

PLANNING COMMISSION'S UDO REMAPPING WORK SESSION AGENDA

April 7, 2015 – 9:00 a.m.

City Council Chambers– Municipal Building

The following items will be discussed in the order in which they appear on this agenda, unless otherwise determined by the Chairman.

- A. UDO Remapping Public Comment – Change Requests**
 Requests are grouped by CAC and Change Request Map Number.
 Property address and PIN are included for reference.

These items related to Vehicle Fuel Sales and frontage designations, will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
North	10	5620 Atlantic Ave	1716990129	160
	12	6601 Falls of Neuse Rd	1717127972	162
Northeast	18	2744 Capital Blvd	1715829585	161
Atlantic	34	2823 Capital Blvd	1715936330	159
	35	2929 Capital Blvd	1725031568	156
Midtown	36	4101 Wake Forest Rd	1715494776	163
	37	2837 Wake Forest Rd	1715133422	166
Five Points	48	1942 Wake Forest Rd	1714193080	169
East	102	1809 New Bern Ave	1713497184	170
South	104	1960 Rock Quarry Rd	1712498642	165
Northwest	174	6712 Glenwood Ave	0786681528	157
	193	5808, 5900, 5910 Duraleigh Rd	0786573160, 0786572402, 0786573672	211
Glenwood	175	4120 & 4123 Glenwood Ave	0796700071, 0795698823	158
Southwest	176	2516 S Saunders St	1702470709	164
Wade	177	3411 Hillsborough St	0794339499	155
	178	3611 Hillsborough St	0794336646	167
	179	3614/3616 Hillsborough St	0794337981	172
West	180	5633 Western Blvd	0784202723	173

These items, outstanding from previous work sessions, will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
Northwest	201	4325 & 4601 Glenwood Ave	0796502569, 0796418378	230
		4530 & 4550 Creedmoor Rd	0796412584, 0796415629	
Southwest	264	600 Mercury St	1703224730	237
West	267	4110 & 4200 Trinity Rd	0784569220, 0784565495	248

These items were identified by staff to ensure consistent decisions and clean up errors:

CAC	Agenda Item	Address	PIN	Map No.
Northwest	285	0 & 2810 Blue Ridge Rd; 4220 & 4401 Lake Boone Trl	0785725501, 0785822820, 0785824031, 0785826556	280
Five Points	286	0 & 616 Wade Ave; 1300 St Marys St	1704353002, 1704354151, 1704350099	281
Southwest	287	349 Tryon Rd; 3523 & 3525 S Wilmington St	1702317150, 1702316588, 1702317421	282
Glenwood	288	3904 & 3908 Arrow Dr; 0 & 4112 Blue Ridge Rd	0795686813, 0795686963, 0795693106, 0795692274	283
	289	3937 Arrow Dr	0795698734	285
Northeast	290	6515 Buffaloe Rd	1736764233	286
Northwest	291	8001, 8021, 8041 & 8061 Arco Corporate Dr	0768652213, 0768559276, 0768549715, 0768535777	287

These items, related to active, privately-initiated Zoning Cases, will be discussed with the recommendation that they be forwarded to City Council to decide pending the outcome of these cases:

	CAC	Agenda Item	Address	PIN	Map No.
Z-1-14	North	280	1500 & 1540 Dunn Rd	1729223012, 1729216967	30
Z-40-14	Glenwood	282	3700 Glenwood Ave	0795879441	174
			3701, 3717, 3725, & 3733 National Dr	0795879708, 0795887501, 0795887960, 0795990214	
		283	3700, 3716, & 3739 National Dr	0795889173, 0795889544, 0795993108	175

Pending Items

These items, related to heights in the Downtown District, will be discussed at a later date:

CAC	Agenda Item	Address	PIN	Map No.
	123	Downtown (Heights)	Various	N/A
	124	105 & 107 Stronachs Aly	1703764707, 1703764743	109
		116 E Cabarrus St	1703764861	
		513 S Wilmington St	1703763636	
	125	512 S Blount St	1703766549	110
	126	121 & 125 E South St	1703765249, 1703766221	138
		600 S Blount St	1703766323	
	127	13, 15 & 19 E Martin St	1703771985, 1703771994, 1703772935	139
	128	8, 12, 16 & 20 E Hargett St	1703781352, 1703781382, 1703782312, 1703782362	140
		206 & 216 S Wilmington St	1703782247, 1703782139	
Central	129	104, 108, 112, 126, 128, & 212 E Hargett St	1703783371, 1703784204, 1703784275, 1703786238, 1703787208, 1703786254	141
		107, 123, & 135 E Martin St	1703774923, 1703776955, 1703776992	
		212, 214, 216, 218, 222, & 224 S Blount St	1703787212, 1703787106, 1703786156, 1703786096, 1703786091, 1703777908	
		205, 209, 211, 215, 217, 219, 223, 225, 227, 233, & 237 S Wilmington St	1703783278, 1703783265, 1703783262, 1703783270, 1703783167, 1703783165, 1703783190, 1703783098, 1703783096, 1703785164, 1703773964	

CAC	Agenda Item	Address	PIN	Map No.
Central	130	112, 114, 120, 122, 124, & 126 S Blount St	1703787607, 1703787602, 1703787517, 1703787521, 1703786536, 1703787444	142
		111, 115, 117, 119, 123, 125, 131, & 133 E Hargett St	1703784458, 1703784494, 1703785456, 1703785485, 1703785436, 1703786434, 1703786472, 1703786492	
		126, 130, & 136 E Morgan St	1703785794, 1703786767, 1703787737	
		101, 105, 113, 117, 135, & 137 S Wilmington St	1703784761, 1703784713, 1703784622, 1703785518, 1703783478, 1703783482	
	131	101, 105, & 109 S Blount St	1703788787, 1703788771, 1703789654	143
		201 & 207 E Hargett St	1703789468, 1703881448	
	135	421, 423, 427 S Blount St	1703778034, 1703768939, 1703768933	5
		209, 213, 215, 219, 223, 225, 227 E Cabarrus St;	1703769918, 1703769958, 1703860906, 1703860945, 1703860985, 1703861981, 1703861935	
		424, 426, 430 S Person St	1703861989, 1703861987, 1703861984	
	136	225 E Davie St	1703871564	69
		226, 228, & 230 E Martin St	1703871749, 1703871762, 1703872717	
	137	425 S Person St	1703862986	102

CAC	Agenda Item	Address	PIN	Map No.
Central	138	111, 115, 117, 119, & 123 E Hargett St	1703784458, 1703784494, 1703785456, 1703785485, 1703785436	104
		135 & 137 S Wilmington St	1703783478, 1703783482	
	139	18 Commerce Pl	1703573695	105
		319 W Martin St	1703573758	
		328 W Davie St	1703573589	
	140	323 W Davie St	1703574387	106
		416 & 418 S Dawson St	1703575293, 1703575147	
	141	404 & 406 S Dawson St	1703576349, 1703576333	107
	142	220 E Morgan Street	1703881970	128
	143	210, 214, 218, 224, 226, & 228 S Bloodworth St	1703886184, 1703886088, 1703887004, 1703877908, 1703876995, 1703876991	129
		304, 306, 314, & 330 E Hargett St	1703883244, 1703883284, 1703884280, 1703886253	
		313, 317, 319, 323, 325, & 327 E Martin St	1703874995, 1703875954, 1703886024, 1703876933, 1703876953, 1703876898	
		215, 219, & 227 S Person St	1703884007, 1703874926, 1703873964	
	241	436 S Salisbury St	1703675033	231
	242	302 Dupont Cir	1703472505	249
	243	324, 328, & 330 Dupont Cir	1703473624, 1703472668, 1703472722	250
	244	211 W Martin St	1703670823	257
	245	518 & 600 W Cabarrus St	1703477144, 1703475257	264
		400 S West St	1703478178	
	246	517 W Cabarrus St	1703466858	265
518 S West St		1703467736		
Hillsborough	247	612 W Johnson St	1704413718	259
N. Central	134	300 Hillsborough St	1703596392	103



**Planning Commission April 7, 2015, 9:00 AM
 Z-27-14 Citywide UDO Remapping
 Vehicle Fuel Sales & Additional Items**

Review of the proposed citywide rezoning is organized around public comment change requests received between May and September 2014. To facilitate public participation, comments are grouped by Citizens Advisory Council (CAC) area for review. Staff has identified each public comment change request as falling in one of these three categories:

- A. Staff agrees
- B. Staff requests additional discussion
- C. Staff disagrees

Each comment is numbered below and sorted by category. Staff has provided basic information related to the property which includes existing and proposed zoning, requested zoning and applicable Comprehensive Plan guidance. Each request contains a staff recommendation. Related correspondence included at the end of the report references the Comment ID field.

Comments Related to Vehicle Fuel Sales & Frontage Requirements

A number of public comments identified concerns with the application of Parking Limited frontage combined with established use for Vehicle Fuel Sales. Specifically, property owners expressed a conflict between the need to regularly reinvest in Vehicle Fuel Sales facilities and the development requirements of Parking Limited frontage

Small buildings, like those typically associated with Vehicle Fuel Sales, cannot satisfy the building width requirement in the build-to area. To address this issue, staff evaluated a potential text change to the Parking Limited frontage that would include alternate building width requirements for small scale buildings; if a building is too small to satisfy the building width requirement then it could comply by locating 100% of the building façade width within the street-facing build-to area.

Recommendation: Further discussion.

10.	<i>Address:</i> 5620 Atlantic Ave
	<i>PIN:</i> 1716990129
	<i>CAC:</i> North
	<i>Change Request/Comment ID:</i> 160 / GEN-0541
	<i>Existing Zoning:</i> SC
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Community Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center; Frontage on Urban Thoroughfare; Within Half-Mile Transit Buffer

12.	<i>Address:</i>	6601 Falls of Neuse Rd
	<i>PIN:</i>	1717127972
	<i>CAC:</i>	North
	<i>Change Request/Comment ID:</i>	162 / GEN-0544
	<i>Existing Zoning:</i>	SC
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Mixed Use Center; Frontage on Urban Thoroughfare & on Transit Emphasis Corridor
18.	<i>Address:</i>	2744 Capital Blvd
	<i>PIN:</i>	1715829585
	<i>CAC:</i>	Northeast
	<i>Change Request/Comment ID:</i>	161 / GEN-0542
	<i>Existing Zoning:</i>	SC
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Business & Commercial Services
	<i>Area Plan Guidance:</i>	N/A
<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor	
34.	<i>Address:</i>	2823 Capital Blvd
	<i>PIN:</i>	1715936330
	<i>CAC:</i>	Atlantic
	<i>Change Request/Comment ID:</i>	159 / GEN-0540
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Business & Commercial Services
	<i>Area Plan Guidance:</i>	N/A
<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor	
35.	<i>Address:</i>	2929 Capital Blvd
	<i>PIN:</i>	1725031568
	<i>CAC:</i>	Atlantic
	<i>Change Request/Comment ID:</i>	156 / GEN-0537
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Vehicle Fuel Sales / Billboard
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Business & Commercial Services
	<i>Area Plan Guidance:</i>	N/A
<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor	

36.	<i>Address:</i>	4101 Wake Forest Rd
	<i>PIN:</i>	1715494776
	<i>CAC:</i>	Midtown
	<i>Change Request/Comment ID:</i>	163 / GEN-0545
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor Within Transit Stop Half-Mile Buffer

37.	<i>Address:</i>	2837 Wake Forest Rd
	<i>PIN:</i>	1715133422
	<i>CAC:</i>	Midtown
	<i>Change Request/Comment ID:</i>	166 / GEN-0548
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Transit Emphasis Corridors Within Half-Mile Transit Buffer

48.	<i>Address:</i>	1942 Wake Forest Rd
	<i>PIN:</i>	1714193080
	<i>CAC:</i>	Five Points
	<i>Change Request/Comment ID:</i>	169 / GEN-0551
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	NX-3-PL
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Neighborhood Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Transit Emphasis Corridor Within Half-Mile Transit Buffer

In addition to the question of frontage, the commenter requests CX- instead of NX- zoning. NX- is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff disagrees with the request for CX- zoning.

102.	<i>Address:</i> 1809 New Bern Ave
	<i>PIN:</i> 1713497184
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 170 / GEN-0552
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Repair (Major)
	<i>Proposed Zoning:</i> NX-3-UL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> New Bern Corridor
	<i>Urban Form Designation:</i> Frontage on Transit Emphasis Corridor

The property owner is requesting CX to preserve the currently allowed and active use of vehicle repair (major). NX zoning would make the current use nonconforming. Staff agrees with this portion of the request.

104.	<i>Address:</i> 1960 Rock Quarry Rd
	<i>PIN:</i> 1712498642
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 165 / GEN-0547
	<i>Existing Zoning:</i> SC
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Transit Emphasis Corridor Frontage on Urban Thoroughfares

174.	<i>Address:</i> 6712 Glenwood Ave
	<i>PIN:</i> 0786681528
	<i>CAC:</i> Northwest
	<i>Change Request/Comment ID:</i> 157 / GEN-0538
	<i>Existing Zoning:</i> IND-1
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Community Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Transit Emphasis Corridor Frontage on Urban Thoroughfare

193.	<i>Address:</i> 5808, 5900, 5910 Duraleigh Rd
	<i>PIN:</i> 0786573160, 0786572402, 0786573672
	<i>CAC:</i> Northwest
	<i>Change Request/Comment ID:</i> 211 / PC-0019
	<i>Existing Zoning:</i> IND-1
	<i>Current Use:</i> Vehicle Fuel Sales, Retail Sales, Eating Establishments
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Community Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Urban Thoroughfares

175.	<i>Address:</i> 4120 & 4123 Glenwood Ave
	<i>PIN:</i> 0796700071, 0795698823
	<i>CAC:</i> Glenwood
	<i>Change Request/Comment ID:</i> 158 / GEN-0539, -0543
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Office/Research & Development
	<i>Area Plan Guidance:</i> Crabtree Small Area Plan Crabtree Valley Transportation Study
	<i>Urban Form Designation:</i> City Growth Center Frontage on Transit Emphasis Corridor

176.	<i>Address:</i> 2516 S Saunders St
	<i>PIN:</i> 1702470709
	<i>CAC:</i> Southwest
	<i>Change Request/Comment ID:</i> 164 / GEN-0546
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Office & Residential Mixed Use
	<i>Area Plan Guidance:</i> Southern Gateway Corridor Study (Under Study)
	<i>Urban Form Designation:</i> Frontage on Transit Emphasis Corridor

177.	<i>Address:</i> 3411 Hillsborough St
	<i>PIN:</i> 0794339499
	<i>CAC:</i> Wade
	<i>Change Request/Comment ID:</i> 155 / GEN-0536
	<i>Existing Zoning:</i> NB w/SRPOD
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> NX-3-UL w/SRPOD
	<i>Requested Zoning:</i> CX-3 w/SRPOD
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Cameron Village & Hillsborough Street Small Area Plan (Under Study)
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Transit Emphasis Corridor Within Half-Mile Transit Buffer

In addition to the question of frontage, the commenter requests CX- instead of NX- zoning. NX- is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff disagrees with the request for CX- zoning.

178.	<i>Address:</i> 3611 Hillsborough St
	<i>PIN:</i> 0794336646
	<i>CAC:</i> Wade
	<i>Change Request/Comment ID:</i> 167 / GEN-0549
	<i>Existing Zoning:</i> NB w/SRPOD
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> NX-3-UL w/SRPOD
	<i>Requested Zoning:</i> CX-3 w/SRPOD
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Cameron Village & Hillsborough Street Small Area Plan (Under Study)
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Transit Emphasis Corridor Frontage on Urban Thoroughfare Within Half-Mile Transit Buffer

In addition to the question of frontage, the commenter requests CX- instead of NX- zoning. NX- is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff disagrees with the request for CX- zoning.

179.	<i>Address:</i> 3614 / 3616 Hillsborough St
	<i>PIN:</i> 0794337981
	<i>CAC:</i> Wade
	<i>Change Request/Comment ID:</i> 172 / GEN-0554
	<i>Existing Zoning:</i> NB w/SRPOD
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> NX-3-PL w/SRPOD
	<i>Requested Zoning:</i> CX-3 w/SRPOD
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Cameron Village & Hillsborough Street Small Area Plan (Under Study)
	<i>Urban Form Designation:</i> Mixed-Use Center Frontage on Transit Emphasis Corridor Frontage on Urban Thoroughfare Within Half-Mile Transit Buffer

In addition to the question of frontage, the commenter requests CX- instead of NX- zoning. NX- is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff disagrees with the request for CX- zoning.

180.	<i>Address:</i> 5633 Western Blvd
	<i>PIN:</i> 0784202723
	<i>CAC:</i> West
	<i>Change Request/Comment ID:</i> 173 / GEN-0555
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> NX-3-GR
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Jones Franklin Small Area Study
	<i>Urban Form Designation:</i> Transit Oriented District Frontage on Transit Emphasis Corridor Within Half-Mile Transit Buffer

In addition to the question of frontage, the commenter requests CX- instead of NX- zoning. NX- is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff disagrees with the request for CX- zoning.

Items deferred or remaining from previous agendas:

201.	<i>Address:</i>	4325 & 4601 Glenwood Ave; 4530 & 4550 Creedmoor Rd
	<i>PIN:</i>	0796502569, 0796418378; 0796412584, 0796415629
	<i>CAC:</i>	Northwest
	<i>Change Request/Comment ID:</i>	230 / PC-0064 thru -0067
	<i>Existing Zoning:</i>	SC
	<i>Current Use:</i>	Retail Sales, Eating Establishment, Vehicle Service
	<i>Proposed Zoning:</i>	CX-12-UL
	<i>Requested Zoning:</i>	CX-12
	<i>Future Land Use Designation:</i>	Regional Mixed Use
	<i>Area Plan Guidance:</i>	Crabtree Small Area Plan Crabtree Valley Transportation Study
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfares Frontage on Transit Emphasis Corridor

The property owner is concerned that current development on the site does not satisfy the development standards of the UL frontage, that property would be made non-conforming by application of frontage, and that it would be difficult to improve or expand to the frontage standards. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage.

For consistency, the decision made for the above properties should be applied to these proximate properties:

<i>Parcel Identification Number</i>	<i>Address</i>
0795691533	0 Blue Ridge Rd
0795690454	4121 Blue Ridge Rd
0796404276	4601 Crabtree Valley Ave
0796603157	4313 Glenwood Ave
0796602226	4325 Glenwood Ave

Recommendation: Further discussion.

264.	<i>Address:</i>	600 Mercury St
	<i>PIN:</i>	1703224730
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	237 / PC-0072
	<i>Existing Zoning:</i>	R-6 & IND-2
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	IX-3
	<i>Requested Zoning:</i>	IX-3 and R-6 (split-zoned)
	<i>Future Land Use Designation:</i>	Low Density Residential
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor Study (Under Study)
	<i>Urban Form Designation:</i>	N/A

The property is located on the north side of Mercury Street, east of Lake Wheeler Road. In addition to Mercury Street the lot also has frontage on Daladams Street to the north. The property is split zoned, with the majority IND-2. A small portion of the site fronting on Daladams Street is zoned R-6. Staff proposed zoning the entire parcel to IX-3 to remedy the split zoning.

The property owner requests the property remain split zoned, retaining R-6 zoning for a portion fronting on Daladams Street, in order to develop this portion of the site in accordance with R-6 standards. The property owner proposes a split different than that of the existing zoning.

Staff feels the request to retain some R-6 zoning along Daladams Street has merit, as the original subdivision lot lines indicate a residential lot was intended in this location. The property owner proposes a split line that would create an area meeting R-6 lot standards. The property owner has also agreed to file a recombination plat that would create two lots and provide the dividing line. A graphic showing the proposed split line is included in the backup packet for reference.

Recommendation: Further discussion.

267.	<i>Address:</i> 4110 & 4200 Trinity Rd
	<i>PIN:</i> 0784569220, 0784565495
	<i>CAC:</i> West
	<i>Change Request/Comment ID:</i> 248 / PC-0087 & -0088
	<i>Existing Zoning:</i> CUD O&I-2 (Z-24-09) w/SHOD-1
	<i>Current Use:</i> Single-Unit Living, Vacant
	<i>Proposed Zoning:</i> OX-12-GR-CU w/SHOD-1
	<i>Requested Zoning:</i> CX-12-CU
	<i>Future Land Use Designation:</i> Community Mixed Use
	<i>Area Plan Guidance:</i> Blue Ridge Corridor Study
	<i>Urban Form Designation:</i> City Growth Center Frontage on Urban Thoroughfare Part Within Half-Mile Transit Buffer

The property owner requests a change to CX-12-CU instead of the proposed OX-12-GR-CU w/SHOD-1. The property owner requests CX zoning to preserve the currently allowed, but as yet not established use of hotel. Hotel is a special use in the OX district. The frontage recommendation was made in response to the parcel's frontage on an Urban Thoroughfare and recommendations of the Blue Ridge Road Corridor Study.

The property owner's request does not include the SHOD-1 overlay designation. Research by staff has found that the SHOD-1 overlay was removed as part of Z-24-09, the conditional use case that established the current zoning, but not reflected on the zoning map.

Recommendation: Further discussion.

Items related to cleaning up errors and ensuring consistent decisions:

285.	<i>Address:</i>	0 & 2810 Blue Ridge Rd; 4220 & 4401 Lake Boone Trl
	<i>PIN:</i>	0785725501, 0785822820, 0785824031, 0785826556
	<i>CAC:</i>	Northwest
	<i>Change Request/Comment ID:</i>	280 / PC-0159 thru -0162
	<i>Existing Zoning:</i>	O&I-1
	<i>Current Use:</i>	Hospital, Medical Office, Fire Station
	<i>Proposed Zoning:</i>	OX-7-UL
	<i>Requested Zoning:</i>	OX-12-UL
	<i>Future Land Use Designation:</i>	Institutional
	<i>Area Plan Guidance:</i>	Blue Ridge Corridor Study
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfares

Staff originally proposed OX-7-UL for this property. Since the original draft, a 9-story addition has been approved for the hospital (SP-8-2014), requiring a greater height designation. Staff recommends OX-12-UL.

Recommendation: It would be consistent with the Future Land Use Map, as well as reasonable and in the public interest to implement the City’s Unified Development Ordinance while ensuring current entitlements for height are maintained. These properties should be zoned OX-12-UL.

286.	<i>Address:</i>	1300 St Marys St; 0 & 616 Wade Ave
	<i>PIN:</i>	1704350099, 1704353002, 1704354151
	<i>CAC:</i>	Five Points
	<i>Change Request/Comment ID:</i>	281 / PC-0163
	<i>Existing Zoning:</i>	O&I-1
	<i>Current Use:</i>	Vacant (transitioning to Multi-Unit Living)
	<i>Proposed Zoning:</i>	OX-4
	<i>Requested Zoning:</i>	OX-5
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

Staff originally proposed OX-4 for 1300 St Marys St. Since the original draft, a change of use to residential condominiums has been approved for the building which states that it is 5 stories (SP-50-2014). Staff recommends a change to OX-5. Additionally, for consistency, it may be appropriate to consider a 5-story designation on the two adjacent properties to the East (PINs 1704353002 & 1704354151).

Recommendation: It would be consistent with the Future Land Use Map, as well as reasonable and in the public interest to implement the City’s Unified Development Ordinance while ensuring current entitlements for height are maintained as well as applied consistently to adjacent properties. These properties should be zoned OX-5.

287.	<i>Address:</i>	349 Tryon Rd; 3523 & 3525 S Wilmington St
	<i>PIN:</i>	1702317150, 1702316588, 1702317421
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	282 / PC-0165 thru -0167
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Eating Establishment, Vehicle Fuel Sales, Billboard
	<i>Proposed Zoning:</i>	IX-3-PL
	<i>Requested Zoning:</i>	IX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway (Under Study)
	<i>Urban Form Designation:</i>	Mixed Use Center Frontage on Transit Emphasis Corridor Frontage on Urban Thoroughfares

The Commission recommended removal of -PL frontage on a similarly situated property just to the north of this site. For consistency, it is recommended that the original recommendation for -PL frontage on these parcels also be removed.

Recommendation: While Urban Form Map guidance would recommend frontage at this location, it is reasonable and in the public interest to treat nearby, similarly situated properties the same. These properties should be zoned IX-3.

288.	<i>Address:</i>	3904 & 3908 Arrow Dr; 0 & 4112 Blue Ridge Rd
	<i>PIN:</i>	0795686813, 0795686963, 0795693106, 0795692274
	<i>CAC:</i>	Glenwood
	<i>Change Request/Comment ID:</i>	283 / PC-0168 thru -0171
	<i>Existing Zoning:</i>	O&I-2 w/SHOD-2
	<i>Current Use:</i>	Overnight Lodging, Office, Vacant
	<i>Proposed Zoning:</i>	OP-4 w/SHOD-2
	<i>Requested Zoning:</i>	OP-7 w/SHOD-2
	<i>Future Land Use Designation:</i>	Office/Research & Development
	<i>Area Plan Guidance:</i>	Crabtree Small Area Plan Crabtree Valley Transportation Study
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfare (4112 Blue Ridge)

The Commission recommended approval of a 7-story height limit for several parcels in the vicinity of Arrow Dr east of Crabtree Valley Mall. For consistency, it is recommended that the 7-story limit also be conveyed to other properties in the vicinity. Properties to the southwest of the proposed extension of Crabtree Valley Ave are not included in this request as they are generally conditioned to heights lower than 7-stories.

Recommendation: It would be consistent with the Future Land Use Map, as well as reasonable and in the public interest to implement the City's Unified Development Ordinance while ensuring entitlements for height are applied consistently to adjacent properties. These properties should be zoned OP-7 w/SHOD-2.

289.	<i>Address:</i> 3937 Arrow Dr
	<i>PIN:</i> 0795698734
	<i>CAC:</i> Glenwood
	<i>Change Request/Comment ID:</i> 285 / PC-0172
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Car Wash
	<i>Proposed Zoning:</i> OP-4
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Office/Research & Development
	<i>Area Plan Guidance:</i> Crabtree Small Area Plan Crabtree Valley Transportation Study
	<i>Urban Form Designation:</i> City Growth Center

While mapping a change request approved by the Commission in the vicinity staff noted the selected designation of this parcel would create a use-based non-conformity. The property is currently zoned NB and was originally recommended for OP-4. However, the property contains a car wash related to the vehicle fuel sales use on the adjacent property to the northeast. It is recommended that the designation for this property be amended to CX-3, more in keeping with the adjacent, commonly owned, vehicle fuel sales property, proposed for CX-3-PL.

Recommendation: While inconsistent with the Future Land Use Map, it would be reasonable and in the public interest to implement the City’s Unified Development Ordinance by translating the legacy zoning district into a comparative district in the UDO while not creating use non-conformity. This property should be zoned CX-3.

290.	<i>Address:</i> 6515 Buffalo Rd
	<i>PIN:</i> 1736764233
	<i>CAC:</i> Northeast
	<i>Change Request/Comment ID:</i> 286 / PC-0173
	<i>Existing Zoning:</i> CUD R-15, CUD O&I-2 & CUD SC (SHOD-1 over majority) – All Z-33-07
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> RX-3-CU, OX-5-CU, CX-5-CU (SHOD-1 remains)
	<i>Requested Zoning:</i> Fix Boundaries Internal to Case
	<i>Future Land Use Designation:</i> Low Density Residential, Office/Research & Development, Community Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Frontage on Parkway Corridor

It was brought to staff’s attention that the district boundaries within Zoning Case Z-33-07 were originally drawn incorrectly on the existing zoning map. Staff translated those boundaries as they exist today while converting to new UDO zoning districts. However, given documentation from Z-33-07 backup material, staff feels it would be appropriate to fix the district boundaries to reflect those originally intended within that zoning case as part of this process.

Recommendation: It would be consistent with the Future Land Use Map, as well as reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into comparative districts in the UDO. In this case the translations should be faithful to the original intent of the zoning case which established them. Within the original boundaries of Z-33-07 the proposed district separation lines should be adjusted to match those defined by the ordinance which established that case on the map, while retaining the recommended zoning of RX-3-CU, OX-5-CU & CX-5-CU (SHOD-1 remaining).

291.	<i>Address:</i> 8001, 8021, 8041 & 8061 Arco Corporate Dr
	<i>PIN:</i> 0768652213, 0768559276, 0768549715, 0768535777
	<i>CAC:</i> Northwest
	<i>Change Request/Comment ID:</i> 287 / PC-0174 thru -0177
	<i>Existing Zoning:</i> CUD TD (Z-65-96) & TD w/AOD & SHOD-2
	<i>Current Use:</i> Hotels, Office, Vacant
	<i>Proposed Zoning:</i> OP-5/7-PK w/AOD & SHOD-2
	<i>Requested Zoning:</i> OP-5/7-PL w/AOD & SHOD-2
	<i>Future Land Use Designation:</i> Office/Research & Development
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center Frontage on Parkway Corridors

PC recommended approval of a Parking Limited frontage for several parcels along Arco Corporate Dr. For consistency, it is recommended that the Parking Limited frontage also be conveyed to other properties in the vicinity. For the parcel at 8001 Arco Corporate Dr, it is recommended that frontage be removed completely. The odd configuration of the parcel makes Parking Limited impossible to meet, and retaining Parkway would become inconsistent with surrounding designations.

Recommendation: It would be consistent with the Future Land Use Map, as well as reasonable and in the public interest to implement the City's Unified Development Ordinance while ensuring requirements for frontage are applied consistently to adjacent properties. With the exception of 8001 Arco Corporate Drive, these properties should be zoned OP-5-PL or OP-7-PL w/AOD & SHOD-2. 8001 Arco Corporate should be zoned OP-7 w/AOD & SHOD-2.

Items related to active, privately-initiated Zoning Cases:

Z-1-14	<i>Address:</i>	1500 & 1540 Dunn Rd
	<i>PIN:</i>	1729223012, 1729216967
	<i>CAC:</i>	North
	<i>Change Request/Comment ID:</i>	30 / GEN-0188 thru -0207, -0212 thru -0225, -0227 thru -0228, -0230 thru -0245, -0252 thru -0270, -0272, -0275 thru -0287, -0290 thru -0291, -0293, -0295, -0300, -0310, -0312, & -0501; WEB-20164, -20165, -20819, & -21122
	<i>Existing Zoning:</i>	CUD BC (Z-55-94) w/UWPOD
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	NX-3-CU w/UWPOD
	<i>Requested Zoning:</i>	OX-3-CU w/UWPOD
	<i>Future Land Use Designation:</i>	Neighborhood Mixed Use
	<i>Area Plan Guidance:</i>	Falls of Neuse Corridor Plan
	<i>Urban Form Designation:</i>	N/A

These properties, part of privately-initiated zoning case Z-1-14, appeared on the March 17th PC Work Session Agenda as part of the Comprehensive Planning Committee’s request for a review of Buffer Commercial properties. At that time Planning Commission took no action on these properties due to the ongoing nature of the active zoning case.

These items appear again in order to convey multiple requests received during the public comment period which generally indicate a desire to see these properties remapped to OX-3-CU w/UWPOD as part of the remapping process.

Recommendation: As these properties are part of an active, privately-initiated zoning case, they should be forwarded to City Council with no change to current recommendation to allow final decision to be based on the outcome of the pending case.

282.	Z-40-14	<i>Address:</i>	3700 Glenwood Ave; 3701, 3717, 3725, & 3733 National Dr
		<i>PIN:</i>	0795879441; 0795879708, 0795887501, 0795887960, 0795990214
		<i>CAC:</i>	Glenwood
		<i>Change Request/Comment ID:</i>	174 / GEN-0556 thru -0560
		<i>Existing Zoning:</i>	O&I-1 w/SHOD-2 / CUD O&I2 (Z-67-05)
		<i>Current Use:</i>	Office
		<i>Proposed Zoning:</i>	OX-5 w/SHOD-2 / OX-7-CU
		<i>Requested Zoning:</i>	OX-12 / OX-12-CU
		<i>Future Land Use Designation:</i>	Office & Residential Mixed Use / Neighborhood Mixed Use (3701 National Dr)
		<i>Area Plan Guidance:</i>	Crabtree Valley Transportation Study
		<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor
283.	Z-40-14	<i>Address:</i>	3700, 3716, & 3739 National Dr
		<i>PIN:</i>	0795889173, 0795889544, 0795993108
		<i>CAC:</i>	Glenwood
		<i>Change Request/Comment ID:</i>	175 / GEN-0561, -0563 & -0564
		<i>Existing Zoning:</i>	O&I-1 w/SHOD-2 / O&I-1
		<i>Current Use:</i>	Office
		<i>Proposed Zoning:</i>	OX-5 w/SHOD-2 / OX-5
		<i>Requested Zoning:</i>	OX-7
		<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
		<i>Area Plan Guidance:</i>	Crabtree Valley Transportation Study
<i>Urban Form Designation:</i>	N/A		

This is a request for additional height on multiple parcels just inside I-440 along Glenwood Avenue. Aside from the conditional use case, which has been mapped to 7 stories due to a 6-story height cap from the conditions, there is no specific policy guidance that would suggest height greater than 5 stories. While the parcels may be rezoned in the future to allow for greater height, staff believes that decision should be made as part of the public process of a privately initiated rezoning, which is currently underway as zoning case Z-40-14.

Recommendation: As these properties are part of an active, privately-initiated zoning case, they should be forwarded to City Council with no change to current recommendation to allow final decision to be based on the outcome of the pending case.



City of Raleigh North Carolina

To: Planning Commission members

From: Carter Pettibone, Planner II

Date: 2/11/15

Re: Application of Parking Limited frontage on vehicle fuel sales properties

A number of public comments expressed concerns with the application of Parking Limited frontage combined with established use for Vehicle Fuel Sales. Specifically, property owners expressed a conflict between the need to regularly reinvest in Vehicle Fuel Sales facilities and the development requirements of Parking Limited frontage. Staff has completed additional analysis to inform the discussion.

There are approximately 140 sites currently used for Vehicle Fuel Sales, of those, 71 have been recommended for application of Parking Limited frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. While staff will be proposing a text change to clarify any issue of non-conformity of existing development, redevelopment of a site would trigger the requirement for compliance with frontage regulations.

Parking Limited frontage requires a build-to minimum/maximum of 0 feet/100 feet from the property line on primary and side streets. It also requires a minimum building width of 50% of the lot width in the primary street build-to area and 25% in the side street build-to area. For example, a corner lot measuring 100 feet by 100 feet would require a building to be at least 50 feet by 25 feet.

Small buildings, like those typically associated with Vehicle Fuel Sales, cannot satisfy the building width requirement in the build-to area. To address this issue, staff is evaluating a potential text change to the Parking Limited frontage that would include alternate building width requirements for small scale buildings; if a building is too small to satisfy the building width requirement then it could comply by locating 100% of the street-facing building facade(s) within build-to areas. These buildings would also need to have the longer side of the building oriented toward the primary frontage.

At the February 17 work session staff will provide a presentation summarizing its analysis and recommendations for a potential text change to the Parking Limited frontage requirements.



Remapping Raleigh

Vehicle Fuel Sales and UDO
Frontages

Issues

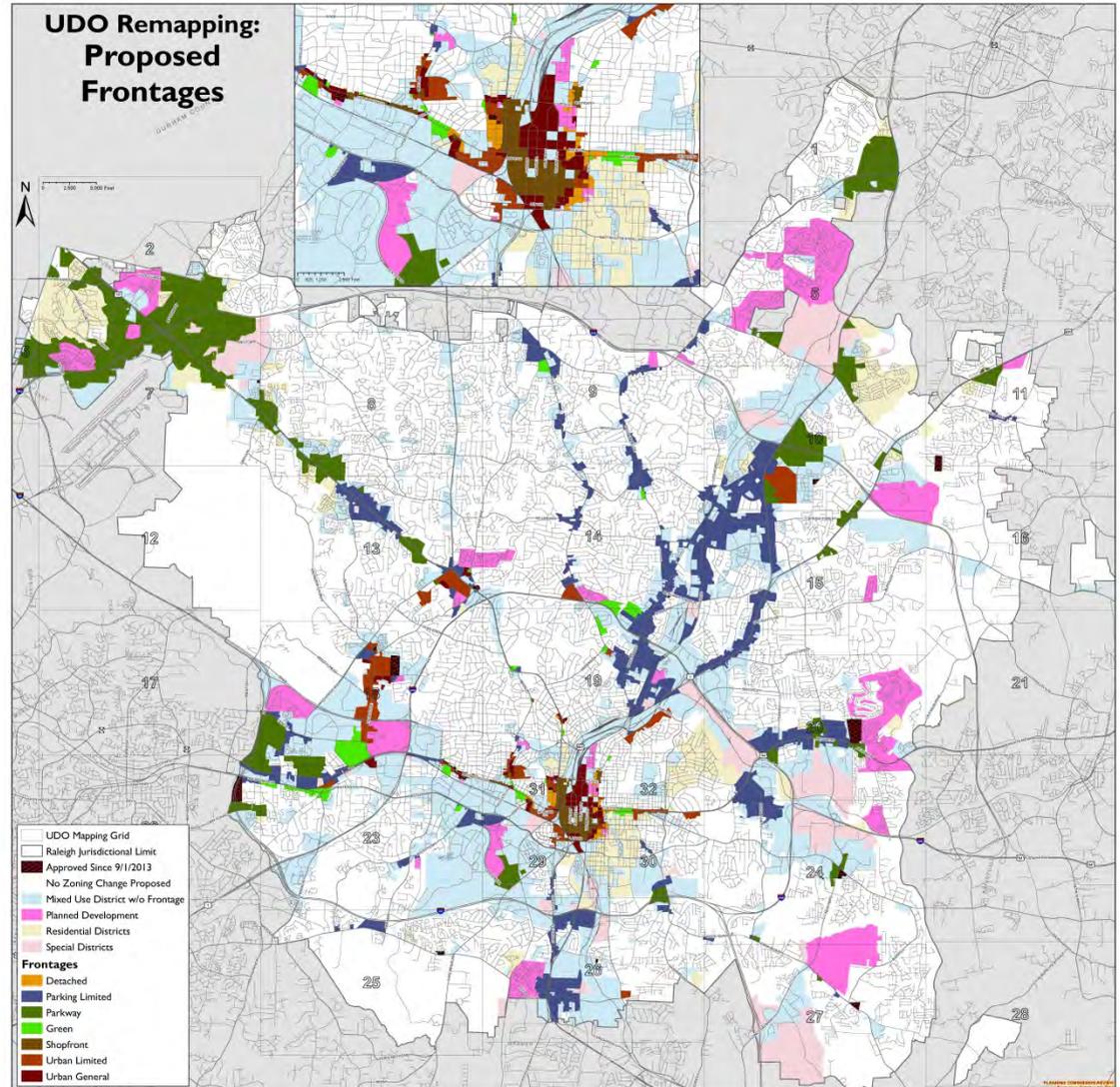
- Frontage standards applied on major corridors throughout the City
- Difficulty for vehicle fuel sales properties to conform to frontage requirements
- Buildings associated with use tend to occupy small portion of site

■ By the Numbers

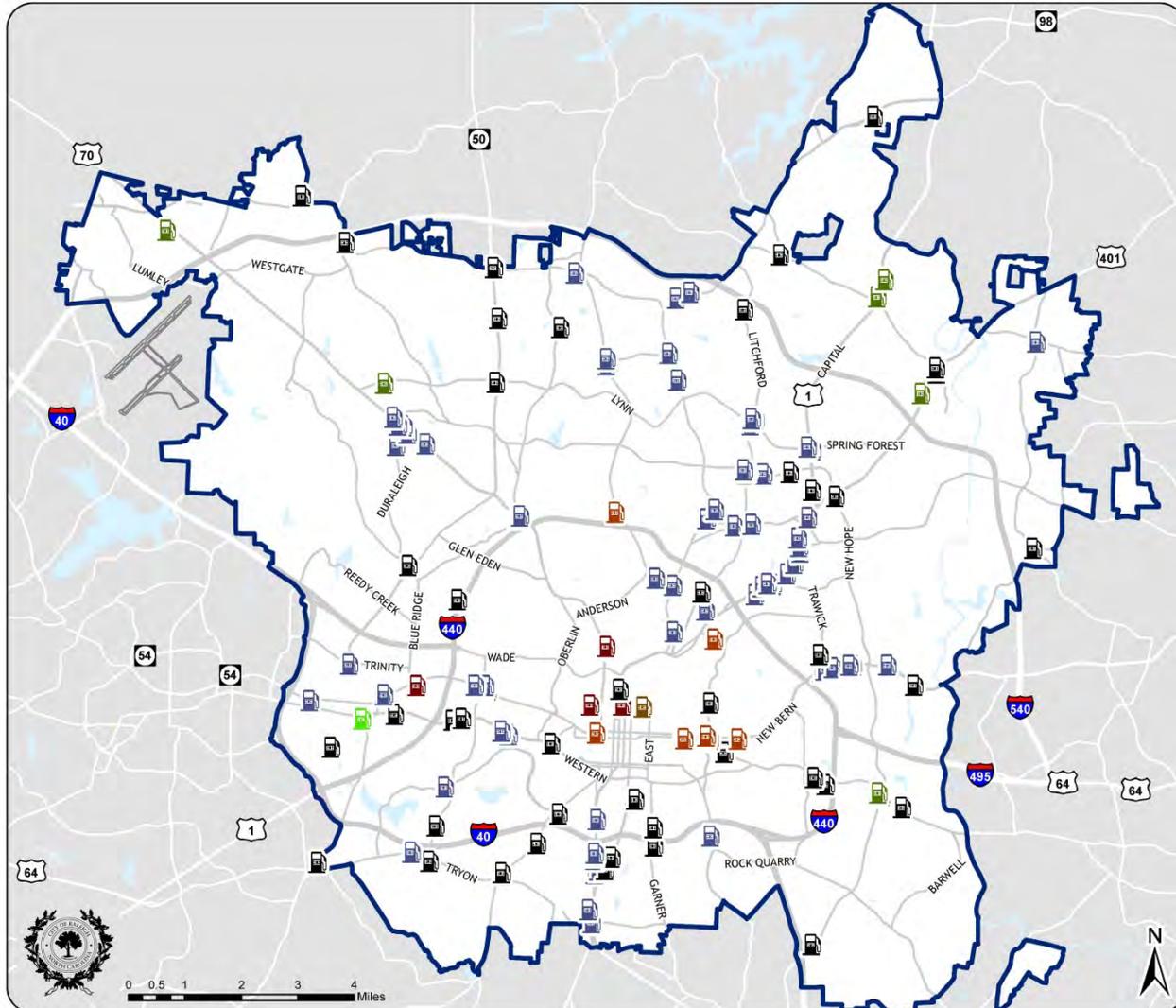
- 141 vehicle fuel sales properties within the City's jurisdiction
- 96 have frontage proposed
- 71 are proposed for Parking Limited (PL)
- Others frontages:
 - Parkway (PK) – 7 properties
 - Green (GR) – 1
 - Urban Limited (UL) – 11
 - Urban General(UG) – 5
 - Shopfront (SH) – 1

Parking Limited Frontage

- Parking Limited (PL) generally applied along transit emphasis corridors



Vehicle Fuel Sales



Vehicle Fuel Sales Locations

-  No Frontage Designation (45)
-  Parking Limited (71)
-  Parkway (7)
-  Green (1)
-  Shopfront (1)
-  Urban Limited (11)
-  Urban General (5)

 Raleigh Jurisdiction Limit



■ **Parking Limited Frontage**

- Intended for areas where access to buildings by automobiles is desired but where some level of walkability is maintained.
- A maximum of 2 bays of on-site parking with a single drive aisle between the building and the street right-of-way.

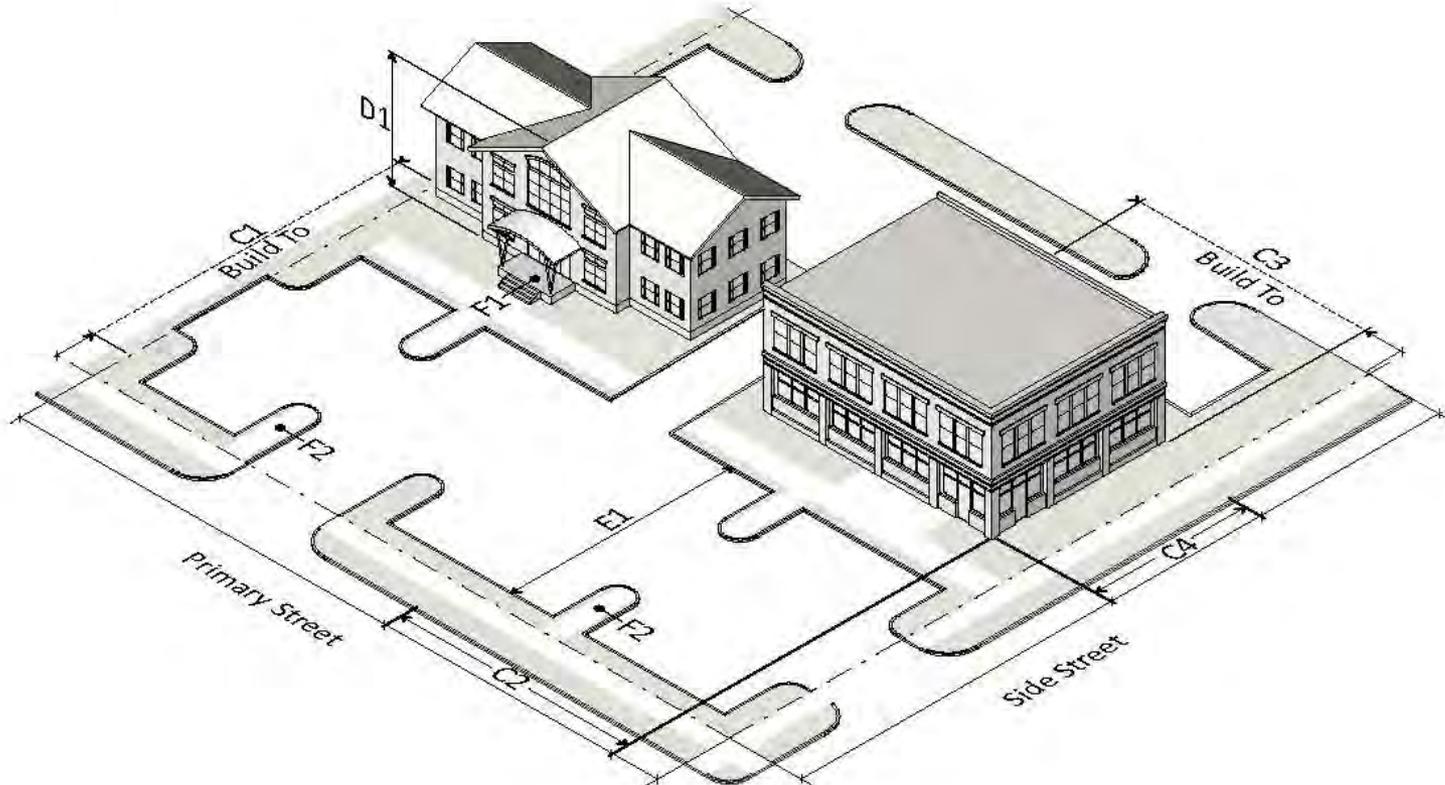
■ Parking Limited Frontage

- Primary and side street build-to:
 - 0' minimum
 - 100' maximum
- Minimum building width in primary build-to is 50%
- Minimum building width in side build-to is 25%

Parking Limited Frontage

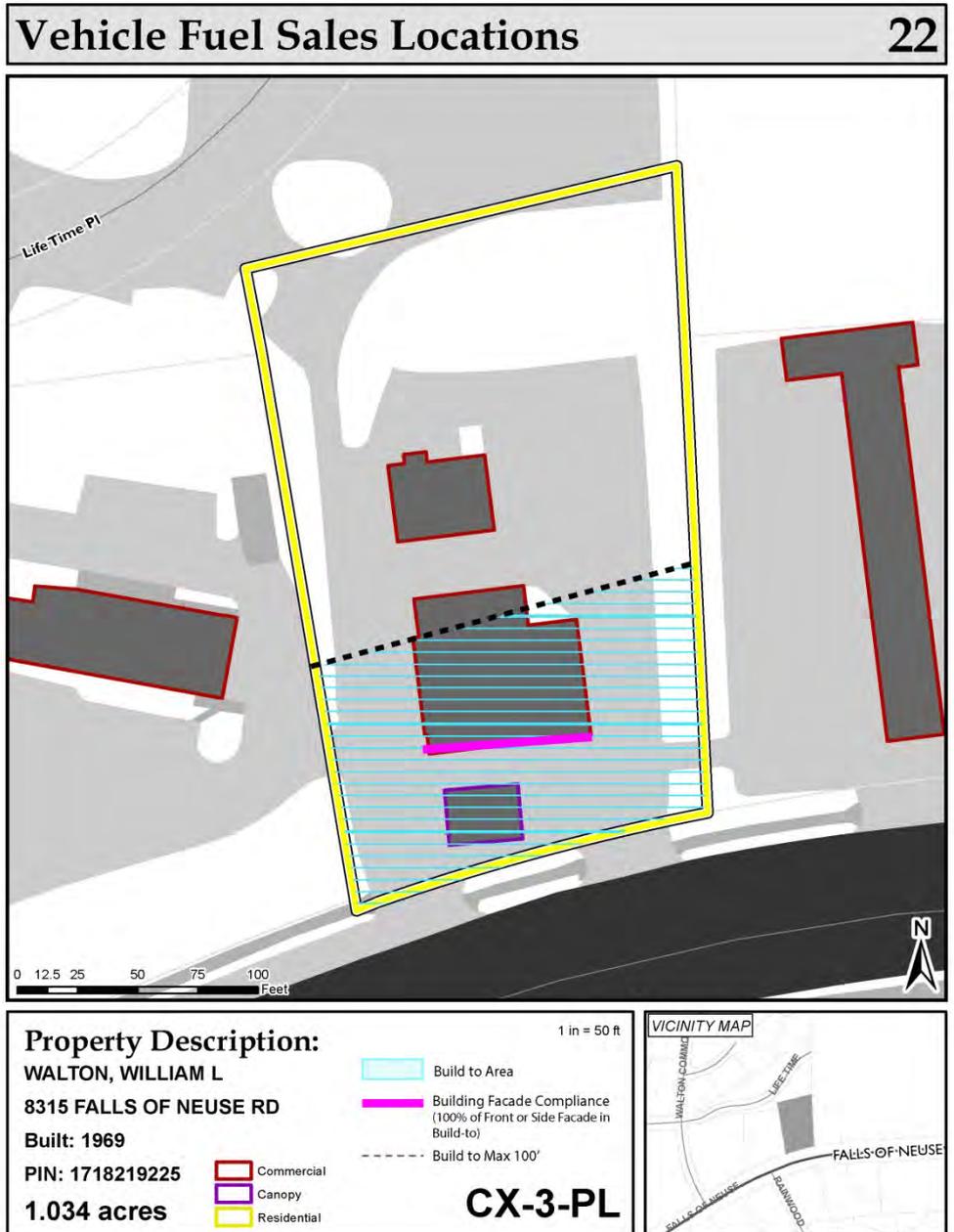
CHAPTER 3. MIXED USE DISTRICTS | Article 3.4. Frontage Requirements
Sec. 3.4.5. Parking Limited (-PL)

Sec. 3.4.5. Parking Limited (-PL)



Examples

- 8315 Falls of Neuse Rd



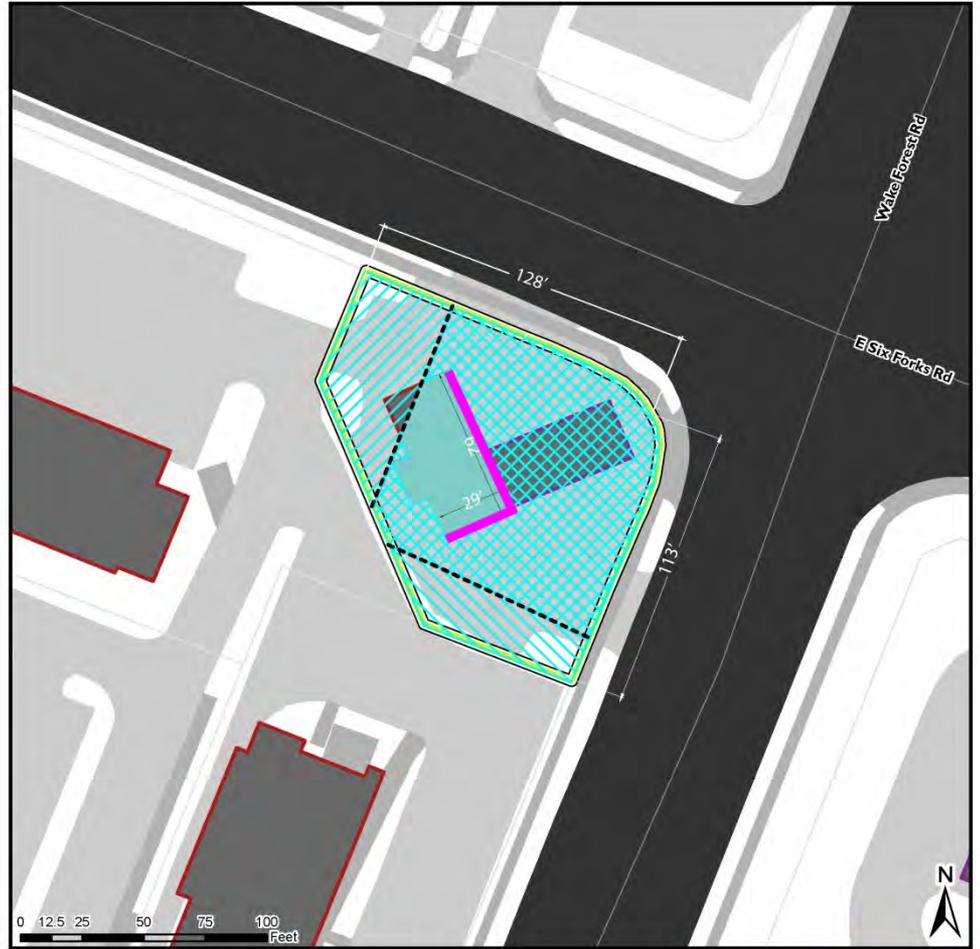
Examples

- 3320 Capital Boulevard



Examples

- 2837 Wake Forest Rd



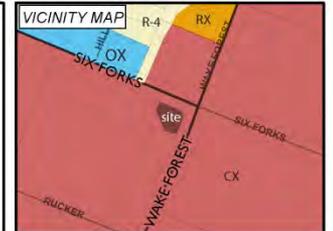
Property Description:
SAMPSON BLADEN OIL CO INC
2837 WAKE FOREST RD
Built: 1961
PIN: 1715133422
0.331 acres

Commercial
 Canopy
 Residential

Build to Area
 Building Facade Compliance
 (100% of Front or Side Facade in
 Build-to)
 - - - - - Build to Max 100'

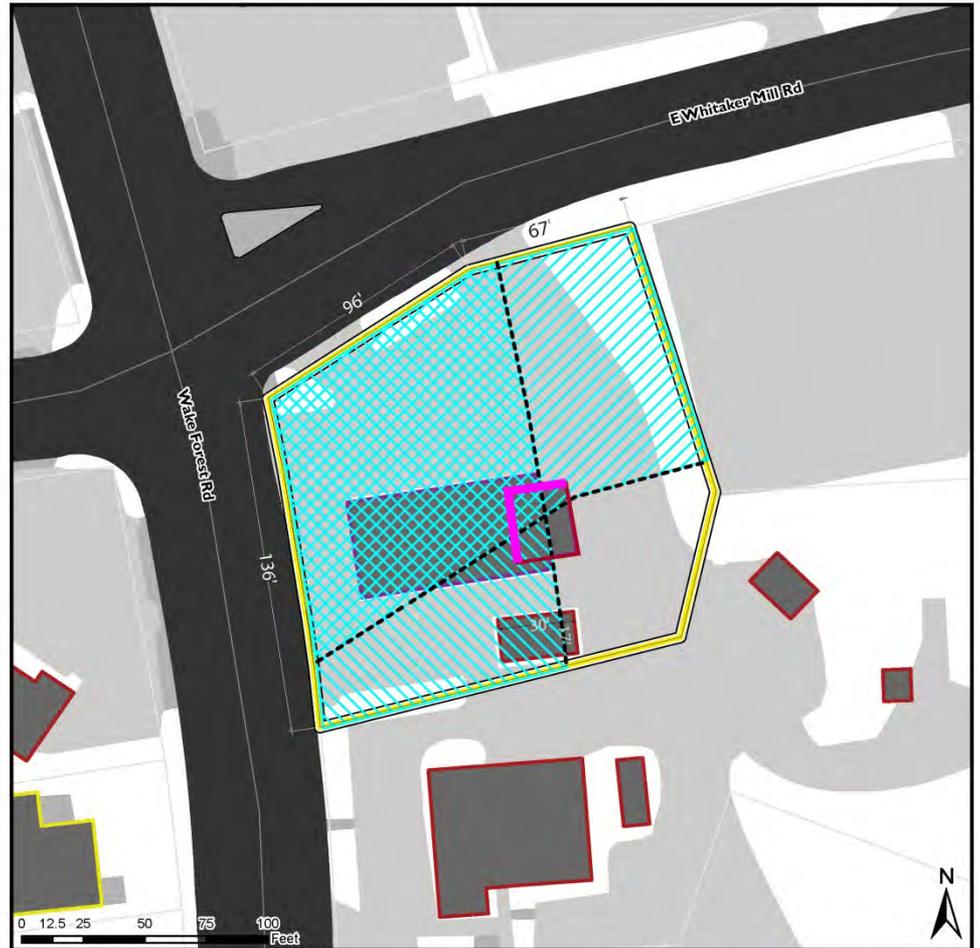
CX-3-PL

1 in = 50 ft



Examples

- 1942 Wake Forest Rd



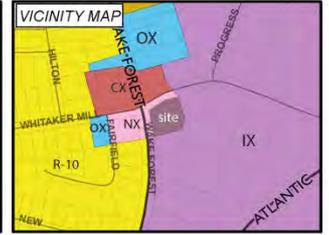
Property Description:
SAMPSON BLADEN OIL CO INC
1942 WAKE FOREST RD
Built: 1982
PIN: 1714193080
0.601 acres

- Commercial
- Canopy
- Residential

1 in = 50 ft

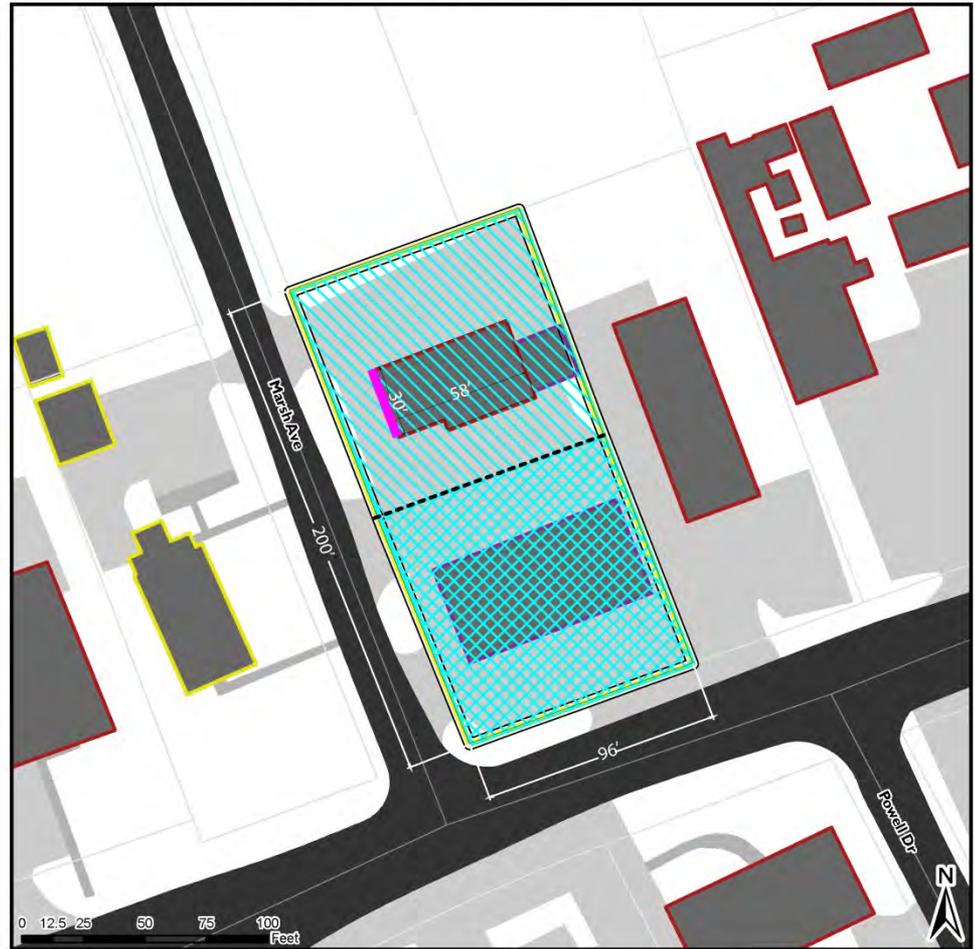
- Build to Area
- Building Facade Compliance (100% of Front or Side Facade in Build-to)
- Build to Max 100'

NX-3-PL



Examples

- 5308 Hillsborough St



Property Description:

ALLRED, ANNIE ADAMS NICHOLS, JEAN ADAMS

5308 HILLSBOROUGH ST

Built: 1985

PIN: 0784433014

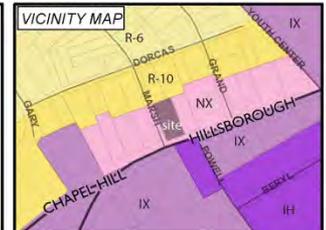
0.45 acres

- Commercial
- Canopy
- Residential

- Build to Area
- Building Facade Compliance (100% of Front or Side Facade in Build-to)
- Build to Max 100'

1 in = 50 ft

NX-3-PL

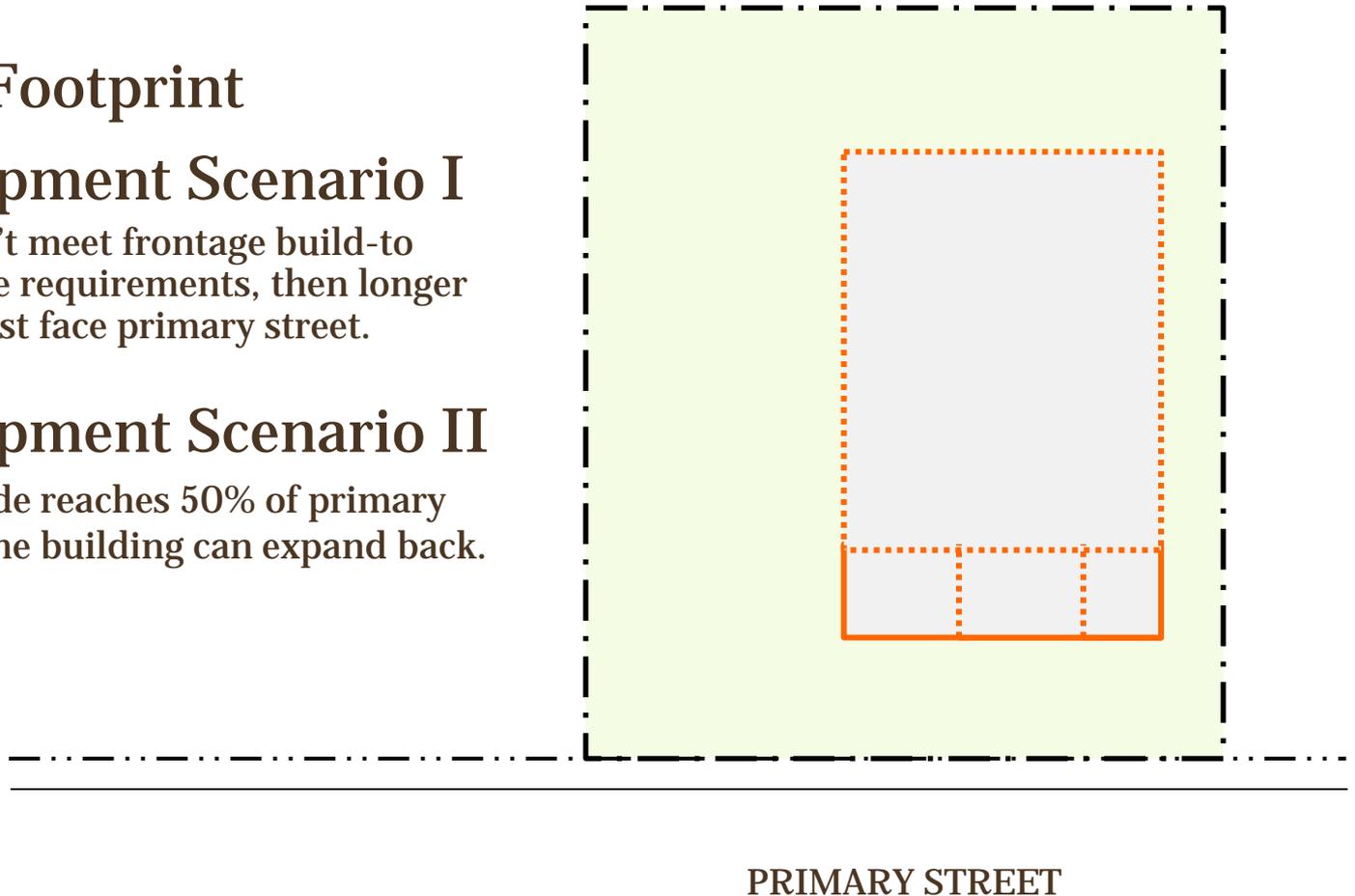


■ Recommendation

- Only for Parking Limited frontage
- Small buildings - buildings that cannot meet building width in primary and side build-to areas (50% and 25% respectively)
- 100% of each street-fronting building facade would need to be located within build-to areas (0 to 100 feet)
- Longer building side would face primary street

Recommendation

- Existing Footprint
- Redevelopment Scenario I
 - If it doesn't meet frontage build-to percentage requirements, then longer facade must face primary street.
- Redevelopment Scenario II
 - Once facade reaches 50% of primary frontage the building can expand back.



ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 5620 Atlantic Avenue
PIN# 1716990129

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 6601 Falls of Neuse Road
PIN# 1717127972

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 2744 Capital Boulevard
PIN# 1715829585

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

A handwritten signature in black ink, appearing to read "Isabel Worthy Mattox".

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 2823 Capital Boulevard
PIN# 1715936330

Dear Mr. Becker:

As counsel for Clark Stores, LLC., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

GEN-0537

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 2929 Capital Boulevard

Dear Mr. Becker:

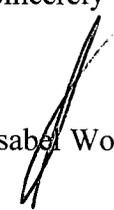
As counsel for Erwin Distributing Corporation, leasehold owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely



Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 4101 Wake Forest Road
PIN# 1715494776

Dear Mr. Becker:

As counsel for Clark Stores, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 2837 Wake Forest Road
PIN# 1715133422

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 1942 Wake Forest Road
PIN# 1714193080

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-PL, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/gas stations.

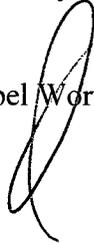
We request that you reconsider the proposed zoning and revise it to CX-3.

Mr. Dan Becker
September 29, 2014
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox



cc: Mr. Haddon Clark



ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 1809 New Bern Avenue
PIN# 1713497184

Dear Mr. Becker:

As counsel for Clark Brothers, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-UL, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a car service/oil change business with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Urban Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

Mr. Dan Becker
September 29, 2014
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: Mr. Haddon Clark



ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 1960 Rock Quarry Road
PIN# 1712498642

Dear Mr. Becker:

As counsel for Clark Stores, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 6712 Glenwood Avenue

Dear Mr. Becker:

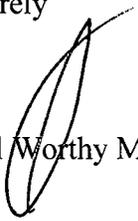
As counsel for Erwin Distributing Corporation, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely


Isabel Worthy Mattox

cc: Mr. Haddon Clark

Z-27-14 City-Wide Remapping - Owner Requests/Comments

Widgeon Associates, LLC

5808 Duraleigh Rd.

5900 Duraleigh Rd.

5910 Duraleigh Rd.

PIN: 0786573160, 0786572402 & 0786573672

City Proposal: CX-3-PL Owner Request: CX-3

Rationale: Owner concerns regarding proposed frontage element creating a non-conforming status.

GEN-0539

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 4123 Glenwood Ave

Dear Mr. Becker:

As counsel for Erwin Distributing Corporation, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed base zoning is CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely



Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 4120 Glenwood Avenue
PIN# 0796700071

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 2516 S. Saunders Street
PIN# 1702470709

Dear Mr. Becker:

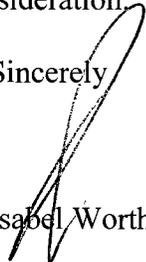
As counsel for Clark Stores, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely


Isabel Worthy Mattox

cc: Mr. Haddon Clark

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 3411 Hillsborough Street

Dear Mr. Becker:

As counsel for Erwin Distributing Corporation, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed base zoning is NX-3-UL which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Urban Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/gas stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

GEN-0549

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

September 29, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 3611 Hillsborough Street
PIN# 0794336646

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

GEN-0554

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 3614 Hillsborough Street
PIN# 0794337981

Dear Mr. Becker:

As counsel for Clark Stores, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-PL, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/gas stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

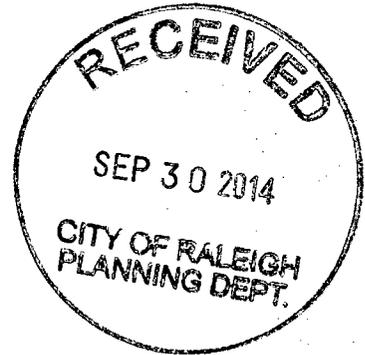
Mr. Dan Becker
September 29, 2014
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark



ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 5633 Western Boulevard
PIN# 0784202723

Dear Mr. Becker:

As counsel for Clark Stores, LLC., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-GR, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Green Frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

January 19, 2015

Mr. Steve Schuster, Chairman
Raleigh Planning Commission
c/o Ms. Bynum Walter
Urban Design Center City of Raleigh
One Exchange Plaza, Suite 300
Raleigh, NC 27601

Re: Crabtree Valley Mall, 4325 Glenwood Avenue
PIN 0796502569 and PIN 0796415629
Macy's Store PIN 0796412584
Sears Store PIN 0796418378

Dear Chairman Schuster:

As counsel for CVM Holdings, LLC, owner or operator of the above described properties, I write to convey our concerns about the proposed remapping for this property.

The proposed rezoning is CX-12-UL. The Urban Limited Frontage designation is problematic in that it precludes parking areas between the building(s) and public street. This designation does not accommodate the existing mall in its current configuration or its future expansion.

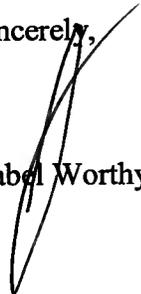
The Crabtree Valley Mall dominates its block on Glenwood and it is hard to imagine a situation where the Mall or other properties in this area are constructed and operated in a way which is consistent with the Urban Limited Frontage. The Crabtree Valley Mall is not a dilapidated shopping mall in need of redevelopment in accordance with the mandates of the Urban Limited Frontage. It is one of the most successful malls in the Southeast and in the top 5% of malls in the USA based on sales per square foot as well as the most highly valued (assessed value) parcel in Wake County. In order to stay vibrant and viable Crabtree needs to be able to nimbly adapt and adjust to market trends without having to address this Urban Limited Frontage zoning classification, which in this instance is both inappropriate and onerous.

We also note that sites of the Macy's store and Sears store owned by The May Department Stores Co. (PIN 0796412584) and U.S. Bank Trust National Association (PIN 0796418378), respectively, but operated as a part of Crabtree Valley Mall, also have the proposed Urban Limited Frontage rezoning. Because these properties are connected to the shopping mall and are operated according to the terms of a Reciprocal Easement Agreement between the parties, we register our objection to the UL designation for these properties as well.

We request that you reconsider the proposed zoning and revise it to CX-12.

We would welcome the opportunity to meet with you or others on the Planning Commission or in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,



Isabel Worthy Mattox

cc: Mr. Rick Rowe
Mr. Neil Rudolph
Mr. Thomas C. Worth, Jr.

THOMAS C. WORTH, JR.

Attorney
Certified Mediator
Professional Building
127 W. Hargett Street, Suite 500
Post Office Box 1799
Raleigh, North Carolina 27602
Phone: (919) 831-1125 Fax: (919) 831-1205
curmudgtcw@earthlink.net

February 2, 2015

Mr. Steve Schuster, Chairman
Raleigh Planning Commission
c/o Ms. Bynum Walter
Urban Design Center City of Raleigh
One Exchange Plaza, Suite 300
Raleigh, NC 27601

VIA ELECTRONIC
AND
US MAIL

Re: 600 Mercury Street
PIN# 1703224730

Dear Ms. Walter:

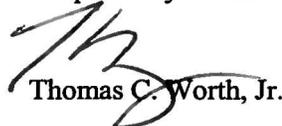
In connection with the above referenced property I write in behalf of our client JPB Holdings, LLC to inform you that the subject property is split zoned Industrial-2 (I-2) and Residential-6 (R-6) as confirmed by the attached letter of December 15, 2014 to Mr. Ed Sconfienza from the Department of City Planning and the attached "600 Mercury Street Zoning Map".

It appears from the UDO Zoning Remapping graphics attached dated 11/26/2014 that a portion of this property presently zoned I-2 is proposed to be rezoned to UDO Zoning Category IX-3 which is inappropriate not only due to severe topographic considerations but also due to the fact that this portion of the lot intrudes into and is incompatible with an R-6 zoned area adjacent to Daladams Street.

The client represented by me and also by Mr. Sconfienza desires to preserve its right to develop its property on Daladams Street in accordance with its current R-6 zoning and I therefore request that the portion of this property north of the dotted line shown upon the attached graphic for 600 Mercury Street not be rezoned to IX-3 as presently proposed. The IX-3 Zoning now proposed for the great majority of the area of this Lot is appropriate.

The favorable consideration of this request by the Planning Commission will be appreciated and I will welcome any questions or comments which you or your designee may have in this matter.

Respectfully submitted,


Thomas C. Worth, Jr.

cc: Mr. Toby Boyles
Mr. Ed Sconfienza



City of Raleigh
North Carolina

December 15, 2014

Ed Sconfienza
1111 Oberlin Road
Raleigh, NC 27605

Re: 600 Mercury Street, PIN: 1703224730

This letter is to verify that according to our records the referenced property is zoned:

Industrial - 2 (IND-2)
Residential-6 (R-6)

With the following overlay districts (if any):

None

This is all the information that I am able to provide on this property. The City of Raleigh does not provide zoning compliance letters. If you have questions regarding zoning code violations, enforcement, special use permits, setbacks or variances, please contact the Development Services Center at (919) 996-2495.

If you have any additional questions, please feel free to call the Department of City Planning at (919) 996-2626.

Sincerely,
Department of City Planning
Planning and Development Services
City of Raleigh

UDO Zoning Remapping

(<http://www.raleighnc.gov>)

Compare the current zoning with the proposed UDO zoning.

Search by address or PIN or click on the map

222 West Hargett Street

Selected Address: 809 MERCURY ST

Give Feedback

Current Zoning

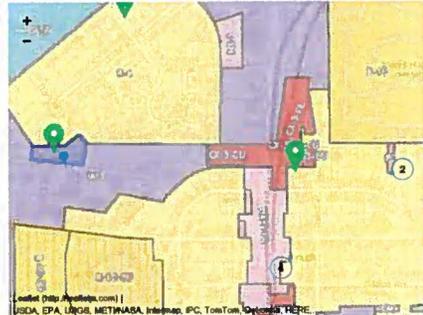


IND-2

Description
Industrial-2 (IND-2)

Zoning

Proposed Zoning



IX-3

Description
Industrial Mixed Use (IX-) with Height up to 3 Stories

Base Zoning

file:///C:/Users/EDSCON-1/AppData/Local/Temp/Low/PERUT145.htm

11/26/2014

IND-2 (Industrial-2): This district is the same as Industrial-1 except that there are no minimum setback requirements. Consequently in the IND-2 district buildings can be constructed right up to property lines. This district was traditionally used only for industrial development close to downtown. Though other scenarios are possible, these areas will generally be rezoned to IH, or IX- under the UDO. [Learn More](http://www.raleighnc.gov/business/content/PlanDev/Articles/Zoning/PermittedUses.htm) (<http://www.raleighnc.gov/business/content/PlanDev/Articles/Zoning/PermittedUses.htm>)

IX- (Industrial Mixed Use): This district is intended to provide for a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited housing opportunities. To help ensure that land is reserved for manufacturing and employment, residential uses are limited to the upper stories of mixed use buildings. IX- is not intended to provide for areas exclusively dominated by light industrial or manufacturing but provide for developments that incorporate commercial uses with housing, retail and service-related activity. IX- can serve as a land use transition between heavy industrial areas and mixed use districts. [Learn More](http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance#60/) (<http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance#60/>)

Height
3 stories / 50 feet max [Learn More](http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance#70/) (<http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance#70/>)



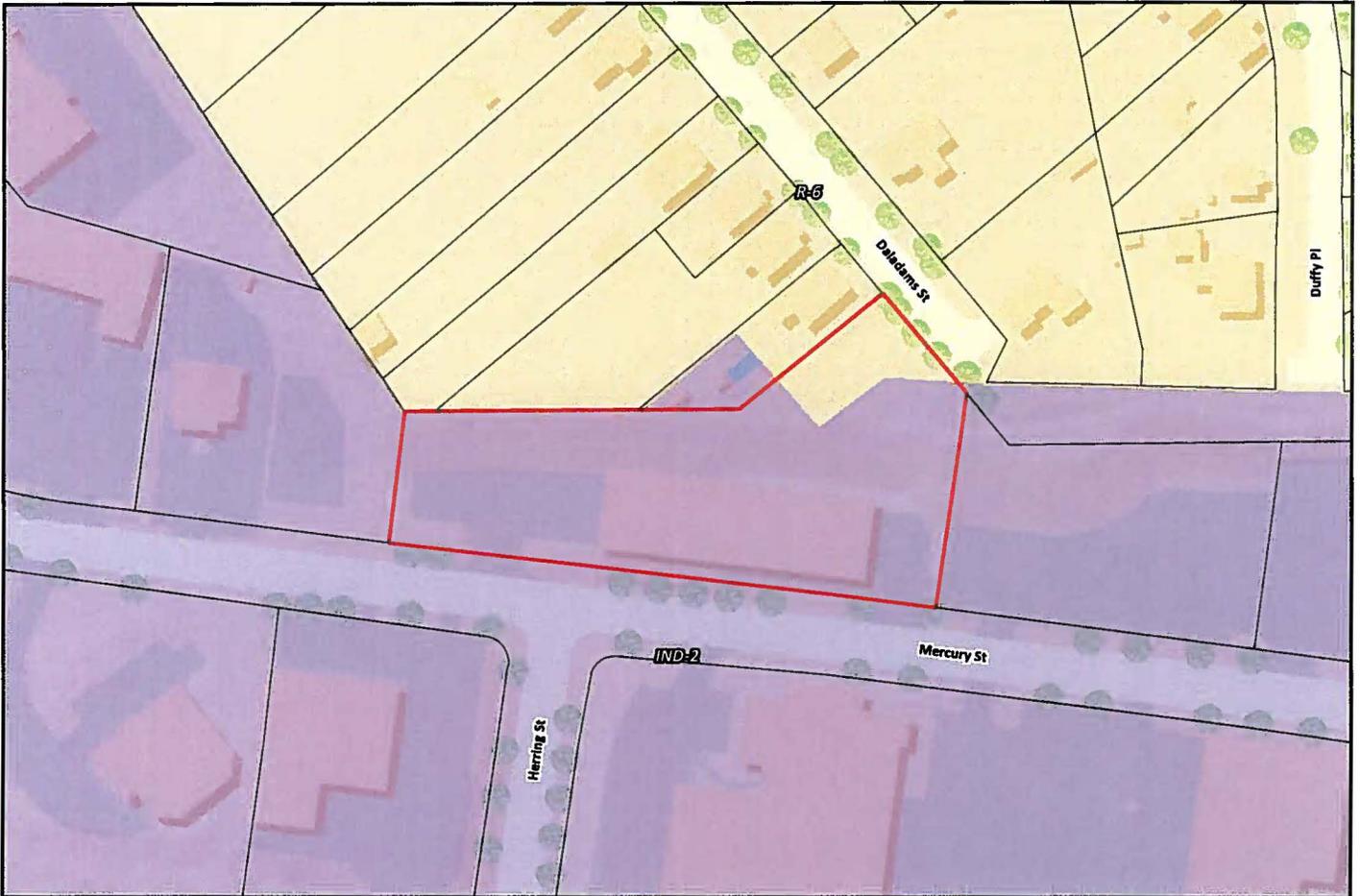
Application developed by the City of Raleigh Geographic Information Services (<http://www.raleighnc.gov/business/content/TechAdmin/Articles/GeographicInformationServices.html>) division.
Application developed for the City of Raleigh Planning and Development (<http://www.raleighnc.gov/planning>) department.



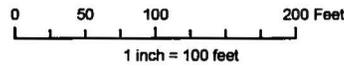
© 2014

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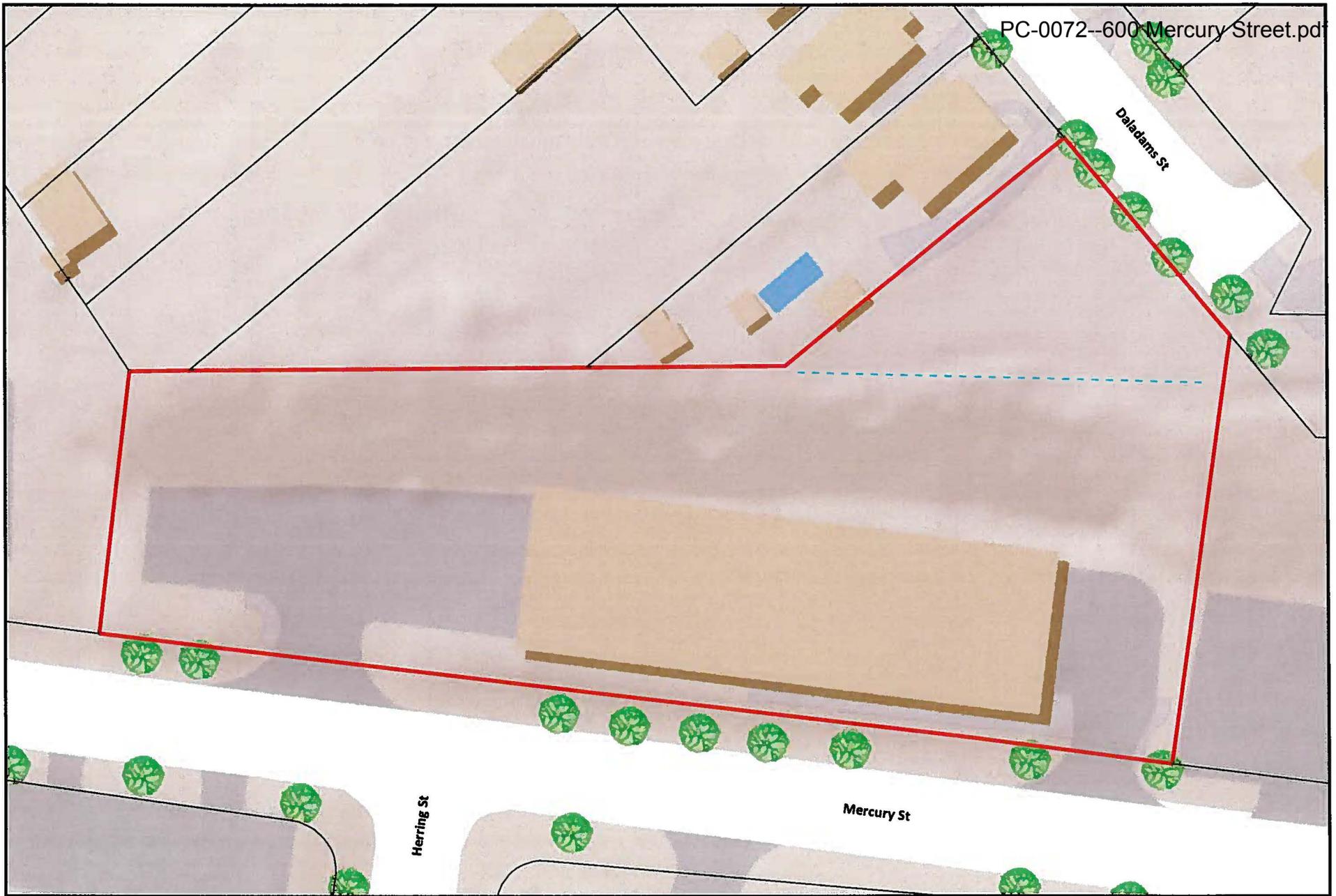
11/26/2014



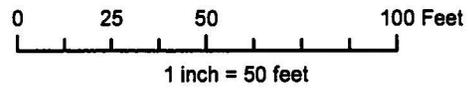
600 Mercury Street Zoning Map



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



600 Mercury Street



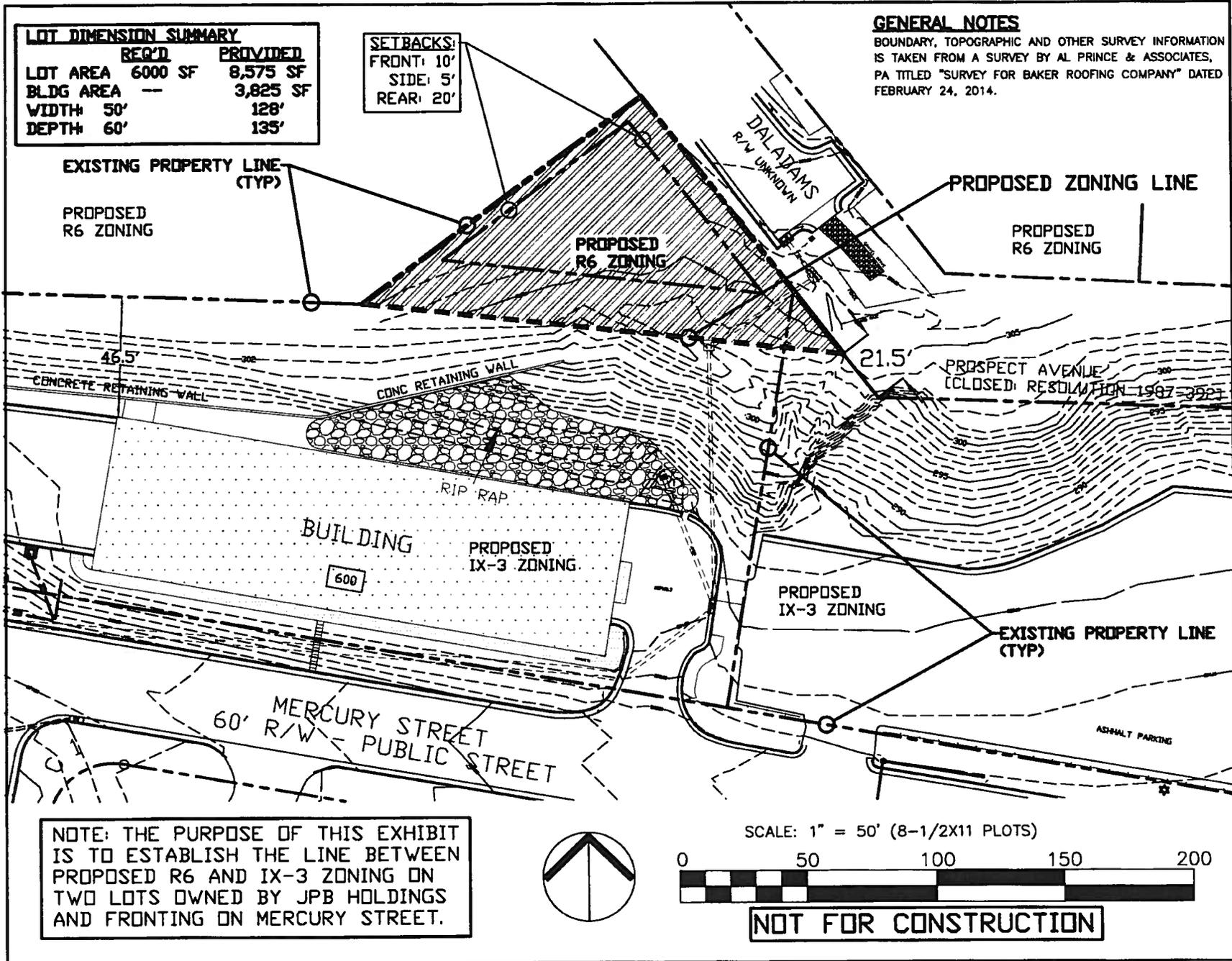
Disclaimer
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LOT DIMENSION SUMMARY		
	REQ'D	PROVIDED
LOT AREA	6000 SF	8,575 SF
BLDG AREA	---	3,825 SF
WIDTH	50'	128'
DEPTH	60'	135'

SETBACKS!
 FRONT: 10'
 SIDE: 5'
 REAR: 20'

GENERAL NOTES

BOUNDARY, TOPOGRAPHIC AND OTHER SURVEY INFORMATION IS TAKEN FROM A SURVEY BY AL PRINCE & ASSOCIATES, PA TITLED "SURVEY FOR BAKER ROOFING COMPANY" DATED FEBRUARY 24, 2014.



NOTE: THE PURPOSE OF THIS EXHIBIT IS TO ESTABLISH THE LINE BETWEEN PROPOSED R6 AND IX-3 ZONING ON TWO LOTS OWNED BY JPB HOLDINGS AND FRONTING ON MERCURY STREET.

Dwg No. EX. 1.0

600 MERCURY ST. ZONING LINE PLAN
 Code Job

ISSUED: 10 FEB 2015
 REVISED: 11 FEB 2015
 26 MAR 2015

Dwg By EFS
 Cld By EFS

REMAPING EXHIBIT FOR:
JPB HOLDINGS LLC
 600 MERCURY STREET
 RALEIGH, NORTH CAROLINA

THE SITE GROUP
 THE SITE GROUP, PLLC.
 1111 Oberlin Road
 Raleigh, NC 27805-1136
 Office: 919.832.6658
 Fax: 919.839.2255
 E-Mail: efs@td-aep.com

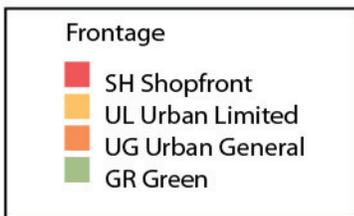
NOT FOR CONSTRUCTION

THE ENTERTAINMENT & EDUCATION DISTRICT

Aerial view looking over the NCSU Centennial Biomedical Campus toward a mixed-use district that creates an anchor during events, while also activating this part of Blue Ridge Road during non-event days.



INTRODUCTION



The Blue Ridge Road District study was undertaken to develop a blueprint for collaborative planning and development along the Corridor by linking land use and transportation as a primary tool for long-term economic success. Creating the conditions to fulfill the promise of the conclusions reached and actions identified in the Study begins with establishing a foundation informed by agreement among stakeholders, amendments to master plans already in place, and formulation of action plans for a range of priority projects. The Blue Ridge Road Advisory Group, which includes public and private partners, will strategize an implementation plan that focuses on value capture and coordinating property and business owners to undertake recommendations outlined in the draft study.

The implementation strategy focuses on several Phase I activities including:

Priority Policy Changes

- » City of Raleigh 2030 Comprehensive Plan Amendments
- » Raleigh City Council Adoption
- » CAMPO Review and Long-Range Transportation Plan (LRTP) updates
- » Updates to the State Master Plan
- » Mapping recommendations for the Unified Development Code (UDO)

Priority Projects

- » Quick Fixes
- » Rex UNC Healthcare development
- » NCDOT Complete Streets Model Block
- » Museum of Art development
- » Wade Avenue crossing
- » Wade Avenue Bridge and interchange
- » State Fairgrounds development
- » Transit along the Blue Ridge Corridor
- » NCDOT underpass project at Blue Ridge Road and Hillsborough Street

Organization

- » Action Matrix
- » Funding Tools
- » Value Capture Tools / Benefits District
- » Preliminary Development Pro Forma & Street Network Maps
- » Branding Strategy

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

February 9, 2015

Mr. Steve Schuster, Chairman
Raleigh Planning Commission
c/o Ms. Bynum Walter
Urban Design Center City of Raleigh
One Exchange Plaza, Suite 300
Raleigh, NC 27601

Re: 4200 Trinity Road PIN 0784565495, John W. Wardlaw, Jr. and Martha C.W.
Stuhmer, Heirs of Martha Wardlaw
4110 Trinity Road PIN 0784569220, John P. Medlin, Thomas F. Roberts and
Frank B. Medlin

Dear Chairman Schuster:

As counsel for John W. Wardlaw, Jr., and Martha C. W. Stuhmer, Heirs of Martha Wardlaw and John P. Medlin, Thomas F. Roberts and Frank B. Medlin, owners of the above described properties, we write to convey our concerns about the proposed remapping for these properties. These properties are owned by members of the same family and will most likely be developed together.

The proposed zoning for both properties is OX-12-UG-CU. These properties were rezoned some years ago to O&I-2 to accommodate a hotel. The proposed hotel fell victim to the poor economy but under the proposed rezoning a hotel would not be permitted without a Special Use Permit. We also note that these properties are in a City Growth Center and are designated as Commercial Mixed Use under the Comprehensive Plan. For these reasons, we request that the remapping designate these properties for CX to honor the current entitlement for a hotel.

Of equal or greater importance is our concern about the UG frontage proposed for these properties. This frontage would require 70 percent of the building edge to be within 20 feet of the right-of-way. For properties with an aggregate frontage of approximately 900 feet, a building or buildings totaling 630 feet in width would be required to be placed within the 20 foot build-to area. That is an onerous requirement for a non-urban location with so much street frontage.

Therefore we request this property be rezoned to CX-12-CU without a frontage designation.

We would welcome the opportunity to meet with you or others in the planning department to discuss our concerns. Thank you for your consideration.

Sincerely,

/s/ Isabel W. Mattox

Isabel Worthy Mattox

cc: John W. Wardlaw, Jr.
Martha W. Stuhmer
John P. Medlin
Thomas F. Roberts
Frank B. Medlin
Sid W. Aldridge

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

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We would welcome the opportunity to meet with you or others in the planning department to discuss our concerns. Thank you for your consideration.

Sincerely,

/s/ Isabel W. Mattox

Isabel Worthy Mattox

cc: John W. Wardlaw, Jr.
Martha W. Stuhmer
John P. Medlin
Thomas F. Roberts
Frank B. Medlin
Sid W. Aldridge



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-8-2014 / Rex Hospital Heart and Vascular Tower

General Location: Located on the Northeast quadrant of Blue Ridge Road and Lake Boone Trail

Owner: Rex Hospital Inc.
Designer: Kimley-Horn and Associates, Inc.

CAC: Northwest

Nature of Case: The construction of a 9-story, 152', 306,400 square foot addition to an existing hospital campus. The property is zoned Office & Institutional-1, located within the City limits. The size of the addition (over 25,000 square feet) together with its proximity to a residential use (within 400 feet) and the height of the building (over 80 feet) require Planning Commission review of the site plan for compliance with the site plan standards of 10-2132.2 (d).

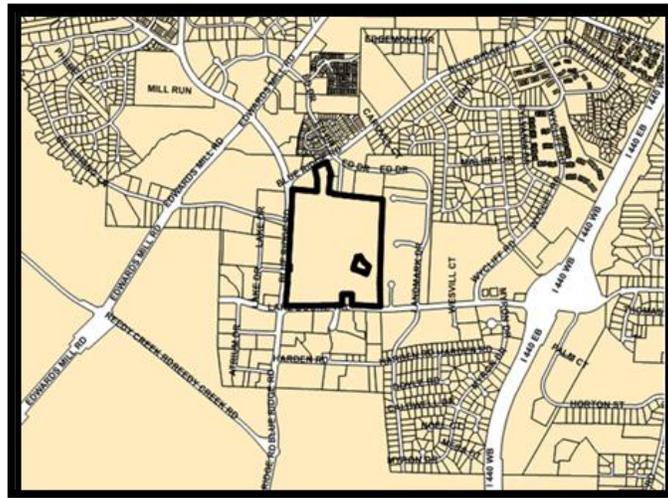
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Jordan Brewer, Kimley-Horn and Associates, Inc.

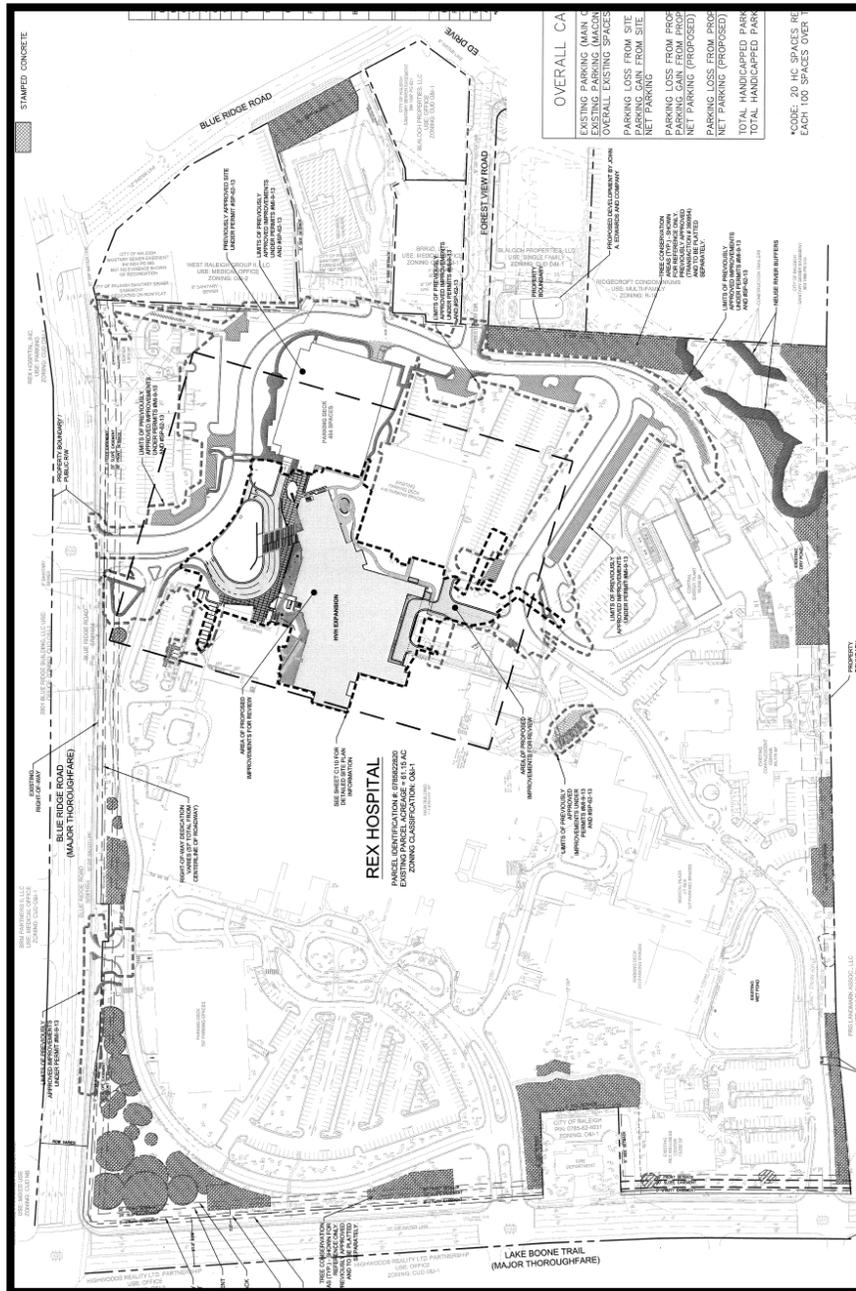
Design Adjustment: Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment from not meeting Article 8.3.2.A – Block Perimeters was approved by the Public Works Director.
2. A Design Adjustment from not meeting Article 8.5.1.G - Existing Streets was approved by the Public Works Director..

Administrative Alternate: NA



SP-8-14 / Rex Hospital Heart and Vascular Tower



SP-8-14 / Rex Hospital Heart and Vascular Tower

SUBJECT: SP-4-14 / Rex Heart and Vascular Tower

**CROSS-
REFERENCE:** SP-62-13

LOCATION: This site is located on 60.4 acres at the northeast quadrant of Blue Ridge Road and Lake Boone Trail, inside the City Limits.

PIN: 0785822820

REQUEST: The construction of a 9-story, 152' tall building addition, 306,400 square foot addition to an existing hospital campus. The property is zoned Office & Institutional-1, located within the City limits. This site is located within 400 feet of a residential use. The cumulative square footage of the hospital upon approval and construction of this proposal will be 1,900,183 square feet.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:** **As noted on the Staff Report, attached**

FINDINGS: The Planning Commission finds that with the following conditions of approval being met this request conforms to Chapter 2, Part 10, Sections 10-2035, 10-2132.2, & Part 10A (Unified Development Ordinance) Articles 8 and 9. This approval is based on a preliminary plan dated 4/10/14, owned by Rex Hospital Inc, submitted by Kimley-Horn and Associates, Inc.

**ADDITIONAL
NOTES:** This plan was submitted after September 1, 2013, but is in a legacy zoning district

**VARIANCES /
ALTERNATES:** Not Applicable

To PC: May 13, 2014

Case History: N/A

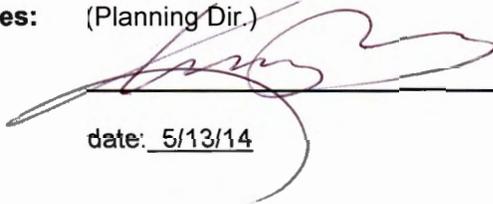
Staff Coordinator: Meade Bradshaw

Motion: Buxton
Second: Swink
In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Schuster, Swink, Terando and Whitsett
Opposed: xxxxx

Excused: xxxxx

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

Signatures: (Planning Dir.)



date: 5/13/14

(PC Chair)



date: 5/13/14



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);

Administrative Actions:

Prior to issuance of a site review permit:

- (2) That the existing parking deck north of the heart and vascular tower must comply with the 150' apparatus or it will have to install fire protection systems;

Prior to issuance of any building permit:

- (3) That half of 104' right-of-way and a 10'-20' variable width slope easement along Lake Boone Trail be dedicated to the city and shown on all maps for recording;
- (4) That a fee-in-lieu for 1' sidewalk be paid for both Lake Boone Trail and Blue Ridge Road;
- (5) That Infrastructure Construction Plans, including upgrades to the downstream sewer, are approved by the Public Works Department, Utilities Department and the Stormwater Division, and ;
- (6) That the areas of the hospital relocating the 144 beds to the heart and vascular tower do not contain beds in that area of the hospital without providing a transportation impact analysis;

Prior to issuance of any occupancy permit:

- (7) That the applicant submits as built impervious surface survey for approval by the Stormwater Division; and
- (8) That downstream sewer upgrades must be accepted by the City of Raleigh for maintenance.

ZONING:

ZONING DISTRICTS: Office & Institutional-1

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 380', rear yard = 800', front / rear aggregate = 1,180', side yard = 355 & 1000', side yard aggregate = 1,355'. This plan conforms to maximum height standards in this zoning district. An additional 1' in setback has been applied for every 1' in height exceeding 40'. The proposed height of the building is 152' which would require an additional 122' of setback.

PARKING: Off-street parking conforms to minimum requirements: 247 spaces required, based on 2 parking spaces per bed. 3,785 spaces are provided. No additional beds are proposed with this expansion.

LANDSCAPING: Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9 Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Southern Property Line	Type D	10'
Eastern property Line	Type B	30'
Northern Property Line	Type B and Type D	10'-65'

A Design Adjustment from not meeting Article 8.5.1.G - Existing Streets was approved by the Public Works Director. This property went through recent approvals approving a street yard meeting Code Section 10-2082.5. Staff approved the plans showing a street yard rather than meeting the cross section of a Avenue 4-lane divided.

TREE CONSERVATION: Tree conservation was recorded in BM2014 PG 446 associated with SP-62-13.

DEVELOPMENT INTENSITY: Not applicable to this plan.

PHASING: There is one phase in this development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria are not required in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

**STREET
TYPOLOGY:**

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Lake Boone Trail	half of 104'	N/A	10'-20'

Fee in lieu for 1' of sidewalk will be paid along both Lake Boone Trail and Blue Ridge Road prior to building permit issuance.

TRANSIT: Adequate transit facilities exist within the development.

**COMPREHENSIVE
PLAN:**

This site is located in the Northwest Citizen Advisory Council, in an area designated as Institutional.

Policy LU 2.1—Placemaking
Development within Raleigh’s jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.

Policy LU 2.5—Healthy Communities
New development, redevelopment, and infrastructure investment should strive to promote healthy communities and active lifestyles by providing or encouraging enhanced bicycle and pedestrian circulation, access, and safety along roads near areas of employment, schools, libraries, and parks.

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.

Policy UD 1.2—Architectural Features
Quality architecture should anchor and define the public realm. Elements of quality architecture include architectural accents and features conducive to pedestrian scale and usage, such as a distinct base, middle, and top (for high-rise buildings); vertical and horizontal articulation; rooflines that highlight entrances; primary entrances on the front façade; transparent storefront windows and activated uses on the ground floor; and corner buildings with defining landmark features.

**HISTORIC /
DISTRICTS:**

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE
COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
The Commission recommends that the applicant consider additional programming of the green spaces on site, particularly the meadow, and expands the open space opportunities at the building entrance, to encourage hospital user to use the outdoor amenities.	A sunken Garden located adjacent to the main entry was programmed as an accessible outdoor space proving patient and family member with access to nature. Access to the sunken garden is either through the family waiting area on level 1 adjacent to a café or at the stair adjacent to the MOB entrance.
The Commission encourages the applicant to consider traffic flow and safety at the drop off given the high volume of users.	1. Dedicated drop off lane 2. by-pass lane 3. Site walls, bollards, truncated dome pavers at edge of drop-off lane are proposed.
The Commission recommends that the applicant further study the blade wall's potential to serve as an orienting landmark and a signature opportunity, considering the visibility of the Rex Hospital site.	The use of textural material such as stone. Lighting details along the edge as well as the face will not only reinforce its presence during the day but also make it dramatic at night.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: This site exceeds the 3,000 foot requirement from not providing a public street. A Design Adjustment from not meeting Article 8.3.2.A – Block Perimeters was approved by the Public Works Director..

PUBLIC UTILITIES: City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: Individual lot service to be provided by private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. Three access points to Lake Boone Trail, Blue Ridge Road, and Forestview Road on the site.

**BLOCKS / LOTS /
ACCESS:** A Design Adjustment from not meeting Article 8.3.2.A – Block Perimeters was approved by the Public Works Director.

STREETSCAPE

TYPE: A Design Adjustment from not meeting Article 8.5.1.G - Existing Streets was approved by the Public Works Director..

PEDESTRIAN: Sidewalks exist on Blue Ridge Road and Lake Boone Trail. Private sidewalks connect the building to the public right-of-ways on Blue Ridge Road, Lake Boone Trail, and Forestview Road.

A fee-in-lieu for 1' of sidewalk on Blue Ridge Road and Lake Boone Trail will be paid.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Part 10A, Chapter 9 of the Unified Development Ordinance. The proposed plan shows stormwater control measures are not required as the proposed development will result in a net reduction of impervious surfaces on the site in accordance with Section 9.2.2.A.5.

**WETLANDS
/ RIPARIAN
BUFFERS:** Neuse River riparian buffers are located on this site; however, no impacts to the buffers are proposed.

**OTHER
REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-50-14 / 1300 St. Mary's Condominiums

General Location: Located at the northeast quadrant of St. Mary's Street and Wade Avenue.

Owner: 1300 St. Mary's Street Associates
Designer: CMS Engineering

CAC: Five Points

Nature of Case: A change of use from an existing 5-story, 46,860 sq. ft. office building into 39 condominium units. The site is located on 1.69 acres zoned Office & Institutional-1, located inside the city limits. The proposed density is 23 units per acre.

Planning Commission approval is required in accordance with Code Section 10-2132.2(b)(18) due to the proposal being a residential development exceeding 15 units per acre located in the Office & Institutional-1 zoning district.

This plan was submitted after to September 1, 2013

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Patti Hildreth

Design Adjustment: One Design Adjustment have been approved by the Public Works Director for this project, noted below.

1. Design Adjustment UDO 8.5.2(D) – Streetscape Type

Administrative Alternate: N/A



Location Map

SUBJECT: SP-50-14 / 1300 St. Mary's Condominiums

**CROSS-
REFERENCE:** N/A

LOCATION: Located at the northeast quadrant of St. Mary's Street and Wade Avenue, inside the City Limits.

PIN: 1704350099

REQUEST: This request is to approve a change of use of a 46,860 sq. ft. office building into 39 condominium units. The site is located on 1.69 acres zoned Office & Institutional-1, located inside the city limits. The proposed density is 23 units per acre.

Planning Commission approval is required in accordance with Code Section 10-2132.2(b)(18) due to the proposal being a residential development exceeding 15 units per acre located in the Office & Institutional-1 zoning district.

This plan was submitted after September 1, 2013

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:** As noted on the Staff Report, attached

FINDINGS: The Planning Commission finds that with the following conditions of approval this request conforms to Chapter 2, Part 10, Sections 10-2035, 10-2132.2, UDO Chapters 8 & 9. This approval is based on a preliminary plan dated 10/8/14, owned by 1300 St. Mary's Associates, submitted by CMS Engineering.

**ADDITIONAL
NOTES:** There are no additional notes for this plan.

**VARIANCES /
ALTERNATES:** A Design Adjustment to UDO 8.5.2(D) Streetscape Type was approved by the Public Works Director. St. Mary's Street is a NCDOT maintained road prohibiting the installation of street trees in the right-of-way. Street Trees will be planted 15' behind the curb per NCDOT standards, placed behind the sidewalk.

To PC: November 25, 2014

Case History: N/A

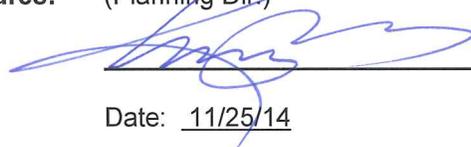
Staff Coordinator: Meade Bradshaw

Motion: Buxton
Second: Fleming
In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Schuster, Sterling- Lewis and Whitsett
Opposed: xxxxx

Excused: xxxxx

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

Signatures: (Planning Dir.)



Date: 11/25/14

(PC Chair)



Date: 11/25/14



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL:

Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);
- (2) That the Planning Commission approves the proposed residential density of 23 units an acre;

Administrative Actions:

Prior to issuance of building permits:

- (3) That ½ of the required right-of-way along St. Mary's Street be dedicated to the City of Raleigh and a map be recorded with the Wake County Register of Deeds, and that a copy of the recorded plat be provided to the City prior to building permit issuance;
- (4) That a cross access agreement with the adjacent parcel to the north (DB 013424 PG 00041, Pin Number 1704351238) be recorded in the Wake County Registry, and that a copy of the recorded cross access easement be returned to the Planning Department prior to building permit issuance;
- (5) That a fee-in-lieu of construction for a 1' sidewalk and ½-36' back-to-back street section along St. Mary's Street is paid to the Public Works Department;
- (6) That a request for sanitary sewer easement exchange be submitted to the Public Utilities Department, approved by the City Council, and that a map be recorded with the Wake County Register of Deeds showing the sanitary sewer easement exchange with the resolution number on the map; and that a copy of the recorded plat be provided to the City prior to building permit issuance;
- (7) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the final site plan and shall be shown on all maps for recording.

ZONING:

ZONING DISTRICTS: Office & Institutional-1

SETBACKS / HEIGHT:

This plan conforms to all minimum setback standards. Front yard = 63', rear yard = 80', front / rear aggregate = 143', side yard = 80' & 125', side yard aggregate = 205'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 62'.

- PARKING:** Off-street parking conforms to minimum requirements: 63 spaces required, based on 1 parking space per efficiency unit and 2 spaces per two bedroom units. 85 spaces are provided.
- LANDSCAPING:** Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Adjacent uses are nonresidential; therefore no transitional protective yards are required.
- TREE CONSERVATION:** The subject parcel is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation is therefore not required.
- OPEN SPACE:** Not applicable
- DEVELOPMENT INTENSITY:** Office & Institutional-1 District allows 25 units per acre. 23 units per acre is proposed.
- PHASING:** Not applicable.
- UNITY OF DEVELOPMENT:** Not applicable.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET TYPOLOGY MAP:

Dedication of right-of-way and construction of the following streets are required by the Street Typology Map of the Comprehensive Plan.

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
St. Mary's Street	7'	N/A	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

St. Mary's Street is classified as an Avenue 2-Lane Undivided.
Wade Avenue is classified as Avenue 4-Lane Divided

TRANSIT: This site is presently not served by the existing transit system.

COMPREHENSIVE PLAN:

This site is located in the Five Points Citizen Advisory Council, in an area designated as Institutional on the Future land Use map

HISTORIC / DISTRICTS:

This site is not located in or adjacent to a designated Historic District.

**APPEARANCE
COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
The Commission supports the inclusion of a sidewalk on Wade Avenue for increased connectivity in the future.	The exterior finish of the garages will match the proposed exterior finish of the building. Decorative metal fencing and landscaping details will be used around the pool area.
The Commission asks the applicant to consider alternate dumpster locations away from the corner.	The dumpster will be relocated to the south east corner of the site, away from St. Mary's Street.
The Commission suggests that the applicant apply a more cohesive design aesthetic to the site in order to further connect the proposed garage structure with the existing building, and better incorporate fences and other landscaping features.	The exterior finish of the garages will match the proposed exterior finish of the building. Decorative metal fencing and landscaping details will be used around the pool area.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in Office & Institutional-1 zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70' feet. The minimum lot width of an interior lot in this zoning district is 45' feet. Lots in this development conform to these minimum standards.

PUBLIC UTILITIES: City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site. The proposal includes a modification to an existing easement which requires an exchange to be approved by City Council.

SOLID WASTE: Individual lot service to be provided by private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

**BLOCKS / LOTS /
ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO.

**STREETSCAPE
TYPE:** Sidewalk will be installed on Wade Avenue per the Streetscape Standard, 6' behind the curb. Street Trees will be 15' behind the curb per NCDOT standards. 5' sidewalk is located on St. Mary's Street. Street trees will be placed behind the sidewalk. A Design Adjustment has been approved by the Public Works Director for the street tree location.

- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A 6' sidewalk is being constructed along Wade Avenue. A fee-in-lieu will be charged for 1' of extra sidewalk to meet the 6' standard along St. Mary's Street.
- FLOOD HAZARD:** Flood hazard soils are on site per a soils investigation done by Mitchell Environmental, PA dated January 16, 2014. Flood hazard soils and RFPE 306.8' shown on plans
- STORMWATER MANAGEMENT:** This site is subject to requirements in accordance with UDO 9.2. Stormwater Management. Project is claiming exemption to active stormwater control requirements as afforded to them by UDO section 9.2.2.A.5. This project is proposing to reduce net impervious area via substitution of impervious surfaces with approved pervious surfaces. No nitrogen buydown or BMP required.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- OTHER REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).

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JERRY TURNER & ASSOCIATES, INC.

Landscape Architecture
Land Planning
Environmental Design

905 Jones Franklin Road
Raleigh, North Carolina 27606
(919) 851-7150 fax (919) 851-7547

277 S.R. 5th Avenue
Delray Beach, Florida 33483
(561) 278-0453 fax (561) 272-7593

PROJECT
PROPERTY OF:
BUFFALO E ASSOCIATES, LLC et. al.
Raleigh, North Carolina



REVISIONS

DRAWN _____ CHECKED _____

SCALE _____ DATE _____

1"=200' 6-12-07

TITLE _____

Rezoning Map

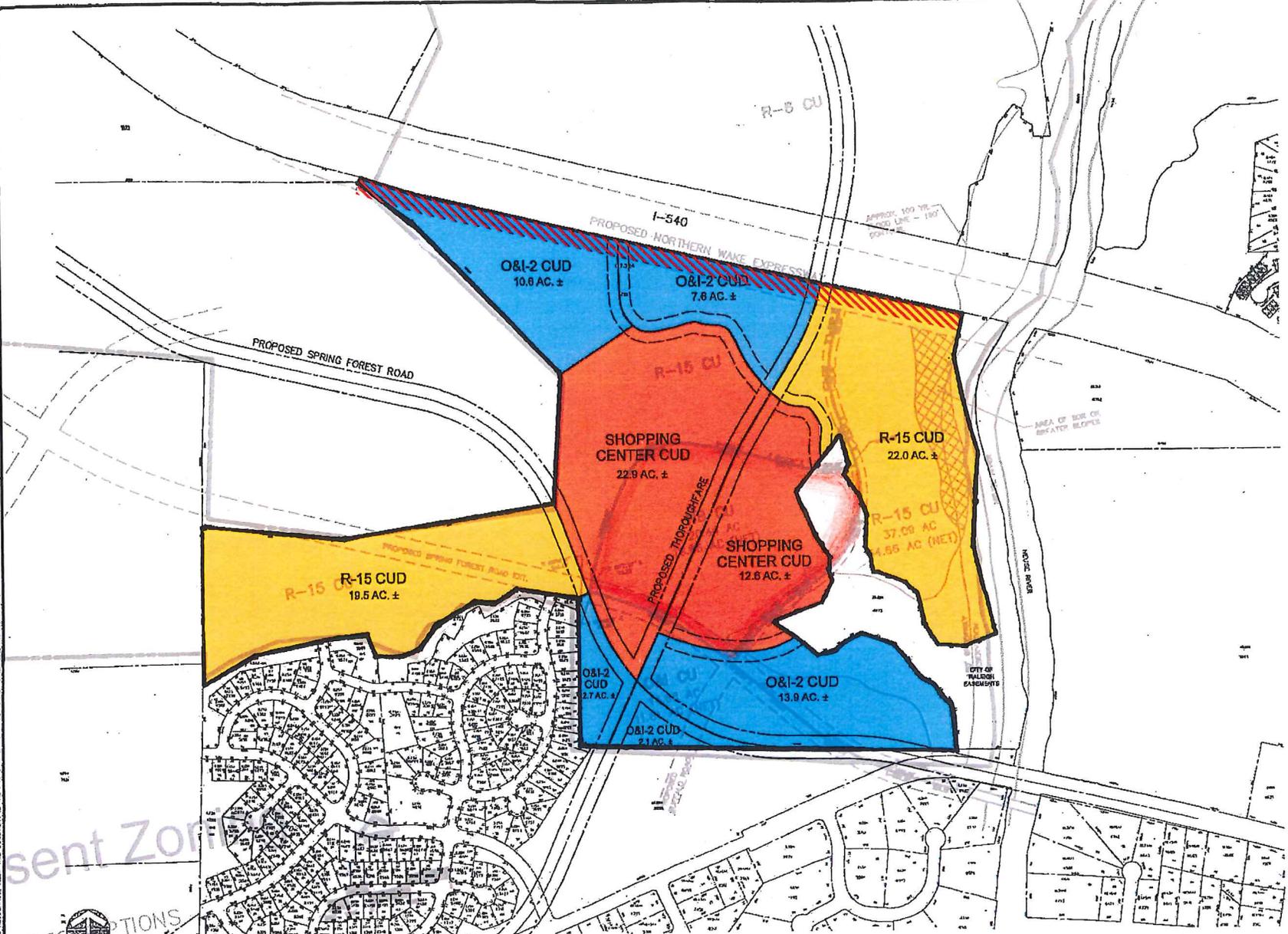
FILE NO. _____ JOB NO. _____

SEAL _____ SHEET NO. _____

JERRY TURNER & ASSOCIATES, INC. HAS PROVIDED THE PROPERTY OF JERRY TURNER & ASSOCIATES IS EXPRESSLY WARRANTED.

Present Zoning

38-
ZONING DESCRIPTIONS
APRIL 10, 1992



JERRY TURNER & ASSOCIATES, INC.

Landscape Architecture
Land Planning
Environmental Design

505 Jones Franklin Road
Raleigh, North Carolina 27606
(919) 851-7550 Fax: (919) 851-7547

277 S.E. 6th Avenue
Delray Beach, Florida 33483
(561) 276-0481 Fax: (561) 276-7895

PROPERTY OF:

BUFFALO ASSOCIATES, LLC et. al.
Raleigh, North Carolina

REVISIONS

DATE CHECKED

SCALE DATE
1"=50' 6-12-92

TITLE
Rezoning Map

FILE NO SHEET NO

DATE SHEET NO

Proposed Zoning: Z-33-07 — overlaid then existing

From: [Landdaddy](#)
To: [Rezoning](#)
Subject: Rezoning Dunn Road Property
Date: Tuesday, July 29, 2014 11:39:14 AM

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

*John Turner
11000 Holkham Court, Raleigh NC 27614*

From: [Lee Witchey](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Tuesday, July 29, 2014 10:47:22 AM

Subject: Rezoning Feedback

To Whom It May Concern,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Lee Witchey
2513 Brunetti Ct., Raleigh, NC 27614

***** IMPORTANT--PLEASE READ *****

This electronic message, including its attachments, is COMPANY CONFIDENTIAL and may contain PROPRIETARY or LEGALLY PRIVILEGED information. If you are not the intended recipient, you are hereby notified that any use, disclosure, copying, or distribution of this message or any of the information included in it is unauthorized and strictly prohibited. If you have received this message in error, please immediately notify the sender by reply e-mail and permanently delete this message and its attachments, along with any copies thereof. Thank you.

From: [Michael O'Sullivan](#)
To: [Rezoning](#)
Subject: Dunn Road Property Remapping
Date: Tuesday, July 29, 2014 10:44:05 AM

Dear Sir or Madam,

I am writing to submit comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Sincerely,
Michael J. O'Sullivan
1704 Wescott Drive
Raleigh, NC 27614-8613

From: [Jim Dorsett](#)
To: [Rezoning](#)
Date: Tuesday, July 29, 2014 8:28:22 AM

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jim Dorsett
COO
Excel Moving & Storage Companies
Raleigh/Greensboro NC & Charleston SC
Allied Van Lines
919-532-1961
jdorsett@excelms.com
www.excelms.com

Your opinion is very important to us! Please take a moment to write a review [click here](#) to let us and others know how we are doing.

From: [Geoffrey Kutch](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Tuesday, July 29, 2014 8:17:21 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Geoffrey Kutch

1517 Wood Spring Court
Raleigh, NC 27614-9112

From: [Rusine Sinclair](#)
To: [Rezoning](#)
Subject: Remapping of 1500 Dunn Road and 1540 Dunn Road
Date: Tuesday, July 29, 2014 7:23:35 AM

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

*Rusine Mitchell Sinclair
1416 October Road, Raleigh NC 27614*

Rusine Mitchell Sinclair
919.518.1053 (Home)
919.417.3937 (Cell)

From: [Dawn Perry](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Tuesday, July 29, 2014 7:02:02 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Dawn Perry

3123 Canoe Brook Parkway

Raleigh NC 27614

Bedford Subdivision

Dawn Perry
perrychick@gmail.com
404-483-9239

From: [PHILIP DAVENPORT](#)
To: [Rezoning](#)
Subject: Dunn Road and Falls of Neuse Road Rezoning
Date: Monday, July 28, 2014 9:27:37 PM

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

From: [Preston L. Fowler III](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 8:20:54 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Preston L. Fowler
2408 Hagney Street, Raleigh, NC 27614

From: [Bob Perry](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 7:51:12 PM
Importance: High

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Robert Perry

10813 Crosschurch Lane,

Raleigh, NC

From: [Martha's Place](#)
To: [Rezoning](#)
Subject: Re-Zoning Feedback
Date: Monday, July 28, 2014 5:40:16 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Martha Guthrie
1404 Freshwater Court
Wake Forest, NC 27587

From: [Manczak](#)
To: [Rezoning](#)
Subject: Remapping comments
Date: Monday, July 28, 2014 4:05:27 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD (BC). The subject properties are currently undeveloped.

As you know, Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales (gas stations)
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district. Furthermore, NX does not align well with the local surroundings and residential feel of local neighborhoods.

In view of this, I hereby request that the two properties, 1500 Dunn Rd and 1540 Dunn Rd, should be remapped to OX-3 rather than NX-3.

Regards,

John E. Manczak
1241 Kings Grant Dr.
Raleigh, NC 27614

From: [Gene Fisher](#)
To: [Rezoning](#)
Subject: Rezoning
Date: Monday, July 28, 2014 3:40:33 PM

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

*Gene Fisher
1413 October Rd*

From: [Krattenmaker Bruce](#)
To: [Rezoning](#)
Subject: Rezoning proposal
Date: Monday, July 28, 2014 3:26:56 PM

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- *restricts square footage to 3,000 sq ft per floor, per structure.*
- *excludes fuel sales*
- *excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Bruce Krattenmaker

1232 Kings Grant Dr

Raleigh, NC 27614

Sent from my iPad

This e-mail, including any attachments, is meant only for the intended recipient and may be a confidential

From: [Debbie Stewart](#)
To: [Rezoning](#)
Subject: Dunn Road Rezoning
Date: Monday, July 28, 2014 3:20:54 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,
Debbie Stewart
3745 Falls River Ave
Raleigh, NC.27614

Send to rezoning@raleighnc.gov
Subject: Rezoning Feedback

From: [Betty York](#)
To: [Rezoning](#)
Subject: Rezoning of Dunn Road
Date: Monday, July 28, 2014 3:17:34 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Betty York

From: [Bill York](#)
To: [Rezoning](#)
Subject: Dunn & Falls Rezoning
Date: Monday, July 28, 2014 2:50:46 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

William N. York & Elizabeth A. York
1905 Katesbridge Lane
Raleigh 27614

From: [Ben Clark](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 2:32:51 PM

To Whom it may concern,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Ben Clark
2209 Dunlin Ln, Raleigh, NC, 27614

From: [Jill Werness](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Monday, July 28, 2014 2:28:09 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jill Werness
2305 Dunn Rd
Raleigh, NC

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<http://www.greaterchiro.com/functional-medicine>

www.jillsfreshlife.com

From: [Bob Smith](#)
To: [Rezoning](#)
Subject: Rezoning coments
Date: Monday, July 28, 2014 12:55:54 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Robert K Smith
11521 Midlavian Drive
Raleigh, NC 27614

From: [Ann Corrao](#)
To: [Rezoning](#)
Subject: rezoning feedback
Date: Monday, July 28, 2014 12:55:11 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Best Regards,

Ann Corrao

11205 Tinsley ct
Raleigh NC 27614

From: [David Willers](#)
To: [Rezoning](#)
Subject: Remapping of Raleigh
Date: Monday, July 28, 2014 12:43:58 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

David Willers
1521 Whittington Drive
Raleigh, NC
27614
919-847-1396

From: [Fred Chauncey](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 12:36:36 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

R. Fred Chauncey, Jr.

1416 Whittington Dr.

Raleigh, N. C. 27614-8755

From: [John](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 12:21:53 PM

I am writing to submit my comments on the city's remapping of the following properties:
1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,
John and Antoinette Lagonigro
2504 Wyatt Ln
Raleigh, NC 27614

From: [Kathy Hamrick](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 12:13:56 PM

rezoning@raleighnc.gov

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Kathleen Hamrick
1518 Michelle Dr.
Raleigh, NC 27614

From: [Susan A. Cera](#)
To: [Rezoning](#)
Subject: Rezoning Feedback - 1500, 1540 Dunn Road
Date: Monday, July 28, 2014 12:00:31 PM

Rezoning Folks -

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Susan Cera

From: [Jill Anne Sparapany](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 11:13:19 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jill Anne Sparapany
2100 - 103 Breezeway Drive
Raleigh, NC 27614

From: BJEKNOX@aol.com
To: [Rezoning](#)
Subject: Remapping of 1500 and 1540 Dunn Road
Date: Monday, July 28, 2014 11:12:39 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. Thus, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor per structure
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Dr. Betty E. Knox

11517 Midlavian Drive, Raleigh, NC 27614

From: [Jean Stephano](#)
To: [Rezoning](#)
Subject: Re: Rezoning
Date: Monday, July 28, 2014 10:38:18 AM

Gentlemen and Ladies:

As a resident of this specific area for over 20 years, I am writing to submit my comments on the city's remapping of the following properties: 1500 Dunn Road and 1540 Dunn Road.

On several occasions, city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped, so remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

The current Buffer Commercial zoning:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales, and
- excludes drive-thru or drive-in facilities.

The city's Remapping Guidance Document *clearly states OX as one of the proposed districts for mapping to from BC*. The OX restricts square footage to 4,000 sq ft and *aligns more closely to the current entitlement than NX which allows unlimited* square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Respectfully,

Jean M. Stephano
11208 Trescott Court
Raleigh, NC 27614

From: [Barbara](#)
To: [Rezoning](#)
Subject: Rezoning 1500 Dunn Road and 1540 Dunn Road
Date: Monday, July 28, 2014 10:12:38 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood. The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Barbara Rowe

3510 Windy Meadow Court

Raleigh 27614

From: [Jill Kuhn](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 9:59:55 AM

Dear Council,

First of all, thank you for taking the time to open my email and take our request into careful consideration. I am writing to submit my comments on the city's remapping of the following properties: 1500 Dunn Road and 1540 Dunn Road. We own 3 properties within a 3 mile radius of this rezoning case.

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to **OX-3 rather than NX-3.**

Your neighbor in this great city,

Jill Kuhn

2808 Royal Forrest Drive, Raleigh NC - Primary in Bedford

3124 and 3128 Winding Waters Way, Raleigh NC - Additional Properties in Bedford

From: [Gene Senecal](#)
To: [Rezoning](#)
Subject: the city's remapping
Date: Monday, July 28, 2014 9:19:01 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Gene Senecal
President, ROHOA
1320 Kings Grant Drive
Raleigh, NC 27614
gseascal@nc.rr.com
(919) 971-8640 Mobile

From: [Tim Niles](#)
To: [Rezoning](#)
Date: Monday, July 28, 2014 9:13:40 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Tim Niles

11509 Midlavian Drive, Raleigh

From: adona@nc.rr.com
To: [Rezoning](#)
Subject: Remapping Of Properties along Falls of Neuse Rd.
Date: Monday, July 28, 2014 8:45:09 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Adona Brown
1200 Shining Water Ln.
Raleigh, NC 27614

From: [Barret Stauffacher](#)
To: [Rezoning](#)
Subject: RE: Rezoning Feedback
Date: Monday, July 28, 2014 8:31:48 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Charles Barret Stauffacher
10809 Crosschurch Lane
Raleigh, NC 27614

From: keithpalma@gmail.com
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 7:42:08 AM

My comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,
Keith Palma, Architect-LEED AP-NCARB

10440 Summerton Drive
Raleigh NC 27614

From: carol_stewart_mcgrath
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, July 28, 2014 7:39:19 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Carol McGrath

1509 Whittington Drive

From: [Jeannine and James Sapp](#)
To: [Rezoning](#)
Subject: Rezoning along Falls of Neuse at Dunn Road
Date: Monday, July 28, 2014 7:27:37 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Mrs. James Sapp

1209 Shining Water Lane

Raleigh, NC 27614

From: [David and Helen](#)
To: [Rezoning](#)
Subject: Remapping Feedback
Date: Sunday, July 27, 2014 10:20:10 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

David Cox

1902 Stoneytrace Court
Raleigh, NC 27614

From: [Jill Pluim](#)
To: [Rezoning](#)
Subject: rezoning
Date: Tuesday, July 29, 2014 12:48:19 PM

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jill S Pluim

1505 October Rd Raleigh, NC 27614

Per Federal Law, U. S. Treasury Circular 230, we must inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for purposes of (1) avoiding penalties under the Internal Revenue Code or state/local tax law, or (2) promoting or recommending any tax-related matters to another party. We will not update our advice for subsequent changes to the law, regulations or case law.

This communication may contain confidential or legally privileged information. It is intended for the person(s) to whom it is addressed, only. If you are not an intended recipient, you may not read, use, retransmit, disseminate or take any action in reliance upon it. Please notify the sender by return e-mail that you have received it in error and immediately delete the entire communication, including any

From: [George McGregor](#)
To: [Rezoning](#)
Subject: remapping properties
Date: Tuesday, July 29, 2014 4:08:34 PM

7-29-14

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX district restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Marilyn McGregor
11612 Midlavian Dr., Raleigh, NC 27614

From: Michelle.Patton@sanofi.com
To: [Rezoning](#)
Subject: Rezoning on Dunn Rd & Falls of Neuse
Date: Wednesday, July 30, 2014 7:31:43 AM

To whom it may concern:

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,
Michelle and Joe Patton

10633 Summerton Dr

Raleigh, NC 27614

From: [Jason Martinez](#)
To: [Rezoning](#)
Subject: Remapping Project
Date: Wednesday, July 30, 2014 8:38:12 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

To Whom it May Concern:

I am a resident of the Woodspring neighborhood in North Raleigh – my address is 10613 Silverwood Creek Drive, Raleigh, NC 27614 – and I am writing today to provide comments on the city's proposed remapping of the following properties:

- 1500 Dunn Road
- 1540 Dunn Road

On several occasions, city staff has stated that a property's new zoning district will be assigned by selecting the new district most closely aligned with the property's current district, without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. My understanding is that the current zoning district for the two properties referenced above is "Buffer Commercial CUD," and because they are currently undeveloped, any remapping would not cause a non-conformity for an existing on-the-ground use.

It is also my understanding that Buffer Commercial: (i) restricts square footage to 3,000 sq. ft. per floor, per structure; (ii) excludes fuel sales; and (iii) excludes drive-thru or drive-in facilities.

The city's Remapping Guidance Document states that "OX" is one of the proposed districts for remapping from "BC." As I understand it, the "OX" designation would restrict square footage to 4,000 sq. ft. and would maintain the fuel sale and drive-in (or drive-thru) restrictions contained in the "Buffer Commercial" designation. I have been told that the properties are proposed to be remapped as "NX", which I understand would allow unlimited square footage. Even though an "OX" designation would continue restrictions on fuel sales and drive-in (or drive-thru) uses, it would certainly allow more uses than the current "Buffer Commercial" designation, including more retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists, which I believe would serve both the offices in the development and the surrounding neighborhoods.

Most importantly, the proposed remapping of these properties to "NX" will eliminate the current restrictions and expand on the current uses exponentially, which seems in direct contrast to the city's stated goal of remapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Road and 1540 Dunn Road should be remapped to "OX-3" rather than "NX-3."

Thanks for your time.

JASON L MARTINEZ | PARTNER

jmartinez@smithlaw.com | [bio](#) | [vcard](#)

P 919.821.6675 | F 919.821.6800



Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P.

Wells Fargo Capitol Center

150 Fayetteville Street, Suite 2300 | Raleigh, NC 27601

P.O. Box 2611 | Raleigh, NC 27602-2611

smithlaw.com | [map](#)



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From: [Walter Batiansila](#)
To: [Rezoning](#)
Date: Wednesday, July 30, 2014 8:42:11 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Walter & Janet Batiansila

10812 Crosschurch Lane

We will remember those who voted for this, and will mobilize at the next election.

From: [Letha Costin](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 8:54:47 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Letha Costin
1615 Wood Spring Ct.
Raleigh, NC 27614

From: mcostin@bellsouth.net
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 8:55:59 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Miles Costin
1615 Wood Spring Ct.
Raleigh, NC 27614

From: Mbbwolf@aol.com
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 9:09:25 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Michelle Wolf
1825 Wescott Dr.
Raleigh NC
(919) 847-3777

From: [Chauncey, Leah](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 9:16:49 AM

Good Morning,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Leah Chauncey
1416 Whittington Dr.
Raleigh, NC 27614

From: [Michele Jonczak](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Wednesday, July 30, 2014 9:19:00 AM

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Michele Jonczak
10617 still creek court, Raleigh

Sent from my iPhone

From: [Al Mulnick](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 9:36:05 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Alexander Mulnick

10629 Silverwood Creek Drive

Raleigh, NC 27614

From: [Lindsey Magerkurth Cote](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 10:52:49 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Lindsey M. Cote

From: [Joanne Empie](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 11:14:31 AM

To Whom It May Concern,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Sincerely,

[Capital City Realty](#)
[Joanne Empie, Broker/Realtor](#)
919-819-1981
[10805 Dalmore Place, Raleigh NC 27614](#)

From: [L.Perry](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 11:20:35 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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- excludes fuel sales
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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. **This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.**

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Laura Perry

10813 Crosschurch Lane

Raleigh, NC 27614

From: [Vina](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 11:54:40 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Vina Huynh
1621 Whittington Drive
Raleigh, NC 27614

From: [Cindi Messina](#)
To: [Rezoning](#)
Subject: rezoning feedback
Date: Wednesday, July 30, 2014 1:19:57 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

1904 Wescott Drive, Raleigh, NC 27614

From: [Jeanne Nash](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Wednesday, July 30, 2014 11:58:45 AM

Please send this out to all of Wood Spring and encourage EVERYONE to send the following email to the provided email address. It is critical that residents take action now, as a decision is near and we need our voices to be heard.

Laura Perry

!!! CALL FOR ACTION !!!

As nearly everyone here knows, the City has started the process of remapping properties to new zoning districts. Two of the properties at Dunn and Falls of Neuse are currently mapped to Buffer Commercial which imposes some important limitations on square footage and uses. Square footage under Buffer Commercial is limited to 3000 sq feet and uses such as fuel sales and drive thrus are not allowed.

The City is proposing to remap these properties to NX which removes all square footage limitations and all limitations on uses. Yet, the City's stated goal is to remap properties to new zoning districts that provide a close fit to the current zoning.

We have found that another zoning district, OX (for Office Mixed Use), more closely matches Buffer Commercial than does NX. OX restricts square footage to 4000 square feet and does not allow fuel sales or drive thrus. OX allows limited retail sales and the square footage would limit such uses to small stores.

We, therefore, feel that the proper feedback to the City on their remapping of these two properties should be that they be remapped to OX-3 (for three stories) rather than NX-3.

We are, therefore, asking everyone to copy and paste the following and email it to rezoning@raleighnc.gov. Be sure to include your name and address.

Here is the text of the email to send:

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Jeanne Nash

From: [Edward Floyd](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 3:46:40 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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- excludes fuel sales
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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Edward L. FLOYD
11108 Beechcrest Lane
Raleigh NC 27614

From: [Bill Wolf](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 4:01:13 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Bill Wolf
1825 Wescott Dr.
Raleigh NC
(919) 847-3777

From: [Fatih Peksenar](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 11:15:20 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Fatih Peksenar
1517 Whittington Dr. Raleigh, NC 27614

From: [Nancy Moser](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 9:38:20 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Nancy S. Moser

1613 Whittington Dr. Raleigh NC 27614

From: Loneth@aol.com
To: [Rezoning](#)
Subject: (no subject)
Date: Wednesday, July 30, 2014 8:41:11 PM

Dear sir or madam:

I am writing to submit my comments on the city's remapping of the following properties:

*1500 Dunn Road
1540 Dunn Road*

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.*
- excludes fuel sales*
- excludes drive-thru or drive-in facilities*

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

*Lonnie Etheridge
1244 Kings Grant Drive
Raleigh, NC 27614*

From: [Debbie](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Wednesday, July 30, 2014 7:16:25 PM

am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Debbie and Brian Conly

10612 River Forest Dr

Raleigh, NC 27614

From: [Chris Harmon](#)
To: [Rezoning](#)
Subject: Fwd: Rezoning feedback
Date: Wednesday, July 30, 2014 7:14:10 PM

Sent from my iPad

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

From: [Margaret](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Wednesday, July 30, 2014 5:06:54 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Margaret Hogan
10601River Forest Dr. Raleigh, NC 27614

From: [DOROTHY NEMY](#)
To: [Rezoning](#)
Subject: re-zoning
Date: Wednesday, July 30, 2014 4:47:10 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

From: [Gwen](#)
To: [Rezoning](#)
Subject: rezoning feedback
Date: Wednesday, July 30, 2014 4:45:35 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Gwen Barclay-Toy
1524 Wood Spring Ct
Raleigh 27614

From: [Dianne](#)
To: [Rezoning](#)
Subject: Rezoning Feedback - RE: the properties - 1500 Dunn Road and 1540 Dunn Road
Date: Wednesday, July 30, 2014 4:36:04 PM
Importance: High

Dear City of Raleigh Rezoning Commission,

I am writing to submit my comments on the city's remapping of the following properties: **1500 Dunn Road and 1540 Dunn Road**

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Dianne Lancaster

1525 Whittington Drive, Raleigh, NC 27614

Dianne Lancaster

diannelancaster@nc.rr.com

(919) 841-0587 home office or (919) 601-8719 cell

LinkedIn Profile: <http://www.linkedin.com/pub/dianne-sheehan-lancaster/b/884/870>

From: [JANA WILLERS](#)
To: [Rezoning](#)
Subject: Rezoning at Dunn Road in North Raleigh
Date: Thursday, July 31, 2014 9:53:15 AM

As a property owner whose street is adjacent to the addresses in question, I wish to address my concern for the rezoning of such properties.

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road and
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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- excludes fuel sales
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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3. It would be detrimental to our community neighborhoods.

Regards,

Jana Willers

1521 Whittington Drive

From: [Mary Merner](#)
To: [Rezoning](#)
Subject: Zoning for Publix
Date: Thursday, July 31, 2014 10:30:25 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Mary J. Merner

8829 Harps Mill Road

Raleigh, NC 27615

[919-803-7973](tel:919-803-7973)

From: [Murray Merner](#)
To: [Rezoning](#)
Subject: Zoning for Publix
Date: Thursday, July 31, 2014 10:05:24 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
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The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,
Murray H. Merner
8829 Harps Mill Road
Raleigh, NC 27615
919-803-7973

From: [Sara Chapman](#)
To: [Rezoning](#)
Subject: Rezoning Feedback - Dunn Road, North Raleigh
Date: Thursday, July 31, 2014 12:42:20 PM
Attachments: [image001.png](#)

I am writing to submit my comments on the city's remapping of the following properties:

- 1500 Dunn Road
- 1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Sara and Rob Chapman

1716 Wescott Dr.

Raleigh, NC 27614

Sara

c – 919-630-2273

sarachapman7@outlook.com

“In general, success is not about the idea; it’s about the implementation.” - *unknown*



From: [Maureen Maingi](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Friday, August 01, 2014 8:57:46 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Maureen C. Maingi
10801 Crosschurch Lane

--

Maureen

From: [Lori](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Thursday, July 31, 2014 10:40:12 PM

Hello,

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Lori Taylor
10713 Elmbrook Court, Raleigh. 27614

From: [Kelly Huisking](#)
To: [Rezoning](#)
Subject: Rezoning feedback.
Date: Thursday, July 31, 2014 9:38:15 PM

Hello,

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)

[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Kelly Huisking

10912 Brimfield Ct.

Send to rezoning@raleighnc.gov
Subject: Rezoning Feedback

From: [Tom & Karen](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Thursday, July 31, 2014 8:52:31 PM

Dear Raleigh City Council,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Thomas and Karen Walencik

1801 Whittington Road

Raleigh, NC

27614

From: [LEE WILLHITE](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Thursday, July 31, 2014 8:44:44 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Lee Willhite

1709 Whittington Drive

Raleigh, NC 27614

From: [Lee & Eddie Willhite](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Thursday, July 31, 2014 8:43:50 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Edwin Willhite

1709 Whittington Drive
Raleigh, NC 27614

From: [Jason Jonczak](#)
To: [Rezoning](#)
Subject: Dunn road proposed rezoning
Date: Thursday, July 31, 2014 8:22:54 PM

To whom it may concern,

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)

[1540 Dunn Road](#)

[On](#) several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Jason Jonczak

10617 Still Creek Court

Raleigh, NC 27614

From: [Pam Emerson](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Thursday, July 31, 2014 7:12:35 PM

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Pam and Jeff Emerson

10805 Crosschurch Lane

Raleigh 27614

From: [Danielle](#)
To: [Rezoning](#)
Subject: rezoning protest
Date: Thursday, July 31, 2014 6:44:02 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Danielle Weeks

From: [Frank Huisking](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Thursday, July 31, 2014 6:02:33 PM

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)

[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

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- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

Regards,

Frank Huisking
10912 Brimfield Court
Raleigh, Wood Spring sub-division

From: [Rezoning](#)
To: [Rezoning](#)
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Friday, August 01, 2014 9:14:12 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

As you are probably aware these properties are part of an active, privately-initiated, rezoning request (Z-1-2014) that also includes parcels to the south, proposing to rezone them to Neighborhood Mixed Use, 3 stories, Conditional Use (NX-3-CU). The public process associated with Z-1-2014 is independent of the City's remapping initiative and takes precedence over the city-wide remapping effort. Should Z-1-2014 be approved by City Council, the city-wide remapping recommendation will become irrelevant, as it will be superseded by the new zoning designation. Should the case be denied by City Council, the recommendation of the city-wide remapping for the area will be evaluated by the Planning Commission and City Council publicly. As part of that process, your comments will be presented to Planning Commission and City Council for consideration as part of their decision making process about what the future zoning of these properties should be.

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

David Cox

1902 Stoneytrace Court
Raleigh, NC 27614

From: [Arehart, Kurt L. \(Genworth\)](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Friday, August 01, 2014 9:13:30 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Kurt Arehart
4720 All Points View Way
Raleigh, NC 27614
919 624 4054
klarehart@gmail.com

From: [Rezoning](#)
To: [Arehart, Kurt L. \(Genworth\)](#)
Subject: RE: Rezoning Feedback
Date: Friday, August 01, 2014 9:16:19 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Arehart, Kurt L. (Genworth) [mailto:Kurt.Arehart@genworth.com]
Sent: Friday, August 01, 2014 9:13 AM
To: Rezoning
Subject: Rezoning Feedback

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The

current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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Regards,

Kurt Arehart
4720 All Points View Way
Raleigh, NC 27614
919 624 4054
klarehart@gmail.com

From: [Rezoning](#)
To: [Lewis, Matt B. \(Genworth\)](#)
Subject: RE: Rezoning Feedback
Date: Friday, August 01, 2014 9:45:31 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Lewis, Matt B. (Genworth) [mailto:Matt.Lewis@genworth.com]
Sent: Friday, August 01, 2014 9:44 AM
To: Rezoning
Subject: Rezoning Feedback

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Matt Lewis
2820 Treasure Lane Raleigh, NC 27614

Matt Lewis

Genworth Mortgage Insurance
Director – IT Application Development
8325 Six Forks Rd.
Raleigh, NC
(919) 870-2303
(919) 870-2362 fax
matt.lewis@genworth.com

Notice: This message is confidential and is intended only for the recipient(s) named above. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender at 919-870-2303 and delete this message from your computer. Thank you for your cooperation.

From: [Lewis, Matt B. \(Genworth\)](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Friday, August 01, 2014 9:44:22 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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From: [Walter, Bynum](#)
To: [Rezoning](#)
Subject: Fwd: Remapping of 1500 and 1540 Dunn Road
Date: Friday, August 01, 2014 1:10:08 PM

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
[919-996-2178](tel:919-996-2178) (v); [919-516-2684](tel:919-516-2684) (f)
<http://www.raleighnc.gov>

Begin forwarded message:

From: "Crane, Travis" <Travis.Crane@raleighnc.gov>
Date: August 1, 2014 at 12:50:16 PM EDT
To: "Aull, Ray" <Ray.Aull@raleighnc.gov>, "Walter, Bynum" <Bynum.Walter@raleighnc.gov>
Subject: **FW: Remapping of 1500 and 1540 Dunn Road**

From: NORCHOA [<mailto:norchoa@gmail.com>]
Sent: Friday, August 01, 2014 10:30 AM
To: Citycouncilors; City Manager; Bowers, Kenneth; Crane, Travis
Cc: Gene Senecal; George Farthing; Tim Niles
Subject: Remapping of 1500 and 1540 Dunn Road

We wanted to let you know that we have asked the members of our community to consider providing the following email as our collective input regarding the remapping of 1500 and 1540 Dunn Road. As a consequence, you might see identical or similar emails coming in from North Raleigh.

I am writing to submit my comments on the city's remapping of the following properties:

[1500 Dunn Road](#)
[1540 Dunn Road](#)

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial

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I submit that the two properties, [1500 Dunn Rd](#) and [1540 Dunn Rd](#) should be remapped to OX-3 rather than NX-3.

North Raleigh Coalition of Homeowners (NORCHOA)

From: [Jean Hedges](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Friday, August 01, 2014 12:37:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

This administration needs to prove it is not corrupt. It is looking pretty shady in the eyes of voters right now.

Regards,

Jean Hedges
1909 HOLLOWGATE RD
RALEIGH, NC 27614



PRIMELENDING
EST. 1986

Jean Hedges
Loan Officer
Direct: 919.334.9030 Fax: 866.460.7667
NMLS: 108440
jhedges@primelending.com
www.hedgesmortgage.com



PrimeLending
A PlainsCapital Company.
5400 Glenwood Ave., Suite 215
Raleigh, NC 27612

From: [Palmeri, Philip A](#)
To: [Rezoning](#)
Subject: Dunn Road Rezoning Project
Date: Friday, August 01, 2014 12:40:44 PM
Attachments: [image001.png](#)

To whom it may concern:

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Philip and Mary Palmeri
1920 High Holly Lane
Raleigh, NC 27614

Philip A. Palmeri
Client Partner

5511 Capital Center Drive
Suite P-130
Raleigh, NC 27606

mobile: (919) 614-0565
ppalmeri@ciber.com
www.ciber.com

ciber[®] Client focused.
Results driven.

From: [Lori](#)
To: [Rezoning](#)
Subject: Re: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Friday, August 01, 2014 11:09:25 AM

Thank you responding. I will be a very unhappy constituent if a large retailer sets up in that location.

Sincerely,

Lori Taylor

Sent from my iPhone

On Aug 1, 2014, at 9:14 AM, Rezoning <Rezoning@raleighnc.gov> wrote:

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team
Email: rezoning@raleighnc.gov
Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

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Regards,

David Cox

1902 Stoneytrace Court
Raleigh, NC 27614

"E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized City or Law Enforcement official."

From: [Rezoning](#)
To: [Rezoning](#)
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Friday, August 01, 2014 2:38:21 PM

Earlier today you received a response from us that included the name and address of one of our citizens. We wish to apologize for this oversight as we did not intend to include that in the message.

Thanks again for sharing your concerns with us.

Sincerely,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Rezoning
Sent: Friday, August 01, 2014 9:14 AM
To: Rezoning
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

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Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

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1540 Dunn Road

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

From: [Palmeri, Philip A](#)
To: [Rezoning](#)
Subject: RE: Dunn Road Rezoning Project
Date: Friday, August 01, 2014 2:19:33 PM
Attachments: [image001.png](#)

Thank you for taking the time to reply.

Regards,
Phil

Philip A. Palmeri
Client Partner

5511 Capital Center Drive
Suite P-130
Raleigh, NC 27606

mobile: (919) 614-0565
ppalmeri@ciber.com
www.ciber.com

ciber[®] Client focused.
Results driven.

From: Rezoning [<mailto:Rezoning@raleighnc.gov>]
Sent: Friday, August 01, 2014 2:14 PM
To: Palmeri, Philip A
Subject: RE: Dunn Road Rezoning Project

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Palmeri, Philip A [<mailto:PPalmeri@ciber.com>]

Sent: Friday, August 01, 2014 9:21 AM

To: Rezoning

Subject: Dunn Road Rezoning Project

To whom it may concern:

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Philip and Mary Palmeri
1920 High Holly Lane
Raleigh, NC 27614

Philip A. Palmeri
Client Partner

5511 Capital Center Drive
Suite P-130
Raleigh, NC 27606

mobile: (919) 614-0565
ppalmeri@ciber.com
www.ciber.com

ciber[®] Client focused.
Results driven.

From: [Jean Hedges](#)
To: [Rezoning](#)
Subject: RE: Rezoning Feedback
Date: Friday, August 01, 2014 2:18:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Keep developers money out of your pockets



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Mobile 919.961.6915
[Click here to apply online](#)



Working together to have a profound and positive impact on the lives of all we serve.

From: Rezoning [mailto:Rezoning@raleighnc.gov]
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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Jean Hedges [<mailto:jhedges@primelending.com>]

Sent: Friday, August 01, 2014 12:37 PM

To: Rezoning

Subject: Rezoning Feedback

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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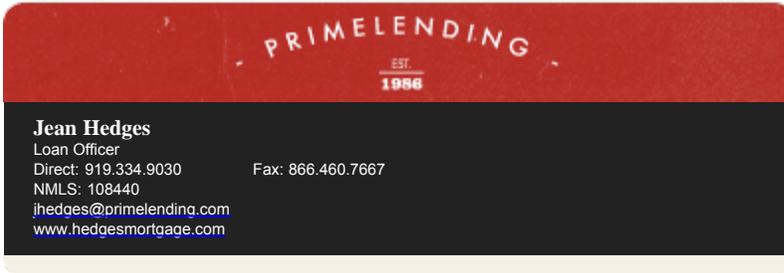
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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

This administration needs to prove it is not corrupt. It is looking pretty shady in the eyes of

voters right now.
Regards,

Jean Hedges
1909 HOLOWGATE RD
RALEIGH, NC 27614



Office 919.334.9030
Mobile 919.961.6915
[Click here to apply online](#)



Working together to have a profound and positive impact on the lives of all we serve.

PrimeLending, A PlainsCapital Company NMLS # 13649, Equal Housing Lender.

***** CONFIDENTIALITY NOTICE *****

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PrimeLending, A PlainsCapital Company NMLS # 13649, Equal Housing Lender.

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From: [Mitch Wolf](#)
To: [Rezoning](#)
Cc: bwolf4@aol.com
Subject: Rezoning Feedback
Date: Saturday, August 02, 2014 2:24:19 AM

Dear Raleigh City Council:

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

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I once again submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Respectfully submitted,
Mitchell A. Wolf (& Brenda B. Wolf)
1712 Whittington Drive (Woodspring)
Raleigh, N.C. 27614

Mitch Wolf
Law Offices of Mitchell A. Wolf, PLLC
Injury Attorney & Counselor at Law
309 W. Millbrook Road, Suite 141
Raleigh, NC 27609
Telephone: (919) 786-1886

From: [Home](#)
To: [Rezoning](#)
Subject: Rezoning feedback
Date: Saturday, August 02, 2014 8:17:12 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Katherine and Mark Patton

1813 Wescott Drive

Raleigh, NC 27614

WoodSpring subdivision

From: [Bob Perry](#)
To: [Rezoning](#)
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Sunday, August 03, 2014 12:25:18 AM

Thank you for your reply.

I understand your comments in your second paragraph about the rezoning request Z-1-2014, but I would like to respond to your comments in your first paragraph:

...the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail."

When **a record 522 citizens** show up for a Raleigh Citizens Advisory Council meeting, and **over 95% of them** vote against the city allowing those properties to be used to build a 50,000 square foot grocery store, **then there is a specific need to prohibit that type of retail!**

Mapping that area as NX-3 would allow a 50,000 square foot grocery store to be built on that property, while mapping that area as OX-3 would not allow that use, but would allow other retail uses.

Mapping that area as NX-3 would go against the expressed desire of over 95% of the citizens in the surrounding area, whereas mapping that area as OX-3 would be in agreement with the expressed desire of over 95% of the citizens in the surrounding area.

This goes beyond just the rezoning request Z-1-2014. Mapping that area as OX-3 will explicitly prevent the uses to which over 95% of the residents object, while mapping it NX-3 will not explicitly prevent the uses to which over 95% of the residents object.

The fact remains that an unprecedented 522 citizens - 95.8% of the total vote - in North Raleigh came forward to let City Council and Government know that they do not want this particular development for a destination shopping center. Yet, the community is far from hostile to development and welcomes a small, walkable, neighborhood oriented center **as envisioned in Raleigh's Comprehensive Plan.**

I urge you to listen to the citizens who have made it crystal clear that they object to the types of uses that NX would allow, and that NX is NOT an acceptable remapping of these Buffer Commercial (BC) properties, while OX would be an acceptable remapping.

Sincerely,
Bob Perry

From: Rezoning [mailto:Rezoning@raleighnc.gov]
Sent: Friday, August 01, 2014 9:14 AM
To: Rezoning
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

Thank you for taking the time to weigh in on the draft rezoning map.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

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1540 Dunn Road

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From: Rezoning
To: ["Home"](#)
Subject: RE: Rezoning feedback
Date: Monday, August 04, 2014 9:33:00 AM

Thank you for taking the time to weigh in on the draft rezoning map.

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City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Home [mailto:mpatton6@nc.rr.com]
Sent: Saturday, August 02, 2014 8:17 AM
To: Rezoning
Subject: Rezoning feedback

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Katherine and Mark Patton

1813 Wescott Drive

Raleigh, NC 27614

WoodSpring subdivision

From: Rezoning
To: ["Mitch Wolf"](#)
Subject: RE: Rezoning Feedback
Date: Monday, August 04, 2014 9:31:00 AM

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City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Mitch Wolf [mailto:mitch@wolflawnc.com]
Sent: Wednesday, July 30, 2014 4:29 PM
To: Rezoning
Cc: bbwolf4@aol.com
Subject: Rezoning Feedback

Dear Raleigh City Council:

I am writing to submit my comments on the city's remapping of the following properties:

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1540 Dunn Road

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Respectfully submitted,
Mitchell A. Wolf (& Brenda B. Wolf)
1712 Whittington Drive (Woodspring)
Raleigh, N.C. 27614

Mitch Wolf
Law Offices of Mitchell A. Wolf, PLLC
Injury Attorney & Counselor at Law
309 W. Millbrook Road, Suite 141
Raleigh, NC 27609
Telephone: (919) 786-1886
Fax: (919) 786-1887
e-mail: mitch@wolflawnc.com

From: Rezoning
To: ["Jeffrey Emerson"](#)
Subject: RE: Rezoning Feedback
Date: Monday, August 04, 2014 9:34:00 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Phone: 919.996.6363 (8am-5pm, Mon-Fri)

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1540 Dunn Road

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assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jeff Emerson
10805 Crosschurch Lane
Raleigh 27614

From: [Jeffrey Emerson](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Sunday, August 03, 2014 8:17:53 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

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Regards,

Jeff Emerson
10805 Crosschurch Lane
Raleigh 27614

From: [Rezoning](#)
To: [Bob Perry](#)
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Monday, August 04, 2014 10:16:40 AM

Thanks again for your comments.

Note that the area staff has proposed to remap from CUD BC to NX-3-CU is only 4.35 acres. This is only 1/3rd of the 13 acres under consideration for rezoning as part of Z-1-2014.

Also note that OX does not allow stand-alone retail development, and only permits retail uses to develop as a portion of a mixed-use building. Specifically, "the retail use cannot exceed 15% of the gross floor area of the entire building or 4,000 square feet, whichever is greater."

(<http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance/#154>) . As such, any retail development could only occur in OX as part of a larger Office or Residential structure.

Again, as this area is a portion of the site under consideration for rezoning case Z-1-2014, staff will await the decision of City Council of whether or not they approve the request of that case. Should the case be denied by City Council, your comments will be presented to Planning Commission and City Council for consideration as part of their decision making process about what the future zoning of these properties should be as part of the city-wide remapping effort.

Thanks again for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Bob Perry [mailto:bperry@perryintl.com]
Sent: Sunday, August 03, 2014 7:10 PM
To: Rezoning
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

I just realized that the following corrections are needed to my earlier email below:

When **a record 522 545 citizens** show up for a Raleigh Citizens Advisory Council meeting, and **over 95% of them (522)** vote against the city allowing those properties to be used to build a 50,000 square foot grocery store, **then there is a specific need to prohibit that type of retail!**

From: Bob Perry [mailto:bperry@perryintl.com]
Sent: Sunday, August 03, 2014 12:25 AM
To: 'Rezoning'

Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

Thank you for your reply.

I understand your comments in your second paragraph about the rezoning request Z-1-2014, but I would like to respond to your comments in your first paragraph:

...the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail."

When **a record 522 citizens** show up for a Raleigh Citizens Advisory Council meeting, and **over 95% of them** vote against the city allowing those properties to be used to build a 50,000 square foot grocery store, **then there is a specific need to prohibit that type of retail!**

Mapping that area as NX-3 would allow a 50,000 square foot grocery store to be built on that property, while mapping that area as OX-3 would not allow that use, but would allow other retail uses.

Mapping that area as NX-3 would go against the expressed desire of over 95% of the citizens in the surrounding area, whereas mapping that area as OX-3 would be in agreement with the expressed desire of over 95% of the citizens in the surrounding area.

This goes beyond just the rezoning request Z-1-2014. Mapping that area as OX-3 will explicitly prevent the uses to which over 95% of the residents object, while mapping it NX-3 will not explicitly prevent the uses to which over 95% of the residents object.

The fact remains that an unprecedented 522 citizens - 95.8% of the total vote - in North Raleigh came forward to let City Council and Government know that they do not want this particular development for a destination shopping center. Yet, the community is far from hostile to development and welcomes a small, walkable, neighborhood oriented center **as envisioned in Raleigh's Comprehensive Plan.**

I urge you to listen to the citizens who have made it crystal clear that they object to the types of uses that NX would allow, and that NX is NOT an acceptable remapping of these Buffer Commercial (BC) properties, while OX would be an acceptable remapping.

Sincerely,
Bob Perry

From: Rezoning [<mailto:Rezoning@raleighnc.gov>]
Sent: Friday, August 01, 2014 9:14 AM
To: Rezoning
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

As you are probably aware these properties are part of an active, privately-initiated, rezoning request (Z-1-2014) that also includes parcels to the south, proposing to rezone them to Neighborhood Mixed Use, 3 stories, Conditional Use (NX-3-CU). The public process associated with Z-1-2014 is independent of the City's remapping initiative and takes precedence over the city-wide remapping effort. Should Z-1-2014 be approved by City Council, the city-wide remapping recommendation will become irrelevant, as it will be superseded by the new zoning designation. Should the case be denied by City Council, the recommendation of the city-wide remapping for the area will be evaluated by the Planning Commission and City Council publicly. As part of that process, your comments will be presented to Planning Commission and City Council for consideration as part of their decision making process about what the future zoning of these properties should be.

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From: [Bob Perry](#)
To: [Rezoning](#)
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)
Date: Sunday, August 03, 2014 7:09:48 PM

I just realized that the following corrections are needed to my earlier email below:

When **a record 522 545 citizens** show up for a Raleigh Citizens Advisory Council meeting, and **over 95% of them (522)** vote against the city allowing those properties to be used to build a 50,000 square foot grocery store, **then there is a specific need to prohibit that type of retail!**

From: Bob Perry [mailto:bperry@perryintl.com]
Sent: Sunday, August 03, 2014 12:25 AM
To: 'Rezoning'
Subject: RE: Remapping Feedback (1500 & 1540 Dunn Rd)

Thank you for your reply.

I understand your comments in your second paragraph about the rezoning request Z-1-2014, but I would like to respond to your comments in your first paragraph:

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I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

From: [Mary Yannayon](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Monday, August 04, 2014 10:04:07 PM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road
1540 Dunn Road

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Regards,

Mary Yannayon
10617 River Forest Dr.

Raleigh, NC 27614

From: Rezoning
To: ["Mary Yannayon"](#)
Subject: RE: Rezoning Feedback
Date: Tuesday, August 05, 2014 8:41:00 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Mary Yannayon [mailto:mary.yannayon@mindspring.com]
Sent: Monday, August 04, 2014 10:04 PM
To: Rezoning
Subject: Rezoning Feedback

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

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Regards,

Mary Yannayon
10617 River Forest Dr.

Raleigh, NC 27614

From: [Deanna Kropp](#)
To: [Rezoning](#)
Subject: Rezoning Feedback
Date: Thursday, August 07, 2014 8:06:01 AM

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Deanna Kropp

1908 Hollowgate Road

Raleigh, NC 27614

From: Rezoning
To: ["Deanna Kropp"](#)
Subject: RE: Rezoning Feedback
Date: Thursday, August 07, 2014 8:17:00 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Deanna Kropp [mailto:deannakropp@yahoo.com]
Sent: Thursday, August 07, 2014 8:06 AM
To: Rezoning
Subject: Rezoning Feedback

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Deanna Kropp

1908 Hollowgate Road

Raleigh, NC 27614

From: [McVey](#)
To: [Rezoning](#)
Subject: Remapping of Properties
Date: Sunday, August 10, 2014 7:45:37 PM

To whom it may concern,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

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Regards,

Jim & Katherine McVey
10605 Pride Rock Ct.

From: [Rezoning](#)
To: [McVey](#)
Subject: RE: Remapping of Properties
Date: Monday, August 11, 2014 9:19:59 AM

Thank you for taking the time to weigh in on the draft rezoning map.

It is true that the guidance document for the remapping identifies Office Mixed Use (OX) as an option for the proposed zoning map when translating from the old designation of Buffer Commercial (BC). However, it also identifies Residential-10 (R-10) or Neighborhood Mixed Use (NX) as additional options, and specifically recommends "NX unless there is a specific need to prohibit retail." As this site is designated as Neighborhood Mixed Use on the Future Land Use Map and is currently undeveloped, NX was the best option. Additionally, staff has consistently recommended NX across the City in the majority of locations where BC zoning exists today.

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Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: McVey [mailto:jmcvey1@nc.rr.com]
Sent: Sunday, August 10, 2014 7:46 PM
To: Rezoning
Subject: Remapping of Properties

To whom it may concern,

I am writing to submit my comments on the city's remapping of the following properties:

1500 Dunn Road

1540 Dunn Road

On several occasions city staff has stated that a property's new zoning district is being assigned by selecting the new district most closely aligned with the property's current district without eliminating any on-the-ground or existing uses which would cause a non-conformity or taking away existing property rights. The current zoning district for the two subject properties is Buffer Commercial CUD. The subject properties are currently undeveloped. So, remapping to any zoning district cannot cause a non-conformity for an existing on-the-ground use.

Buffer Commercial:

- restricts square footage to 3,000 sq ft per floor, per structure.
- excludes fuel sales
- excludes drive-thru or drive-in facilities

The city's Remapping Guidance Document clearly states OX as one of the proposed districts for mapping to from BC. The OX restricts square footage to 4,000 sq ft and aligns more closely to the current entitlement than NX which allows unlimited square footage. Buffer Commercial restrictions on fuel sales and drive-in or drive-thru facilities are maintained in OX whereas NX allows these uses. The OX district also allows retail sales and personal services such as Beauty/Hair salons, Copy Centers, Restaurants and Optometrists which would serve both the offices in the development and the surrounding neighborhood.

The proposed remapping of these properties to NX eliminates the current restrictions and expands on the current uses exponentially. This is clearly not in keeping with the city's stated goal of mapping properties to the most closely aligned new zoning district.

I submit that the two properties, 1500 Dunn Rd and 1540 Dunn Rd should be remapped to OX-3 rather than NX-3.

Regards,

Jim & Katherine McVey
10605 Pride Rock Ct.

From: [Laura Perry](#)
To: [Rezoning](#)
Subject: UDO
Date: Tuesday, September 30, 2014 3:07:14 PM

As a long time realtor in Raleigh, I have depended on the Comprehensive Plan 2030 to guide clients and residents in Raleigh as to the long term growth and development near their homes. The Comprehensive Plan was the collective work of many parties. I would request that the UDO should maintain the nature and vision of the Comprehensive Plan.

One particular rezoning that impacts several of my clients, as well as myself, is the request to rezone the land by Falls of Neuse and Dunn Road/ Many documents produced by the City of Raleigh have stated that the intent for this land was to maintain the Rural Feel of this corridor. This message was strongly stated, presented and promised to homeowners when the road widening plan was discussed. I have given these documents to members of the City Council, and can also present them at the Planning Commission meeting on October 7th.

Potential buyers in the subdivisions around Wood Spring ALWAYS comment on the beautiful entrance way on Whittington Dr. This would be destroyed by the addition of a grocery store at this lot. Property values ARE ALREADY EFFECTED. Current listings are either not selling as they had previously, or are selling AT REDUCED PRICES. It is not a question of IF property values will be effected, but by HOW MUCH. I can provide documentation on all of these statements if requested.

Current zoning, and tree protection rules, as well as watershed rules -(ie I could not add a 5' x 5" concrete patio to my backyard) would allow proper development for this lot. The owner of the lot knew the zoning at the time of purchase. THIS LOT IS NOT DESIGNED FOR A NX ZONE.

Over 3400 signatures were collected against this rezoning. These residents do not want a grocery store, and DO NOT NEED A GROCERY STORE in this lot, so it is not the best use of this property at all.

Thank you,
Laura Perry
10813 Crosschurch Lane
Raleigh, NC 27614

--

Laura Perry

Allen Tate Realtors

Mobile: 919-606-4815

Laura.Perry@allentate.com

From: [Aull, Ray](#)
To: [Laura Perry](#)
Cc: [Rezoning](#)
Subject: RE: UDO [GEN-0501]
Date: Tuesday, October 07, 2014 11:00:12 AM

Ms. Perry,

Sorry for not getting back to you sooner. As you can probably imagine, the last day of the comment period brought in a large number of comments and I did not want to just send you a boiler plate response.

We hear your concerns and hope you have or have had an opportunity to voice them at today's Planning Commission and future public meetings related to Z-1-2014. I want to reiterate that the UDO Remapping under way is an entirely separate process from the privately initiated rezoning request labeled Z-1-2014, and the outcome of that case will likely impact the ultimate outcome of the remapping on that site. However, staff will carry forward the recommendation we have in place until such time as Z-1-2014 is settled. Should Z-1-2014 be approved, staff's recommendation will become irrelevant as the zoning approved with that case will become law. However, should that case be denied, Planning Commission and City Council will further evaluate the future zoning of that site in order to come up with a final recommendation for what the ultimate zoning of the site will be.

Again, thank you for taking the time to communicate with us, as well as for recognizing the importance of the City's Comprehensive Plan.

Ray A. Aull, Planner II (GIS)
Long Range Planning Division
Raleigh Department of City Planning
Phone: 919.996.2163
Office: One Exchange Plaza, Ste 300 (27601)
Mail: PO Box 590, Raleigh, NC 27602

From: Laura Perry [mailto:laura.perry@allentate.com]
Sent: Tuesday, September 30, 2014 3:07 PM
To: Rezoning
Subject: UDO

As a long time realtor in Raleigh, I have depended on the Comprehensive Plan 2030 to guide clients and residents in Raleigh as to the long term growth and development near their homes. The Comprehensive Plan was the collective work of many parties. I would request that the UDO should maintain the nature and vision of the Comprehensive Plan.

One particular rezoning that impacts several of my clients, as well as myself, is the request to rezone the land by Falls of Neuse and Dunn Road/ Many documents produced by the City of Raleigh have stated that the intent for this land was to maintain the Rural Feel of this corridor. This message was strongly stated, presented and promised to homeowners when the road widening plan was discussed. I have given these documents to members of the City Council, and can also present them at the Planning Commission meeting on October 7th.

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Over 3400 signatures were collected against this rezoning. These residents do not want a grocery store, and DO NOT NEED A GROCERY STORE in this lot, so it is not the best use of this property at all.

Thank you,
Laura Perry
10813 Crosschurch Lane
Raleigh, NC 27614

--

Laura Perry

Allen Tate Realtors

Mobile: 919-606-4815

Laura.Perry@allentate.com

www.LauraPerryTeam.com

From: [Deanna Easley](#)
To: [Citycouncilors](#); [ericmbraun@me.com](#); [buxton_jb@gmail.com](#); [flem1943@bellsouth.net](#); [mafluhrer@fluhrrreed.com](#); [eesterling@gmail.com](#); [jil@millridgeco.com](#); [sschuster@clearscapes.com](#); [rlswink825@gmail.com](#); [adam.terando@gmail.com](#); [lwhitsett@williamsmullen.com](#); [Rezoning](#)
Subject: REMAPPING 1500 & 1540 DUNN ROAD
Date: Monday, January 26, 2015 9:07:15 PM

Good Evening:

I am writing to express my concern about the proposed remapping of the two properties of 1500 and 1540 Dunn Rd from their legacy zoning districts of BC (Buffer Commercial) to the new UDO zoning district of NX (Neighborhood Mixed Use).

I understand Raleigh's policy is to remap properties to the new UDO zoning districts using a conservative approach and apply the new district that is closest in entitlements to the current zoning without eliminating any current entitlements. This means that the new zoning district should not unnecessarily increase a property's entitlements.

The Planning staff is currently proposing these two properties be remapped to NX. And, that will exponentially expand the entitlements for these properties in direct conflict with policy.

BC, the current zoning district, restricts retail development to 3,000 sq ft per floor, per building. It also does not allow fuel sales, drive-in or drive-thru establishments. NX allows all of these and has no square footage restrictions at all. In fact, the Planning Department recommends retail establishments up to 50,000 sq ft in NX developments. That's an increase in entitlements of over 1,500% and it's unnecessary.

A review of entitlements by zoning district shows that all of the entitlements under the current zoning of BC (Buffer Commercial) are allowed under the new UDO zoning district OX (Office Mixed Use). It maintains the restrictions on fuel sales, drive-in and drive-thru establishments. And, it increases the square footage allowance for retail establishments from 3,000 to 4,000 sq feet.

There is nothing that can be developed under the current zoning for these properties that cannot be developed under a remapping to OX (Office Mixed Use). Remapping these properties to OX meets both the spirit and the letter of the city's policy.

The Planning Department will respond by quoting a different portion of the remapping policy saying that the existing buffer commercial zones will generally be re-mapped to NX unless there is a specific need to prohibit retail in the area. OX may be used if office or mixed use development is indicated on the Future Land Use Map.

First, the term used is "generally", which indicates OX can be used.

Second, the Future Land Use Map does indicate mixed use for these properties. So, again, OX is appropriate.

Last, there are specific reasons to limit retail at these properties. These properties are located on the Falls of Neuse Corridor that is identified by name in the Comprehensive Plan for special protection. Area residents have always been told that this property would be developed as a small office park. Plans are on file with the city for this approach. Signage on the property also indicates offices are planned. And, all the other undeveloped properties on the corridor are scheduled to be mapped to OX.

So, it is reasonable to remap these properties to OX which keeps in place the current restrictions on the properties while increasing the amount of retail allowed from 3,000 to 4,000 sq ft per building, limiting the retail development to an appropriate amount without prohibiting it.

Thank you for your attention.

J. Deanna Easley
1208 Shining Water Lane
Raleigh, NC 27614

From: gseecal@senegen.com
To: Citycouncilors; ericmbraun@me.com; buxton_jb@gmail.com; flem1943@bellsouth.net; mafluhrer@fluhrerreed.com; eeesterling@gmail.com; jl@millridgeco.com; sschuster@clearscapes.com; rlswink825@gmail.com; adam.terando@gmail.com; whitsett@williamsmullen.com; [Rezoning](#)
Subject: Remapping 1500 & 1540 Dunn Rd
Date: Monday, January 26, 2015 4:29:47 PM

I am writing this letter to express my concerns and objections about the proposed remapping of the two properties located at 1500 and 1540 Dunn Rd from their legacy zoning districts of BC (Buffer Commercial) to the new UDO zoning district of NX (Neighborhood Mixed Use).

I understand Raleigh's policy is to remap properties to the new UDO zoning districts using a conservative approach and apply the new district that is closest in entitlements to the current zoning without eliminating any current entitlements. This means that the new zoning district should not unnecessarily increase a property's entitlements.

The Planning staff is currently proposing these two properties be remapped to NX. And, that will exponentially expand the entitlements for these properties in direct conflict with policy.

BC, the current zoning district, restricts retail development to 3,000 sq ft per floor, per building. It also does not allow fuel sales, drive-in or drive-thru establishments. NX allows all of these and has no square footage restrictions at all. In fact, the Planning Department recommends retail establishments up to 50,000 sq ft in NX developments. That's an increase in entitlements of over 1,500% and it's unnecessary.

A review of entitlements by zoning district shows that all of the entitlements under the current zoning of BC (Buffer Commercial) are allowed under the new UDO zoning district OX (Office Mixed Use). It maintains the restrictions on fuel sales, drive-in and drive-thru establishments. And, it increases the square footage allowance for retail establishments from 3,000 to 4,000 sq feet.

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First, the term used is "generally", which indicates OX can be used.

Second, the Future Land Use Map does indicate mixed use for these properties. So, again, OX is appropriate.

Last, there are specific reasons to limit retail at these properties. These properties are located on the Falls of Neuse Corridor that is identified by name in the Comprehensive Plan for special protection. Area residents have always been told that this property would be developed as a small office park. Plans are on file with the city for this approach. Signage on the property also indicates offices are planned. And, all the other undeveloped properties on the corridor are scheduled to be mapped to OX.

So, it is reasonable to remap these properties to OX which keeps in place the current restrictions on the properties while increasing the amount of retail allowed from 3,000 to 4,000 sq ft per building, limiting the retail development to an appropriate amount without prohibiting it.

Regards

Gene Senecal
President, ROHOA
(919) 971-8640 (c)

From: [John Hite](#)
To: [Citycouncilors](#); [ericmbraun@me.com](#); [buxton_jb@gmail.com](#); [flem1943@bellsouth.net](#); [mafluhrer@fluhrerreed.com](#); [eesterling@gmail.com](#); [jil@millridgeco.com](#); [sschuster@clearscapes.com](#); [rlswink825@gmail.com](#); [adam.terando@gmail.com](#); [whitsett@williamsullen.com](#); [Rezoning](#)
Subject: Remapping 1500 & 1540 Dunn Rd.
Date: Monday, January 26, 2015 11:27:55 AM

I am writing to express my concern about the proposed remapping of the two properties of 1500 and 1540 Dunn Rd from their legacy zoning districts of BC (Buffer Commercial) to the new UDO zoning district of NX (Neighborhood Mixed Use).

I understand Raleigh's policy is to remap properties to the new UDO zoning districts using a conservative approach and apply the new district that is closest in entitlements to the current zoning without eliminating any current entitlements. This means that the new zoning district should not unnecessarily increase a property's entitlements.

The Planning staff is currently proposing these two properties be remapped to NX. And, that will exponentially expand the entitlements for these properties in direct conflict with policy.

BC, the current zoning district, restricts retail development to 3,000 sq ft per floor, per building. It also does not allow fuel sales, drive-in or drive-thru establishments. NX allows all of these and has no square footage restrictions at all. In fact, the Planning Department recommends retail establishments up to 50,000 sq ft in NX developments. That's an increase in entitlements of over 1,500% and it's unnecessary.

A review of entitlements by zoning district shows that all of the entitlements under the current zoning of BC (Buffer Commercial) are allowed under the new UDO zoning district OX (Office Mixed Use). It maintains the restrictions on fuel sales, drive-in and drive-thru establishments. And, it increases the square footage allowance for retail establishments from 3,000 to 4,000 sq feet.

There is nothing that can be developed under the current zoning for these properties that cannot be developed under a remapping to OX (Office Mixed Use). Remapping these properties to OX meets both the spirit and the letter of the city's policy.

The Planning Department will respond by quoting a different portion of the remapping policy saying that the existing buffer commercial zones will generally be re-mapped to NX unless there is a specific need to prohibit retail in the area. OX may be used if office or mixed use development is indicated on the Future Land Use Map.

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So, it is reasonable to remap these properties to OX which keeps in place the current restrictions on the properties while increasing the amount of retail allowed from 3,000 to 4,000 sq ft per building, limiting the retail development to an appropriate amount without prohibiting it.

Regards,
John & Sheila Hite
9401 Herringbone Dr.
Raleigh, NC 27614

From: [Jeannine and James Sapp](#)
To: [Rezoning](#)
Subject: Remapping 1500-1540 Dunn Rd.
Date: Monday, January 26, 2015 8:31:09 AM

I am writing to express my concern about the proposed remapping of the two properties of 1500 and 1540 Dunn Rd from their legacy zoning districts of BC (Buffer Commercial) to the new UDO zoning district of NX (Neighborhood Mixed Use).

My sister-in-law works for the grocery company who is proposing to build on that site and she said the traffic their store generates often causes serious problems especially at peak times of the day. During the holidays, the manager has to hire policemen to direct traffic because there are such traffic jams that create major problems for the intersection where her store is located in Georgia. This store is on a main intersection in her city, not on a corridor like Falls of Neuse.

I understand Raleigh's policy is to remap properties to the new UDO zoning districts using a conservative approach and apply the new district that is closest in entitlements to the current zoning without eliminating any current entitlements. This means that the new zoning district should not unnecessarily increase a property's entitlements.

The Planning staff is currently proposing these two properties be remapped to NX. And, that will exponentially expand the entitlements for these properties in direct conflict with policy.

BC, the current zoning district, restricts retail development to 3,000 sq ft per floor, per building. It also does not allow fuel sales, drive-in or drive-thru establishments. NX allows all of these and has no square footage restrictions at all. In fact, the Planning Department recommends retail establishments up to 50,000 sq ft in NX developments. That's an increase in entitlements of over 1,500% and it's unnecessary.

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There is nothing that can be developed under the current zoning for these properties that cannot be developed under a remapping to OX (Office Mixed Use). Remapping these properties to OX meets both the spirit and the letter of the city's policy.

The Planning Department will respond by quoting a different portion of the remapping policy saying that the existing buffer commercial zones will generally be re-mapped to NX unless there is a specific need to prohibit retail in the area. OX may be used if office or mixed use development is indicated on the Future Land Use Map.

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So, it is reasonable to remap these properties to OX which keeps in place the current restrictions on the properties while increasing the amount of retail allowed from 3,000 to 4,000 sq ft per building, limiting the retail development to an appropriate amount without prohibiting it.

Thank you for your time,

Jeannine Sapp
1209 Shining Water Lane

From: [John Kotecki](#)
To: [Rezoning](#)
Subject: Remapping 1500 & 1540 Dunn Rd
Date: Saturday, February 07, 2015 10:01:36 AM

I am writing to express my concern about the proposed remapping of the two properties of 1500 and 1540 Dunn Rd from their legacy zoning districts of BC (Buffer Commercial) to the new UDO zoning district of NX (Neighborhood Mixed Use).

I understand Raleigh's policy is to remap properties to the new UDO zoning districts using a conservative approach and apply the new district that is closest in entitlements to the current zoning without eliminating any current entitlements. This means that the new zoning district should not unnecessarily increase a property's entitlements.

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So, it is reasonable to remap these properties to OX which keeps in place the current restrictions on the properties while increasing the amount of retail allowed from 3,000 to 4,000 sq ft per building, limiting the retail development to an appropriate amount without prohibiting it.

Regards
John Kotecki
11617 Midlavian Dr
Raleigh, NC 27614

GEN-0556
GEN-0557

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



-0556 -0557
Re: 3717 and 3725 National Drive
PINs# 0795887501 and 0795887960

Dear Mr. Becker:

As counsel for GLENWOOD PLACE PORTFOLIO II, LLC, owner of the above described properties, I write to convey our concerns about the proposed zoning for these properties.

The proposed zoning for all of these properties is OX-5, however the Future Land Use Map designates these properties for Office & Residential Mixed Use and the Urban Form Map indicates that these properties are located at the convergence of Glenwood Avenue, a Transit Emphasis Corridor, and the I-440 Beltline, a Parkway Corridor, suggesting that more height and an intense mix of uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise the rezoning for all of these properties to OX-12.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 3700 Glenwood Avenue
PIN# 0795879441

Dear Mr. Becker:

As counsel for 3700 Glenwood, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is OX-7-CU, however the Future Land Use Map designates this property for Office & Residential Mixed Use and the Urban Form Map indicates that this property is located on a Transit Emphasis Corridor, both suggesting that more height and an intense mix of uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise it to OX-12-CU.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, J

GEN-0559

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 3701 National Drive
PIN# 0795879708



Dear Mr. Becker:

As counsel for Glenwood Place Ventures, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is OX-7-CU, however the Future Land Use Map designates this property for Neighborhood Mixed Use and the Urban Form Map indicates that this property is located on a Transit Emphasis Corridor, both suggesting that more height and an intense mix of commercial uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise it to CX-12-CU.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 3733 National Drive
PIN# 0795990214

Dear Mr. Becker:

As counsel for GLENWOOD PLACE PORTFOLIO I, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is OX-5, however the Future Land Use Map designates this property for Office Residential Mixed Use and the Urban Form Map indicates that this property is located at the convergence of Glenwood Avenue, a Transit Emphasis Corridor, and the I-440 Beltline, a Parkway Corridor, suggesting that more height and an intense mix of uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise it to OX-12.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

GEN-0561

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 3739 National Drive
PIN# 0795993108

Dear Mr. Becker:

As counsel for GLENWOOD PLACE PORTFOLIO I, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is OX-5, however the Future Land Use Map designates this property for Office & Residential Mixed Use and the Urban Form Map indicates that this property is located at the convergence of Glenwood Avenue, a Transit Emphasis Corridor, and the I-440 Beltline, a Parkway Corridor, both suggesting that more height and an intense mix of uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise it to OX-7.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

GEN-0562

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 3724 National Drive
PIN# 0795982876

Dear Mr. Becker:

As counsel for GLENWOOD PLACE PORTFOLIO I, LLC, owner of the above described property, I write to convey our thoughts about the proposed zoning for this property.

The proposed zoning is OX-5, and at the present time we are comfortable with this proposed remapping, however we will continue to study this matter.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss properties in this area. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

GEN-0563
GEN-0564

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 30, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



- 0563 - 0564
Re: 3700 and 3716 National Drive
PINs# 0795889173 and 0795889544

As counsel for GLENWOOD PLACE PORTFOLIO II, LLC, owner of the above described properties, I write to convey our concerns about the proposed zoning for these properties.

The proposed zoning for these properties is OX-5, however the Future Land Use Map designates these properties for Office & Residential Mixed Use and the Urban Form Map indicates that this property is located in close proximity to the convergence of Glenwood Avenue, a Transit Emphasis Corridor, and the I-440 Beltline, a Parkway Corridor, both suggesting that more height and an intense mix of uses would be appropriate at this location.

We request that you reconsider the proposed rezoning and revise it to OX-7.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: R. Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

From: [Pettibone, Carter](#)
To: isabel@mattoxfirm.com
Cc: [Rezoning](#)
Subject: UDO Remapping Comments #GEN-0556 through 0564 - Properties on National Drive and Glenwood Avenue
Date: Monday, October 13, 2014 3:37:20 PM

Ms. Mattox,

Thank you for your comments regarding UDO zoning for the properties located on National Drive and Glenwood Avenue, including:

- 3717 National Drive (Comment #GEN-0556)
- 3725 National Drive (GEN-0557)
- 3700 Glenwood Avenue (GEN-0558)
- 3701 National Drive (GEN-0559)
- 3733 National Drive (GEN-0560)
- 3739 National Drive (GEN-0561)
- 3700 National Drive (GEN-0563)
- 3716 National Drive (GEN-0564)

Your requests are to amend the proposed zoning for additional height, up to 7 or 12 stories depending on the parcel. I brought these requests to our UDO Staff Review Team for discussion at a recent team meeting.

Staff does not agree with the request for increased height for these properties. We do not feel there is sufficient policy guidance to support heights in excess of what is currently proposed. While they are nearby, the parcels are not located in a City Growth Center as shown on the Urban Form Map of the 2030 Comprehensive Plan. The guidance Staff used in developing the draft UDO zoning map also does not suggest that additional height is appropriate as part of this UDO Remapping effort.

Regardless of Staff's determination, we are forwarding your comments to the Planning Commission for its review. More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "UDO - Unified Development Ordinance." The link is on the same webpage. You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have any questions.

Thank you.

Carter Pettibone, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning & Development Department
220 Fayetteville Street, Suite 200, Raleigh, NC 27601
919.996.4643

Ordinance (2009) 607 ZC 639

Effective: June 16, 2009

Z-24-09 - Conditional Use Trinity Road - located on the north side of Trinity Road, northwest of its intersection with Blue Ridge Road, being Wake County PIN(s) 0784569220 and 0784585495. Approximately 18.4 acres rezoned to Office & Institution-2 Conditional Use District.

Conditions Dated: 05/22/09

2) Narrative of conditions being requested:

A. ALL BUILDINGS SHALL BE A MAXIMUM HEIGHT OF 140 FEET.

B. THE FOLLOWING USES SHALL BE PROHIBITED;

- 1. CEMETERY**
- 2. FUNERAL HOME**
- 3. EMERGENCY SHELTER TYPE B**
- 4. SINGLE FAMILY DETACHED DWELLING**
- 5. CORRECTIONAL/PENAL FACILITY OF ALL TYPES**

C. SITE PLAN APPROVAL SHALL BE BY CITY COUNCIL.

D. THE SITE SHALL CONTROL THE RATE OF STORMWATER RUNOFF TO THE PREDEVELOPED LEVELS FOR THE 2,10,25,50, AND 100 YEARS STORM EVENTS.

E. THERE SHALL BE NO MORE THAN 2 ACCESS POINTS ONTO TRINITY RD. AND ONE ONTO WESTCHASE RD.

F. DEVELOPMENT SHALL MEET ALL SHOD-I REQUIREMENTS EXCEPT FOR THE HEIGHT LIMIT.

G. ALL HOTEL ROOMS SHALL HAVE INTERIOR ACCESS ONLY.

H. REIMBURSEMENT FOR ALL RIGHT OF WAY DEDICATION SHALL BE AT THE EXISTING RATE OF 0& I-1.

I. ALL PARKING DECKS SHALL HAVE THE SAME ARCHITECTURAL CHARACTER AND MATERIALS AS THAT OF THE BUILDING IT SERVES.

J. THE OWNERS SHALL APPLY FOR A FOUR STAR OR FOUR DIAMOND QUALITY RATING FOR ANY HOTEL USE WITHIN 90 DAYS OF RECEIVING A CERTIFICATE OF OCCUPANCY.

Ordinance (2009) 607 ZC 639

Effective: June 16, 2009

**K. RESIDENTIAL DENSITY SHALL NOT EXCEED THAT ALLOWED
IN O&I-1.**

**L. SHOD-1 LANDSCAPING AND YARD SETBACKS SHALL APPLY TO
TRINITY ROAD ONLY.**

Ordinance: 387 ZC 619
Effective: April 15, 2008

1. **Z-33-07 – Buffalo Road**, located north of Buffalo Road, on the Northern Wake Expressway (I 540) and west of Neuse River. Future Spring Forest/Buffaloe Road and Perry Creek Road extensions are projected to intersect within the tract, being Wake County PIN 1736764233. Approximately 117.32 acres rezoned to Shopping Center Conditional Use District, Office and Institution-2 Conditional Use District and Residential-15 Conditional Use District with Special Highway Overlay District (SHOD)-1.

Conditions: April 2, 2008

A. Residential-15 CUD. (19.5 acre +/- zoning district):

- (i.) The uses permitted in this Residential-15 District (Sec. 10-2022) shall be limited to the following: Single Family detached dwelling units, townhouse development and unit ownership (condominium), which may be included within a cluster unit development, together with residential accessory structures and uses including decks, fences, walls and storage buildings. Also fire station, police substation, public and private schools (elementary and middle) and park(s) with or without play fields, playgrounds and/or play courts, shall be permitted.
- (ii.) There will be a minimum 30-foot wide Type .G Transitional Protective Yard running parallel to the portion of the southernmost property line of the zoning district within a 50-foot wide Neuse Buffer Riparian Area (“NBRA”), adjacent to properties with PIN Nos. as follow: 1736546552 and 1736641559 (Stone Ridge Owners Assn., Inc., Deed Book 12419, Page 1609); 1736646735 (Stone Ridge Owners Assn., Inc., Deed Book 11903, Page 451) and 1736741830 (Stone Ridge Owners Assn, Inc., Deed Book 11253, Page 964), all Wake Registry.

Single-family detached dwelling developments constructed to the R-4 density, schools (Public and Private) and park(s) with or without play fields, playgrounds and/or play courts may be located adjacent to the Neuse Buffer Riparian Area (NBRA); single-family detached dwelling units, townhouse developments and unit ownership (condominiums) developments constructed to the R-6 density shall be located no closer than sixty-five (65) feet to the NBRA; and all other developments, including without limitation, fire stations, police sub-stations and their parking areas, shall be located no closer than one hundred (100) feet to the NBRA.

Ordinance: 387 ZC 619
Effective: April 15, 2008

(iii) Residential density within this 19.5 acre +/- zoning district shall be limited to a maximum of six dwelling units per acre capped at one hundred seventeen (117) dwelling units (19.5 acres x 6 = 117 dwelling units) and no transfer of density shall be permitted which could increase this density cap.

(iv) The development of this zoning district for any use other than single family detached dwelling units, townhouse and/or unit ownership at a density of R-6 shall not be permitted until the right-of-way of Spring Forest Road adjacent thereto has been dedicated and improved to the extent required by the City of Raleigh's Public Works Department (Transportation Division).

(v) All free standing outdoor area and parking lot lighting fixtures, other than those serving single family detached dwellings, shall be full cut-off (shielded) design.

B. Office and Institution-2 CUD.

(i) (2.7 acre +/- zoning district):

(a) The uses permitted in the Office and Institution-2 District (Sec. 10- 2036) shall be limited to the following: Single family detached dwelling units, townhouse development, unit ownership (condominium), together with residential accessory structures and uses including decks, fences, walls, and storage buildings. Also bank, daycare and offices as provided in Code Sec. 10-2071 shall be permitted.

(b) No building shall exceed thirty-five feet in height measured as permitted in the City Code and not more than two stories may be occupied.

(c) There will be a minimum twenty-five foot wide Type C Transitional Protective Yard running parallel to a portion of the southwest corner of the zoning district adjacent to properties with PIN Nos. as follow: 1736741830 (Stone Ridge Owners Assn. Inc., Deed Book 11253, Page 964); 1736741715 (Thaddius B. Dukes. Deed Book 12108, Page 1769); 1736741607 (Chris George Georgoulis, Deed Book 11548, Page 172); 1736741611 (Amelia H. Johnson, Deed Book 11493, Page 2609); 1736741523 (Dennis E. Vincent and Jane M. Vincent, Deed Book 11512, Page 317); 1736741425 (Robert Allen King and Cynthia Lee King, Deed Book 11645, Page 1260); 1736741337 (Viviané G. Adjo, Deed Book 11483, Page 1800); 1736741320 (Giovanni Carrassi and Angela Viola, Deed Book 11654, Page 242); 1736741223 John C. Medina and Francisca Medina, Deed Book 11718, Page 2117); 1736741125 (Ennio M. and Adriana L Ciccirello, Deed Book 11899, Page 1400). Within this twenty- five foot wide Transitional Protective Yard set not closer than five feet to this

Ordinance: 387 ZC 619
Effective: April 15, 2008

zoning district's west line, a closed fence six feet in height shall be constructed. The side of this fence facing the above identified properties must be finished.

- (d) Residential density within this 2.7 acre +/- zoning district shall be limited to a maximum of six (6) dwelling units per acre and no transfer of density shall be permitted which could increase this density.
- (e) The development of this zoning district shall not be permitted until the right-of-way of Spring Forest Road adjacent thereto or the right- of-way of Buffaloe Road (Perry Creek Road) adjacent thereto has been dedicated and improved to the extent required by the City of Raleigh's Public Works Department (Transportation Division).
- (f) All free standing outdoor area and parking lot lighting fixtures, other than those serving single family detached dwellings, shall be full cut-off (shielded) design.

(ii) (2.1 acre +/- zoning district):

- (a) The uses permitted in the Office and Institution-2 District (Sec. 10-2036) shall be limited to the following: Single family detached dwelling units, townhouse development, unit ownership (condominium), multi-family dwellings, together with residential accessory structures and uses including decks, fences, walls, and storage buildings. Also bank, daycare, and offices as provided in Code Sec. 10-2071 shall be permitted.
- (b) No building shall exceed forty-five (45) feet in height measured as permitted in the City Code and not more than three (3) stories may be occupied.
- (c) Residential density within this 2.1-acre +/- zoning district shall be limited to a maximum often (10) dwelling units per acre and no transfer of density shall be permitted which could increase this density.
- (d) The development of this zoning district shall not be permitted until the right of way of Spring Forest Road adjacent thereto or the right of way of Buffaloe Road (Perry Creek Road) adjacent thereto has been dedicated and improved to the extent required by the City of Raleigh's Public Works Department (Transportation Division).
- (e) All free standing outdoor area and parking lot lighting fixtures, other than those serving single family detached dwellings, shall be full cutoff (shielded) design.

(iii) (13.9 acre +/- zoning district):

- I. All uses permitted in the Office and Institution-2 District (Sec. 10-2036) are permitted except the following which are prohibited:
 - (a.) Cemetery, crematory
 - (b.) Orphanage
 - (c.) Airfield landing strip and heliport

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- (d.) Manufacturing (specialized)
- (e.) Correction/penal facility
- (f.) Outdoor stadium, outdoor theater, outdoor racetrack, outdoor movie theater
- (g.) Hotels, motels and motor courts
- (h.) Recreational indoor/outdoor use (with the exception of HOA approved amenities)
- (i.) Abortion clinic or plasma collection facility
- (j.) Rifle ranges
- (k.) Fireworks sales

II. Residential density shall be limited to a maximum of fourteen (14) dwelling units per acre and no transfer of density shall be permitted which could increase this density.

III. The development of this zoning district shall not be permitted until the right of way of Spring Forest Road adjacent thereto or the right of way of Buffalo Road (Perry Creek Road) adjacent thereto has been dedicated and improved to the extent required by the City of Raleigh's Public Works Department (Transportation Division).

IV. No building shall exceed fifty-five (55) feet in height measured as permitted in the City Code and not more four (4) stories may be occupied.

(iv) (7.8 acre +/- zoning district):

- I. All uses permitted in the Office and Institution-2 District (Sec. 10-2036).
- II. Residential density shall be limited to a maximum of twenty-five (25) dwelling units per acre and no transfer of density shall be permitted which could increase this density.
- III. The development of this zoning district shall not be permitted until the right of way of Buffalo Road (Perry Creek Road) adjacent thereto has been dedicated and improved to the extent required by the City of Raleigh's Public Works Department (Transportation Division).
- IV. No building shall exceed sixty-five (65) feet in height measured as permitted in the City Code and not more five (5) stories may be occupied.

(v) (10.6 acre +/- zoning district):

- I. All uses permitted in the Office and Institution-2 District (Sec. 10-2036).
- II. Residential density shall be limited to a maximum of twenty-five (25) dwelling units per acre and no transfer of density shall be permitted which could increase this density.
- III. No building shall exceed sixty-five (65) feet in height measured as permitted in the City Code and not more (5) stories may be occupied.

C. Shopping Center CUD (22.9 acres +/- zoning district and 12.6 acre +/- zoning district):

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- (i) All uses permitted in the Shopping Center District (Sec. 10-2041) are permitted except the following which are prohibited:
 - (a) Riding stable, kennel
 - (b) Cemetery, crematory
 - (c) Correctional penal/facility
 - (d) Orphanage
 - (e) Adult establishment
 - (f) Hotels, motels, motor courts
 - (g) Fireworks sales
 - (h) indoor/outdoor movie theater
 - (i) Manufacturing (custom) and manufacturing (specialized)
 - (j) Landfill (debris from on-site), incinerator
 - (k) Airfield, landing strip and heliport
 - (l) Salvage yards, open dump
 - (m) Agricultural, fish hatchery, fish farms
 - (n) Tattoo parlor
 - (o) Abortion clinic or plasma collection facility

(ii) The total retail square footage for the SC CUD zoning districts shall have a cap of 130,680 square feet of floor area gross and a requirement that a minimum of 80,000 square feet of floor area gross shall be built, the maximum square footage of a single retail establishment shall not be more than 65,000 square feet floor area gross and there shall be at least one retail establishment containing not less than 15,000 square feet floor area gross. Prior to any division of land zoned SC CUD a restrictive covenant allocating all of the retail square footage shall be recorded in the Wake County Registry. This restrictive covenant and any amendments thereto must be approved by the City Attorney or his designee prior to recordation as aforesaid.

(iii) The residential density within the 22.9 acre+/- zoning district shall be limited to a maximum of fourteen (14) dwelling units per acre and no transfer of density shall be permitted which could increase this density. The residential density within the 12.6 acre +/- zoning district shall be limited to a maximum of ten (10) dwelling units per acre and no transfer of density shall be permitted which could increase this density. The total residential density of the 22.9 acre +/- zoning district and the 12.6 acre +/- zoning district shall not exceed a cap of four hundred fifty (450) dwelling units.

(iv) All exterior lighting and exterior light standards located upon the property shall be designed, located, aimed and/or shielded so that light is not projected directly into adjacent residential properties. Additionally, the height of the light fixtures shall be limited to a maximum of twelve

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(12) feet for transitional yard areas and shall not exceed sixteen (16) feet in parking/residential areas.

(v) The owner will submit for approval by the Raleigh Planning Commission and Raleigh City Council site plans exhibiting unity of development approved by the Raleigh Planning Commission and Raleigh City Council for the 22.9 acre +/- zoning district and for the 12.6 acre +/- zoning district, respectively. Site plans for any portion of the aforesaid 22.9 acre +/- zoning district and of the 12.6 acre +/- zoning district all incorporate the standards for Concept Plans set forth in Code Section 10-2165(d)(8) (b)-(k) which are incorporated herein by reference.

(vi) No building shall exceed sixty-five (65) feet in height measured as permitted in the City Code and not more than five (5) stories may be occupied.

D. A two hundred fifty (250) foot width Special Highway Overlay District-1 (SHOD-1) is imposed upon the property adjacent to the south right of way of the North Wake-Expressway (I-540).

E Property owner agrees to limit reimbursement rates for extra right-of-way and slope easement needed for thoroughfare improvements to remain at R-4 values rather than the higher rates which would otherwise apply for the proposed Shopping Center CUD and Office and Institution-2 CUD and R-15 CUD portions of the request.

F. A traffic study of the scope determined by the City of Raleigh Public Works Department (Transportation Division) will be submitted for review and approval by the City in conjunction with the submittal of a subdivision or site plan for any portion of the subject property. Offers of

Cross Access shall be made to adjacent properties as recommended by the City of Raleigh Public Works Department (Transportation Division).

G. Residential dwelling units located within the R-15 CUD area containing 22.0 acres +/- bounded on the east, south and southwest by the 15.23-acre zoning district (PIN No. 1736844773) owned by Buffaloe Associates, LLC, et.al. (deed reference Book 12064, page 1908) on the west by the centerline of Buffaloe Road/Perry Creek Road Extension and on the north by the south line of the right-of-way of the North Wake Expressway (I-540) shall be limited to a maximum residential density of seven (7) dwelling units per acre and shall be limited to a maximum height of fifty-five (55) feet, measured as provided in Code Sec. 10-2076(b) and 10-2076(c). No dwelling units shall be constructed within this zoning district upon slopes of twenty (20%) percent or greater and that there shall be no transfer of residential density to this zoning district.

H. Uses permitted in the areas described in paragraph G upon slopes of twenty (20%) percent or greater hereto shall be limited to those uses permitted in the Conservation Management (CM) Zoning District (Code Sec. 10-2030) and recreational uses associated with residential developments as described in the section of Code Section 10-2002 entitled "Recreational Use Related to Residential Developments" subject to compliance with the requirements of those Deeds of Easement to the City of Raleigh for Greenway

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and Conservation purposes recorded in Book 9529, pages 1704-1715 and pages 1716-1729, Wake Registry, to the extent applicable to the zoning district referenced in Paragraph G.

I. The total residential density for the subject property containing 117.32 acres +/- shall not exceed 1350 dwelling units. Prior to any division of any portion of the 117.32 acres +/- a restrictive covenant allocating all residential dwelling units shall be recorded in the Wake County Registry. This restrictive covenant and any amendments thereto must be approved by the City Attorney on his designee prior to recordation as aforesaid.

J. The total office density for the subject O&I-2 CUD zoning districts and the SC CUD zoning districts shall not exceed 450,000 square feet of floor area gross with a requirement that a minimum of 100,000 square feet of floor area gross shall be built. Prior to any division of land zoned O&I-2 CUD zoning district a restrictive covenant allocating all of the office square footage to the portions of the property zoned O&I-2 CUD zoning district (and SC-CUD zoning district, as applicable) shall be recorded in the Wake County Registry. This restrictive covenant and any amendments thereto must be approved by the City Attorney or his designee prior to recordation as aforesaid.

K. The Neuse Buffer Riparian Area (“NBRA”) separating the 10.6 acre parcel +/- zoning district (O&I-2 CUD) from the 7.8 acre +/- zoning district (O&I-2 CUD) and separating said 7.8 acre +/- zoning district (O&I-2 CUD) from the 22.9 acre +/- zoning district (SC CUD); and the NBRAs separating the 22.0 acre +/- zoning district (R-15 CUD) and the 13.9 acre zoning district (O&I-2 CUD) from the 12.6 acre +/- zoning district (SC CUD) shall be protected as follows:

- (i.) The outer twenty feet (20’) of the required Neuse River Riparian Buffers NBRA (North Carolina DWQ NRRB Zone 2) shall be a natural protective yard.
- (ii.) An additional natural protective yard averaging twenty-five feet (25’) in width shall be established on each side of the required NBRA.
- (iii.) The natural protective yards required by Subparagraphs i and ii hereinabove may only be disturbed for approved street crossings and any associated facilities, utility installations, including overhead power lines, storm water facilities and/or pedestrian paths.
- (iv.) Whenever either the North Carolina DWQ NRRB Zone 2 regulations or City of Raleigh Tree Conservation regulations for NRRB are more stringent than the regulations of zoning Condition K the more stringent regulation shall control.

L. A protective yard thirty feet (30’) in width shall be established adjacent to the common line of the 22 acre +/- zoning district (R-15 CUD), the 12.6 acre +/- zoning district (SC CUD), and the 13.9 acre +/- zoning district (O&I-2 CUD) with that certain Conservation Easement granted by Buffalo Associates, et. al to the City of Raleigh by instrument

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Effective: April 15, 2008

dated July 18, 2002 and recorded on August 6, 2002 in Book 9529, Pages 1716-1729, Wake County Registry, which Conservation Easement is imposed upon property containing 15.23 acres +/- owned now or formerly by Buffalo Associates, et. al. (PIN No. 1736844773).

M. All temporary soil erosion and sediment control devices installed in connection with the construction of improvements upon any portion of the 117.32 acre +/- property shall be designed for the ten (10) year storm event.

N. Within eight (8) years following the issuance of the first building permit by the City for development of a retail use within the SC-CUD zoning districts, a minimum of 80,000 square feet of floor area gross of retail shall be built; and within eight (8) years following the issuance of the first building permit by the City for development of an office use within the O&I-2 CUD zoning districts (and the SC-CUD zoning districts) as applicable, a minimum of 100,000 square feet of floor area gross of office shall be built.

2.

Z-65-96 Airport Assemblage, generally bounded by U.S. 70 on the northeast, property of the Raleigh Durham International Airport on the south, and the Wake County/Durham County line on the west, being various maps and parcels. Approximately 1999 acres rezoned to Thoroughfare District Conditional Use with Special Highway Overlay District-2 and Airport Overlay District.

Conditions: 6/26/96

1. Petitioner's property to be divided into four (4) areas (A, B, C & D) as shown upon map entitled "Eastern Airline Property Conditional Use Plan" dated March 15, 1996, last revised May 20, 1996 (the "Conditional Use Plan") incorporated herein by reference with land use by area as specified upon **Exhibit C-1 attached** hereto and incorporated herein by reference.
2. Allowed Land Uses are as specified upon **Exhibit C-2 attached hereto** and incorporated herein by reference shall apply to the Petitioner's property.
3. General Conditions as specified in **Exhibit C-3 attached** hereto and incorporated herein by reference shall apply to the Petitioner's property.
4. The Conditional Use Plan notes set forth in **Exhibit C-4 attached** hereto and incorporated herein by reference shall apply to Petitioner's property.
5. The Conditional Use Plan as set forth in **Exhibit C-5 attached** hereto and incorporated herein by reference shall apply to Petitioner's property.
6. The Conceptual Roads and Utility Plan as set forth in **Exhibit C-6 attached** hereto and incorporated herein by reference shall apply to Petitioner's property.

(See attachments as indicated)

Z-65-96 Exhibits:
See zoning file for Exhibits C-1, C-5 and C-6

Exhibit C-2
ALLOWED USES BY LAND USE AREA

ORDINANCE (1996) 929 ZC 392
Effective: July 2, 1996

1. RESIDENTIAL

All residential uses allowed in the Residential 30 District as indicated in Section 10-2071 of the City of Raleigh Zoning Code up to and including 30 units/acre; however, no more than 1500 dwelling units shall be allowed in Area "A", 3550 dwelling units in Area "B", 450 dwelling units in Area "C", and 1000 dwelling units in Area "D". Areas "C" and "D" may not contain single family detached residential dwelling units.

2 OFFICE, INSTITUTIONAL, CIVIC & SERVICES

All Office, Institutional, Civic and Services uses allowed in the Thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code also including without limitation hospitals, and multi-family (30 through 40 units per acre), and residential uses but excepting single family detached dwellings, which are excluded

3. COMMERCIAL

All Commercial uses allowed in the Thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code. Also all recreation uses as indicated in Sec. 10-2071 of the City of Raleigh Zoning Code, save and except any recreation uses explicitly listed in Land Use Area 5 "Open Space/Buffers & Recreation Areas."

4. INDUSTRIAL

All industrial uses allowed in the thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code.

5. OPEN SPACE/BUFFERS & RECREATION AREAS

Open Space/Buffers & Recreation Areas will include, at the Petitioner's discretion, floodways; public and private park areas; public and private greenways; bike trails; lakes, ponds, streams, and other water features not included in floodways; golf courses and golf related facilities and outdoor tennis facilities.

NOTE A as to above Sections 1, 2, 3, 4 and 5: Allowable uses shall include "accessory uses" and "accessory structures" as permitted in the City of Raleigh Zoning Code. Where a use is allowed and is proposed for development by a mixed-use site plan the dominant use designated by the applicant on said site plan shall determine the Land Use Area to be allocated under Exhibit C-1, Table 1. In non-mixed-use site plan proposals, the applicant shall allocate the land use acreage to a particular Land Use Area as permitted herein. All principal buildings however, which indicate the primary use as being "retail" shall be allocated to the "Commercial" category.

NOTE B as to above Sections 1, 2, 3, 4 and 5: Correctional/Penal facilities and adult establishments are prohibited.

NOTE C as to above Section 5: Land Use Area acreages used for golf courses and golf related facilities will be counted toward the minimum Open Space required and not deducted from any of the other maximum land use by area acreages.

Exhibit C-3

GENERAL CONDITIONS

1. Acreages and number of living units shown in Exhibit C-1, Table 1 are base densities and may, upon request by the Petitioner (i.e. Owner), be adjusted upward or downward by twenty-five (25%) percent by transfer to or from an adjacent Land Use Area, provided that no residential density other than Congregate Care and Congregate Living Facilities shall exceed forty (40) dwelling units or equivalent dwelling units per acre. The Land Use Areas to which and from which transfers may be made must be under the same ownership at the time of the transfers.
2. Site plans and/or subdivision plans shall be submitted for review in accordance with the requirements of the Raleigh City Code and shall show allocations of land use types by Exhibit C-1, dated March 15, 1996, last revised June 14, 1996, and Exhibit C-5 dated March 15, 1996, last revised May 20, 1996. A projection of traffic trip generation, based on guidelines described in the project's Transportation Analysis dated June 6, 1996, will be provided to the City Transportation Department at the time of site plan approval of individual parcels within the property unless waived by the City's Director of Transportation. See Note 2 of Table 1, Exhibit C-1 and Section 6 of the Transportation Report, both which are incorporated herein by reference.
3. Development of the subject property, or subdivided lots thereof, will comply with the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission.
4. Any additional public road right-of-way needed from Parcels 0758.02-65-0728, 0758.04 93 5713 or 0758.04 82 4852 shall be reimbursed based upon their present zoning of R-4.
5. Recorded subdivision plats will contain reference to this zoning case as follows: "Z-65-96 Thoroughfare District CUD with Special Highway Overlay District-2 and Airport Overlay District."

EXHIBIT C-4 **CONDITIONAL USE NOTES**

1. GENERAL

A. The City Planning Director shall be permitted to administratively approve site plans which reflect modifications to Exhibit C-1, Table 1, entitled "Land Use By Area" dated March 15, 1996, last revised June 14, 1996, Exhibit C-5 dated March 15, 1996, last revised May 20, 1996, and Exhibit C-6, the Petitioner's Conceptual Road and Utility Plan, dated June 3, 1996.

Modifications include:

ORDINANCE (1996) 929 ZC 392
Effective: July 2, 1996

1. The transfer or expansion of acres and/or uses between land use Areas A, B, C & D as requested by the Petitioner and illustrated on Exhibit C-1, Table 1, and Exhibit C-5, provided no one land use or area is adjusted by more than 25% in any given Land Use Area. The Land Use Areas to which and from which transfers may be made must be under the same ownership at the time of the transfers.

2. Adjustments to the sizes and alignments of utility lines and roads requested by the Petitioner (i.e. Owner) and illustrated on Exhibit C-6, which maintain the same overall level of service.

2. ROADS & UTILITIES (See Exhibit C-6 for Conceptual Roads and Utility Plan)

A. Access to Highway US-70.

1. Access in Area A along US 70 between Alexander Drive and the Durham County line (approximately 4,900 feet) will have no more than one intersection with a Cross-Over on US 70 plus no more than two right-turn-in/right-turn-out access points exclusive of the out-parcels owned by others and located within or contiguous to the boundaries of the rezoned property as of the date of the approval of this Petition by the Raleigh City Council. Such access and/or driveways will be subject to NCDOT review and approval.

2. Access to US-70 between T. W. Alexander Drive and Northern Wake Expressway will be limited to no more than two intersections with Cross-Overs on US-70 and no more than one right-turn-in/right-turn-out access point exclusive of the out-parcels as of the date of the approval of this Petition by the Raleigh City Council, between T.W. Alexander Drive and Northern Wake Expressway. Such access and/or driveways will be subject to NCDOT review and approval.

a. A strip of land 20 feet wide shall be reserved along the US 70 Petitioner's frontage of the property between Alexander Drive and the Durham County line for eventual widening until such time as it is determined that the strip is not needed to accommodate the anticipated improvements. Any reservation by Petitioner of right-of-way in excess of existing right-of-way at the time of approval of this Zoning Petition can be used to meet City of Raleigh requirements for streetscape setbacks and/or buffers along US 70.

B. Access to T.W. Alexander Drive.

Access to T.W. Alexander Drive from Areas A & B will be in accordance with the agreement relating to the construction of Southern Parkway (now Alexander Drive) between NCDOT and Wachovia Bank & Trust, et al, dated December 18, 1986 and as amended June 15, 1987.

C. Brier Creek Parkway.

ORDINANCE (1996) 929 ZC 392
Effective: July 2, 1996

1. The Petitioner (i.e. Owner) will convey one hundred ten (110') feet of right of way to NCDOT for the construction of Brier Creek Parkway. An additional fifteen (15') feet of land on each side of the initial dedication will be reserved for temporary construction and drainage easements for a period of ten (10) years to accommodate widening unless and until such time as it is determined that the additional fifteen (15') feet on each side is not needed to accommodate the anticipated improvements. If the reservation is not purchased within the ten year time period, the reservation may, in the sole discretion of the Petitioner, be abandoned and if so, shall no longer exist. The dimensions of any setbacks, buffers and/or landscape yards required on properties adjacent to Brier Creek Parkway will be measured from the boundary of the original one hundred ten (110') foot right of way as conveyed by the Petitioner.

2. The one hundred ten (110') foot conveyed right-of-way for Brier Creek Parkway will qualify for reimbursement to the Petitioner by the City of Raleigh under existing City Road Right-of-Way Reimbursement Policy. Any of the additional reserved slope easements (referred to as construction and drainage easements in Paragraph C[1] above), will also qualify for reimbursement to the Petitioner by the City of Raleigh under existing City road right of way reimbursement policy.

D. Completion of Roads.

Site plans for no more than 50% of the total frontage of any one side of a section of a Collector or Thoroughfare street between two intersections as shown on Exhibit C-6, which provide access from two completely different directions will be approved until a commitment is made to the City of Raleigh pursuant to 10-3013(c)(2) of the Raleigh City Code guaranteeing completion of that section of the street to a cross-section width equal to or greater than the existing completed sections of the street unless otherwise agreed by the City of Raleigh. Open Space shall not be included in the total road frontage.

E. Cross Overs on Thoroughfares and Collectors.

Cross Overs shall be a sum of 660 feet apart on Collectors and on Thoroughfares. Cross Overs on Brier Creek Parkway will be located per the Construction Agreement between the Petitioner and the North Carolina Department of Transportation dated June 19, 1996.

F. Public access to outparcels.

If at the time of subdivision, tracts of land owned by others which adjoin Petitioner's property (sometimes referred to herein as "outparcels"), are affected by the relocation of a street, the subdivision must indicate "equivalent access" to the adjoining outparcels).

ORDINANCE (1996) 929 ZC 392
Effective: July 2, 1996

G. When US 70 is constructed as a freeway, direct access shall be limited to full service interchanges at Aviation Parkway, T.W. Alexander Drive, and Brier Creek Parkway. Prior to actual construction of such improvements to US 70, direct access to US 70 from the property will be allowed as stated in Exhibit C-4 (2)(A)(1) and Exhibit C-4(2)(A)(2) above.

H. The Petitioner will reserve land, owned by the Petitioner, for full service interchanges at the proposed intersection of Brier Creek Parkway and US 70, at the intersection of T.W. Alexander Drive and US 70, and at the proposed intersection of Aviation Parkway and US 70 for purchase by governmental authorities for up to ten (10) years from the date of final approval by the Raleigh City Council of this zoning petition.

The land reserved at Aviation Parkway and T.W. Alexander Drive will be of a size and location to accommodate the current functional interchange designs illustrated in the US 70 Corridor Study, prepared by BAKK and dated March 1992, or an alternate design mutually acceptable to the Petitioner and NCDOT. The land reserved for the Brier Creek Parkway interchange will be of a size and location to accommodate a functional design which will be developed with the design of Brier Creek Parkway.

If the reservation is not purchased within the ten-year time period, the reservation may, in the sole discretion of the Petitioner, be abandoned and if so, shall no longer exist.

3. OPEN SPACE

A. Active Recreation - A potential location(s) for park sites of no less than eight (8) acres in size for active recreation totaling no more than fifty acres which will be available for acquisition by the City of Raleigh will be located within the property. With regard to a site for active recreation uses:

1. A map designating the boundaries of the location for the park sites, as determined jointly by the Petitioner and the City Parks and Recreation Director shall be filed with City of Raleigh Parks and Recreation Department prior to approval of site plans for more than a total of 2,000 dwelling units and equivalent dwelling units in Land Use Area B.

2. The park sites shall be reserved for acquisition by the City for a period of two years from date of acceptance of the map by the Parks and Recreation Director. The Parks and Recreation Director shall have two months after the date of submission of the map to respond to the Petitioner as to the acceptability of the site. Failure of the Parks and Recreation Director to respond in writing within two months shall constitute acceptance of the site.

If the reservation is not purchased within this two-year time period, the reservation may, in the sole discretion of the Petitioner, be abandoned and if so, shall no longer exist.

ORDINANCE (1996) 929 ZC 392

Effective: July 2, 1996

3. The park sites shall not be designated as floodway, and shall be part of the Petitioner's area(s) for Open Space/Buffers & Recreation to be designated by the Petitioner.

B. Greenways - Up to fifty acres within the Petitioner's property will be reserved to the City of Raleigh for inclusion in the City's Greenway system. If so included, this greenway acreage shall be considered part of Petitioner's area(s) for Open Space/Buffers & Recreation.

At the earlier time of either site plan approval or subdivision of areas between points E & F, F & G, E & H, I & J and K & L as indicated on the Conditional Use Plan, Greenways will be reserved for purchase from the owner by the City of Raleigh, in accordance with the applicable provisions of the Raleigh City Code. Where not included in public rights of way, the greenways will be reserved to a width as indicated in the City of Raleigh Comprehensive Plan From time of reservation (at subdivision) the City will have two (2) years to purchase the reservation. If the reservation is not purchased within this time, the reservation may, in the sole discretion of Petitioner be abandoned and if so abandoned shall no longer exist.

C. The total acreage of Open Space/Buffers & Recreation Area(s) can be allocated to different areas of the respective land use areas A, B, C and D in Exhibit C-1, Table 1, but the sum total acreage of all Open Space/Buffers & Recreation in each land use area shall be provided. No more than 80% of the acreage within each land use area, as shown on Exhibit C-1, Table 1, dated March 15, 1996, and last revised May 20, 1996 shall be given site plan approval until all the minimum Open Space/Buffers & Recreation for each zoning area is delineated on either approved preliminary subdivisions or site plans.

D. For all Open Space/Buffers & Recreation Area(s) corridors which follow stream, or drainageway alignments, the distance from the boundary of the corridor to the centerline of the stream shall be a minimum of fifty feet.

ORDINANCE NO. (1994) 467 ZC 351
Effective: 9-6-94

Z-55-94 Dunn Road, south side, at its intersection with Falls of Neuse Road, being Parcel 5010, Tax Map 1729.03, Block 22, rezoned to Buffer Commercial Conditional Use District. (Comprehensive Plan is amended to approve a Neighborhood Focus at this intersection; 4.35 acres are shown for this Buffer Commercial zoning on this site)

Conditions:

1. Any development of the property shall include a pedestrian access to the property adjoining this tract on the south and/or east side.
2. The following uses shall not be permitted in the Buffer Commercial CUD District:
 - a. Utility Substations
 - b. Penal Facilities
 - c. Telecommunications Towers
 - d. Outdoor Stadiums
 - e. Parking Deck or Garage
 - f. Schools
 - g. Family or Group Care Homes or Facilities
 - h. Supportive Housing Residences
3. Right of way for Neuse River Drive (Dunn Road) will remain at R-4 values for reimbursement purposes.
4. Upon development, the rate of stormwater runoff will comply with CR 7107.

Z-67-05 – Glenwood Avenue, northeast quadrant of the intersection of Glenwood Avenue and Womans Club Drive, being Wake County PINs 0795-87-9346, 0795-87-8817, and 0795-97-0603. Approximately 6.02 acres rezoned from Office and Institution-2 Conditional Use to Office and Institution-2 Conditional Use with revised conditions.

Conditions dated: November 7, 2005

A. The following uses in the O&I-2 District (as indicated under Section 10-2071 of the City Code) shall be permitted. All other uses not listed herein shall be prohibited

1. Residential uses noted below:

- a. Congregate Care or Congregate Living Structure;
- b. Group Housing;
- c. Multi-Family Dwelling;
- d. Townhouse Development; and
- e. Unit-Ownership Dwelling.

2. Institutional/Civic/Service uses noted below:

- a. Art Gallery (governmental);
- b. Day Care Facility.

3. Office uses as listed in City Code Section 10-2071.

4. Commercial uses noted below:

- a. Bank without drive-thru; Bank with drive-thru which must be attached to the buildings permitted per Condition C.
- b. Hotel – with or without a bar or lounge.
- c. Retail Sales – Non-residential related services as follows:
 - (i) Florist shop, gift/card and stationery shop, concierge, newsstand, laundry and dry cleaning (pick-up).
 - (ii) Eating Establishment:
With no drive-thru-drive-in service and with or without alcohol sales for on-premise consumption, which must be within the buildings permitted per Condition C.
- d. Beauty, nail and manicure, cosmetic art, barber shop.

5. Recreation Uses:

Health Club

B. All uses must be located inside the buildings specified in Condition C (except for the bank drive-thru which must be attached to the building) and the Institutional/Civic/Service/Commercial and Recreation uses may not exceed a

total of ten (10) per cent of the floor area gross square footage of each building (except for the "Hotel – with or without a bar or lounge" use). With the exception of the bank use (which may be a maximum of 5,000 square feet in size), and the "Hotel – with or without a bar or lounge" use, no individual Institutional/Civic/Service/Commercial or Recreation use may exceed 3,000 square feet in size.

- C. Buildings upon the property shall be limited to four (4), including not more than two (2) structured parking buildings and each building (excluding the structured parking buildings) shall not exceed 118,000 floor area gross square feet in size, *i.e.*, a maximum total floor area gross square footage of 236,000 square feet (excluding the structured parking buildings).
- D. No building constructed upon the property shall exceed six (6) stories in height, *i.e.*, a maximum of eighty-seven (87) feet measured as per the City Code; provided, however, that a dish antenna and/or telecommunication tower may be located on each building for use by its occupants (screened from view at ground level), with maximum heights of fifteen (15') feet in excess of the eighty-seven (87') foot height limit, and elevator penthouses may be located on each building with maximum heights of fifteen (15') feet in excess of the eighty-seven (87') foot height limit, unless required otherwise by the City Code.
- E. Reimbursement for any required right-of-way dedication shall remain at the O&I-1 values.
- F. Upon development of the subject parcel(s), a planted street yard containing an average area equivalent to 25 feet times the length of the right-of-way frontage on Glenwood Avenue with a minimum depth of 15 feet and a maximum depth of 65 feet shall be established. The yard shall be planted with the mix of plant materials, the rates for plant materials and the types of plant materials specified in the Special Highway Overlay District-2, Code Section 10-2059(e)(2)a.
- G. Densities of Residential uses shall be no greater than 10 dwelling units per acre or equivalent dwelling units.