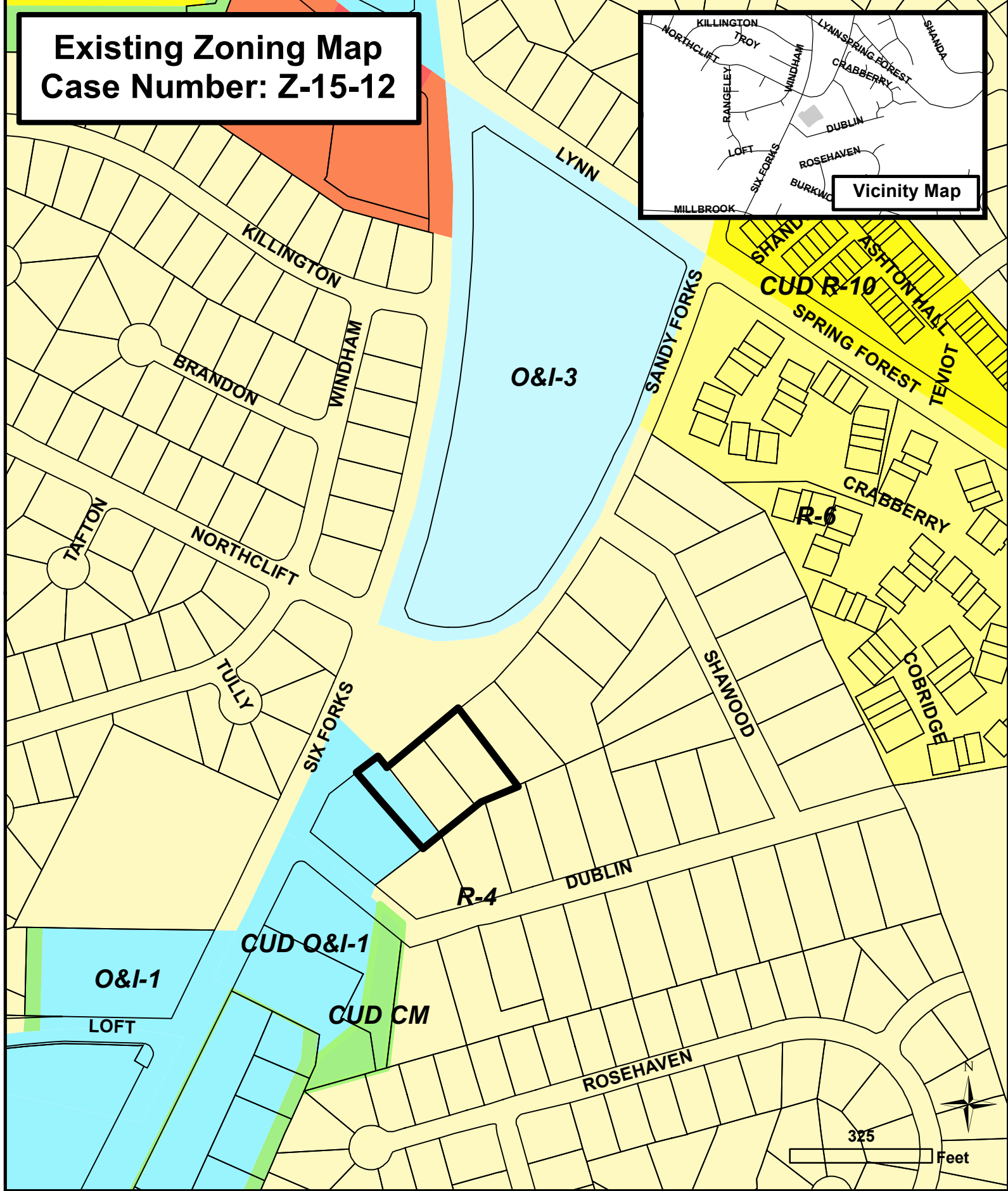
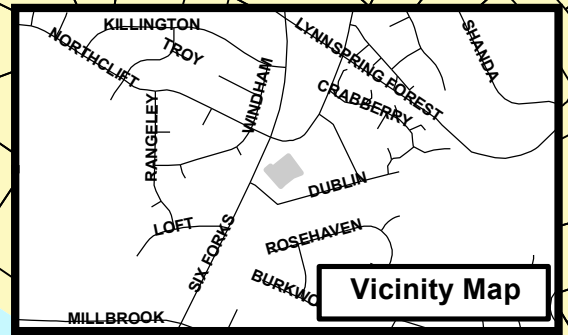


Existing Zoning Map

Case Number: Z-15-12



Request:

1.13 ac from R-4 & O&I-1 CUD to O&I-1 CUD

City of Raleigh Public Hearing
April 17, 2012
(July 16, 2012)



Certified Recommendation

Raleigh Planning Commission

CR# 11470

Case Information Z-15-12 Sandy Forks Rd. and Six Forks Rd

<i>Location</i>	In the Southeast quadrant of the intersection of Six Forks and Sandy Forks Road.
<i>Size</i>	1.13 acres
<i>Request</i>	Rezone property from Residential-4 and Office and Institution-1 Conditional Use to Office and Institution-1 Conditional Use

Comprehensive Plan Consistency

Consistent

Inconsistent

Consistent

<i>Future Land Use Designation</i>	<input checked="" type="checkbox"/>	Office & Residential Mixed Use
<i>Applicable Policy Statements</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.5 Connectivity Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements Policy UD 2.4 Transitions in Building Intensity Policy UD 5.1 Contextual Design

Summary of Conditions

<i>Submitted Conditions</i>	<ol style="list-style-type: none"> 1. Prohibited Uses 2. Non-residential building height 3. Fenestration and siding 4. Buffers and fencing 5. Lighting and hours of dumpster service. 6. Square footage limitation.
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Issues and Impacts

<i>Outstanding Issues</i>	1. None	<i>Suggested Conditions</i>	1. N/A
<i>Impacts Identified</i>	1. None	<i>Proposed Mitigation</i>	1. N/A



Zoning Staff Report – Case Z-15-12

Conditional Use District

Request

<i>Location</i>	In the Southeast quadrant of the intersection of Six Forks and Sandy Forks Road.
<i>Request</i>	Rezone property from Residential-4 and Office and Institution-1 Conditional Use to Office and Institution-1 Conditional Use
<i>Area of Request</i>	1.13 acres
<i>Property Owner</i>	Kimberly Development LLC, Dorothy Parker Stowe
<i>PC Recommendation Deadline</i>	August 15, 2012

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	Residential-4, Office and Institution-1 Conditional Use	Office and Institution-1 Conditional Use
<i>Additional Overlay</i>	N/A	N/A
<i>Land Use</i>	Office use, single family residential	Office uses, Multifamily residential
<i>Residential Density</i>	7 dwelling units total	28 dwelling units

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	R-4	O&I-1 CUD, R-4, CM CUD	R-4	R-4
<i>Future Land Use</i>	Moderate Residential	Office/Research Development, Low Density Residential	Low Density Residential	Office/Research Development, Low Density Residential
<i>Current Land Use</i>	Residential	Office and Residential	Residential	Office and Residential

Comprehensive Plan Guidance

<i>Future Land Use</i>	Office & Residential Mixed Use
<i>Area Plan</i>	N/A
<i>Applicable Policies</i>	Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.5 Connectivity Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements

	Policy UD 2.4 Transitions in Building Intensity Policy UD 5.1 Contextual Design
--	--

Contact Information

<i>Staff</i>	Stan Wingo, 516-2663
<i>Applicant</i>	Michael Birch, 743-7314, michael.birch@klgates.com
<i>Citizens Advisory Council</i>	North CAC

Case Overview

This site is located along the intersection of Six Forks and Sandy Forks Road, fronting on a large portion of right-of-way that remains from the alignment of the intersection. The two northern properties are currently developed as single family residential while the southern most property is currently under construction for an office use. The southern most property was recently rezoned from R-4 to O&I-1 CUD (Case number Z-33-08) Adjacent to the east is an established single family subdivision. Single family residential also adjoins the property on the northern boundary of the request. Office uses are located to the south across Dublin Road, with residential located across Six Forks.

The request is to rezone the two northern properties, currently zoned Residential-4 to Office and Institution-1 Conditional Use. The property on the southern portion of this site would retain its zoning of Office and Institution-1 Conditional Use with amended zoning conditions.

Exhibit C & D Analysis

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

1.1 Future Land Use

This rezoning proposal is located in an area designated as being appropriate for Office & Residential Mixed Use on the Future Land Use Map. Office Residential Mixed Use encourages a mix of moderate to medium density residential and office uses. The request as proposed is consistent with the Future Land Use Map.

1.2 Policy Guidance

The following policy guidance is applicable with this request:

Policy LU 1.3 - Conditional Use District Consistency All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan
--

Proposal is consistent with this policy.

Policy LU 2.6 – Zoning and Infrastructure Impacts Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

Request is consistent with this policy as proposed. Applicant has offered zoning conditions that mitigate all potential impacts associated with this proposal.

Policy LU 4.5 – Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

Proposal is consistent with this policy. The proposed rezoning covers three properties, all of which are requested to be rezoned to Office & Institution Conditional Use. Cross access will be provided between the subject properties; however, would not be appropriate to the northern adjacent properties at this time, as they are currently zoned for low density residential.

Policy LU 5.4 – Density Transitions

Low to medium density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

Proposal is consistent with this policy. Applicant has offered zoning conditions to limit building height for non-residential uses, provided buffers and fencing, and restricted height of site lighting while limiting to full cutoff shielded design.

Policy LU 5.6 – Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that void potential conflicts.

Proposal is consistent with this policy. Applicant has offered zoning conditions to limit building height for non-residential uses, provided buffers and fencing, and restricted height of site lighting while limiting to full cutoff shielded design.

Policy UD 2.4 – Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

Request is consistent with this policy as proposed. Applicant has offered zoning conditions that limit building heights for all non-residential uses.

Policy UD 5.1 – Contextual Design

Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

Request is consistent with this policy. Applicant has provided zoning conditions that ensure compatible design. Proposed conditions include limitations on height, building materials and fenestration.

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

The subject property is located off of Sandy Forks Road, near its intersection with Six Forks Road. Due to the realignment of Sandy Forks Road, the subject properties do not have frontage on Sandy Forks Road. The southernmost property requested for rezoning has a single access point onto Six Forks, while the two northern properties gain access to Sandy Forks by shared driveway. The subject properties are surrounded by Office and Institution zoning to the north and south along Six Forks Road, with low density residential to the east and west. While the area requested for rezoning is adjacent to low density residential, the applicant has offered several zoning conditions to ensure a consistent and compatible pattern of development, while providing buffers and fencing along adjacent residential properties.

3. Public benefits of the proposed rezoning

The request as proposed is consistent with the recommended Future Land Use designation on the Future Land Use Map. While being consistent with the Future Land Use, the proposal also provides several zoning conditions that ensure compatibility with the surrounding area.

4. Detriments of the proposed rezoning

There are no known detriments associated with this request.

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

5.1 Transportation

<u>Primary Streets</u>	<u>Classification</u>	<u>Current Volume (ADT)</u>	<u>2035 Future Volume (ADT)</u>			
Six Forks Road	Secondary Arterial	29,000	40,500			
Sandy Forks Road Ext	Minor Residential Street	N/A	N/A			
Dublin Road	Residential Street	N/A	N/A			
Street Conditions						
<u>Six Forks Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	5	71'	Back-to-back curb and gutter section	90'	5' sidewalks on both sides	None
City Standard	6	89'	Back-to-back curb and gutter section	110'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
Meets City Standard?	NO	NO	YES	NO	YES	NO

<u>Sandy Forks Road Ext</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	22'	None	200'(+)	None	None
City Standard	2	26'	Back-to-back curb and gutter section	45'	minimum 5' sidewalk on one side	N/A
Meets City Standard?	YES	NO	NO	YES	NO	N/A
<u>Dublin Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	26'	Curb and Gutter on south side of street	60'	5' sidewalk on south side of street	None
City Standard	2	31'	Back-to-back curb and gutter section	50'	minimum 5' sidewalks on one side	N/A
Meets City Standard?	YES	NO	NO	YES	YES	N/A
<u>Expected Traffic Generation [vph]</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	3	85	82			
PM PEAK	2	106	104			
Suggested Conditions/Impact Mitigation:			Traffic Study Determination: Staff has reviewed a revised trip generation differential report for this case. The applicant offers to limit the build-out of office space to 25,500 sq ft. A Traffic Impact Analysis is not recommended for Z-15-15.			
Additional Information:	Neither NCDOT nor the City of Raleigh have any projects scheduled in the vicinity of this case.					

Impact Identified: None

5.2 Transit

No transit improvements requested.

Impact Identified: This development may increase transit use along this corridor.

5.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Big Branch
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	none

Impact Identified: None

5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	5,649 gpd	6,793 gpd
<i>Waste Water</i>	5,649 gpd	6,793 gpd

The proposed rezoning would add approximately 1,144 gpd to the wastewater collection and water distribution systems of the City. There are an eight (8") inch sanitary sewer main within an easement along the southeastern property lines and a twelve (12") water main within the Sandy Forks Road right-of-way. The properties would use these mains to connect to the City's utilities.

5.5 Parks and Recreation

The subject tract is not adjacent to any Capital Area Greenway corridors.

The Subject tract is not located within a park search area.

Impact Identified: None.

5.6 Urban Forestry

Impact Identified: None

5.7 Wake County Public Schools

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
Green	576	91.9%	579	92.3%
Carroll	714	83.9%	716	84.1%
Sanderson	1,876	98.8%	1,877	98.8%

Impact Identified: None

5.8 Designated Historic Resources

This site is not located within a historic district and does not include any designated historic landmarks.

Impact Identified: None

5.9 Community Development

Site is not located within a redevelopment area.

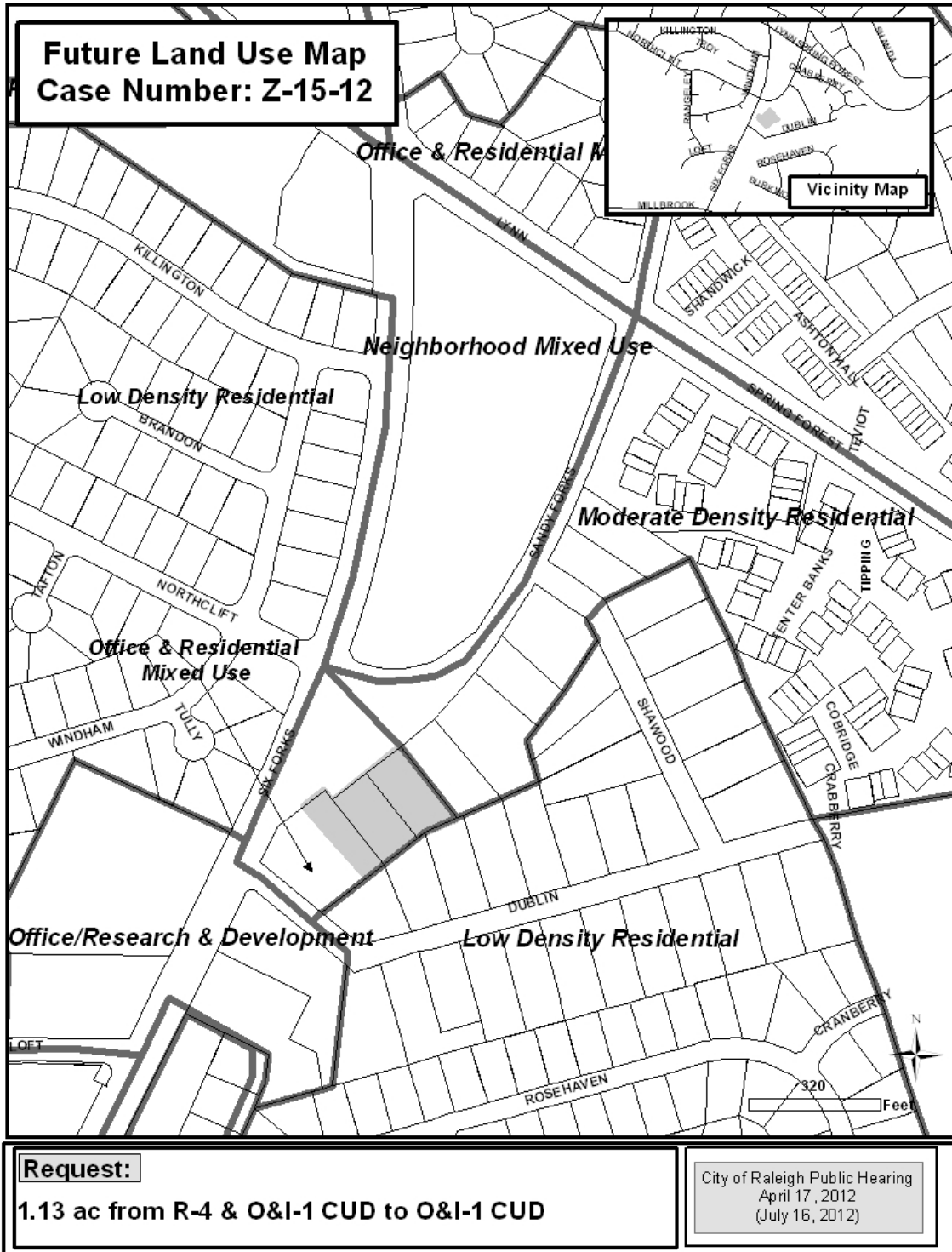
Impact Identified: None

6. Conclusions

The proposed rezoning request is consistent with the Future Land Use Map, and several applicable policies within the Comprehensive Plan. The subject properties are located in an area designated as being appropriate for Office & Residential Mixed Use. Rezoning to Office & Institution-1 Conditional Use is consistent with this designation.

While the subject properties are adjacent to low-density residential uses, the zoning conditions offered by the applicant mitigate potential impacts, and will ensure compatible development. Proposed conditions also provide buffers and reduced building heights to help provide a transition to surrounding residential uses. The proposed request to rezone to Office and Institution-1 Conditional Use is compatible and consistent with the surrounding area.

Future Land Use Map





Petition to Amend the Official Zoning Map

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

Pd 1081.00 by
CK# 14230
2-15-12
CITY OF RALEIGH
PLANNING DEPT
2011 DEC 16 AM 11:41

The following items are required with the submittal of rezoning petition. For additional information on these submittal requirements, see the *Filing Instructions* addendum.

Rezoning Application Submittal Package Checklist

Completed Rezoning Application which includes the following sections:

- Signatory Page
- Exhibit B
- Exhibit C (only for Conditional Use filing)
- Exhibit D
- Map showing adjacent property owner names with PIN's

Application Fee

- \$532 for General Use Cases
- \$1064 for Conditional Use Cases
- \$2659 for PDD Master Plans

Neighborhood Meeting Report (only for Conditional Use filing)

Receipt/ Verification for Meeting Notification Mail out

Traffic Impact Generation Report OR written waiver of trip generation from Raleigh Transportation Services Division

(General Use ONLY) if applicant is not the petitioner must provide proof of notification to the adjacent property owners per G.S. 160A-384



Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

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

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

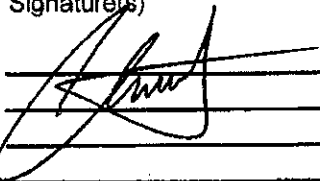
Signature(s)	Print Name	Date
	Chad Steimok, Manager	12/23/11
	Kimberly Development Group LLC	

EXHIBIT B. Request for Zoning Change

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

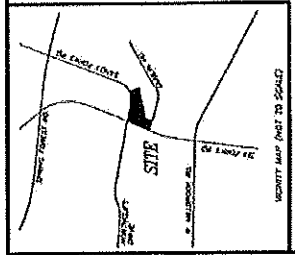
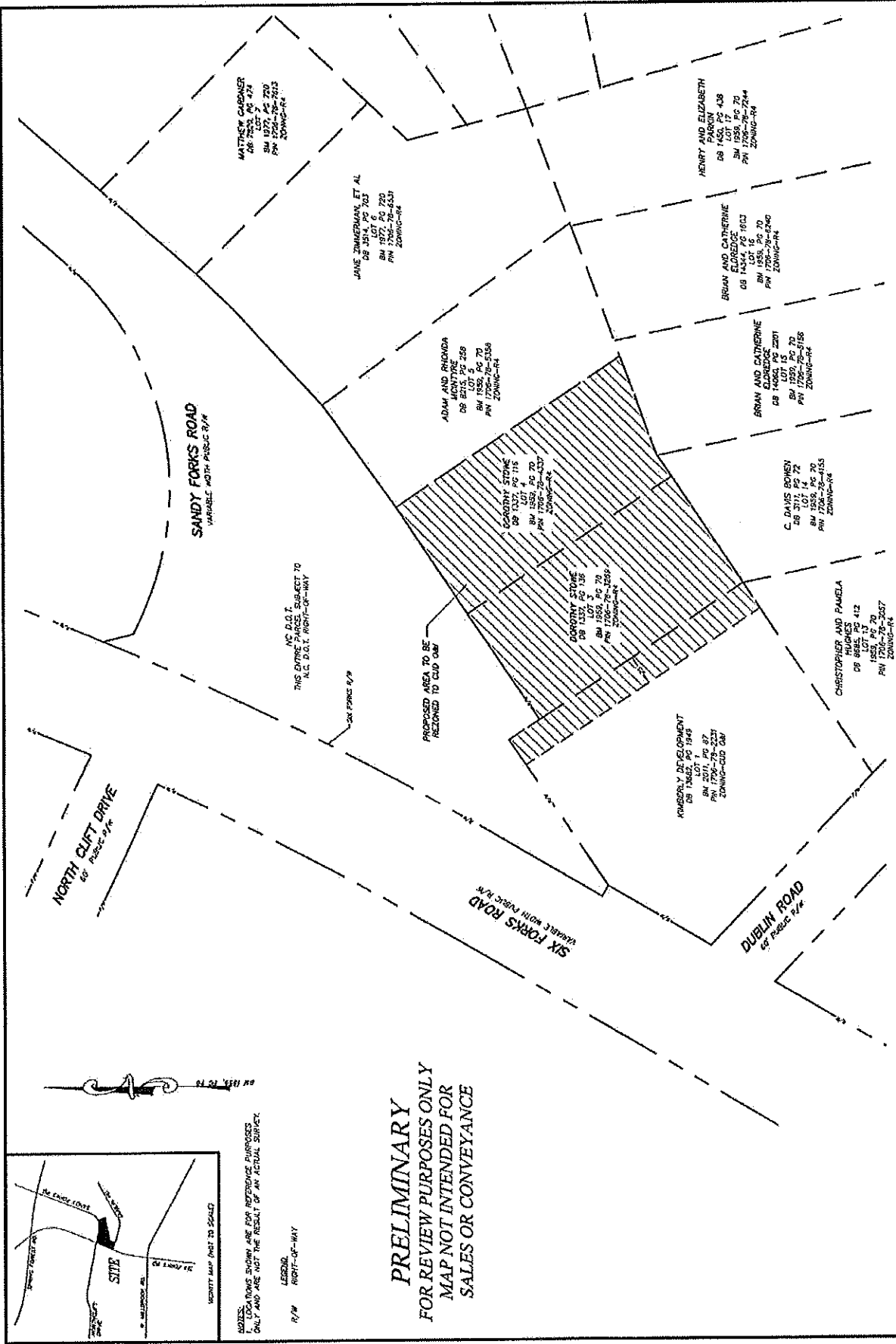
Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s) (for conditional use requests, petitioners must own petitioned property)	Dorothy Parker Stowe	300 Kildaire Woods Dr., Apt. 111 Cary, NC 27511	
	Kimberly Development Group LLC	7100 Six Forks Road, Suite 100 Raleigh, NC 27615	
Property Owner(s)	Same as above		
Contact Person(s)	Chad Steimok Kimberly Development Group LLC	7100 Six Forks Road Suite 100 Raleigh, NC 27615	(919) 271-6884 chad@kdgroupllc.com
	Jason L. Barron K&L Gates LLP	4350 Lassiter at North Hills Ave., Suite 300 Raleigh, NC 27609	(919) 743-343 jason.barron@klgates.com

Property information

Property Description (Wake County PIN)	1706-78-3269 (Lot 3 as shown on BM1959, PG70), 1706-78-4337 (Lot 4 as shown on BM1959, PG70) and part of 1706-78-2231 (New Lot 1 as shown on BM2011, PG907), as shown on the attached map.
Nearest Major Intersection	Six Forks Road and Sandy Forks Road
Area of Subject Property (in acres)	+/- 1.13 acres
Current Zoning Districts (include all overlay districts)	Residential-4 and Office & Institution-1 Conditional Use
Requested Zoning Districts (include all overlay districts)	Office & Institution-1 Conditional Use

2-15-12
 Revised 3/8/12



NOTES:
 1. ROAD RIGHTS SHOWN ARE FOR INFORMATION PURPOSES ONLY AND ARE NOT THE RESULT OF AN ACTUAL SURVEY.
 2. R/W = RIGHT-OF-WAY

PRELIMINARY
 FOR REVIEW PURPOSES ONLY
 MAP NOT INTENDED FOR
 SALES OR CONVEYANCE

SURVEYING SOLUTIONS, P.C. C-1948 5401 HILLSBOROUGH ST., P.O. BOX 38824 RALEIGH, NC 27636 (919) 854-4893		REZONING MAP FOR KIMBERLY DEVELOPMENT GROUP, LLC	
DRAWN BY: [Name] CHECKED BY: [Name]	TOWNSHIP: HOUSE CREEK COUNTY: WAKE COUNTY	DATE: JANUARY 9, 2012	PROJECT: 11-086
SCALE: 1"=50'		NORTH CAROLINA	

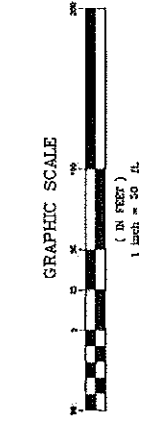
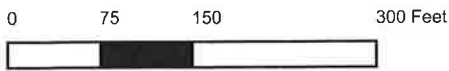
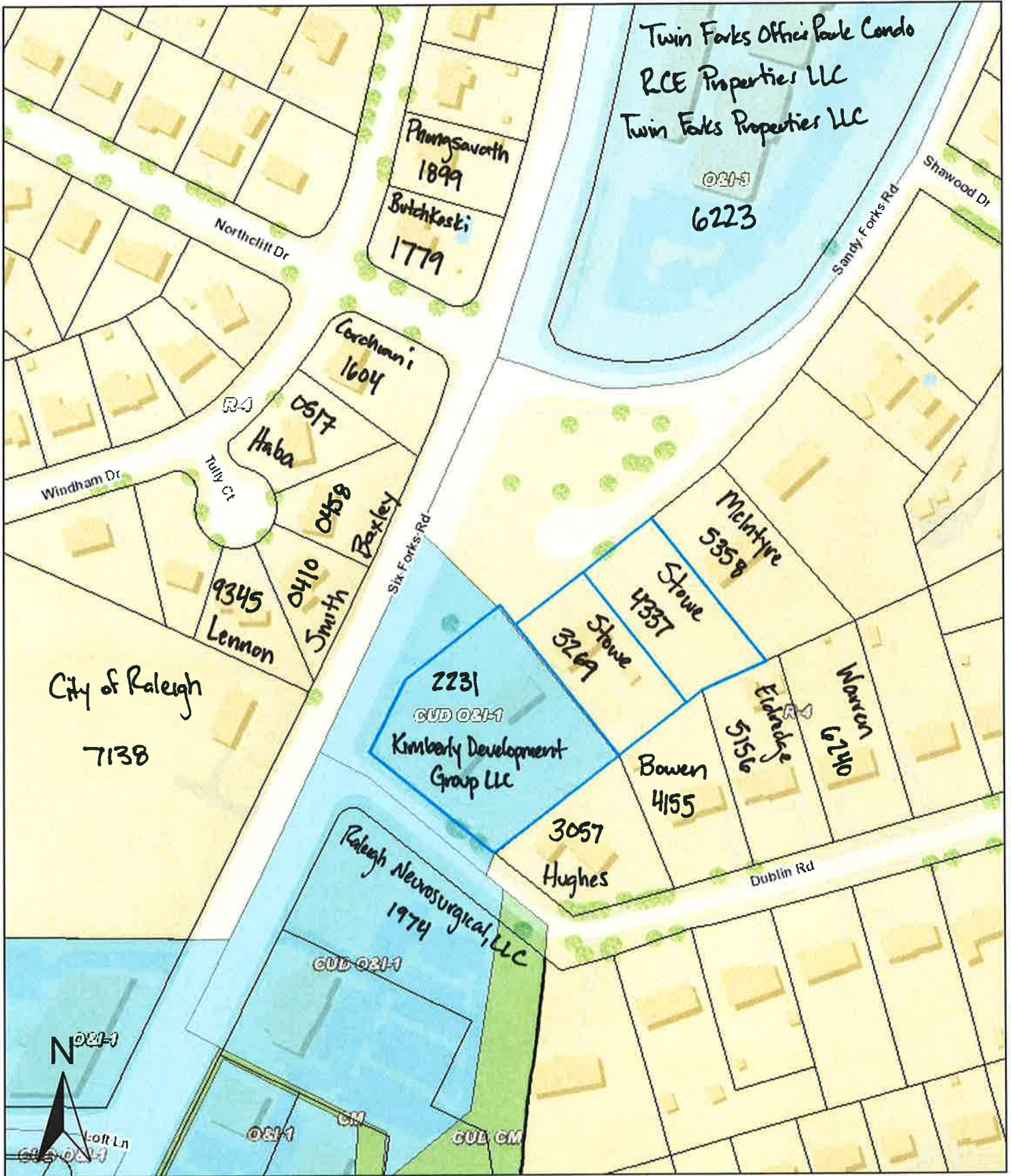


EXHIBIT B. Request for Zoning ChangePlease use this form only -- form may be photocopied. Please type or print. See instructions in *Filing Addendum*

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs 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. If you need additional space, please copy this form.

Name	Street Address	City/State/Zip	Wake Co. PIN
Christopher T. & Pamela J. Hughes	119 Dublin Rd.	Raleigh, NC 27609-3822	1706-78-3057
C. Davis Bowen	205 Dublin Rd.	Raleigh, NC 27609-3824	1706-78-4155
Brian L. & Catherine S. Eldredge	209 Dublin Rd.	Raleigh, NC 27609-3824	1706-78-5156
John L. & Mairi Warren	213 Dublin Rd.	Raleigh, NC 27609-3824	1706-78-6240
Kimberly Development Group LLC	7100 Six Forks Rd. Ste. 100	Raleigh, NC 27615-6260	1706-78-2231
Adam E. & Rhonda K. McIntyre	5916 Sandy Forks Rd.	Raleigh, NC 27609-3814	1706-78-5358
Leonard A. & Carol L. Smith	5700 Tully Ct.	Raleigh, NC 27609-3744	1706-78-0410
Betty Anne & George W. Lennon	411 Marlowe Rd.	Raleigh, NC 27609-7017	1706-68-9345
William C. & Sandra Baxley	2349 Mount Vernon Church Rd.	Raleigh, NC 27614-9220	1706-78-0458
Kalyn J. Haba	5708 Tully Ct.	Raleigh, NC 27609-3744	1706-78-0517
City of Raleigh	P.O. Box 590	Raleigh, NC 27602-0590	1706-68-7138
Kathleen Corchiani	5918 Windham Dr.	Raleigh, NC 27609-3752	1706-78-1604
Twin Forks Office Park Condominium	3810 Merton Dr.	Raleigh, NC 27609-6651	1706-79-6223-000
Nicole V. Butchkoski	6000 Windham Dr.	Raleigh, NC 27609-3750	1706-78-1779
Phoui & Nang I. Phongsavath	6004 Windham Dr.	Raleigh, NC 27609-3750	1706-78-1899
RCE Properties LLC	Twin Forks Properties LLC P.O. Box 12172	New Bern, NC 28561-2172	1706-79-6223-001; 002; 003; 004; & 005
Twin Forks Properties, LLC	P.O. Box 12006	New Bern, NC 28561-2006	1706-79-6223-001; 002; 003; 004; & 005



Z-15-12

EXHIBIT C. Request for Zoning Change

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

Conditional Use District requested: Office & Institution-1 Conditional Use

Narrative of conditions being requested:

1. The following conditions shall apply to: (i) those parcels of land with Wake County Parcel Identification Numbers 1706-78-3269 (Lot 3 as shown on Book of Maps 1959, Page 70) and 1706-78-4337 (Lot 4 as shown on BM 1959, PG 70), and (ii) that strip of land that is part of that parcel with Wake County Parcel Identification Number 1706-78-2231 (New Lot 1 as shown on BM 2011, PG 907), which corresponds with the length of the eastern property line of PIN 1706-78-2231 (+/- 229.82 feet), measured 25 feet wide, totaling +/- 5,745.5 square feet:

a. The following land uses as set forth in Raleigh City Code section 10-2071 "Schedule of Permitted Land Uses in Zoning Districts" shall be prohibited:

- Recreational use restricted to membership- commercial – all types
- Recreational – governmental – all types
- Fraternity of Sorority houses
- Rooming house, boarding house, lodging house, tourist house
- Emergency shelter Type-A
- Civic club
- Cemeteries – all types
- Correctional/penal facilities – all types
- Fire station, police precinct, training facility and other emergency service facilities
- Funeral home
- Radio and television station
- Telecommunication towers less than 250 feet in height
- Parking facility – principal use
- Manufacturing – specialized
- Transportation – including airfields, landing strips, heliports and taxicab stands
- On-site power plant utilities
- Utility substation
- Rest home
- Eating establishment – accessory use to office
- Crematory
- Hospital medical/psychiatric
- Guest house facility
- Research farm
- Camp
- Multi-family and group housing development

CITY OF RALEIGH
CITY PLANNING DEPT
2012 JUN 14 PM 2:44

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS


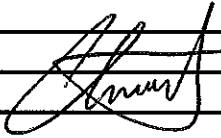

Signature(s)	Print Name	Date
	Dorothy Parker Stowe	
	By: Melody Stowe Scott, as Attorney-in-fact	
	(Power of Attorney, Book 14526, Page 2129, Wake County Registry)	
	Chad Stelmok, Manager	
	Kimberly Development Group, LLC	
	Seth Rumley, Manager	
	S.C. Rumley, LLC	

EXHIBIT C. Request for Zoning Change

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

Conditional Use District requested: Office & Institution-1 Conditional Use

b. Any non-residential buildings shall have a maximum height of thirty-eight (38) feet as measured by the City Code criteria for height. In addition, any non-residential buildings shall not include more than two occupied stories.

c. Building fenestration (windows and doors) shall represent no less than 15% and no greater than 60% on each side of any non-residential building.

d. Building siding materials shall be brick, stone, stucco (EIFS), hardi-plank.

e. Prior to issuance of a certificate of occupancy, a landscaped area shall be installed along the rear property line of the Properties, adjacent to those parcels with Wake County Parcel Identification Numbers 1706-78-3057 (Lot 13 on BM 1959, PG 70), 1706-78-4155 (Lot 14 on BM 1959, PG 70) and 1706-78-5156 (Lot 15 on BM 1959, PG 70). The landscaped area shall be planted with evergreens and other plantings as will provide an eight-foot (8') minimum height screening from day of planting. The landscaped area shall be interrupted only for installation of City approved utilities, including but not limited to storm drainage facilities. The landscaped area screening shall achieve 75% opacity within three (3) years.

f. Developer will construct a closed, wooden fence at least six feet (6') in height along the rear property line of the Properties, adjacent to those parcels with Wake County Parcel Identification Numbers 1706-78-3057 (Lot 13 on BM 1959, PG 70), 1706-78-4155 (Lot 14 on BM 1959, PG 70) and 1706-78-5156 (Lot 15 on BM 1959, PG 70).

g. Site area lighting shall be located to minimize spill over lighting toward the adjacent residential properties. Site area lighting shall consist of building fixtures and ground mounted 42" bollard lights. All lights in the parking lot areas will have fixtures of full cutoff (shielded) design, on poles a maximum height of 18 feet outside protective yards and maximum height of 12 feet within protective yards.

h. Dumpster service will be allowed only between the hours of 8:00 AM to 5:00 PM.

i. The maximum amount of office uses permitted on the Properties shall be limited to 25,500 square feet floor area gross.

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

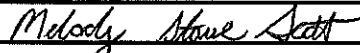
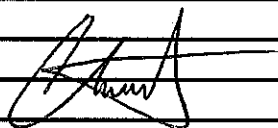

Signature(s)	Print Name	Date
	Dorothy Parker Stowe	
	By: Melody Stowe Scott, as Attorney-in-fact (Power of Attorney, Book 14526, Page 2129, Wake County Registry)	
	Chad Stelmok, Manager Kimberly Development Group, LLC	
	Seth Rumley, Manager S.C. Rumley, LLC	

EXHIBIT C. Request for Zoning Change

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

Conditional Use District requested: Office & Institution-1 Conditional Use

2. The following conditions shall apply only to that strip of land that is part of that parcel with Wake County Parcel Identification Number 1706-78-2231 (New Lot 1 as shown on BM 2011, PG 907), which corresponds with the length of the eastern property line of PIN 1706-78-2231 (+/- 229.82 feet), measured 25 feet wide, totaling +/- 5,745.5 square feet, and not those parcels of land with Wake County Parcel Identification Numbers 1706-78-3269 (Lot 3 as shown on Book of Maps 1959, Page 70) and 1706-78-4337 (Lot 4 as shown on BM 1959, PG 70):

a. Any non-residential building developed on the Property shall be setback at least twenty-five feet (25') from the lot lines of the following adjacent properties: (i) PIN 1706-78-3057 (Lot 13 on BM 1959, PG 70); (ii) PIN 1706-78-3269 (Lot 3 on BM 1959, PG 70).

b. Developer will provide a copy of the site plan submittal prior to submittal to the City of Raleigh to the owners of that parcel with Wake County Parcel Identification Number PIN 1706-78-3057 (Lot 13 on BM 1959, PG 70). Evidence of notice will be provided to the Raleigh Planning Department that this has been met through certified mail.

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

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

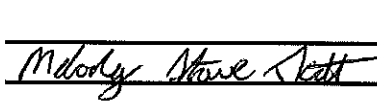

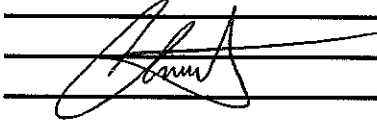

Signature(s)	Print Name	Date
	Dorothy Parker Stowe	
	By: Melody Stowe Scott, as Attorney-in-fact (Power of Attorney, Book 14526, Page 2129, Wake County Registry)	
	Chad Stelmok, Manager Kimberly Development Group, LLC	
	Seth Rumley, Manager S.C. Rumley, LLC	

EXHIBIT D. Request for Zoning Change

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

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

Required items of discussion:

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

Recommended items of discussion (where applicable):

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

PETITIONER'S STATEMENT:

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

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

The Future Land Use Map classifies the subject properties as Moderate Density Residential. This future land use category recommends residential uses with a density between 6 to 14 units per acre. The proposed map amendment permits office uses, which is inconsistent with the Moderate Density Residential recommendation. However, as set forth below, the proposed office land use is reasonable and in the public interest.

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

The subject property is not located within any small area plan, nor is it subject to any other adopted plan.

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

Although the proposed map amendment is inconsistent with the current Future Land Use Map classification of Moderate Density Residential, it is consistent with applicable comprehensive plan policies. Policy LU 3.2 "Location of Growth" states that the development of vacant parcels should occur first within the City limits. The proposed map amendment would facilitate development of a vacant parcel located within the City limits. Policy LU 5.4 "Density Transitions" suggests that low-impact office

EXHIBIT D. Request for Zoning Change

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

uses should serve as a transition between low density residential uses and more intensive uses. The proposed map amendment would facilitate development of the property for low-impact office uses that would serve as a transition between residential uses to the east and Six Forks Road and Sandy Forks Road to the west. Based on the above, the proposed map amendment is consistent with the applicable comprehensive plan policies but is inconsistent with the Future Land Use Map.

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: Sandy Forks Road (collector street) and an office park;
East: Single family detached dwelling units;
South: Single family detached dwelling units, 2-3 story office buildings;
West: Six Forks Road (secondary arterial), a City of Raleigh water tower, and single family detached dwelling units.

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

North: Office & Institution-3, built out with multiple single-story office buildings with large surface parking lots;
East: Residential-4
South: Residential-4 and Office & Institution-1 CUD (Z-33-08 and Z-107-98), with the O&I-1 CUD properties built out with 2-3 story office buildings with large surface parking lots located behind the buildings;
West: Residential-4

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 subject property is located adjacent to the right-of-way of Six Forks Road and Sandy Forks Road. The parcels are subdivided in a manner consistent with a low density neighborhood, but only one parcel contains a residential structure, which has not been owner-occupied for a number of years. Based on the proximity to Six Forks Road and direct access to Sandy Forks Road, the property is most suitable for an office use. The property immediately to the south is being developed for an office use, and office uses exist to the south and north of the subject property. The properties developed for office uses have frontage along Six Forks Road and Sandy Forks Road. The proposed map amendment permits office uses, which is consistent with the other office uses in the immediate area.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment benefits the landowner by permitting the property to be developed for its highest and best use. The current use and zoning of the property is no longer proper given the surrounding zoning and the property's proximity to Six Forks Road and Sandy Forks Road, so the proposed map amendment enables the landowner to use the property for a more appropriate use.

EXHIBIT D. Request for Zoning Change

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

B. For the immediate neighbors:

The proposed map amendment will benefit the immediate neighbors by facilitating the redevelopment of the rental dwelling for an office use that will provide transitional yard buffer areas along the rear of the property adjacent to the residential property.

C. For the surrounding community:

The proposed map amendment will benefit the surrounding community by locating office space in close proximity to the high number of residences in the surrounding community and facilitate the redevelopment of frontage lots that are no longer appropriate for residential uses.

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

No, the rezoning of the property does not provide a significant benefit that is not available to surrounding properties. In fact, property to the north and south are zoned and developed for office uses, so the proposed rezoning attempts to provide the subject property with a benefit already enjoyed by surrounding properties.

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

The subject property consists of two lots subdivided for single family structures, but the lots are located in close proximity to Six Forks Road with access to Sandy Forks Road. The subject property is immediately north of a property recently rezoned to O&I-1 CUD and that is currently being developed for an office use. Property to the north and south of the subject property, along Six Forks Road and Sandy Forks Road, is currently zoned and developed for office uses. Based on the property's proximity to a major access corridor, direct access to a collector street, and the fact that the property is no longer appropriate for residential use, the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

V. Recommended items of discussion (where applicable).

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

Not applicable.

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

Since the subject properties were last zoned, Six Forks Road has become a secondary arterial and multi-modal corridor serving as a major road connecting North Raleigh and Downtown. The subject properties front along the Sandy Forks Road and Six Forks Road right-of-way with direct access to Sandy Forks Road, which is a collector street. Also, since the properties were last zoned, multiple single family lots fronting along Six Forks Road have been recombined and rezoned to permit office uses. Based on the above, the circumstances have so changed that the current Residential-4 zoning could not properly be applied to the property if it were being zoned for the first time.

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

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

Not applicable.

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

Not applicable.

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

The proposed rezoning advances the fundamental purposes of zoning, particularly to regulate with reasonable consideration to the suitability of the land for particular uses and the encouragement of the most appropriate use of the land throughout the City, by permitting office land uses on property in close proximity to Six Forks Road and with direct access to Sandy Forks Road and in a manner that is compatible with the office uses to the south and the single family neighborhood to the east.

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

There are no other arguments on behalf of the proposed map amendment at this time.

BK014526PG02129

Z-1512

Return to: Melody Scott 8429 Smith Rd Apex, NC 27539

WAKE COUNTY, NC 135
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
11/03/2011 AT 11:15:22

POWER OF ATTORNEY

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BOOK:014526 PAGE:02129 - 02131

I, Dorothy Parker Stowe, appoint my daughter, Melody Stowe Scott, to be my attorney-in-fact, to act in my name in any way which I could act for myself, with respect to the following matters. DIRECTIONS: Initial the line opposite any one or more of the subdivisions as to which the principal desires to give the attorney-in-fact authority.)

- (1) Real property transactions SPS
- (2) Personal property transactions SPS
- (3) Bond, share, stock, securities and commodity transactions SPS
- (4) Banking transactions SPS
- (5) Safe deposits SPS
- (6) Business operating transactions SPS
- (7) Insurance transactions SPS
- (8) Estate transactions SPS
- (9) Personal relationship and affairs SPS
- (10) Social security and unemployment SPS
- (11) Benefits from military service SPS
- (12) Tax matters SPS
- (13) Employment of agents SPS
- (14) Gifts to charities, and to individuals other than the attorney-in-fact SPS
- (15) Gifts to the named attorney-in-fact SPS

My attorney-in-fact shall serve without bond and receive and be paid such commissions as are customarily charged by it for like services at the time the services hereunder are rendered.

This power of attorney shall not be affected by my subsequent incapacity or mental incompetence.

Dated the 27th day of August, 2009.

Dorothy Parker Stowe (SEAL)
DOROTHY PARKER STOWE

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BK014526PG02130

On this 27th day August, 2009, personally appeared before me, the said named Dorothy Parker Stowe to me known and known to me to be the person described in and who executed the foregoing instrument and she acknowledged that she executed the same and being duly sworn by me, made oath that the statements in the forgoing instrument are true.

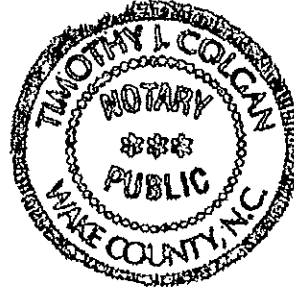
(SEAL)

Notary Public



My Commission Expires:

06-13-10



BK014526PG02131



BOOK:014526 PAGE:02129 - 02131

Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

This Customer Group _____ # of Time Stamps Needed

This Document _____ New Time Stamp
_____ 3 _____ # of Pages

22.004-1/20/06

9



RAMEY KEMP & ASSOCIATES, INC.
 5808 Faringdon Place, Suite 100
 Raleigh, NC 27609
 Phone - 919-872-5115 Fax - 919-878-5416
 www.rameykemp.com

December 15, 2011

Chad Stelmok
 Kimberly Development Group
 7100 Six Forks Road Suite 100
 Raleigh, NC 27615
 P: 919-271-6884

Subject: Trip Generation Study for Rezoning
 Comparison of Existing Zoning and Proposed Zoning
 Sandy Forks Road Properties
 Raleigh, North Carolina

Dear Mr. Stelmok:

This letter provides a comparison of the trip generation for the potential build out under the existing zoning with the trip generation for the potential build out under the proposed zoning for two 0.50-acre parcels located just south of Sandy Forks Road east of Six Forks Road. Refer to the property location map attached. A summary of the existing parcel info is below:

	Parcel 1	Parcel 2
PIN	1706-78-3269	1706-78-4337
Size	0.5 Acre	0.5 Acre
Existing Zoning	R-4	R-4
Proposed Zoning	O&I 1 CUD	O&I 1 CUD

The subject parcels are currently zoned R-4 (residential) and each is 0.50 acre in size. This letter will discuss the trip generation impacts if the two 0.50-acre parcels are rezoned to O & I 1 CUD from R-4.

Existing Zoning Trip Generation

The trip generation volumes for the existing zoning were determined using the ITE Trip Generation Manual, 8th Edition. Trip generation volumes were calculated assuming the existing R-4 zoning would allow a maximum of 4 residential units per acre as provided by the City. Since the property is 1 acre (total), four residential units could be developed on the two parcels. The development is considered as a Single Family Detached Housing classification using the ITE Trip Generation Manual. Refer to Table 1 for the trip generation associated with the existing zoning of the two 0.5 acre parcels.

Proposed Rezoning Trip Generation

Trip generation volumes for the two parcels were calculated assuming the O&I 1 zoning would allow a maximum of 25 residential units per acre or a maximum office square footage resulting in a 1.0 floor area ratio (FAR). Since the two parcels total 1 acre in size, a maximum of 25 residential units or a maximum of 43,560 square feet of office space would be allowed under the proposed zoning. For trip generation purposes, the residential units are considered to be apartments. The highest AM and PM trip generation between the two allowable uses was identified to be office space, which would represent the maximum build out under the proposed zoning.

Trips were generated for the office use based on the general office classification in the ITE Trip Generation Manual, 8th Edition. Refer to Table 1 for the trip generation associated with the existing and proposed zoning of both parcels.

**Table 1
Site Trip Generation Comparison – Two 0.5 AC Parcels
Existing and Proposed Zoning**

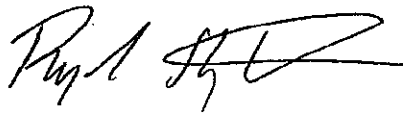
Land Use (ITE Code)	Density	Average Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
EXISTING ZONING						
R-4 Single Family Residential (210)	4 unit	54	3	9	4	2
PROPOSED ZONING						
O&I 1 CUD General Office (710)	43,560 sf	704	85	12	22	106
DIFFERENCE		+650	+82	+3	+18	+104

Conclusions

The trip generation potential for the proposed rezoning would result in a net increase in trip generation for the two 0.50 acre parcels. The rezoning would result in a potential net increase in trips of 85 in the AM peak hour and 122 trips in the PM peak hour. It should be noted that the trip generation for the proposed rezoning assumes an office use that is a total of 43,560 s.f. in size. The developer may not develop an office building of this size on the parcels, which would cause the trip generation differential to be smaller than shown in Table 1.

Please let us know if you have any further questions regarding this information.

Sincerely,
RAMEY KEMP & ASSOCIATES, INC.



Rynal Stephenson, P.E.
Transportation Manager

NC Corporate License # C-0910



Attachments

Property Location Map

Property Search

Search By: PIN

PIN: 1706783269

Field	Value
PIN	1706783269
Real Estate ID	0069186
Map Name	170607
Owner	STONE, DOROTHY PARKER
Mailing Address 1	300 KILDAIRE WOODS DR APT 111
Mailing Address 2	CARY NC 27511-7709
Mailing Address 3	
Deed Book	00150
Deed Page	000E
Deed Date	12/32/1985
Deeded Acreage	0.50
Assessed Building Value	\$122,241.00
Assessed Land Value	\$70,000.00
Total Assessed Value	\$192,241.00
Billing Class	INDIVIDUAL
Property Description	LO3 EDEN FORFST
Heated Area	1915
Site Address	3908 SANDY FORKS RD
City	Raleigh
Township	HOUSE CREEK
Year Built	1959

Location Search
 Raleigh Development Plan Search
 Raleigh Crime Search
 Show Additional Layers on Map

Property Search

Search By: PIN

PIN: 1706784337

Field	Value
PIN	1706784337
Real Estate ID	0068187
Map Name	170607
Owner	STONE, DOROTHY PARKER
Mailing Address 1	300 KILDAIRE WOODS DR APT 111
Mailing Address 2	CARY NC 27511-7709
Mailing Address 3	
Deed Book	00150
Deed Page	000E
Deed Date	12/32/1985
Deeded Acreage	0.50
Assessed Building Value	\$0.00
Assessed Land Value	\$70,000.00
Total Assessed Value	\$70,000.00
Billing Class	INDIVIDUAL
Property Description	LO4 EDEN FOREST
Heated Area	
Site Address	5912 SANDY FORKS RD
City	Raleigh
Township	HOUSE CREEK
Year Built	0

Location Search
 Raleigh Development Plan Search
 Raleigh Crime Search
 Show Additional Layers on Map

Summary of Trip Generation Calculation
 For 4 Dwelling Units of Single Family Detached Housing
 December 15, 2011

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	13.45	0.00	1.00	54
7-9 AM Peak Hour Enter	0.78	0.00	1.00	3
7-9 AM Peak Hour Exit	2.35	0.00	1.00	9
7-9 AM Peak Hour Total	3.13	0.00	1.00	13
4-6 PM Peak Hour Enter	0.91	0.00	1.00	4
4-6 PM Peak Hour Exit	0.54	0.00	1.00	2
4-6 PM Peak Hour Total	1.45	0.00	1.00	6
Saturday 2-Way Volume	12.44	0.00	1.00	50
Saturday Peak Hour Enter	1.74	0.00	1.00	7
Saturday Peak Hour Exit	1.54	0.00	1.00	6
Saturday Peak Hour Total	3.28	0.00	1.00	13

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume: $LN(T) = .92LN(X) + 2.71, R^2 = 0.96$
 7-9 AM Peak Hr. Total: $T = .7(X) + 9.74$
 $R^2 = 0.89, 0.25$ Enter, 0.75 Exit
 4-6 PM Peak Hr. Total: $LN(T) = .9LN(X) + .51$
 $R^2 = 0.91, 0.63$ Enter, 0.37 Exit
 AM Gen Pk Hr. Total: $T = .7(X) + 12.37$
 $R^2 = 0.89, 0.26$ Enter, 0.74 Exit
 PM Gen Pk Hr. Total: $LN(T) = .88LN(X) + .62$
 $R^2 = 0.91, 0.64$ Enter, 0.36 Exit
 Sat. 2-Way Volume: $LN(T) = .95LN(X) + 2.59, R^2 = 0.92$
 Sat. Pk Hr. Total: $T = .89(X) + 9.56$
 $R^2 = 0.91, 0.53$ Enter, 0.47 Exit
 Sun. 2-Way Volume: $T = 8.84(X) + -13.31, R^2 = 0.94$
 Sun. Pk Hr. Total: $LN(T) = .91LN(X) + .35$
 $R^2 = 0.87, 0.53$ Enter, 0.47 Exit

Source: Institute of Transportation Engineers
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation
 For 43,560 Th.Sq.Ft. GFA of General Office Building
 December 15, 2011

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	16.15	0.00	1.00	704
7-9 AM Peak Hour Enter	1.95	0.00	1.00	85
7-9 AM Peak Hour Exit	0.27	0.00	1.00	12
7-9 AM Peak Hour Total	2.21	0.00	1.00	96
4-6 PM Peak Hour Enter	0.50	0.00	1.00	22
4-6 PM Peak Hour Exit	2.43	0.00	1.00	106
4-6 PM Peak Hour Total	2.93	0.00	1.00	128
Saturday 2-Way Volume	2.56	0.00	1.00	112
Saturday Peak Hour Enter	0.23	0.00	1.00	10
Saturday Peak Hour Exit	0.20	0.00	1.00	9
Saturday Peak Hour Total	0.43	0.00	1.00	19

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume: $LN(T) = .77LN(X) + 3.65, R^2 = 0.8$
 7-9 AM Peak Hr. Total: $LN(T) = .8LN(X) + 1.55$
 $R^2 = 0.83, 0.88 \text{ Enter}, 0.12 \text{ Exit}$
 4-6 PM Peak Hr. Total: $T = 1.12(X) + 78.81$
 $R^2 = 0.82, 0.17 \text{ Enter}, 0.83 \text{ Exit}$
 AM Gen Pk Hr. Total: $LN(T) = .8LN(X) + 1.55$
 $R^2 = 0.83, 0.88 \text{ Enter}, 0.12 \text{ Exit}$
 PM Gen Pk Hr. Total: $T = 1.12(X) + 78.81$
 $R^2 = 0.82, 0.17 \text{ Enter}, 0.83 \text{ Exit}$
 Sat. 2-Way Volume: $T = 2.14(X) + 18.47, R^2 = 0.66$
 Sat. Pk Hr. Total: $LN(T) = .81LN(X) + -.12$
 $R^2 = 0.59, 0.54 \text{ Enter}, 0.46 \text{ Exit}$
 Sun. 2-Way Volume: $LN(T) = .86LN(X) + .31, R^2 = 0.5$
 Sun. Pk Hr. Total: $LN(T) = .61LN(X) + -.23$
 $R^2 = 0.56, 0.58 \text{ Enter}, 0.42 \text{ Exit}$

Source: Institute of Transportation Engineers
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

ZONING CASE Z-15-12


REZONING OF PROPERTY CONSISTING OF +/- 1.0 ACRES LOCATED ALONG THE
EAST SIDE OF THE SANDY FORKS ROAD EXTENSION IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON DECEMBER 14, 2011

Pursuant to applicable provisions of the City Code, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, December 14, 2011, at 6:00 p.m. The two properties subject to this proposed zoning total approximately 1.0 acres, located along the east side of the Sandy Forks Road Extension, in the City of Raleigh, having Wake County Parcel Identification Numbers 1706-78-3269 and 1706-78-4337. This meeting was held at the offices of K&L Gates, 4350 Lassiter at North Hills Avenue, Suite 300, Raleigh, 27609. A copy of the meeting notice is attached hereto as **Exhibit A**. All owners of property within 100 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit B** is a copy of the City Code required mailing list for the meeting invitations. Attached hereto as **Exhibit C** is a copy of the file-stamped letter enclosing the addressed, stamped envelopes containing the neighborhood notices, which was delivered to the City for mailing. A summary of the items discussed at the meeting is attached hereto as **Exhibit D**. Attached hereto as **Exhibit E** is a list of individuals who attended the meeting. No changes have been made to the proposed rezoning petition as a result of this meeting.

EXHIBIT A
MEETING NOTICE
(See Attached)

K&L|GATES

marked out 2-16-12
11-2-11 

K&L Gates LLP
4350 Lassiter at North Hills Avenue, Suite 300
Post Office Box 17047
Raleigh, NC 27619-7047
T 919.743.7300 www.klgates.com

December 2, 2011

R. Michael Birch Jr.
D 919.743.7314
F 919.516.2014
michael.birch@klgates.com

Via Hand Delivery

DeShele Sumpter
Department of City Planning
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: Neighborhood Meeting Notices for Potential Rezoning of 5908 and 5912 Sandy
Forks Road

Dear DeShele:

In accordance with provisions of the City Code, I am enclosing stamped, addressed envelopes containing neighborhood meeting notices for a potential rezoning case, to be mailed by the City. I am also attaching a copy of the notice and the list of property owners to whom the notices are being sent.

The meeting is scheduled for Wednesday, December 14th, so please place the notices in the mail this afternoon.

Please feel free to call me should you have any questions or comments.

Sincerely,



R. Michael Birch Jr.

Enclosures

CITY OF RALEIGH
CITY PLANNING DEPT
2011 DEC -2 PM 3:25

MEMORANDUM

To Neighboring Property Owners

From Jason L. Barron, Attorney for Kimberly Development Group

Date December 2, 2011

Re Notice of meeting to discuss potential rezoning of 5908 and 5912 Sandy Forks Road, which parcels are located along Sandy Forks Road, near its intersection with Six Forks Road, containing approximately 1.0 acres, and having Wake County Parcel Identification Numbers: 1706-78-3269 and 1706-78-4337 (the "Property").

We are counsel for Kimberly Development Group ("KDG"), which is considering rezoning the above-captioned Property. The Property is currently zoned Residential-4, and KDG is considering rezoning the Property to Office & Institution-1 Conditional Use. As some of you may recall, KDG owns two (2) parcels adjacent to the Property, which were zoned in 2009 for a similar zoning classification. The purpose of the proposed rezoning is to allow for a similar, complementary office & institutional use.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, December 14, 2011 at 6:00 p.m. This meeting will be held at the offices of K&L Gates, 4350 Lassiter at North Hills Avenue, Suite 300, Raleigh, NC 27609. The office is located at North Hills, above Moe's Restaurant, and can be accessed through the doors located off the breezeway between the surface parking lot along Six Forks Road and the main street.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the owners to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 743-7343 or jason.barron@klgates.com.

EXHIBIT B

List of Property Owners Contacted About Meeting

(See Attached)

Adjacent Property Owners

CHRISTOPHER T & PAMELA J HUGHES
119 DUBLIN RD
RALEIGH NC 27609-3822

C DAVIS BOWEN
205 DUBLIN RD
RALEIGH NC 27609-3824

BRIAN L & CATHERINE S ELDREDGE
209 DUBLIN RD
RALEIGH NC 27609-3824

JOHN L & MAIDI WARREN
213 DUBLIN RD
RALEIGH NC 27609-3824

KIMBERLY DEVELOPMENT GROUP LLC
7100 SIX FORKS RD
STE 100
RALEIGH NC 27615-6260

ADAM E & RHONDA K MCINTYRE
5916 SANDY FORKS RD
RALEIGH NC 27609-3814

LEONARD A & CAROL L SMITH
5700 TULLY CT
RALEIGH NC 27609-3744

BETTY ANNE & GEORGE W LENNON
411 MARLOWE RD
RALEIGH NC 27609-7017

WILLIAM C & SANDRA BAXLEY
2349 MOUNT VERNON CHURCH RD
RALEIGH NC 27614-9220

KALYN J HABA
5708 TULLY CT
RALEIGH NC 27609-3744

CITY OF RALEIGH
PO BOX 590
RALEIGH NC 27602-0590

KATHLEEN CORCHIANI
5918 WINDHAM DR
RALEIGH NC 27609-3752

TWIN FORKS OFFICE PARK CONDOMINIUM
3810 MERTON DR
RALEIGH NC 27609-6651

TWIN FORKS PROPERTIES, LLC
P.O. BOX 12006
NEW BERN NC 28561

NICOLE V BUTCHKOSKI
6000 WINDHAM DR
RALEIGH NC 27609-3750

PHOUI & NANG I PHONGSAVATH
6004 WINDHAM DR
RALEIGH NC 27609-3750

RCE PROPERTIES LLC
TWIN FORKS PROPERTIES LLC
PO BOX 12172
NEW BERN NC 28561-2172

Subject Property Owners

DOROTHY PARKER STOWE
300 KILDARE WOODS DR
APT 111
CARY NC 27511-7709

DOROTHY PARKER STOWE
300 KILDARE WOODS DR
APT 111
CARY NC 27511-7709

EXHIBIT C

FILE-STAMPED ENCLOSURE LETTER

(See Attached)

EXHIBIT D

SUMMARY OF DISCUSSION ITEMS

On Wednesday, December 14, 2011, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcel subject to the proposed rezoning. The following items were discussed:

1. Proposed height of building
2. Transportation impacts of the proposed development
3. Timing of development; expectation for construction
4. Potential impact on adjacent property values
5. Nature of ownership of the individual suites within the building
6. Concern related to impact of grading activity on adjacent properties
7. Whether NCDOT has any long term plans for the disposition of the large, triangular lot located at the intersection of Sandy Forks and Six Forks
8. Layout of the site
9. Proposed buffering between the property and adjacent residential
10. Traffic speeds/calming on Sandy Forks
11. Stormwater drainage
12. Mixture of office uses within the building
13. Concern with light spilling over onto adjacent properties
14. Existing conditions of zoning for property located immediately to the south

EXHIBIT E

NEIGHBORHOOD MEETING ATTENDEES

Melody Stowe Scott
8429 Smith Road
Apex, NC 27539

Chris Hughes
119 Dublin Road
Raleigh, NC 27609

Tony Zimmerman
5920 Sandy Forks Road
Raleigh, NC 27609

Cathy and Brian Eldredge
209 Dublin Road
Raleigh, NC 27609

Rhonda and Adam McIntyre
5916 Sandy Forks Road
Raleigh, NC 27609