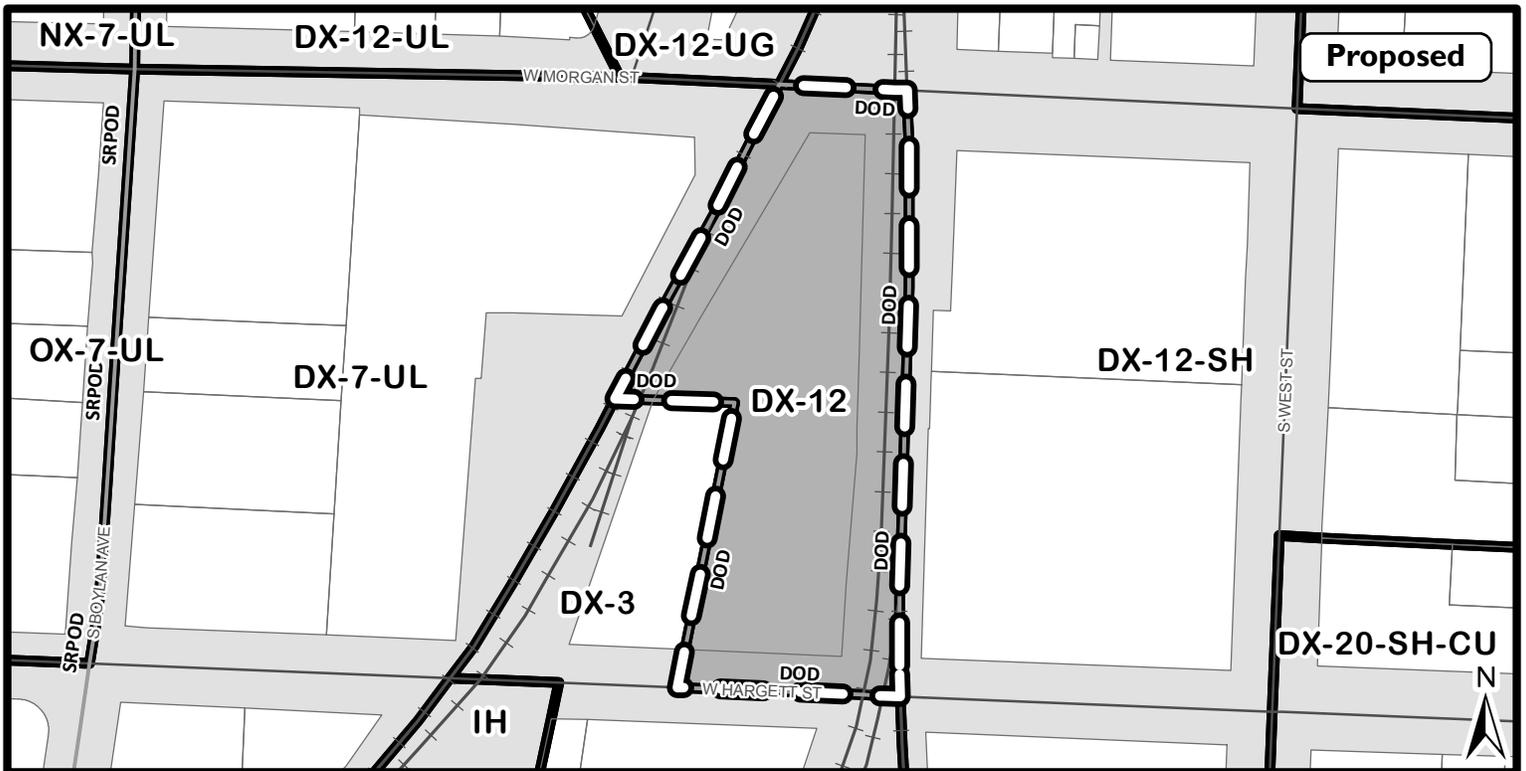
Z-27D-14 - Planning Commission CR

Item **17**

Existing Zoning: IND-2 w/DOD



Planning Commission Recommended Zoning: DX-12



Future Land Use:

Central Business District

Urban Form:

Downtown; Transit Buffer

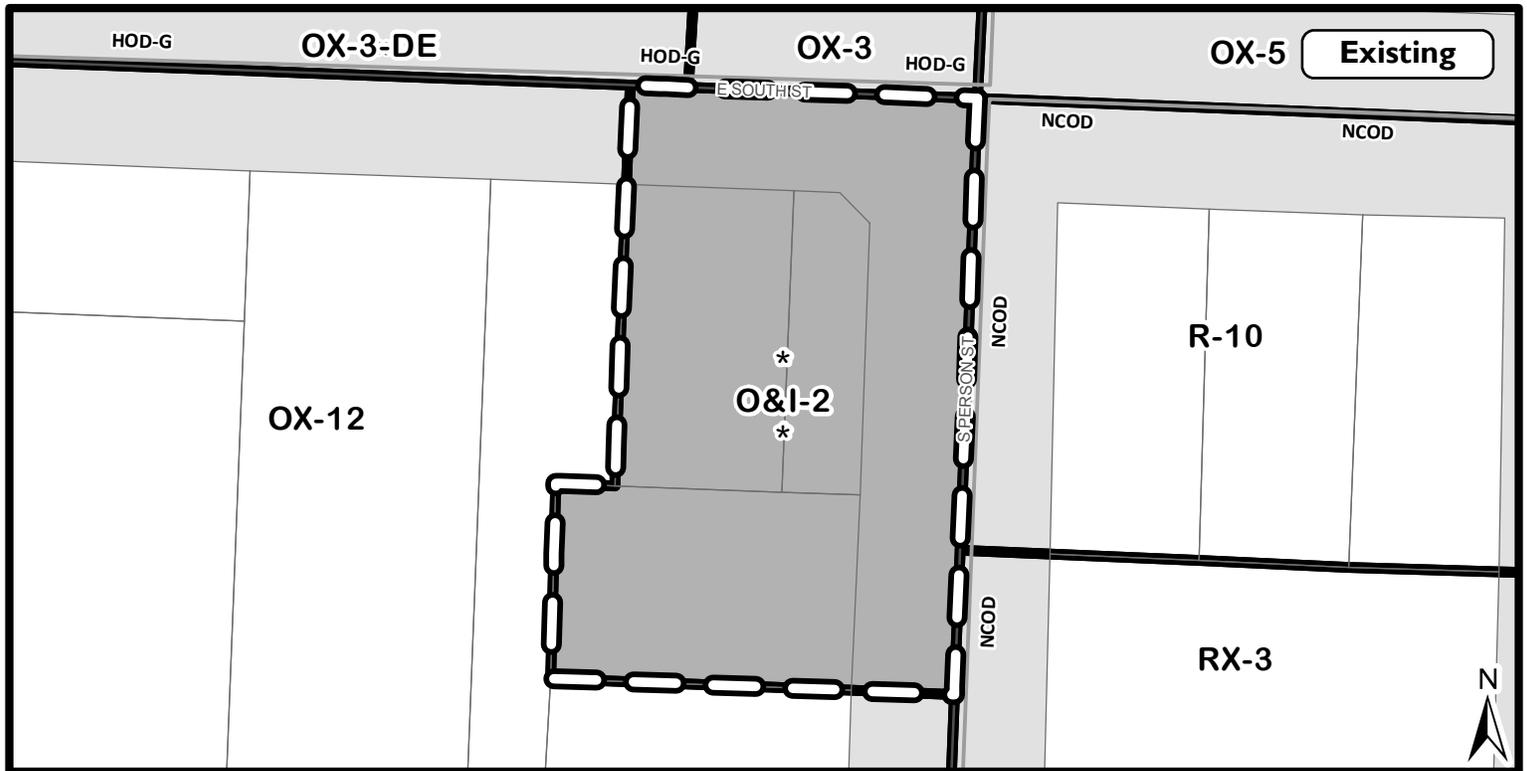
Z-27-14 Public Hearing Zoning: DX-3



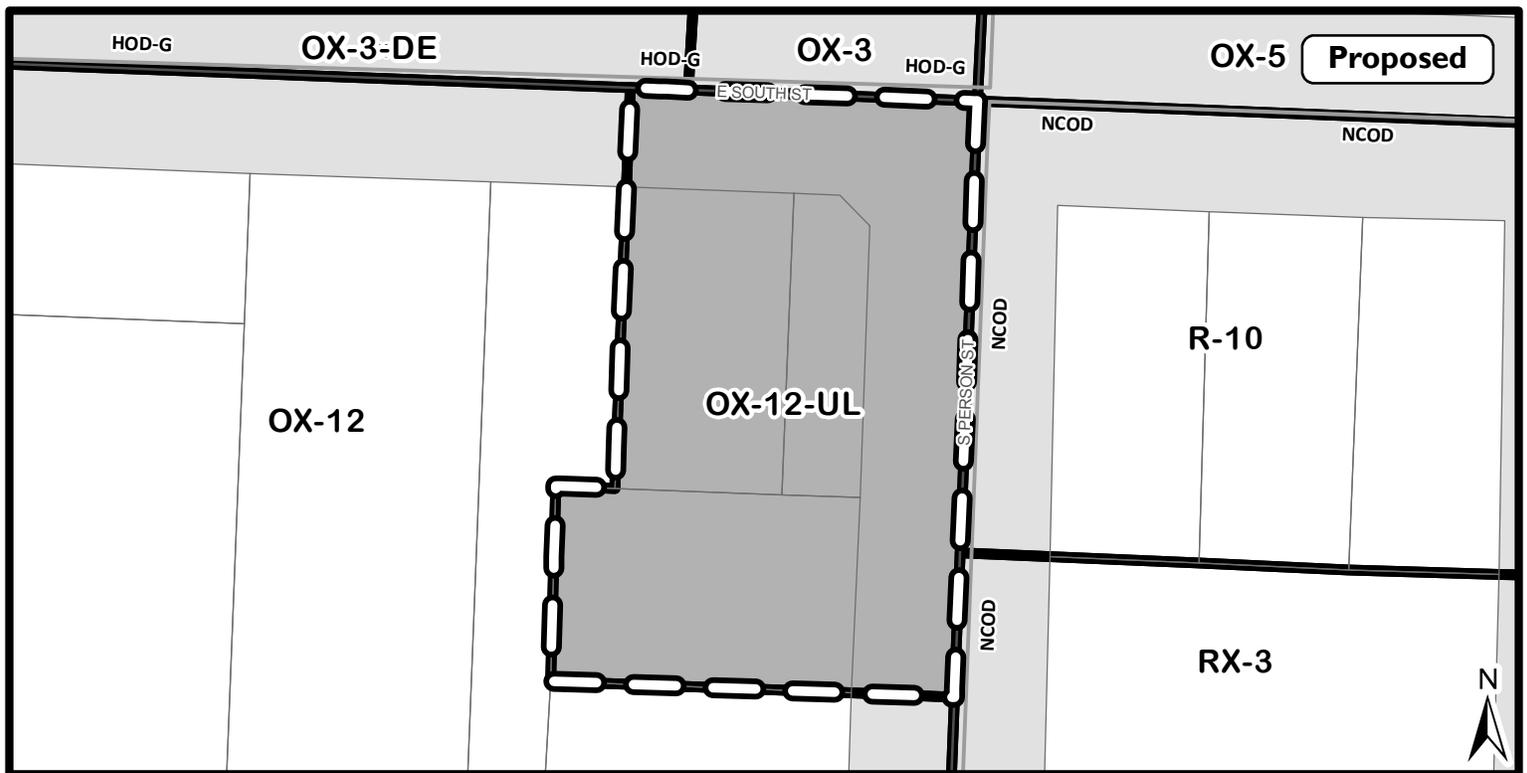
Z-27D-14 - Planning Commission CR

Item **18**

Existing Zoning: O&I-2



Planning Commission Recommended Zoning: OX-12-UL



Future Land Use:

Institutional

Urban Form:

Downtown

Z-27-14 Public Hearing Zoning: R-10



Z-27(D)-14: Findings and Reasons Issued by the Planning Commission

The City of Raleigh Planning Commission recommends approval of rezoning request Z-27D-14. The Commission recommends approval of the Public Hearing zoning map dated May 19, 2015, with the recommended alterations listed on the March 8, 2016 Certified Recommendation. The Planning Commission finds this request is consistent with the Comprehensive Plan and to be reasonable and in the public interest, based on the following findings:

1. In 2009, the City adopted the 2030 Comprehensive Plan. The Plan was adopted after several years of development and multiple public input sessions. This Plan serves as policy guidance for rezoning requests, containing both policy statements and specific maps related to future land use and urban form.
2. The 2030 Comprehensive Plan contains future land use categories that correspond to zoning districts and building height. It also contains an urban form map that provides guidance for applying frontages with some of the mixed use districts to establish a desirable, cohesive urban form. The Plan also contains many small area plans that provide detailed land use guidance for specific areas of the city.
3. The Unified Development Ordinance (UDO) was adopted in 2013 after more than 3 years in production. The drafting and adoption process included hundreds of public meetings to ensure the regulations implemented the action items contains within the 2030 Comprehensive Plan and adequately reflected important community values. The adopted UDO replaces subjective quasi-judicial review with objective performance standards.
4. The ordinance which enacted the UDO, Ordinance NO. (2013)-151 TC 357, TC-3-12 created a phased implementation of the UDO. For zoning districts not retained by the UDO – legacy districts - the old zoning regulations of Part 10 Chapter 2 of the City Code, except as otherwise provided in sections 11, 12, and 13 of the enacting ordinance, continue to apply to the legacy districts until such time as one or more UDO underlying zoning districts are applied to the property.
5. Three ordinances adopted in November 2016, Ordinance NO. (2015)-514 ZC 718 Z-27(A)-14, Ordinance NO. (2015)-523 ZC 721 Z-27(B)-14, and Ordinance NO. (2015)-515 ZC 719 Z-27(C)-14 largely completed the city initiated rezoning that applies the Unified Development Ordinance zoning districts to approximately 35,000 properties and 41,000 acres in the City of Raleigh.
6. During the July 7 and 21, 2015 Public Hearing for Z-27-14 Citywide Rezoning City Council received comments regarding 65 properties. Commenters requested less

restrictive zoning for these properties. City Council referred these requests to Planning Commission for further review and recommendation.

7. The Planning Commission conducted 5 public meetings to review these 65 properties. The Planning Commission considered each one of these additional comments and made certain recommendations for alterations to the Public Hearing zoning map dated May 19, 2015 zoning. These recommendations are listed on Attachment 1 of this Certified Recommendation.
8. The 2030 Comprehensive Plan contains policies related to urban form, the urban pattern, building orientation, activating the public street, street walls and ground floor uses. These policies were considered along with the guidance on the Urban Form Map when applying an appropriate frontage designation.
9. The 2030 Plan also contains policies related to density transitions, buffering, scale and design of new mixed use centers, downtown edges and downtown transition areas. These policies were considered along with the future land use categories and table LU-2 of the 2030 Plan in providing height categories.
10. Where a property contained existing zoning conditions, the base zoning district was replaced by a UDO district and the zoning conditions were retained. When it was determined that the zoning conditions had been fully implemented, the conditions were not replicated under the new UDO base zoning. In a few instances, new zoning conditions were offered by the property owner.
11. Given the size and scope of this large-area rezoning, it is virtually impossible to achieve full compliance with every aspect of the 2030 Comprehensive Plan. While not every one of the 65 properties is entirely consistent with specific guidance contained within the 2030 Comprehensive Plan, the Planning Commission finds that this zoning request as a whole is consistent with the 2030 Comprehensive Plan. The Planning Commission did consider the future land use map designations and policies identified on the Certified Recommendation. This rezoning is consistent with many policies in the Land Use, Transportation, Environmental Protection and Downtown Elements of the 2030 Comprehensive Plan.
12. The adoption of a new zoning map that implements the Unified Development Ordinance is reasonable and in the public interest. It allows all of the provisions in the UDO to be applied throughout the city. It removes quasi-judicial site plan review. Having one development code applied to all properties promotes efficiency and understanding of the City's land development regulations.
13. In some respects, the guidance contained within the 2030 Comprehensive Plan could not be implemented without having deleterious effects on existing, legal uses contained on a property. The Planning Commission did not wish to force

property owners into a state of non-conformity as a result of applying the guidance contained within the 2030 Comprehensive Plan, nor did the Commission wish to take away development options allowed in the legacy district.

14. The Planning Commission did not use the adoption of a new zoning map that implements the Unified Development Ordinance as an opportunity to implement the future land use map of the 2030 Comprehensive Plan. The Planning Commission believes that such actions should be initiated by the property owner where conditional use zoning is available. However because case by case rezonings would not effectively implement urban form along street corridors, the Planning Commission did use the adoption of a new zoning map to apply frontages contained in the Unified Development Ordinance.
15. Although the remapping process was not intended to implement the 2030 Comprehensive Plan or Future Land Use Map, where public comment was received with regard to specific parcels as to which Unified Development Ordinance district to apply, the Future Land Use Map and Comprehensive Plan were considered in the overall process. This parcel specific analysis, taken together with the detailed analysis of the proposed zoning districts conducted by staff constitutes the basis upon which the Planning Commission makes its recommendation to the City Council. To that end, the Planning Commission hereby finds that the remapping recommendation contained in this Certified Recommendation is consistent with the Comprehensive Plan and the Future Land Use Map. Furthermore, the Planning Commission finds that the public benefits of the proposed remapping outweighs any detriments and is in the public interest.
16. Adoption of this zoning map fully implements the Unified Development Ordinance by eliminating all legacy districts.



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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-27D-14 (Parcel: 6301 Mt. Herman Rd.; PIN 078-07-3740)		Transaction Number
Date Submitted: March 7, 2016		
Existing Zoning: Thoroughfare District with Airport Overlay District	Proposed Zoning: Heavy Industrial Conditional Use with Airport Overlay District	

NARRATIVE OF ZONING CONDITIONS OFFERED: The following uses shall be prohibited upon the parcel of land at 6301 Mt. Herman Road (PIN 0778-07-3740):	
1.	Asbestos, radioactive materials;
2.	Animal processing, packing, treating and storage, concentrate plant, processing of food and related products, production of lumber, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing;
3.	Automotive dismantlers and recyclers;
4.	Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products;
5.	Commercial feed lot;
6.	Explosives;
7.	Leather and leather products including tanning and finishing;
8.	Outdoor storage yard for vehicles;
9.	Pulp mill, rubber and plastic products, rubber manufacturing
10.	Scrap metal processors, sawmill, secondary materials dealers;
11.	Tire recapping, tobacco products, transportation equipment;
12.	Detention center, jail, prison;
13.	Animal waste processing;
14.	Landfill;
15.	Manufacture and production of goods from composing organic material;
16.	Outdoor storage of recyclable material;
17.	Scrap materials (outdoor storage); or
18.	Solid or liquid waste transfer station, waste incineration.

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: Eagle Rock Concrete LLC By: <i>J. G. Loftin, Jr.</i> Manager	Print Name <i>J. G. LOFTIN, JR.</i>
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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-9-10		Transaction Number
Date Submitted 3/11/16		
Existing Zoning TD-CUD w/ SHOD-1	Proposed Zoning CX-3 CUD w/ SHOD-1	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	As used herein, the "Property" refers to those certain tracts or parcels of land containing approximately 18.71 acres located in the southeast quadrant of the intersection of Interstate 440 and New Bern Avenue in Raleigh, North Carolina, having Wake County PIN 1724-44-7360 (described in deed recorded at Deed Book 11830, Page 1286) and 1724-44-9824 (described in deed recorded at Deed Book 12133, Page 2356).
2.	The following uses shall be prohibited upon the Property: adult establishment; airfield or landing strip; bar, nightclub, tavern or lounge; correctional/penal facility; riding stable; pawn shop; rifle range—indoor; landfill; movie theater-indoor and outdoor
3.	Prior to map recordation or issuance of a building permit, whichever shall first occur, the owner of the property shall cause to be recorded in the Wake County Registry a offer of cross-access establishing vehicular and pedestrian access over the Property in favor of the owner(s) of all or any portion of the property abutting the eastern boundary of the Property with Wake County Parcel Identification Number 1724-44-9959 and is described by deed recorded at Deed Book 8475, Page 607 of the Wake County Registry.
4.	For the purposes of calculating the amount of residential density allowed on the Property, no more than two hundred and fifty (250) dwelling units, equivalent dwelling units or combination thereof shall be constructed on the Property Ordinance (2011) 848 ZC 656 March 1, 2011.
5.	The maximum amount of floor area gross dedicated to commercial land uses, as listed in the Schedule of Permitted Land Uses in Zoning Districts contained in Section 10-2071 of Part 10 of the Raleigh City Code, shall not exceed 50,000 square feet.
6.	Any commercial use, as listed in the Schedule of Permitted Land Uses in Zoning Districts contained in Section 10-2071 of Part 10 of the Raleigh City Code, shall be located no further than 800 feet from the New Bern Avenue public right-of-way.
7.	Within 10 business days following the approval of this rezoning ordinance, the Property owner will cause to be filed a Comprehensive Plan Amendment petition for the area described as "Area A" on the attached "Exhibit 1."
8.	The owner of the Property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable residential dwelling units and commercial square footage upon the subject property to all existing lots of record comprising the Property. Such restrictive covenant shall be submitted to the City Attorney within 30 days following approval of this rezoning case by the City Council and shall be approved by the City Attorney or his designee prior to recordation. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee, which consent shall not be unreasonably withheld.
9.	When any portion of the Property is developed, a pedestrian passage that complies with UDO Section 8.4.8 B shall be located on PIN Number 1724-44-9824 (described in deed recorded in Deed Book 12133, Page 2356), but no pedestrian passage shall be required if disapproved by North Carolina Department of Transportation.

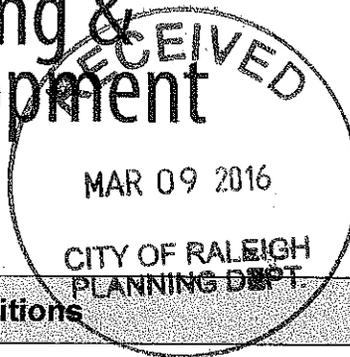
These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature 	Print Name C. Dean Debnam
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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-27D-14 Item 11 (Sumner Blvd.)		Transaction Number
Date Submitted 1/12/16		
Existing Zoning TD	Proposed Zoning CX-5-UL-CU	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	All uses other than those listed below are limited to a maximum height of four stories and 62 feet:
2.	Hotel, Motel, Inn (UDO Section 6.4.6.D)
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

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Owner/Agent Signature <i>J. Melville Broughton</i>	Print Name J MELVILLE BROUGHTON
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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-27D-14 Item 19 (Fonville Rd.)		Transaction Number
Date Submitted 1/21/2016		
Existing Zoning BC and R-4	Proposed Zoning NX-3 w/UWPOD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	Uses prohibited on the properties to be rezoned: Vehicle Fuel Sales Facilities
2.	
3.	
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6.	
7.	
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10.	

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Owner/Agent Signature <i>John T. Fonville</i>	Print Name JOHN T. FONVILLE
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