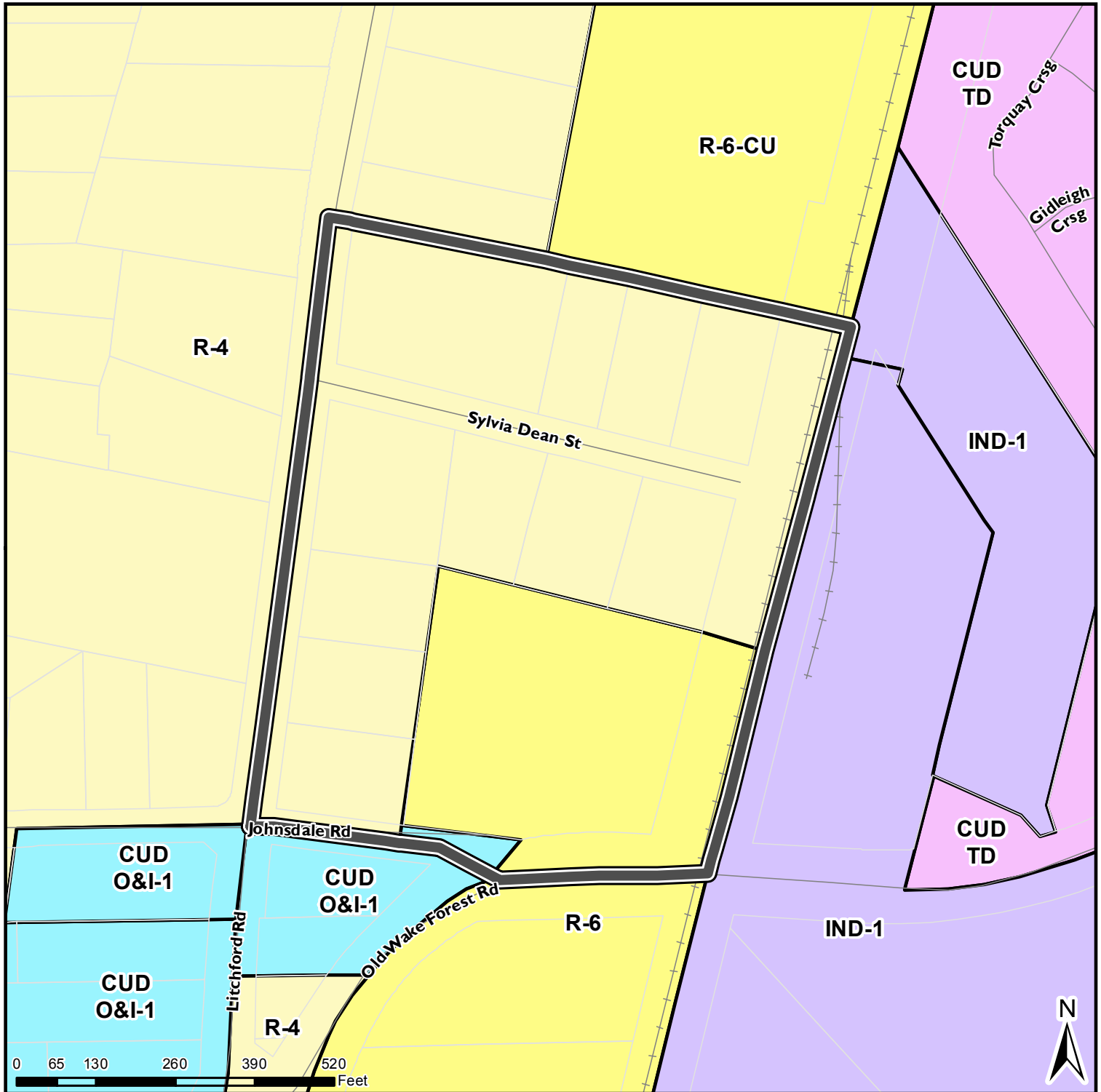


Existing Zoning Map

Z-7-2015



**Submittal
Date**

2/25/2015

Request:

**13.47 acres from
R-4 & R-6
to RX-3-CU**

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11653

Case Information: Z-7-15 - Litchford Road

<i>Location</i>	Litchford Road, east side, at its intersection with Sylvia Dean Street Addresses: 2504, 2505, 2506, 2509, 2510 & 2513 Sylvia Dean Street; 6132 Johnsdale Road; 6314, 6316, 6318, 6320 & 6420 Litchford Road. PINs: 1717902004, 1717902127, 1717902331, 1717902560, 1717903759, 1717904437, 1717905110, 1717905483, 1717905793, 1717907430, 1717907701, & 1717908638.
<i>Request</i>	Rezone property from Residential-4 and Residential-6 (R-4 & R-6) to Residential Mixed Use-3 Stories-Conditional Use (RX-3-CU)
<i>Area of Request</i>	13.47 acres
<i>Property Owners</i>	Litchford Properties, LLC/ c/o Mark Halteman/ 11920 Willingdon Road/ Huntersville, NC 28078 John & Louise Humphrey/ 6420 Litchford Road/ Raleigh, NC 27615
<i>Applicant</i>	Michael Birch: Morningstar Law Group: (919) 590-0388, mbirch@morningstarlawgroup.com
<i>Citizens Advisory Council (CAC)</i>	North— David Cox, Chair: (919) 817-7736; dcox1776@gmail.com
<i>PC Recommendation Deadline</i>	November 9, 2015

Comprehensive Plan Consistency

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is ☐ **Consistent** ☒ **Inconsistent** with the Future Land Use Map.

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Moderate Density Residential (6 to 14 DUs/ acre)
<i>URBAN FORM</i>	Center: None Corridor: None Partially within Transit Stop ½-Mile Buffer
<i>CONSISTENT Policies</i>	Policy LU 1.3 - Conditional Use District Consistency Policy LU 2.6 - Zoning and Infrastructure Impacts Policy LU 5.4 - Density Transitions Policy LU 5.6 - Buffering Requirements Policy LU 6.4 - Bus Stop Dedication Policy T 4.15 - Enhanced Rider Amenities
<i>INCONSISTENT Policies</i>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

1. Certain uses prohibited.
2. Maximum residential density specified.
3. Dedication of transit easement/ shelter offered.

--as amended 7/31/15

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
2/3/15	5/7/15; 6/4/15: Y- 7, N- 2	8/11/15 (recommended approval)	9/1/15	10/7/15

☐ **Valid Statutory Protest Petition**

Attachments

1. Staff report
2. Traffic Study Worksheet
3. TIA Review Memo

Planning Commission Recommendation

<i>Recommendation</i>	Approve with conditions. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> 1. While the proposal is inconsistent with the Future Land Use Map of the Comprehensive Plan, it is consistent with the Urban Form Map, being mostly within a Transit Stop buffer and abutting designated growth Centers on three sides. 2. The proposed rezoning is reasonable and in the public interest. Conditions limit permitted uses and intensity of site redevelopment, and promote transit use. 3. The proposal is compatible with the surrounding area. Building height is capped comparably with that permitted on adjoining residential properties. Required transition yards and tree conservation areas will provide site buffering.
<i>Motion and Vote</i>	Motion: Fluhrer Second: Buxton In Favor: Braun, Buxton, Fluhrer, Hicks, Schuster, Swink and Whitsett Opposed:

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

Planning Director _____ Date _____

 Planning Commission Chairperson _____ Date 8/11/15

Staff Coordinator: Doug Hill: (919) 996- 2622; doug.hill@raleighnc.gov



Zoning Staff Report – Case Z-7-15

Conditional Use District

Case Summary

Overview

The proposal seeks to redevelop the site with multi-unit living uses.

The site's 12 properties are part of a larger suburban area built out from the 1950s through '80s. All but one parcel are developed as one-story, single-family residences, zoned R-4; the exception is an 8-unit, two-story townhouse building at the site's southeast corner, zoned R-6. The latter is located off the extension of Johnsdale Road, which borders the site on the south, but dead-ends off the southeast corner of the site.

On the west, the site fronts Litchford Road. On the opposite side of the road a series of single-family residential lots, zoned R-4, extend northward from the intersection with Johnsdale Road. The northwest corner of the site, at Litchford Road, adjoins a single-family house lot, zoned R-4, while the northeast side edges a vacant, wooded area, zoned R-6 CUD, which is part of the Legacy North Pointe apartment property. The 274-unit apartment complex, which encompasses a total 30 of acres north of the subject site, is zoned R-15.

On the east, the site abuts the CSX railroad right of way. The southeast corner approaches the Old Wake Forest Road right-of-way; however, at that point, the road grade is some 20 feet higher, to meet the roadway bridge spanning the railroad track.

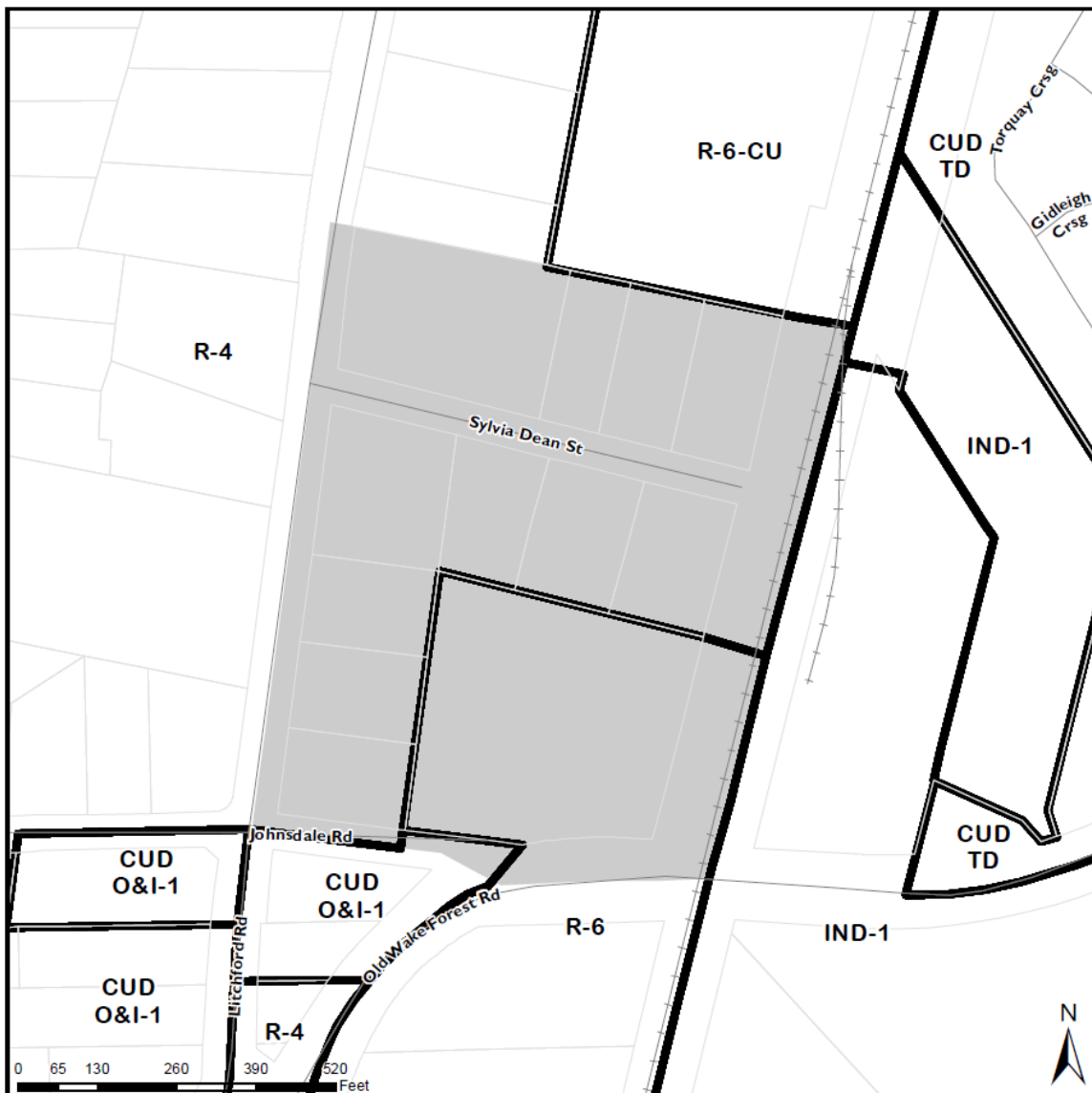
Overall, the site gently slopes downward from Litchford Road to the east; the railroad tracks are some 15 to 25 feet lower than the site's Litchford Road frontage. The lots south of Sylvia Dean Street are mostly wooded, other than space cleared for houses and driveways; those parcels north of the street are largely open.


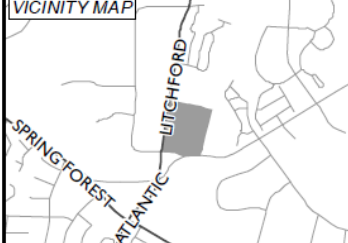
The maximum density possible under the proposal--22 units per acre--is inconsistent with the Future Land Use designation of Moderate Density Residential, which foresees a maximum of 14 dwellings per acre.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. Potential traffic congestion, pending roadway improvements.2. Sewer and fire flow matters may need to be addressed upon development.3. Tree Conservation Areas must be addressed upon redevelopment.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. Address potential traffic congestion, sewer and fire flow capacities, and Tree Conservation Areas at the site plan stage.
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Existing Zoning Map Z-7-2015



 <p>Submittal Date 2/25/2015</p>	<p>Request:</p> <p>13.47 acres from R-4 & R-6 to RX-3-CU</p>	<p>VICINITY MAP</p> 
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Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-4; R-6	R-4; R-6 CUD	O&I-1 CUD	IND-1	R-4
<i>Additional Overlay</i>	N/ A	N/ A	N/ A	N/ A	N/ A
<i>Future Land Use</i>	Moderate Density Residential	Moderate Density Residential; Public Parks & Open Space	Community Mixed Use	High Density Residential	Low Density Residential
<i>Current Land Use</i>	Single-Unit Living	Single-Unit Living; Vacant	Single-Unit Living; Vacant	Retail (Building Materials)	Single-Unit Living
<i>Urban Form (if applicable)</i>	At Edge of Transit Stop 1/2-Mile Buffer	Transit-Oriented Center; Urban Thoroughfare (Litchford Road)	City Growth Center; Urban Thoroughfares (Litchford, Old Wake Forest rds.); w/n Transit Stop 1/2-Mile Buffer	City Growth Center; Urban Thoroughfare (Old Wake Forest Road)	At Edge of Transit Stop 1/2-Mile Buffer

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	4.45 DUs/ acre	22 DUs/ acre (per conditions)
<i>Setbacks:</i>	<i>R-4</i> 20' 5' 30'	<i>R-6</i> 10' 5' 20'
<i>Front:</i>		<i>If Apartment bldg. type:</i> 10'
<i>Side:</i>		0' or 3'
<i>Rear:</i>		0' or 3'
<i>Retail Intensity Permitted:</i>	(not permitted)	(not permitted, per conditions)
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted, per conditions)

1.3 Estimated Development Intensities

	Existing Zoning*	Proposed Zoning*
<i>Total Acreage</i>	13.47	13.47
<i>Zoning</i>	R-4 & R-6	RX-3-CU

<i>Max. Gross Building SF (if applicable)</i>	<i>n/a</i>	300,000
<i>Max. # of Residential Units</i>	60	296
<i>Max. Gross Office SF</i>	<i>(not permitted)</i>	<i>(not permitted, per conditions)</i>
<i>Max. Gross Retail SF</i>	<i>(not permitted)</i>	<i>(not permitted, per conditions)</i>
<i>Max. Gross Industrial SF</i>	<i>(not permitted)</i>	<i>(not permitted)</i>
<i>Potential F.A.R.</i>	<i>n/a</i>	0.51

**The development intensities were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.*

The proposed rezoning is:

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

Analysis of Incompatibility:

(N/ A)

Future Land Use Map

Z-7-2015

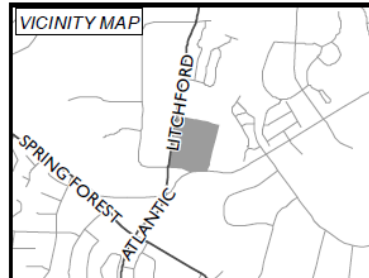


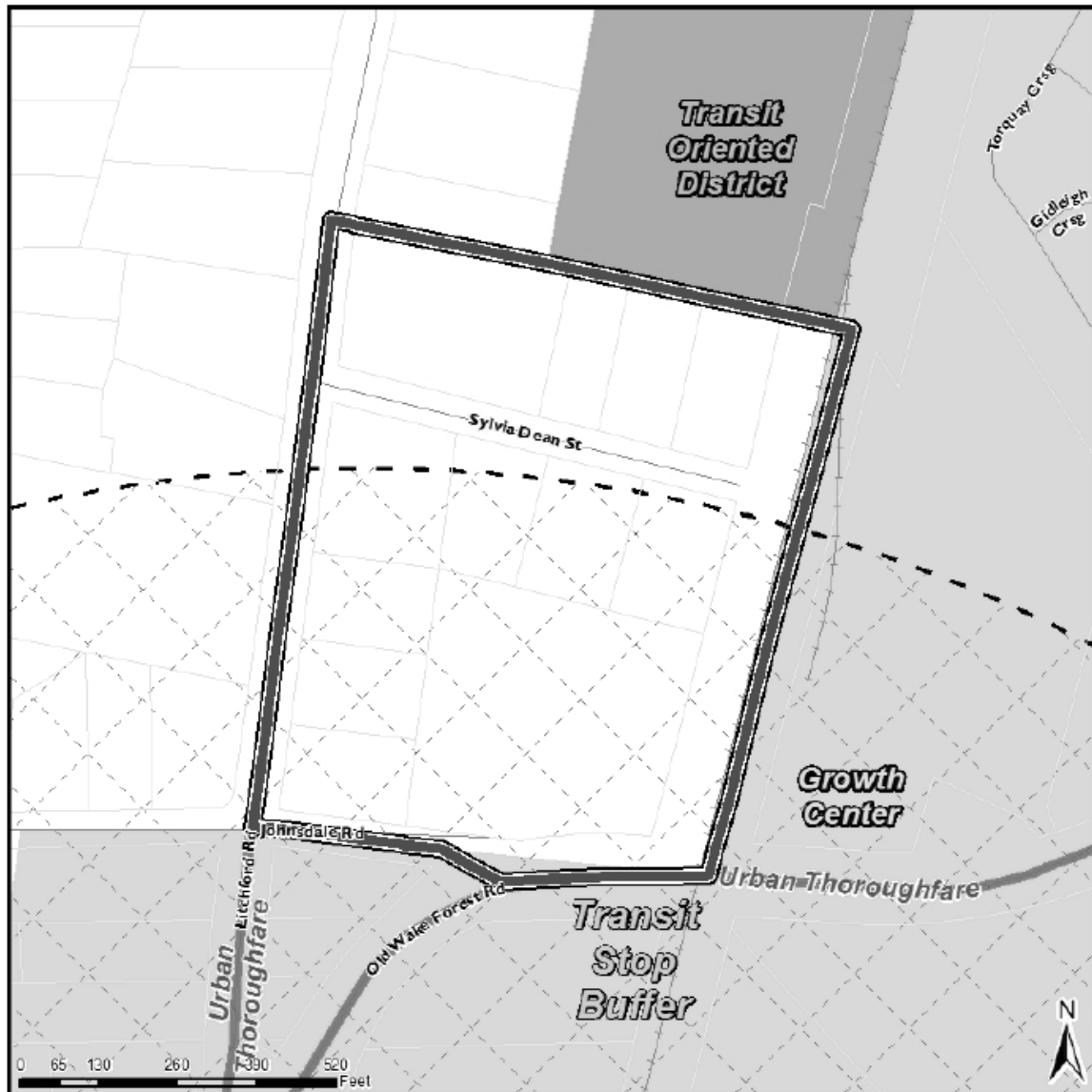
**Submittal
Date**

2/25/2015

Request:

13.47 acres from
R-4 & R-6
to RX-3-CU





**Submittal
Date**

2/25/2015

Request:

**13.47 acres from
R-4 & R-6
to RX-3-CU**



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal is inconsistent with the Future Land Use map in permitting higher density than that recommended for the site. Moderate Density Residential designation foresees a maximum of 14 dwelling units per acre; the proposal would permit up to 22 dwellings per acre.

However, the site is located directly between and adjoining two designated Centers on the Urban Form map, is on existing and proposed bus routes, and is partially within a future Transit Stop Half-Mile Buffer. The conditioned prohibition on retail and office uses and limitation on building height provide added compatibility.

The proposal can be considered consistent with Vision Themes “Expanding Housing Choices,” “Managing Our Growth,” and “Coordinating Land Use and Transportation.”

Community infrastructure and facilities appear sufficient to accommodate the redevelopment possible under the proposed rezoning. Pending roadway improvements and future Transit Stop construction will further augment site access opportunities.

2.2 Future Land Use

Future Land Use designation: Moderate Density Residential

The rezoning request is:

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

Analysis of Inconsistency:

The Future Land Use map designates the site for residential development, but at a maximum density of 14 dwellings per acre. The proposal would allow up to 22 units per acre.

2.3 Urban Form

Urban Form designation: Partially within a Transit Stop Half-Mile Buffer;
no Center or Corridor designation, but adjacent to designated
Centers on the south and east and partially on the north

☐ **Not applicable** (no Urban Form designation)

The rezoning request is:

☒ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

2.4 Policy Guidance

The rezoning request is **inconsistent** with the following policies:

Policy LU 1.2 - Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The Future Land Use designation supports moderate-density uses on the site (i.e., up to 14 dwelling units per acre), rather than the density possible under the rezoning request (conditioned to permit up to 22 dwelling units per acre).

2.5 Area Plan Policy Guidance

The rezoning request is not within a portion of the City subject to an Area Plan.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Would permit medium density residential uses in proximity to a planned transit station, and areas targeted for growth.
- As the site is near local and regional bus routes, multi-modal site access can be accommodated.

3.2 Detriments of the Proposed Rezoning

- Timing of potential site redevelopment in relation to planned City-funded roadway improvements nearby.

4. Impact Analysis

4.1 Transportation

Both Litchford Road and Old Wake Forest Road are classified as Avenue, 4-Lane Divided by the City's Street Plan Map. Old Wake Forest Road is scheduled for widening & other improvements in FY 2016. There are known capacity issues at Atlantic/ Spring Forest and Litchford/ Old Wake Forest. It is highly desirable to reroute Old Wake Forest Road from its current terminus at Dixie Forest Road northward to intersect Litchford at Johnsdale Road.

A Traffic Impact Analysis study has been reviewed by Transportation Planning. Construction of a northbound right-turn lane along Litchford Road should be required at the proposed full access driveway, with a minimum of 75 feet of full storage plus appropriate deceleration length and transitional taper. In addition, a northbound right-turn should be constructed at the Jonesdale Road intersection, providing a minimum 50 feet of full storage with appropriate deceleration length and transitional taper.

Impact Identified: Traffic congestion.

4.2 Transit

Litchford Rd is currently served by CAT in the southbound direction and there is a stop on Litchford approximately opposite Sylvia Dean. Both the City of Raleigh Short Range Transit Plan and the 2040 Wake County Transit Study anticipate bi-directional transit along Litchford Road.

Impact Identified: None. Additional density will create additional demand for transit; however, the offer of a transit easement and shelter will mitigate this demand.

4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Perry Creek
<i>Stormwater Management</i>	Article 9.2 of the UDO
<i>Overlay District</i>	None

Neuse River Buffer may exist on the site.

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	33,645 gpd	74,000 gpd
<i>Waste Water</i>	33,645 gpd	74,000 gpd

The proposed rezoning would add approximately 40,355 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

Impact Identified: The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

Site is not adjacent to existing or planned greenway corridor, trail, or connector. The nearest greenway trail is Spring Forest Trail (1.8 miles). Park services are available at Millbrook Exchange Park (0.83 mile west).

Impact Identified: None.

4.6 Urban Forestry

Proposed properties when developed will be subject to UDO 9.1 Tree Conservation. Litchford Road and Old Wake Forest Road are classified as major streets and treated as thoroughfares for UDO 9.1.4.A. Primary Tree Conservation. The new section of Old Wake Forest Road where Johnsdale Road right-of-way is currently located will be classified as a major street also. Primary Tree Conservation Area designation will apply to the new road section where code compliance can be met (UDO 9.1.4.E.).

Impact Identified: Tree Conservation Areas must be addressed at the site plan stage.

4.7 Designated Historic Resources

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places. However, directly across Litchford Road from the site stands the c. 1904 Litchford House. The property has been surveyed by the NC State Historic Preservation Office (site WA 1723), and is described in *The Historic Architecture of Wake County* (1994) as being "one of the few early twentieth-century residential properties still standing in this heavily developed section of Wake County."

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

- Potential traffic congestion, pending roadway improvements.
- Sewer and fire flow matters may need to be addressed upon redevelopment.
- Tree Conservation Areas must be addressed upon redevelopment.

4.10 Mitigation of Impacts

- Address potential traffic congestion, sewer and fire flow capacities, and Tree Conservation Areas at the site plan stage.

5. Conclusions

The potential increase in site density is inconsistent with the Future Land Use designation of Moderate Density Residential. However, conditioned prohibitions on non-residential uses are in keeping with the Future Land Use designation. The site's location--immediately between two areas designated by the Urban Form map as growth centers, and partially within a Transit Stop Half-Mile Buffer, lends support to the rezoning request. The requested height cap and setback/buffer required against adjoining Low Density zoning fosters compatibility with existing development. Several matters will need to be addressed at the site plan stage.



Planning & Development

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

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Classification: Residential-4 and Residential-6 Proposed Zoning Classification Base District: RX Height: -3 Frontage: None If the property has been previously rezoned, provide the rezoning case number. None. Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 419534	Transaction Number 419534 2-7-15

GENERAL INFORMATION		
Property Address: 2504, 2505, 2506, 2509, 2510 and 2513 Sylvia Dean Street; 6132 Johnsdale Road; 6314, 6316, 6318, 6320 and 6420 Litchford Road		Date 2/19/2015
Property PIN: 1717902004, 1717902127, 1717902331, 1717902560, 1717903759, 1717904437, 1717905110, 1717905483, 1717905793, 1717907430, 1717907701 & 1717908638	Deed Reference (Book/Page): Book 15190, Page 301; Book 10065, Page 2049; Book 15244, Page 2229	
Nearest Intersection: Litchford Road and Sylvia Dean Street		Property size (in acres): 13.47 ac
Property Owner/Address: Litchford Properties, LLC c/o Mark Halteman 11920 Willingdon Road Huntersville, NC 28078 John & Louise Humphrey 6420 Litchford Road Raleigh, NC 27615	Phone 610-207-8533	Fax —
	Email HaltemanRe@Comcast.net	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone: 919.590.0388	Fax
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature 	Email HaltemanRe@comcast.net	

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



One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Request		OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number	
Existing Zoning Classification: Residential-4 and Residential-6 Proposed Zoning Classification Base District: RX Height: -3 Frontage: None		<div>2-7-15</div>
If the property has been previously rezoned, provide the rezoning case number. None.		
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 419534		

Property Address: 2504, 2505, 2506, 2509, 2510 and 2513 Sylvia Dean Street; 6132 Johnsdale Road; 6314, 6316, 6318, 6320 and 6420 Litchford Road		Date <i>February 25, 2015</i>
Property PIN: 1717902004, 1717902127, 1717902331, 1717902560, 1717903759, 1717904437, 1717905110, 1717905483, 1717905793, 1717907430, 1717907701 & 1717908638	Deed Reference (Book/Page): Book 15190, Page 301; Book 10065, Page 2049; Book 15244, Page 2229	
Nearest Intersection: Litchford Road and Sylvia Dean Street		Property size (in acres): 13.47 ac
Property Owner/Address: Litchford Properties, LLC c/o Mark Halteman 11920 Willingdon Road Huntersville, NC 28078 John & Louise Humphrey 6420 Litchford Road Raleigh, NC 27615	Phone	Fax
	Email	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone: 919.590.0388	Fax
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature <i>Louise H. Humphrey</i>	Email	

4812-3242-4738, v. 1



Planning & Development

Development Services Customer Service Center

One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-7-15		Transaction Number
Date Submitted: July 31, 2015		
Existing Zoning: R-4 and R-6	Proposed Zoning: RX-3-CU	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The following principal uses listed in the Allowable Principal Use Table (UDO section 6.1.4) are prohibited: medical – all types, office – all types, personal service – all types, eating establishment, retail sales – all types.
2.	The maximum residential density on the property shall be twenty-two (22) units per acre.
3.	Prior to recordation of a subdivision plat or issuance of a building permit for new development, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth or 20 feet in width) and location of the easement along Litchford Road shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office. If, prior to issuance of the first building permit for new development, the Public Works Department requests installation of a shelter, an ADA accessible shelter shall be constructed prior to the first certificate of occupancy, with construction plans approved by the Public Works Department.

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

Owner/Agent Signature	Print Name



Planning & Development

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

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction Number Zoning Case Number 2-7-15

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.

1. The property is designated Moderate Density Residential, which recommends up to fourteen (14) units per acre and supports multifamily housing types. The proposed rezoning permits multifamily dwellings, consistent with this guidance. Although the residential density permitted under the proposed rezoning exceeds the Future Land Use Map guidance, the additional residential density is reasonable and in the public interest given the property's proximity to a planned future transit stop, a City Growth Center, a Transit-Oriented District Center and existing bus transit service.
2. The proposed rezoning includes a maximum height of three stories, which is consistent with the recommended height guidance in the Comprehensive Plan. The Moderate Density Residential category acknowledges that RX is an appropriate zoning district, and this is also an appropriate district for the Medium Density Residential district. The Comprehensive Plan notes that
3. The property is located within the one half-mile transit buffer, between a City Growth Center and a Transit-Oriented District Center, and proximate to the intersection of two Urban Thoroughfares, all as shown on the Urban Form Map. These centers and proximity to planned rail transit encourage intense residential density, more consistent with the proposed density as compared to the Future Land Use Map guidance. Additionally, the build-to, coverage in build-to, and other apartment building type regulations are consistent with the hybrid and urban frontage guidance in the surrounding area. Therefore, the proposed rezoning is consistent with the Urban Form Map.
4. The proposed rezoning is consistent with Policy LU 2.2 "Compact Development" by permitting a more compact land use pattern for the more efficient provision of public services; LU 4.7 "Capitalizing on Transit Access" by permitting intense residential development within one half-mile of a planned fixed guideway transit station; LU 5.4 "Density Transitions" by permitting medium density residential density near lower density residential uses; LU 5.5 "Transitional and Buffer Zone Districts" by permitting residential density and building height compatible with nearby lower density residential uses; and LU 5.6 "Buffering Requirements" by permitting residential density, building height and neighborhood transition requirements that avoid potential conflicts with nearby lower density residential uses.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. The proposed rezoning benefits the public by providing medium density residential uses within one half-mile of a planned transit station, in close proximity to areas targeted for growth, and near existing local connector bus routes (25:, 54L) and a regional bus route (TTA), which will facilitate the more efficient provision of public services and reduce vehicle miles traveled.

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON FEBRUARY 3, 2015

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Tuesday, February 3, 2015 at 5:30 p.m. This meeting was held at the office of DeWitt Carolinas, Inc., located at One Renaissance Centre, 3301 Benson Drive, Suite 103, Raleigh, NC 27609. The properties considered for rezoning total approximately 13.47 acres, and have the addresses of 6132 Johnsdale Road; 2504, 2505, 2506, 2509, 2510, 2513 Sylvia Dean Street; and 6314, 6316, 6318, 6320, 6420 Litchford Road, and Wake County Parcel Identification Numbers 1717902004, 1717902127, 1717902331, 1717902560, 1717903759, 1717904437, 1717905110, 1717905483, 1717905793, 1717907430, 1717907701 & 1717908638. All owners of property within 100 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



Michael Birch | Partner
630 Davis Drive, Suite 200
Morrisville, NC 27560

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Michael Birch

Date: January 23, 2015

Re: Notice of meeting to discuss potential rezoning of property located on the east side of Litchford Road near the intersection with Sylvia Dean Street, containing approximately 13.47 acres, with the addresses of 6132 Johnsdale Road; 2504, 2505, 2506, 2509, 2510, 2513 Sylvia Dean Street; and 6314, 6316, 6318, 6320, 6420 Litchford Road, and having Wake County Parcel Identification Numbers 1717902004, 1717902127, 1717902331, 1717902560, 1717903759, 1717904437, 1717905110, 1717905483, 1717905793, 1717907430, 1717907701 & 1717908638 (the "Property").

We are counsel for a developer that is considering rezoning the Property. The Property is currently zoned Residential-4 and Residential-6. The proposed zoning district is Residential Mixed Use with a maximum height of three stories (RX-3).

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Tuesday, February 3, 2015 at 5:30 p.m. This meeting will be held at the office of DeWitt Carolinas, Inc. located at One Renaissance Centre, 3301 Benson Drive, Suite 103, Raleigh, NC 27609.

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

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 590-0388 or mbirch@morningstarlawgroup.com.

EXHIBIT B

LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

HAAG, JOSEPHINE G
7013 BUCKHEAD DR
RALEIGH NC 27615-7008

PARKER, NANCY S
6424 LITCHFORD RD
RALEIGH NC 27615-7519

HOLST, KARL HOLST, ELLEN C
7412 NEW FOREST LN
WAKE FOREST NC 27587-9727

GLENNON, FAYE ANN
6501 LITCHFORD RD
RALEIGH NC 27615-7522

JOHNSTON, FRANCES C HEIRS
6309 LITCHFORD RD
RALEIGH NC 27615-7518

HUMPHREY, JOHN MELVIN
HUMPHREY, LOUISE GRANT
11424 HICKORY GROVE CHURCH RD
RALEIGH NC 27613-5903

WALL, PEARL D
6301 LITCHFORD RD
RALEIGH NC 27615-7518

BARRINGTON APARTMENTS 2, LLC
25101 CHAGRIN BLVD STE 300
BEACHWOOD OH 44122-5693

NORWOOD, JOHN A ALVARINO
NORWOOD, FRANCES W K
6401 LITCHFORD RD
RALEIGH NC 27615-7520

HUMPHREY, JOHN M
HUMPHREY, LOUISE G
6420 LITCHFORD RD
RALEIGH NC 27615-7519

ALVARINO, FRANCES K
6401 LITCHFORD RD
RALEIGH NC 27615-7520

SCHLITT, MICHAEL G
6417 LITCHFORD RD
RALEIGH NC 27615-7520

LITCHFORD PROPERTIES LLC
MARK HALTEMAN
11920 WILLINGDON RD
HUNTERSVILLE NC 28078-5680

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Tuesday, February 3, 2015, at 5:30 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcel subject to the proposed rezoning. Below is a list of items discussed at the meeting:

1. What will be done with existing structures
2. Timing of development after rezoning
3. Other communities developers have constructed
4. Type of apartment community and type of tenants envisioned
5. Impact on property value
6. Projected rental rate
7. Projected number of bedrooms per unit and square footage per unit
8. Type of transition required by the UDO

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. James Parker
2. Karl Holst