

EXHIBIT C. Request for Zoning Change

Office Use Only	
Petition No.	_____
Original Date Filed:	_____
Amended Date:	_____

Please use this form only – form may be photocopied – please type or print. See Instruction, page 8.

1) Conditional Use Zone Requested: Office and Institution-2 Conditional Use

2) Narrative of conditions being requested:

As used herein, the "Property" refers to all of those certain tracts or parcels of land containing an aggregate of approximately 18.46 acres located at the southeastern quadrant of the intersection of Luther Road and Falstaff Road, and having Wake County PINs 1723-19-4205, 1723-19-6662, 1723-19-8650, 1723-19-7363, 1723-18-9891, 1723-29-0362, 1723-29-0574, 1723-19-5472.

(a) The following uses shall be prohibited upon the Property:

- Cemetery
- Utility services and substation
- Airfield landing strip and heliport
- Manufacturing – specialized
- Fraternity house
- Sorority house
- Funeral parlor

(b) Reimbursement for any required right-of-way dedication for the three parcels fronting Luther Road, with Wake County PINs 1723-19-6662, 1723-19-5472, 1723-19-4205, shall be at the current R-6 rate. Reimbursement for any required right-of-way dedication for the remaining five parcels, with Wake County PINs 1723-19-8650, 1723-29-0574, 1723-19-7363, 1723-29-0362, 1723-18-9891, shall be at the current O&I-1 rate.

(c) Prior to subdivision approval or the issuance of any building permit, whichever shall first occur, the owner of the Property shall deed to the City two transit easements measuring twenty (20) feet long adjacent to the right-of-way by fifteen (15) feet wide to support bus stops for future bi-directional transit services in the area. The locations of the transit easements shall be approved by the Transit Division of the City, and the City Attorney or his Associate shall approve the transit easements deed prior to recordation.

(d) The maximum height for any building, including any parking structure, constructed upon the Property shall be the lesser of ninety-five (95) feet or five (5) stories in height, as determined pursuant to Section 10-2076 of the Raleigh City Code.

Note: if additional space is necessary, attach extra page(s) of Exhibit C signed and dated by all property owners

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 7 through 9 of the Zoning Application Instructions.

Longview House Incorporated

By: Clark Smith
Name: CLARK SMITH

Date: 12/19/08

Title: VICE PRESIDENT

Clark Smith
Clark Smith

Date: 12/19/08

Diane B. Smith
Diane B. Smith

Date: 12-19-08

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(e) The existing +/- 5,000 square foot Clarence Poe House shall be maintained with materials that are intended to preserve the historic character of the home. This shall be done using building materials that are compatible with the existing façade treatment, including but not limited to wood and masonry. No vinyl siding shall be used on the Clarence Poe House.

(f) Any freestanding addition, to be used in conjunction with the Clarence Poe House or with uses located within the Clarence Poe House, will be compatible in scale and mass, utilizing forms, materials, and fenestration patterns appropriate as part of the Poe House compound.

(g) Except for any freestanding addition to be used in conjunction with the Clarence Poe House or with uses located within the Clarence Poe House (as described in Condition (f)), there shall be no buildings located within thirty (30) feet of the Clarence Poe House.

(h) Any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, with Wake County PINs 1723-19-6662, 1723-19-5472, 1723-19-4205, shall have a minimum roof pitch of 4:12.

(i) The exterior façade of any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, with Wake County PINs 1723-19-6662, 1723-19-5472, 1723-19-4205, shall be constructed using a minimum of eighty percent (80%) brick or masonry materials, excluding the area of windows and door openings. The combined area of front windows and doors shall represent no less than fifteen percent (15%) and no greater than sixty percent (60%) of the front façade of any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, with Wake County PINs 1723-19-6662, 1723-19-5472, 1723-19-4205.

(j) There shall be a minimum building setback from Luther Road of one hundred and twenty (120) feet. The maximum height for any building located within one hundred and fifty (150) feet of the right-of-way of Luther Road shall be the lesser of thirty-eight (38) feet or two (2) stories, as determined pursuant to Section 10-2076 of the Raleigh City Code.

(k) Any access to the Property from Luther Road shall be limited to serve structures located on the three (3) parcels of the Property with frontage along Luther Road, with Wake County PINs 1723-19-6662, 1723-19-5472, 1723-19-4205, and vehicular access to or from the balance of the Property shall be prohibited.

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