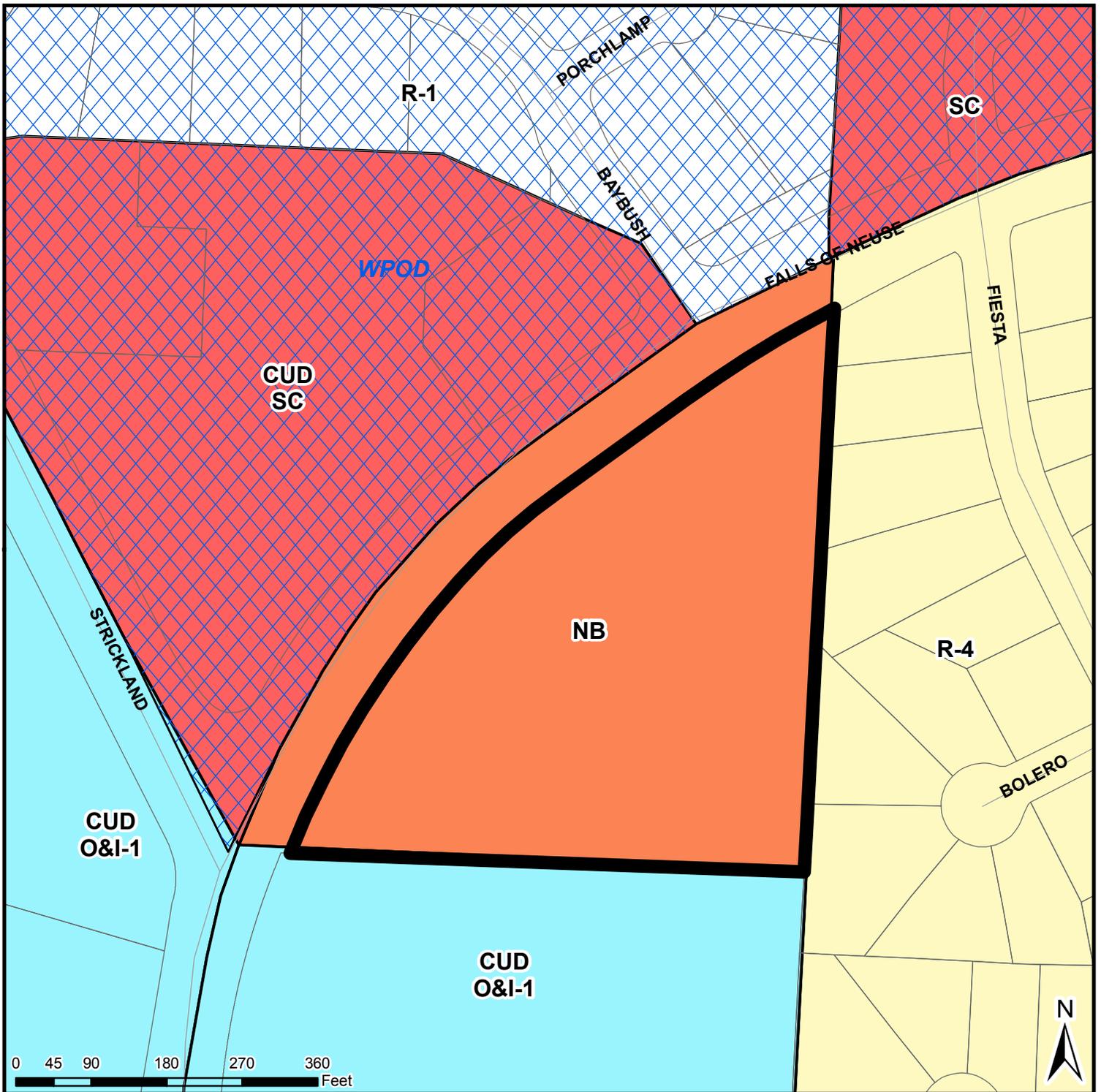


Existing Zoning Map

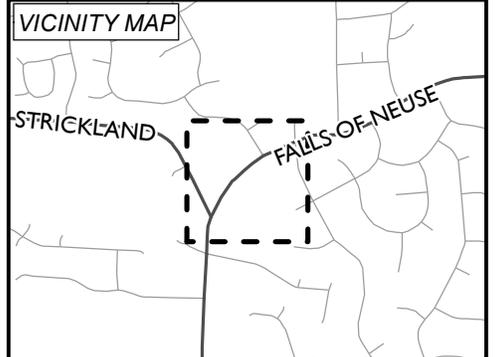
Z-24-2013



Submittal Date

7/29/13

Request:
5.91 acres from NB to NX-3



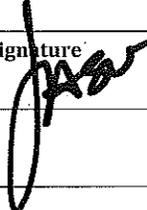


Planning & Development

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

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use Existing Zoning Classification <u>Neighborhood Business - CUD</u> Proposed Zoning Classification <u>Base District - Neighborhood Mixed Use Height ^{3 story} FDD Frontage Pending Survey</u> 2030 Comprehensive Plan If the property has been previously rezoned, provide the rezoning case number. <u>Z-29-1994</u> Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences.	Transaction Number <div style="font-size: 2em; font-family: cursive;">370594</div>

GENERAL INFORMATION		
Property Address 7900 Fall of Neuse Rd	Date 07.09.13	
Property PIN 1717098851 000		
Nearest Intersection Falls of Neuse Rd and Strickland Rd	Property size (in acres) 5.91	
Property Owner FON LLC 6912 Penny Rd Raleigh NC 27606-9318	Phone 919.772.4847	Fax
	Email carltonashby@hotmail.com	
Project Contact Person Jason Tankersley	Phone 864.271.3894	Fax 864.242.5498
	Email jasont@capllc.com	
Owner/Agent Signature 	Email jasont@capllc.com	

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



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Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive plan, or that the request be reasonable and in the public interest.</p>	<p>Transaction Number 370594 Zoning Case Number 2-24-13</p>

STATEMENT OF CONSISTENCY	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan objectives.</p>	
1.	<p>Based on the 2030 Comprehensive Plan the proposed zoning for this property is precisely consistent with the 2030 Comprehensive Plan. The plan recommends Neighborhood Mixed-Use, exactly proposed zoning requested.</p>
2.	<p>Promotes commercial site design with large parking lots separating business uses from the street</p>
3.	<p>Provides transit accommodations, such as bus shelters, benches, trash receptacles, and landscaping.</p>
4.	<p>Works to maintain and conserved existing vegetation during the development process, with priority given to preserving the most ecologically beneficial trees or grouping of trees</p>

PUBLIC BENEFITS	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
1.	<p>By being consistent with the 2030 Comprehensive Plan this rezone will promote the spirit and reinforce the objectives quantified in the adopted principles.</p>
2.	<p>The zone will provide the community access to additional services limited by the current conditional zoning.</p>
3.	<p>Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and the prevention of soil erosion</p>
4.	<p>Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetics</p>

URBAN DESIGN GUIDELINES

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

1.	<p>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</p> <p>While small in overall land area the proposed development promotes a pedestrian friendly design, with sidewalks, outdoor areas for seating and generous green space.</p>
2.	<p>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</p> <p>Using existing tree buffering, this development blends into the existing tree cover and maintain visual separation from the surround residential minimizing any height variations.</p>
3.	<p>A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial.</p> <p>While pedestrian connectivity is proposed, the site is limited from adjacent vehicular connectivity.</p>
4.	<p>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</p> <p>Connectivity with adjacent US Postal Service facility has been proposed, the US Postal Service has been resistant.</p>
5.	<p>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</p> <p>Not applicable</p>
6.	<p>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</p> <p>Parking behind buildings not visible to main trough fares.</p>
7.	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p>Parking and buildings are oriented in a pedestrian friendly manner, maintaining 50' Blvd Tree Save Area, parking behind buildings on main trough fares</p>
8.	<p>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</p> <p>Buildings are street facing and services areas are screened and moved as far to the rear as practically possible.</p>
9.	<p>To ensure that urban open space is well used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p>Open spaces and opportunities for outdoor gathering spaces are planned and will be used to maximize site aesthetic.</p>
10.	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p>Pedestrian and Public Transportation points of entry are promoted, vehicular paths are directed by the NCDOT</p>
11.	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p>Plan provides for outdoor spaces for businesses.</p>
12.	<p>The fronting of buildings to create an outdoors "room" that is comfortable to users visually encloses a properly defined urban open space.</p> <p>Plan is open and flows with the natural topography</p>
13.	<p>New public spaces should provide seating opportunities.</p> <p>Plan provides for outdoor spaces</p>
14.	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Parking and buildings are oriented in a pedestrian friendly manner, maintaining 50' Blvd Tree Save Area, parking behind buildings on main trough fares</p>
15.	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p>Parking and buildings are oriented in a pedestrian friendly manner, maintaining 50' Blvd Tree Save Area, parking behind buildings on main trough fares</p>

16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>Not applicable.</p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p>Public Transportation stop is accomdated.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Sidewalks and clearly defined pathways to building are proposed.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>The plan proposes the minimum possible impact on the existing native tree and buffer areas.</p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Single story buildings with no monolithic structures are proposed.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Not applicable.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>50' Blvd Tree Save Area is maintained, parking behind buildings on main through fares</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Plan is open and flows with the natural topography</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Buildings are street facing and designed for functional and practical use by the vehicular and pedestrian user.</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Buildings are street facing and designed for functional and practical use by the vehicular and pedestrian user.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Plan provides for outdoor spaces</p>

SUMMARY OF ISSUES

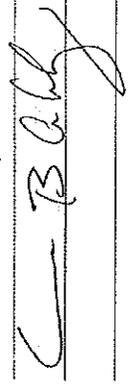
Submitted Date: 05/22/13

A neighborhood meeting was held on 05/17/13 to discuss a potential rezoning located at 7900 Falls of Neuse Road. The neighborhood meeting was held at North Ridge Church 7601 Falls of Neuse Road Raleigh, NC 27615 and will begin at 7:00PM. There were approximately 2 neighbors in attendance. The general issues discussed were:

We explained the plan and the need for a change in the zoning. The neighbors were positive and did not express any concerns.

2-24-13

Attendance Roster

Name	Address	PIN	Signed
ALHAMBRA HOLDINGS LLC	7901 STRICKLAND RD STE 107	PIN #: 1717091726	
JAMES C & KAY H ANDERSON	7205 MADIERA CT	PIN #: 1717192462	
CAROLYN S & CARLTON S ASHBY, JR	1039 10TH STREET LN NW	PIN #: 1718102226	
JANEAN A & STEPHEN J BENNER	7201 BOLERO CIR	PIN #: 1717191579	
HRW INC c/o BENT TREE SOUTH COMMUNITY ASSOC	3815 BARRETT DR	PIN #: 1718100345	
DANIEL & ERIN HARPER BERGERON	7701 FIESTA WAY	PIN #: 1717193891	
CRAIG J & MARY T BROOK	7709 FIESTA WAY	PIN #: 1717192923	
JAMES M BUDNACK	7209 BOLERO CIR	PIN #: 1717192769	
C KASSEM LLC	420 KAYWOODY CT	PIN #: 1717091726	
PHILIP & MARINA F CALABRESE	700 PORCHLAMP CT	PIN #: 1718009448	
FARRELL FAMILY REALTY LLC	10800 COKESBURY LN	PIN #: 1717091726	
FON LLC	6912 PENNY RD	PIN #: 1717098851	
SAMUEL E & JEAN E GARFIELD	1207 BARCROFT PL	PIN #: 1717192594	
HELEN V HORN	6040 SIX FORKS RD	PIN #: 1717191377	
INLAND AMERICAN RALEIGH BENT TREE L	PO BOX 9271	PIN #s: 1718005200, 1718007258	
J & G GROUP LLC	7901 STRICKLAND RD STE 112	PIN #s: 1717091726, 1717091726	
LANGDON, JEFFREY NEAL LANGDON, SHANNON SNOW	7705 FIESTA WAY	PIN #: 1717193920	
LT 5R BENT TREE OFFICE CONDOMINIUMS	6817 FALLS OF NEUSE RD STE 101	PIN #: 1717091726	
SEVENTY VEST LLC	1039 10TH STREET LN NW	PIN #s: 1718102037, 1717191774, 1718102125	
RYAN LLC, SOUTHTRUST BANK OF N C	PO BOX 56607	PIN #: 1717091485	
STONE, GERALD A & RACHEL L	704 PORCHLAMP CT	PIN #: 1718100553	

