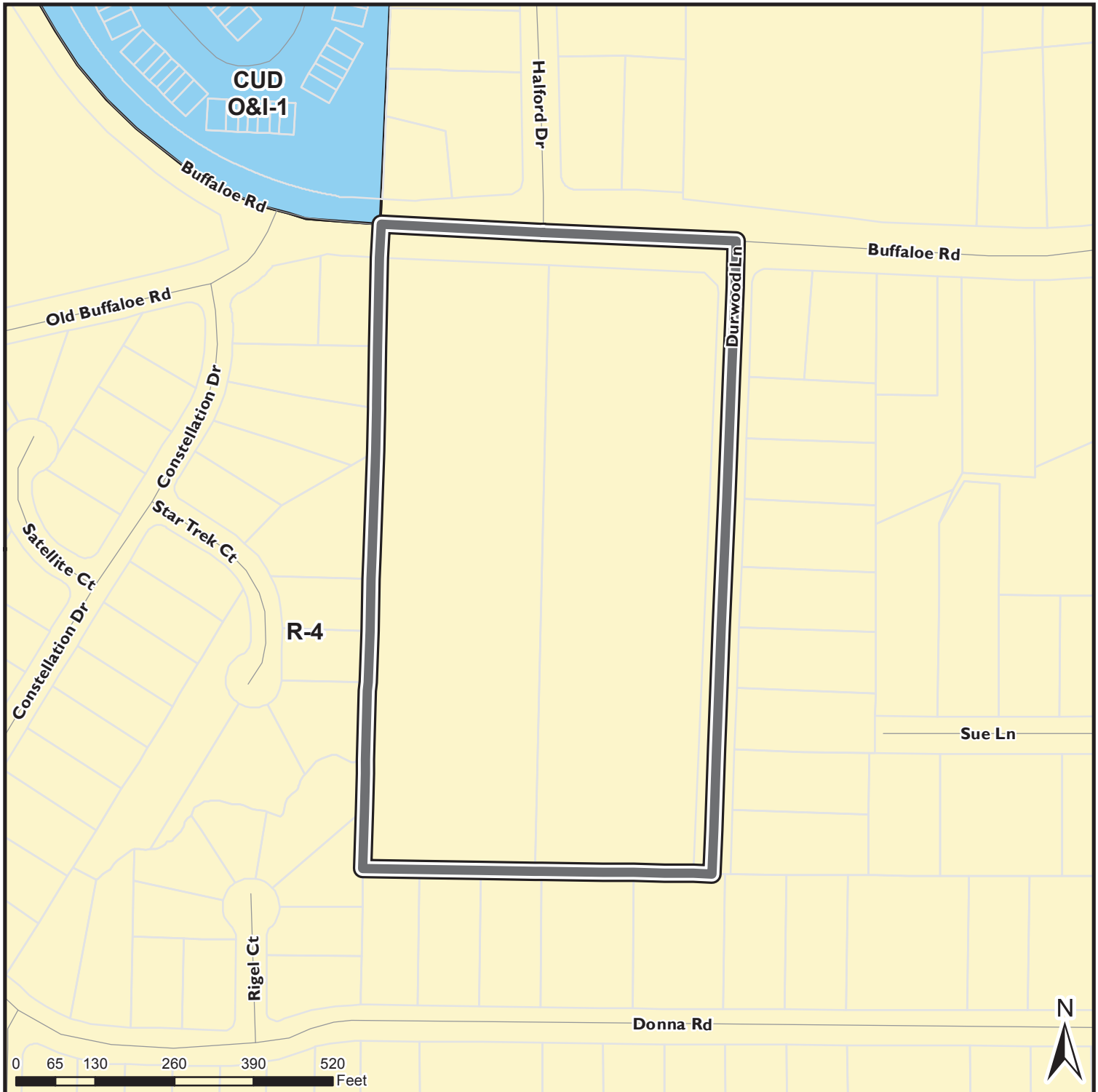


Existing Zoning Map

Z-23-2015

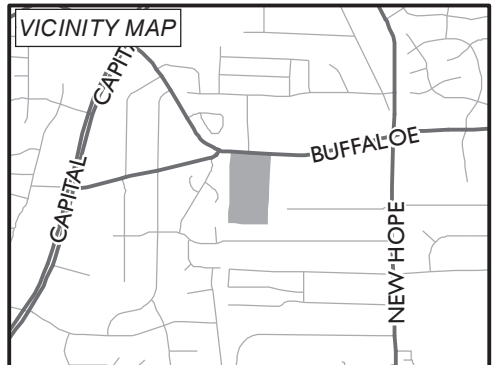


**Submittal
Date**

6/12/2015

Request:

**12.84 acres from
R-4
to R-10-CU**





Certified Recommendation

Raleigh Planning Commission

CR# 11661

Case Information Z-23-15 Buffalo Road and Durwood Lane

<i>Location</i>	Southwest quadrant of the Buffalo Road-Durwood Lane intersection Address: 3612 Buffalo Road and 3601 Durwood Lane PIN: 1725564817 and 1725566888
<i>Request</i>	Rezone property from Residential-4 (R-4) to Residential-10-Conditional Use (R-10-CU)
<i>Area of Request</i>	12.84 acres
<i>Property Owner</i>	Virginia A. Allen Revocable Trust George Thomas Arnold Morris, Trustee c/o McPherson & Rocamora, Attn: Kate Curran 3211 Shannon Road, Suite 620 Durham, NC 27707
<i>Applicant</i>	Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560
<i>Citizens Advisory Council (CAC)</i>	Northeast – Lillian Thompson, Chairperson lillianonline@icloud.com
<i>PC Recommendation Deadline</i>	December 7, 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>	Low Density Residential
<i>URBAN FORM</i>	n/a
<i>CONSISTENT Policies</i>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU 1.3 - Conditional Use District Consistency Policy LU 2.6 - Zoning and Infrastructure Impacts Policy LU 6.4 - Bus Stop Dedication Policy LU 8.9 - Open Space in New Development Policy LU 8.12 - Infill Compatibility
<i>INCONSISTENT Policies</i>	(None.)

Summary of Proposed Conditions

1. Restricts maximum residential density to 6 dwelling units per acre.
2. Requires a minimum of 30% of the property be set aside as open space.

3. Prohibits the apartment building type.
4. Offers transit easement dedication along Buffalo Road.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
6/10/15	5/15/15; 7/9/15 Y – 17; N - 0	9/8/15	9/15/15	10/7/15

☒ **Valid Statutory Protest Petition** (filed 9/2/15)

Attachments

1. Staff report
2. Valid Statutory Protest Petition

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. The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. 2. The proposed rezoning is reasonable and in the public interest. The proposal preserves a significant amount of open space, provides the opportunity for improvements to sub-standard streets, and will improve pedestrian safety in the area through sidewalk installation. The proposal would also allow for potential increased connectivity if future redevelopment were to occur adjacent to the subject property. 3. The proposal is compatible with the surrounding area. The proposed maximum residential density of 6 dwelling units an acre is compatible with surrounding low density residential development. In addition, the proposal prohibits the apartment building type.
<i>Motion and Vote</i>	Motion: Terando Second: Lyle In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando and Whitsett

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.

	Date		Date
Planning Director		Planning Commission Chairperson	9/8/15

Staff Coordinator: Vivian Ekstrom: (919) 996-2657; vivian.ekstrom@raleighnc.gov



Zoning Staff Report – Z-23-15

Conditional Use District

Case Summary

Overview

This site is located in northeast Raleigh at the intersection of Buffaloe Road and Durwood Lane. The Capital Boulevard corridor sits less than a half mile to the west of the site, while the N. New Hope Road corridor is located less than a half mile to the east.

The subject property is currently occupied by two single-family detached residences. Surrounding uses are exclusively residential with single family detached the predominant building type. Homes directly to the west were built in the late 1970s and early 1980s; homes to the east, north and south were constructed in the late 1950s and 1960s. In terms of more recent development, the Bison Court townhouse development – constructed in 2007 – is located to the northwest of the site across Buffaloe Road.

The site and all surrounding properties are designated as Low Density Residential on the Future Land Use Map, which envisions residential development with a density of 1 to 6 dwelling units per acre. There are no Urban Form Map designations for this area.

The site is currently zoned Residential-4 (R-4), as are the vast majority of all surrounding properties. The Bison Court townhouse development is zoned Office & Institution-1 Conditional Use (CUD O&I-1).

The proposed zoning has several conditions: residential density is limited to a maximum of 6 dwelling units per acre; a minimum of 30% of the site is required to be set aside as open space; the apartment building type is prohibited; and a transit easement is offered along Buffaloe Road.

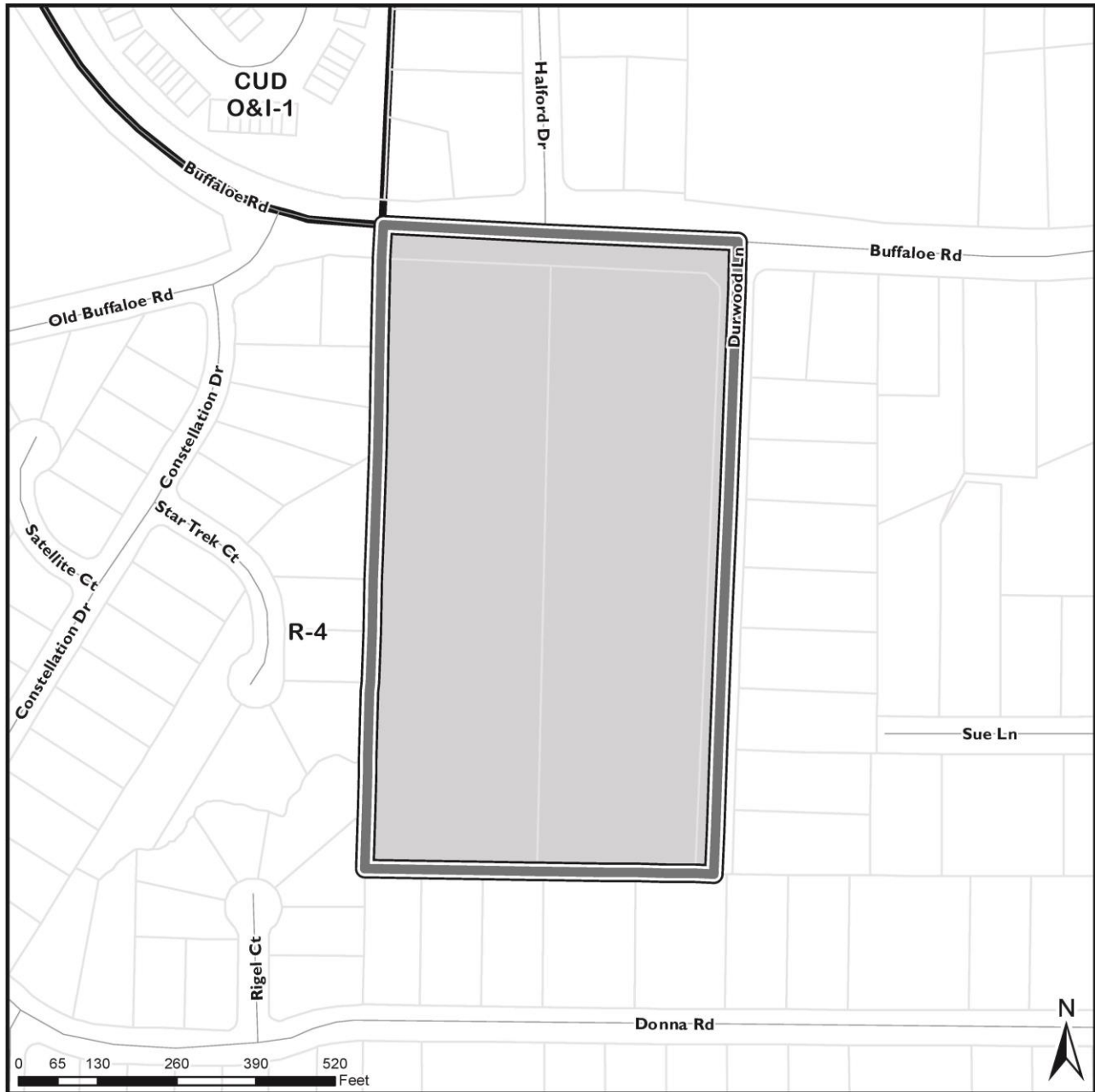
In addition to allowing a slight increase in density (from 4 units an acre to 6 units an acre), the proposed zoning would allow smaller lot sizes and setbacks as well as the townhouse building type.

Outstanding Issues

<i>Outstanding Issues</i>	<i>(None.)</i>	<i>Suggested Mitigation</i>	<i>n/a</i>
---------------------------	----------------	-----------------------------	------------

Existing Zoning Map

Z-23-2015

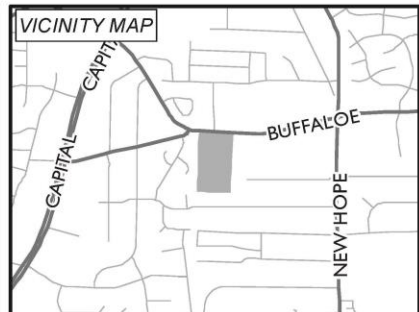


**Submittal
Date**

6/12/2015

Request:

**12.84 acres from
R-4
to R-10-CU**



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	Residential-4	Residential-4 and Office & Institution-1 Conditional Use District	Residential-4	Residential-4	Residential-4
<i>Additional Overlay</i>	n/a	n/a	n/a	n/a	n/a
<i>Future Land Use</i>	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential
<i>Current Land Use</i>	Single family residential	Single family residential detached and townhouses	Single family residential	Single family residential	Single family residential
<i>Urban Form (if applicable)</i>	n/a	n/a	n/a	n/a	n/a

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	4 DUs/acre 51 total DUs	6 DUs/acre* 77 total DUs
<i>Setbacks:</i>		
<i>Front:</i>	20'	10'
<i>Side:</i>	10'	5'
<i>Rear:</i>	30'	20'
<i>Retail Intensity Permitted:</i>	Not permitted	Not permitted
<i>Office Intensity Permitted:</i>	Not permitted	Not permitted

* Per conditions

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	12.84	12.84
<i>Zoning</i>	Residential-4	Residential-10-Conditional Use
<i>Max. Gross Building SF (if applicable)</i>	n/a	n/a
<i>Max. # of Residential Units</i>	51	77
<i>Max. Gross Office SF</i>	Not permitted	Not permitted

<i>Max. Gross Retail SF</i>	Not permitted	Not permitted
<i>Max. Gross Industrial SF</i>	Not permitted	Not permitted
<i>Potential F.A.R</i>	<i>n/a</i>	<i>n/a</i>

*The development intensities for proposed zoning districts 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.

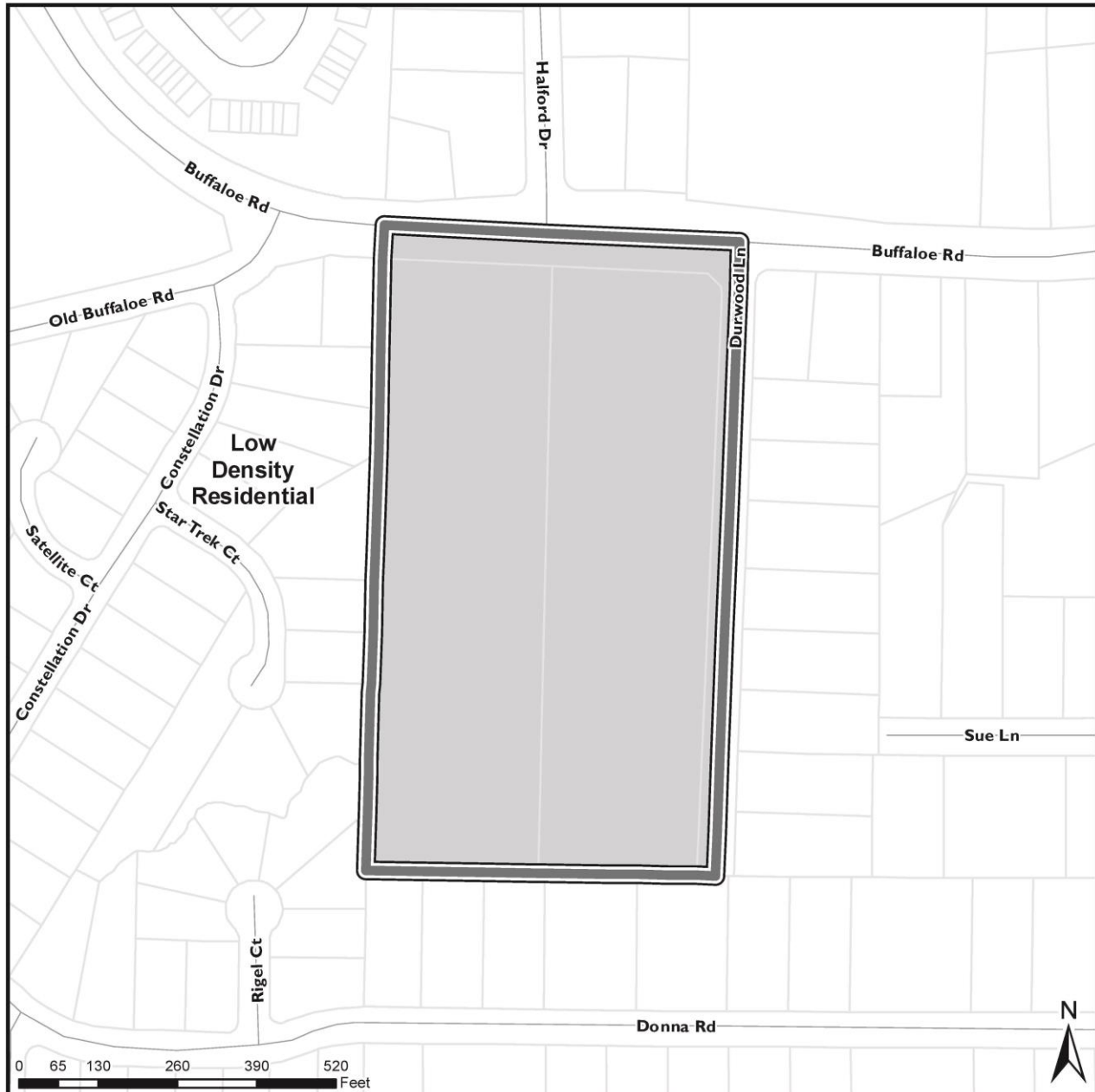
☐ **Incompatible.**

Analysis of Incompatibility:

<i>n/a</i>

Future Land Map

Z-23-2015

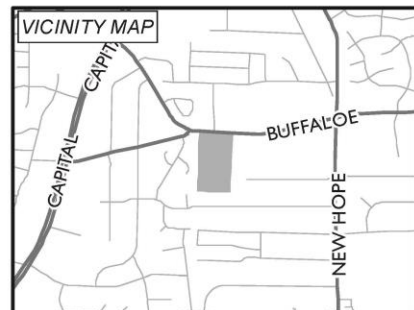


**Submittal
Date**

6/12/2015

Request:

**12.84 acres from
R-4
to R-10-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 can be considered consistent with the vision, themes, and policies of the Comprehensive Plan, as well as the Future Land Use Map designation for the property. The Low Density Residential Future Land Use category in the Comprehensive Plan calls for residential development within the range of 1 to 6 dwelling units per acre. This proposal limits the maximum residential density to 6 dwelling units per acre. The Low Density Residential category also states in part: "Smaller lots, townhouses and multifamily dwellings would only be appropriate as part of a conservation subdivision resulting in a significant open space set-aside." Since both smaller lots and townhouses would be possible in the Residential-10 (R-10) district, the zoning request addresses this provision by requiring that a minimum of 30% of the net site area be set aside as open space.

Existing community facilities and streets appear sufficient to accommodate the development possible under the proposed rezoning.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

n/a

2.3 Urban Form

Urban Form designation:

☒ **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:

(None noted.)

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

- Provides the opportunity for additional housing.
- Consistent with the Future Land Use Map.
- Compatible in terms of density and building type with surrounding development.

3.2 Detriments of the Proposed Rezoning

None anticipated.

4. Impact Analysis

4.1 Transportation

Buffaloe Road is classified as a four-lane divided avenue according to [Map T-1 of the 2030 Comprehensive Plan](#) and requires a total of 104' of R/W. The petitioner may need to dedicate R/W measured from the existing centerline if the R/W does not currently exist.

The existing streetscape along the Buffaloe Road frontage does not conform to [UDO standards for streetscape elements](#). Improvements may require additional right-of-way or changes to the existing street laneage to meet standards.

The block perimeter for the proposed site is greater than 8,300 feet. [Section 8.3.2 of the Unified Development Ordinance](#) identifies a maximum block perimeter of 2,500 feet for development under the Residential-10 zoning classification. New public streets may be required to create a well-connected street network to meet this standard.

The length of Durwood Lane is approximately 950 feet. [Section 8.3.2 of the Unified Development Ordinance](#) identifies a maximum dead-end street length of 300 feet for development under the Residential-10 zoning classification. New public streets may be required to create a well-connected street network to meet this standard.

[Section 6.23.5.E of Raleigh Street Design Manual](#) requires a traffic impact study based on the site access to and from Buffalo Road, a major arterial roadway. Staff has reviewed proposed site access, 5-year crash statistics, and potential safety issues related to the Buffalo Road and found the review of the findings sufficient to waive the traffic study requirement based on minimal traffic impact and limited crash history.

Impact Identified: A traffic impact study is not required.

4.2 Transit

This street segment is currently served by GoRaleigh Route 15L Trawick and a stop is located in front of the parcel. The offer of a transit easement along Buffalo Road will advance Policy T 4.15.

Impact Identified: Increased development may increase transit ridership but it is not expected to exceed the capacity of the current system.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present but alluvial soil type Cm appears in several locations on the property.
<i>Drainage Basin</i>	Marsh
<i>Stormwater Management</i>	Subject to Article 9 of UDO.
<i>Overlay District</i>	None

Impact Identified: Numerous Neuse riparian buffer areas appear to be located on the property. Subject to stormwater regulations under Article 9 of UDO.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	31,875 gpd	45,000 gpd
<i>Waste Water</i>	31,875 gpd	45,000 gpd

Impact Identified: The proposed rezoning would add approximately 13,125 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

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 proposed greenway trail, connector or corridor. Nearest trail access is Neuse River Trail, 3 miles. Park services are currently provided by Marsh Creek Community Center, 0.9 miles.

Impact Identified: None.

4.6 Urban Forestry

Prior to approval of any subdivision of any tract 2 acres or greater in size or site plan for a parcel 2 acres or greater, tree conservation areas must be provided in accordance with UDO Article 9.1.

Impact Identified: None.

4.7 Designated Historic Resources

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

- Sewer and fire flow matters may need to be addressed upon development.
- Block perimeter and access will need to be addressed upon development.

4.10 Mitigation of Impacts

- Address sewer and fire flow capacities at the site plan stage.
- Address access and block perimeter impacts at the site plan stage.

5. Conclusions

The proposed rezoning is consistent with the Comprehensive Plan and the Future Land Use Map designation. It is also compatible with adjacent uses and development densities. The Low Density Residential Future Land Use category calls for development within the range of 1 to 6 dwelling units per acre. The proposal meets this standard by limiting the maximum residential density to 6 dwelling units per acre. In addition, the proposal balances the smaller lot sizes and townhouse building type that are available under the R-10 zoning designation by providing a minimum of 30% open space set-aside.



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

Z-23-15

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 Proposed Zoning Classification Base District: R-10 Height: N/A Frontage: N/A	
If the property has been previously rezoned, provide the rezoning case number. N/A	
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 412866	

GENERAL INFORMATION		
Property Address: 3612 Buffalo Road and 3601 Durwood Lane		Date: June 11, 2015
Property PIN: 1725-56-4817 and 1725-56-6888	Deed Reference (Book/Page): Book 12840, Page 1946 and Book 12840, Page 1943	
Nearest Intersection: Buffalo Road and Durwood Lane		Property size (in acres): 12.84 ac
Property Owner/Address: Virginia A. Allen Revocable Trust George Thomas Arnold Morris, Trustee c/o McPherson & Rocamora Attn: Kate Curran 3211 Shannon Road, Suite 620, Durham NC	Phone: 919-493-0584	Fax:
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone: 919.590.0388	Fax:
Owner/Agent Signature: By: <u>George Thomas Arnold Morris</u> George Thomas Arnold Morris, Trustee	Email: kcurran@macroclaw.com	

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



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

9/11/15
11:21 am
CZ

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-23-15		Transaction Number
Date Submitted: August 28, 2015		
Existing Zoning: Residential-4	Proposed Zoning: Residential-10 Conditional Use	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The maximum residential density permitted on the property shall be six (6) units per acre.
2.	A minimum of thirty percent (30%) of the net site area of the property shall be set aside as open space, and in no event shall less than forty percent (40%) of the property be outside any lot able to be developed with a dwelling unit. The open space required to be set aside by this zoning condition shall be subject to UDO Article 2.5.
3.	The apartment building type shall be prohibited on the property.
4.	Prior to recordation of a subdivision plat or issuance of a building permit, 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 Buffalo Road shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office.

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 By: <u>George Thomas Arnold Morris</u> George Thomas Arnold Morris, Trustee September 2, 2015	Print Name GEORGE THOMAS ARNOLD MORRIS
---	--



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

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 Low Density Residential on the Future Land Use Map. This category recommends residential development with a density between one and six units per acre. The proposed zoning condition limits residential density to less than six units per acre, consistent with this Future Land Use Map guidance.
2.	The Low Density Residential category suggests that townhouses are appropriate if part of subdivision that provides significant open space. The proposed rezoning to R-10 permits townhouses and requires a significant open space set aside, all as envisioned by the Future Land Use Map guidance. Also, it is important to note that the building types permitted by the proposed rezoning are similar to the building types permitted and developed immediately northwest of the property (Bison Court Townhomes; Z-13-98 and S-59-05). This adjacent townhouse development is similarly designated Low Density Residential, but it is developed at over 9 units per acre with limited open space. The proposed rezoning is consistent with the Low Density Residential category and compatible with nearby development that is similarly designated Low Density Residential on the Future Land Use Map.
3.	The proposed rezoning is consistent with Comprehensive Plan policies LU 1.2 "Future Land Use Map and Zoning Consistency", LU 1.3 "Conditional Use District Consistency", LU 2.2 "Compact Development", LU 3.2 "Location of Growth", LU 8.1 "Housing Variety", LU 8.9 "Open Space in New Development", LU 8.10 "Infill Development", and LU 8.11 "Development of Vacant Sites" by providing a low density residential subdivision on a vacant site within the City limits and adjacent to other low density residential uses while at the same time permitting a mix of building types.

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 a mix of housing types in a growing area of the City and in close proximity to public facilities (Wilburn Elementary School, Marsh Creek Community Center and Buffalo Road Athletic & Aquatic Complex) and retail services (Capital Boulevard and proposed development at Buffalo Road & N. New Hope Road).
2.	The proposed rezoning benefits the public by rezoning land consistent with the Future Land Use Map guidance, consistent with Comprehensive Plan policies, and compatible with surrounding development.

Z23-15

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON JUNE 10, 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 Wednesday, June 10, 2015, at 6:00 p.m. The properties considered for rezoning total approximately 12.84 acres, with the addresses of 3612 Buffaloe Road and 3601 Durwood Lane, and having Wake County Parcel Identification Numbers 1725-56-4817 and 1725-56-6888. This meeting was held in the Art Room at Marsh Creek Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604. 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: May 29, 2015

Re: Notice of meeting to discuss potential rezoning of two properties located on the south side of Buffaloe Road, in the southwest corner of the intersection with Durwood Lane, containing approximately 12.84 acres, with the addresses of 3612 Buffaloe Road and 3601 Durwood Lane, and having Wake County Parcel Identification Numbers 1725-56-4817 and 1725-56-6888 (the "Property").

We are counsel for a developer that is considering rezoning the Property. The Property is currently zoned Residential-4. The proposed zoning district is Residential-10 Conditional Use with conditions that limit development of the Property to no more than 4.5 units per acre and require 35% of the Property be preserved as open space.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, June 10, 2015 from 6:00 p.m. to 7:00 p.m. This meeting will be held in the Art Room at Marsh Creek Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604.

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

TATE, JOEL G TATE, NICOLE 1625 GRACIE GIRL WAY WAKE FOREST NC 27587-5942	POWELL, PAUL C 3504 RIGEL CT RALEIGH NC 27604-4272	JOHNSON, TOMMY SCOTT 114 HARDING PL GOLDSBORO NC 27534-9100
SCOTT, BERTIE S SCOTT, WILLIE 3512 RIGEL CT RALEIGH NC 27604-4272	GRANGER, SUZANNE GRANGER, DAVID 3604 STAR TREK CT RALEIGH NC 27604-4221	FREMAN, DALE I 3608 STAR TREK CT RALEIGH NC 27604-4221
PAGE, PEGGY BOYETTE 3612 STAR TREK CT RALEIGH NC 27604-4221	WILLIAMS, JENNIFER B WILLIAMS, DAVID T 3616 STAR TREK CT RALEIGH NC 27604-4221	ALMOND, WINFRED C ALMOND, FRANCES B 3601 DONNA RD RALEIGH NC 27604-4222
RODRIGUEZ, YUMAXI ROJAS ALVAREZ, JOSE C 3605 DONNA RD RALEIGH NC 27604-4222	ALLEN, VIRGINIA A TRUSTEE 3718 HALFORD DR RALEIGH NC 27604-4264	LLOYD, MARY LOU 3609 DONNA RD RALEIGH NC 27604-4222
BROWN, STEPHAN T 3613 DONNA RD RALEIGH NC 27604-4222	ALLEN, VIRGINIA A TRUSTEE 3718 HALFORD DR RALEIGH NC 27604-4264	ALLEN, NELL M 3701 DONNA RD RALEIGH NC 27604-4224
MUN, NYON SUK 3705 DONNA RD RALEIGH NC 27604-4224	GADEGBEKU, IRENEAUS B 3668 DURWOOD LN RALEIGH NC 27604-4217	LAUER, PATRICIA 3662 DURWOOD LN RALEIGH NC 27604-4217
MCNEIL, CHRISTEEN H 3658 DURWOOD LN RALEIGH NC 27604-4217	ODEN, SHELITA ODEN, SHELLY E 3654 DURWOOD LN RALEIGH NC 27604-4217	USA HOMEOWNERSHIP FOUNDATION INC 462 CORONA MALL STE 102 CORONA CA 92879-1456
ORMSBY, DOUGLAS W 3640 DURWOOD LN RALEIGH NC 27604-4217	BISON COURT HOMEOWNERS ASSN INC SENTRY MGMT INC 2180 W STATE ROAD 434 STE 5000 LONGWOOD FL 32779-5042	PENROSE, JOHN PENROSE, CATHERINE 3608 CONSTELLATION DR RALEIGH NC 27604-4215

HERNANDEZ, SANTANA DIAZ
3612 CONSTELLATION DR
RALEIGH NC 27604-4215

AMMONS, JAMES L
3701 BUFFALOE RD
RALEIGH NC 27604-4208

ZHAO, LIANG JI, HONG
409 WAVERLY HILLS DR
CARY NC 27519-9753

CASTILIO, SOCRATES
3712 BUFFALOE RD
RALEIGH NC 27604-4209

CRABTREE ASSOCIATES INC
3616 CONSTELLATION DR
RALEIGH NC 27604-4215

HUNEYCUTT, SHERRILL H
PO BOX 481953
CHARLOTTE NC 28269-5336

WILSON, ANGELA A
3634 DURWOOD LN
RALEIGH NC 27604-4217

CURRIN, C ALLEN CURRIN, GLENN R
PO BOX 97114
RALEIGH NC 27624-7114

REYES, NELSON REYES,
VICTORINA GONZALEZ
3620 CONSTELLATION DR
RALEIGH NC 27604-4215
STEELE, JOHN STEELE, LUCINDA
3638 DURWOOD LN
RALEIGH NC 27604-4217

GRUBB, TIMOTHY J THOMPSON, SARAH E
3709 DONNA RD
RALEIGH NC 27604-4224

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Wednesday, June 10, 2015 at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. Below is a list of topics discussed:

1. For sale or for rent product
2. Price range for product
3. Impact on property values
4. Total number of units permitted
5. Character of surrounding area
6. Traffic along Buffalo Road and in area
7. Buffering of natural features
8. Grading of property
9. Rezoning and subdivision process
10. Status of pond
11. Stormwater management
12. Number of stories of each unit
13. Downstream sanitary sewer impact
14. Potential layout of property
15. Location of open space
16. Building materials
17. Transitions to adjoining properties

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. Chris Allen
2. Lynne Allen
3. Ness Allen
4. Debbie Neuhart
5. Mary Lou Lloyd
6. John Allers
7. Sheila Allers
8. Winfred Almond
9. Tim Moulthrop
10. Peggy Moulthrop
11. Sheila Scott
12. Ken Harris
13. Phil Simpkins
14. David Granger
15. Suzanne Granger
16. Theda Woodlief



Planning & Development

SCANNED

9/2/15 MB

TO: D. Sumpter - Planning

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 Valid Statutory Protest Petition (VSPP)

Submit this form to:

City Clerk

Raleigh Municipal Building, Room 207

222 W. Hargett St.

Raleigh, NC 27602

Administrative Use Only

Valid 9/3/15
VJE
Planning

Validity

Administrative Use Only

received
9/2/15 MB
CITY CLERK

Received by City Clerk

Date Submitted 9/2/15		Case # Z - 23 - 15	
Contact Person Stephan T. Brown			
Address 3613 Donna Road		City Raleigh	
State NC	Zip 27604	Phone 716-307-6881	Fax
Email S.brown814@yahoo.com			

If a Valid Statutory Protest Petition (VSPP) is filed in opposition to a rezoning request, the City Council cannot approve the request unless it does so by a vote of three-fourths of all Council members. A simple majority can approve all other requests. To file a VSPP, the petition must:

- Be signed by the owner(s) (including both husband and wife if there is joint ownership) of twenty percent (20%) or more of the area of the lots included in the rezoning request; OR five percent (5%) of a 100 foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100 foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100 foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas;
- Include a statement of opposition on each page of signatures at the top of the petition. The statement should be simply and clearly worded;
- Be submitted no less than two (2) full working days prior to the hearing, not including the actual day of the hearing and not including any holidays, Saturdays or Sundays. For instance, if the hearing occurs on Tuesday, the form must be submitted by the previous Thursday at 5:00 p.m.;
- Be delivered to the office of the City Clerk, Raleigh Municipal Building, Room 207, 222 W. Hargett Street, before 5:00 p.m. on the deadline date; and
- Have signatures attached to this sheet on the form provided. The signature form may be duplicated if necessary.

Valid Statutory Protest Petition
Case # Z - 23 - 15

Statement of Opposition:

We, the undersigned owners of property affected by the requested zoning change described in the referenced file (Case #Z-23-15), do hereby protest against any change of the land development code which would zone the property to any other classification other than R-4.

Signature: Neil M Allen Print Name (clearly): NEIL M ALLEN

Address: 3701 Donna Rd, Raleigh, NC 27604

Signature: Ireneus B. Gadegebec Print Name (clearly): IRENEUS B. GADEGEBEC

Address: 3668 Durwood Lane, Raleigh, NC 27604

Signature: Christeen H McNeil Print Name (clearly): Christeen H. McNeil

Address: 3658 Durwood Ln. Raleigh N.C 27604

Signature: James L. Ammons Print Name (clearly): JAMES L. AMMONS

Address: 3701 BUFFALO ROAD, RALEIGH, NC, 27604

Signature: Angela A. Wilson Print Name (clearly): ANGELA A. WILSON

Address: 3634 Durwood Lane, Raleigh NC 27604

Signature: Mary Lou Lloyd Print Name (clearly): MARY LOU LLOYD

Address: 3609 DONNA RD RALEIGH, NC 27604

Signature: Stephan Braun Print Name (clearly): STEPHAN BRAUN

Address: 3613 Donna Raleigh, NC 27604

Signature: Peggy Boyette Page Moulthrop Print Name (clearly): Peggy Boyette Page Moulthrop

Address: 3612 Star Trek Ct. Raleigh NC 27604

Signature: David Williams Print Name (clearly): DAVID WILLIAMS

Address: 3616 Star Trek Ct Raleigh NC 27604

Valid Statutory Protest Petition
Case # Z - 23 - 15

Statement of Opposition:

We, the undersigned owners of property affected by the requested zoning change described in the referenced file (Case #Z-23-15), do hereby protest against any change of the land development code which would zone the property to any other classification other than R-4.

Signature: Jennifer B. Williams Print Name (clearly): Jennifer B. Williams
Address: 3616 Star Trek Ct. Raleigh, NC 27604

Signature: Winfred C. Almond Print Name (clearly): Winfred C. Almond
Address: 3601 Danna Rd Raleigh, N.C. 27604

Signature: Douglas W. Ormsby Print Name (clearly): Douglas W. Ormsby
Address: 3640 Durwood Lane Raleigh NC 27604

Signature: Lucinda Steele Print Name (clearly): Lucinda Steele
Address: 3638 Durwood Lane, Raleigh NC 27604

Signature: John Steele Print Name (clearly): John STEELE
Address: 3638 DURWOOD LANE, RALEIGH NC 27604

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____

Signature: _____ Print Name (clearly): _____
Address: _____