Existing Zoning Map
Case Number: Z-9-13

Request:
12.16 ac from R-4 to R-15 CUD
Case Information Z-9-13 Leesville Road

<table>
<thead>
<tr>
<th>Location</th>
<th>Southeast quadrant of the intersection of Leesville and Ray Road.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request</td>
<td>Rezone property from Residential-4 to Residential-15 Conditional Use</td>
</tr>
<tr>
<td>Area of Request</td>
<td>12.16 acres</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Evelyn B. Stanley</td>
</tr>
<tr>
<td>Applicant</td>
<td>Thomas C Worth (919)839-1125</td>
</tr>
<tr>
<td>Citizens Advisory Council</td>
<td>Northwest CAC</td>
</tr>
<tr>
<td>Recommendation Deadline</td>
<td>April 15th, 2013</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>FUTURE LAND USE</th>
<th>Moderate Density Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONSISTENT Policies</td>
<td>Policy LU 1.3 – Conditional Use District Consistency</td>
</tr>
<tr>
<td></td>
<td>Policy LU 2.6 – Zoning and Infrastructure Impacts</td>
</tr>
<tr>
<td></td>
<td>Policy LU 4.5 – Connectivity</td>
</tr>
<tr>
<td></td>
<td>Policy LU 5.4 – Density Transitions</td>
</tr>
<tr>
<td></td>
<td>Policy LU 5.6 – Buffering Requirements</td>
</tr>
<tr>
<td></td>
<td>Policy T 1.6 – Transportation Impacts</td>
</tr>
<tr>
<td></td>
<td>Policy EP 8.4 – Noise and Light Impacts</td>
</tr>
<tr>
<td>INCONSISTENT Policies</td>
<td>None</td>
</tr>
</tbody>
</table>

Summary of Proposed Conditions
1. Residential density limitation.
2. Building height
3. Limitation on points of access from Leesville and Ray Road.
4. Transit easement
5. Increased buffers to residential
6. Restrictions on lighting
Public Meetings

<table>
<thead>
<tr>
<th>Neighborhood Meeting</th>
<th>Public Hearing</th>
<th>Committee</th>
<th>Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/15/2012</td>
<td>1/15/2013</td>
<td>Date:</td>
<td>1/22/13: Approval</td>
</tr>
</tbody>
</table>

- **Valid Statutory Protest Petition**

Attachments
1. Staff report

**Planning Commission Recommendation**

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Findings &amp; Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Planning Commission finds that this case is consistent with the Comprehensive Plan and should be approved in accordance with zoning conditions dated December 5, 2012.</td>
<td>1. The request is consistent with the Future Land Use Map and all applicable Comprehensive Plan policies. The Future Land Use Map designates this area as being appropriate for Moderate Density Residential, and the rezoning request as conditioned is consistent with this designation. 2. The request is reasonable and in the public interest. Rezoning to Residential-15 Conditional Use will have no additional impacts to surrounding infrastructure and will provide the applicant with more opportunity for development on the property. Higher density residential is appropriate in this location. 3. The proposal is compatible with the surrounding area. The applicant has offered numerous zoning conditions to help mitigate any potential impacts to surrounding lower density residential.</td>
</tr>
</tbody>
</table>

| Motion and Vote | Motion: Butler
Second: Buxton
In Favor: Butler, Buxton, Fleming, Fluhrer, Harris Edmisten, Haq, Sterling-Lewis, Schuster and Terando
Recused: Mattox |

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.

1/22/13
Planning Director Date Planning Commission Chairperson Date

Staff Coordinator: Stan Wingo stan.wingo@raleighnc.gov
Case Summary

Overview
Subject property is located in the southeast quadrant of the intersection of Leesville and Ray Road. Applicant is proposing to rezone the property from Residential-4 to Residential-15 Conditional Use. The Future Land Use map designates this property as being appropriate for Moderate Density Residential.

Conditions offered by the applicant include a residential density limitation of 12 dwelling units per acre, height limitations, additional buffering to single family residential and limitations on the points of access. Restrictions on site lighting as well as a transit easement were also offered by the applicant. The request as conditioned is consistent with the Future Land Use map as well as all applicable Comprehensive Plan policies. There are no additional impacts to surrounding infrastructure associated with this request.

Outstanding Issues

<table>
<thead>
<tr>
<th>Outstanding Issues</th>
<th>None</th>
<th>Suggested Mitigation</th>
<th>N/A</th>
</tr>
</thead>
</table>

ZONING REQUEST

Existing Zoning Map
Case Number: Z-9-13

Request:
12.16 ac from R-4 to R-15 CUD

City of Raleigh Public Hearing
January 16, 2013
(April 15, 2013)
Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/Zoning Summary

<table>
<thead>
<tr>
<th>Subject Property</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning</td>
<td>Residential-4</td>
<td>Residential-6 and Residential-10</td>
<td>Residential-4</td>
<td>Residential-4 and Residential-10</td>
</tr>
<tr>
<td>Additional Overlay</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Future Land Use</td>
<td>Moderate Residential</td>
<td>Moderate Residential</td>
<td>Low Density Residential</td>
<td>Moderate Residential</td>
</tr>
<tr>
<td>Public Parks and Open Space</td>
<td></td>
<td></td>
<td></td>
<td>Public Parks and Open Space</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant undeveloped land</td>
<td>Multi-Family</td>
<td>Single Family</td>
<td>Church</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Multi-Family</td>
</tr>
</tbody>
</table>

1.2 Current vs. Proposed Zoning Summary

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Density:</td>
<td>48 dwelling units</td>
</tr>
<tr>
<td>Setbacks:</td>
<td></td>
</tr>
<tr>
<td>Front:</td>
<td>30</td>
</tr>
<tr>
<td>Side:</td>
<td>10</td>
</tr>
<tr>
<td>Rear:</td>
<td>30</td>
</tr>
<tr>
<td>Retail Intensity Permitted:</td>
<td>None</td>
</tr>
<tr>
<td>Office Intensity Permitted:</td>
<td>None</td>
</tr>
</tbody>
</table>

The proposed rezoning is:

☑ Compatible with the property and surrounding area.

☐ Incompatible.

Analysis of Incompatibility:

The proposed rezoning request is compatible with the surrounding area. Applicant has included zoning conditions that limit density and provide appropriate transitions to adjacent lower intensity residential.
FUTURE LAND USE MAP

Future Land Use Map
Case Number: Z-9-13

Request:
12.16 ac from R-4 to R-15 CUD

City of Raleigh Public Hearing
January 16, 2013
(April 15, 2013)
2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation:

The rezoning request is:

☑ Consistent with the Future Land Use Map.

☐ Inconsistent

Analysis of Inconsistency:

The rezoning request is consistent with the Future Land Use designation of Moderate Density Residential. This category suggests 6-14 dwellings of residential development, and the applicant has conditioned the proposed density to no more than 12 units per acre.

2.2 Policy Guidance

The rezoning request is consistent with all applicable Comprehensive Plan policies.

2.3 Area Plan Policy Guidance

There are no applicable Area Plans in this location.
3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Consistent with Comprehensive Plan.
- Provides additional redevelopment opportunities.

3.2 Detriments of the Proposed Rezoning

- No known detriments associated with this request.
4. Impact Analysis

4.1 Transportation

<table>
<thead>
<tr>
<th>Primary Streets</th>
<th>Classification</th>
<th>2011 NCDOT Traffic Volume (ADT)</th>
<th>2035 Traffic Volume Forecast (CAMPO)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ray Road</td>
<td>Minor Thoroughfare</td>
<td>4,600</td>
<td>14,000</td>
</tr>
<tr>
<td>Leesville Road</td>
<td>Major Thoroughfare</td>
<td>12,000</td>
<td>32,000</td>
</tr>
</tbody>
</table>

Street Conditions

<table>
<thead>
<tr>
<th>Ray Road</th>
<th>Lanes</th>
<th>Street Width</th>
<th>Curb and Gutter</th>
<th>Right-of-Way</th>
<th>Sidewalks</th>
<th>Bicycle Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>2</td>
<td>27'</td>
<td>Curb and gutter on the north side of the street</td>
<td>60'</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>City Standard</td>
<td>3</td>
<td>53'</td>
<td>Back-to-back curb and gutter section</td>
<td>80'</td>
<td>minimum 5' sidewalks on both sides</td>
<td>Striped bicycle lanes on both sides</td>
</tr>
<tr>
<td>Meets City Standard?</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Leesville Road</th>
<th>Lanes</th>
<th>Street Width</th>
<th>Curb and Gutter</th>
<th>Right-of-Way</th>
<th>Sidewalks</th>
<th>Bicycle Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>4</td>
<td>71'</td>
<td>Back-to-back curb and gutter section</td>
<td>126'</td>
<td>8’ MUP on the east side 5’ sidewalks on west side</td>
<td>None</td>
</tr>
<tr>
<td>City Standard</td>
<td>4</td>
<td>65'</td>
<td>Back-to-back curb and gutter section</td>
<td>90'</td>
<td>minimum 5’ sidewalks on both sides</td>
<td>Striped bicycle lanes on both sides</td>
</tr>
<tr>
<td>Meets City Standard?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

Expected Traffic Generation [vph]

| AM PEAK | 43 | 81 | 38 |
| PM PEAK  | 54 | 105| 51 |

Suggested Conditions/Impact Mitigation:
Traffic Study Determination: Staff has reviewed a trip generation differential report for this case and a traffic impact analysis study is not recommended for Z-9-13.

Additional Information: Neither NCDOT nor the City of Raleigh have any roadway construction projects scheduled in the vicinity of this case.

Impact Identified: Additional 38 AM Peak hour trips and 51 PM Peak hour trips.

4.2 Transit

Applicant has included a transit easement in proposed zoning conditions.

Impact Identified: None
4.3 Hydrology

<table>
<thead>
<tr>
<th>Floodplain</th>
<th>Floodprone Soils present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Basin</td>
<td>Haresnipe</td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>Subject to Part 10, Chapter 9</td>
</tr>
<tr>
<td>Overlay District</td>
<td>none</td>
</tr>
</tbody>
</table>

Impact Identified: Site is subject to Part 10, Chapter 9 Stormwater Regulations. Floodprone soils shown per Wake Co. Soil Survey present on site and subject to Part 10, Chapter 4 Floodplain Regulations. Neuse River Buffered features may be present on site and are subject to Neuse River Buffer Rules

4.4 Public Utilities

<table>
<thead>
<tr>
<th>Maximum Demand (current)</th>
<th>Maximum Demand (proposed)</th>
<th>Estimated Remaining Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water 24,320 gpd</td>
<td>95,760 gpd</td>
<td></td>
</tr>
<tr>
<td>Waste Water 24,320 gpd</td>
<td>95,760 gpd</td>
<td></td>
</tr>
</tbody>
</table>

Impact Identified: The proposed rezoning would add approximately 71,440 gpd to the wastewater collection and water distribution systems of the City. There is currently twelve (12”) inch water mains located within the rights-of way of Ray and Leesville Roads. Currently there are no sanitary sewer mains adjacent to the proposed rezoning area; therefore the petitioner/developer will be required to extend sanitary sewer to the property. The developer must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with or prior to the proposed development being constructed. Verification of available capacity for water fire flow is required as part of the building permit submittal process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

Subject Tract is not allocated adjacent to a greenway corridor. The subject tract is located near Lake Lynn Park. This rezoning increases the recreation level of services.

Impact Identified: None

4.6 Urban Forestry

<table>
<thead>
<tr>
<th>Urban Forestry</th>
<th>Andy Gilliam, Forestry Specialist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact</td>
<td><a href="mailto:andy.gilliam@raleighnc.gov">andy.gilliam@raleighnc.gov</a> ph: 919-996-2477</td>
</tr>
</tbody>
</table>

1. The subject parcels are both larger than 2 acres and therefore subject to Raleigh’s tree conservation laws: code sections 10-2072 and 10-2082.14.
2. Section 10-2072 (Tree disturbing activity except a minor tree removal activity), on properties currently without recorded tree conservation areas, prohibits disturbance or removal of trees in the protected buffers around the property: 50’ wide buffer adjacent to thoroughfares, 65’-wide buffer adjacent to developed property or roadways, 32’-wide buffers adjacent to undeveloped property.
3. Section 10-2082.14 requires establishment of tree conservation areas when the property is developed (new subdivision or new site plan).
Impact Identified: Condition 5, the undisturbed buffer, cannot be counted as primary tree conservation area. It can possibly be counted as secondary tree conservation area if it meets the code requirements for a secondary tree conservation area.

4.7 Designated Historic Resources
This site is not located in a historic district and does not contain any historic landmarks.

Impact Identified: None

4.9 Appearance Commission
This request is not subject to review by the Appearance Commission.

4.10 Impacts Summary
- There are no additional impacts to surrounding infrastructure associated with this request.

4.11 Mitigation of Impacts
- None.
5. Conclusions

The proposed rezoning request is consistent with the Future Land Use map and all applicable Comprehensive Plan policies. There are also no additional impacts to surrounding infrastructure associated with this request.
Petition to Amend the Official Zoning Map
Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.

2. That the following circumstance(s) exist(s):
   - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
   - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
   - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.

4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
   a. to lessen congestion in the streets;
   b. to provide adequate light and air;
   c. to prevent the overcrowding of land;
   d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
   e. to regulate in accordance with a comprehensive plan;
   f. to avoid spot zoning; and
   g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s) Evelyn B. Stanley
Print Name Evelyn B. Stanley
Date October 15, 2012

By: Kenneth J. Stanley, as attorney-in-fact
for Evelyn B. Stanley

Rezoning Petition
Form Revised July 17, 2012
EXHIBIT B. Request for Zoning Change

Please use this form only — form may be photocopied. Please type or print. See instructions in Filing Addendum

Contact Information

<table>
<thead>
<tr>
<th>Petitioner(s)</th>
<th>Name(s)</th>
<th>Address</th>
<th>Telephone/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Evelyn B. Stanley</td>
<td>2216 Hillock Drive</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Raleigh, NC 27612</td>
<td></td>
</tr>
</tbody>
</table>

| Property Owner(s) | Evelyn B. Stanley | 2216 Hillock Drive | Raleigh, NC 27612 |

| Contact Person(s) | Thomas C. Worth, Jr. | P.O. Box 1125 | Raleigh, NC 27602 | 919-831-1125 |

|                   |                   |                   |                   |
|                   |                   |                   | 919-831-1205      |

Property information

**Property Description** (Wake County PIN) 0787-91-8009 & 0787-90-4970

**Nearest Major Intersection** Leesville Road and Ray Road

**Area of Subject Property** (in acres) 12.16 acres

**Current Zoning Districts** (include all overlay districts) R-4

**Requested Zoning Districts** (include all overlay districts) R-15, CUD
EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City/State/Zip</th>
<th>Wake Co. PIN</th>
</tr>
</thead>
</table>

SEE ATTACHED EX. B-1

Rezoning Petition
Form Revised July 17, 2012
SHERRY L POTTER  
PIN # 0787 91 2842  
306 Oak Hollow Ct.  
Raleigh, NC 27613-3288

KEITH & HALLIE TEAGUE SNEEDEN  
PIN # 0787 91 2842  
401 Oak Hollow Ct.  
Raleigh, NC 27613-3289

JAMES O HOLT JR  
PIN # 0787 91 2842  
402 Oak Hollow Ct.  
Raleigh, NC 27613-3289

SUE R ETHERIDGE  
PIN # 0787 91 2842  
403 Oak Hollow Ct.  
Raleigh, NC 27613-3289

JENNIFER R FENSKE  
PIN # 0787 91 2842  
404 Oak Hollow Ct.  
Raleigh, NC 27613-3289

MARGARET M HERRING  
PIN # 0787 91 2842  
405 Oak Hollow Ct.  
Raleigh, NC 27613-3289

ROGER SEELAENDER  
PIN # 0787 91 2842  
1017 Aquaduct Dr.  
Wake Forest, NC 27587-5766

MARLA STECKI  
PIN # 0787 91 2842  
407 Oak Hollow Ct.  
Raleigh, NC 27613-3289

CORNELIA KEYWORTH CHEEVER  
PIN # 0787 91 2842  
408 Oak Hollow Ct.  
Raleigh, NC 27613-3289

LORRAINE A SCALZITTI  
PIN # 0787 91 2842  
409 Oak Hollow Ct.  
Raleigh, NC 27613-3289

STEPHEN & ALICE H AGAPION  
PIN # 0787 91 2842  
PO Box 309  
Cary, NC 27512-0309

JANET L JONES  
PIN # 0787 91 2842  
411 Oak Hollow Ct.  
Raleigh, NC 27613-3289

ELIZABETH Z DUNN  
PIN # 0787 91 2842  
412 Oak Hollow Ct.  
Raleigh, NC 27613-3289

EVELYN B. STANLEY  
PIN # 0787 91 8009  
2216 Hillock Dr.  
Raleigh, NC 27612-3968

AUTUMN CHASE CONDOMINIUM  
PIN # 0787 91 8643  
900 Ridgefield Dr., Ste 150  
Raleigh, NC 27609-8514

MATTHEW KARAS  
PIN # 0787 91 8643  
101 Autumn Chase Dr.  
Raleigh, NC 27613-3279

NAOR SNIR  
PIN # 0787 91 8643  
414 Center Pointe Dr.  
Cary, NC 27513-5728

JAMES WALDO BLAKE  
PIN # 0787 91 8643  
103 Autumn Chase Dr.  
Raleigh, NC 27613-3279

KEVIN D MILES  
PIN # 0787 91 8643  
930 Old Ferrell Rd.  
Knightdale, NC 27545-9380

FRANCINE ALFANO  
PIN # 0787 91 8643  
105 Autumn Chase Dr.  
Raleigh, NC 27613-3279

JUDITH N NARTEY  
PIN # 0787 91 8643  
8353 Greywinds Dr.  
Raleigh, NC 27615-2737

DANNY R ANDREWS  
PIN # 0787 91 8643  
107 Autumn Chase Dr.  
Raleigh, NC 27613-3279

REBA B RAY  
PIN # 0787 91 8643  
108 Autumn Chase Dr.  
Raleigh, NC 27613-3279

NANCY DAIL FOUNTAIN & WILLIAM MOCK BLACK JR  
PIN # 0787 91 8643  
3201 Landor Rd.  
Raleigh, NC 27609-7010

EDNA R RIGGS  
PIN # 0787 91 8643  
110 Autumn Chase Dr.  
Raleigh, NC 27613-3279

REBECCA LYNN & MICHAEL T ANDERSON  
PIN # 0787 91 8643  
2300 Legacy Ct.  
Raleigh, NC 27615-1821

STEPHANIE L SCOTT  
PIN # 0787 91 8643  
112 Autumn Chase Dr.  
Raleigh, NC 27613-3279

AUTUMN CHASE CONDOMINIUM  
PIN # 0787 91 8762  
5711 Six Forks Rd Ste 206  
Raleigh, NC 27609-3888

DAVID G & JUNE D GALL  
PIN # 0787 91 8762  
601 Broad Leaf Cir  
Raleigh, NC 27613-3296

CLAIRE MCLEAN HEDDEN HEIRS  
PIN # 0787 91 8762  
EDITH R MRAK  
329 Bahia Ln.  
Cape Carteret, NC 28584-9356
AUTUMN CHASE CONDOMINIUMS
PIN 0787 91 6491
900 Ridgefield Dr. Ste 150
Raleigh, NC 27609-8514

DAVID JR & DIANE SLATER
HILARY K SLATER
PIN 0787 91 6491
201 Autumn Chase Dr.
Raleigh, NC 27613-3299

CHARLES HARRISON & BERYL G JONES
PIN 0787 91 6491
202 Autumn Chase Dr.
Raleigh, NC 27613-3299

TERRI LEIGH FREED
PIN 0787 91 6491
203 Autumn Chase Dr.
Raleigh, NC 27613-3299

DIANE M SCOTT
PIN 0787 91 6491
204 Autumn Chase Dr.
Raleigh, NC 27613-3299

JANET M BRITT
PIN 0787 91 6491
205 Autumn Chase Dr.
Raleigh, NC 27613-3299

FRIDA F PASCUAI
PIN 0787 91 6491
206 Autumn Chase Dr.
Raleigh, NC 27613-3299

JAMES GREGORY OREAR
PIN 0787 91 6491
207 Autumn Chase Dr.
Raleigh, NC 27613-3299

JANET M PUNZI
PIN 0787 91 6491
208 Autumn Chase Dr.
Raleigh, NC 27613-3299

KAREN A REUTER
PIN 0787 91 6491
209 Autumn Chase Dr.
Raleigh, NC 27613-3299

DWAYNE C HOLLOWAY
PIN 0787 91 6491
6008 Belgreen Ct.
Raleigh, NC 27612-6247

BARHAM FAMILY HOLDINGS LLC
PIN 0787 91 6491
101 Turtleback Crossing Dr.
Chapel Hill, NC 27516-4334

JOSHUA GUNTER
PIN 0787 91 6491
212 Autumn Chase Dr.
Raleigh, NC 27613-3299

CALIBRE AUTUMN CONDOMINUM
PIN 0787 92 8212
5711 Six Forks Rd, Ste 206
Raleigh, NC 27609-3888

J MARK PAYNE TRUSTEE
WILLIAM H PAYNE II TRUSTEE
PIN 0787 92 8212
PO BOX 3427
Greensboro, NC 27402-3427

HECTOR L RIVERA
PIN 0787 92 8212
502 Broad Leaf Circle
Raleigh, NC 27613-3295

WILLIAM C & VIRGINA D HARRELL
PIN 0787 92 8212
503 Broad Leaf Circle
Raleigh, NC 27613-3295

RAYMOND A & IRIS G RUBIN
PIN 0787 92 8212
504 Broad Leaf Circle
Raleigh, NC 27613-3295

JOHN HUNTER
PIN 0787 92 8212
505 Broad Leaf Circle
Raleigh, NC 27613-3295

JEFF S ALDRIDGE
PIN 0787 92 8212
8229 Morgans Way
Raleigh, NC 27613-4323

SANDRA W BALLARD
PIN 0787 92 8212
507 Broad Leaf Cir
Raleigh, NC 27613-3295

SELMA LANIER SMITH
PIN 0787 92 8212
508 Broad Leaf Cir
Raleigh, NC 27613-3295
EXHIBIT C. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

Conditional Use District requested:  R-15 Conditional Use District (Residential-15 CUD)

Narrative of conditions being requested:

1. Residential density shall not exceed twelve (12) dwelling units per acre.
2. Structures on the subject property shall not exceed fifty-five feet (55') or four (4) stories in height.
3. No more than one access point shall be permitted on Leesville Road and no more than two (2) access points shall be permitted on Ray Road.
4. A transit easement measuring at least 15'x 20' will be offered along Leesville Road. The location of the easement shall be approved by the Public Works Department, Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation.
5. An undisturbed buffer a minimum of thirty (30') feet in width shall be maintained along the property's southern boundary adjacent to the following properties:

   PIN 0787-90-5548 – Bartholomew – Deed Book 2308, Page 556
   PIN 0787-90-6686 – Ashton Raleigh Residential LLC – Deed Book 14660, Page 738
   PIN 0787-90-6618 – Ashton Raleigh Residential LLC – Deed Book 14660, Page 738
   PIN 0797-00-1608 – Hamilton – Deed Book 14813, Page 1980
   PIN 0797-00-2674 – Sharek – Deed Book 6535, Page 330

6. Poles for free standing lighting shall not exceed thirty-five feet (35') in height and, except as provided below, all pole mounted light fixtures in excess of sixteen (16') feet shall be fully shielded cutoff type. Residential style light fixtures which illuminate entrances, drives and walkways may be up to fourteen (14') feet in height and shall not be required to be fully shielded cutoff fixtures.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the Filing Addendum. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)  Print Name  Date
By: [Signature]  Evelyn B. Stanley  December 5, 2012
Kenneth J. Stanley, as attorney-in-fact
for Evelyn B. Stanley
EXHIBIT D. Request for Zoning Change
Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement shall address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the property and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER’S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

   A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:

   The Future Land Use Map ("FLUM") designates the subject property for moderate density residential uses and allows for 6-14 dwelling units per acre. The proposed multi-family land use with a density cap of thirteen (13) units per acre is consistent with the FLUM.

   B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

   We are not aware of any Area Plans or other City Council adopted plans which are applicable to the subject property.

   C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. “Connectivity”).

   The proposed map amendment, as conditioned, is consistent with the Comprehensive Plan. Specifically, the map amendment is consistent with the following Comprehensive Plan Policies:

   LU 1.1, 1.2 and 1.3 Future Land Use Map and Conditional Use Consistency. The proposed rezoning and its conditions are consistent with the FLUM and Comprehensive Plan.
EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

LU 2.1 Placemaking. The proposed development will create a place to meet the needs of seniors which is visually attractive, safe, accessible, functional and has its own distinct identity.

LU 2. Healthy Communities. The proposed development will provide for a healthy community and will promote active lifestyles by bike and pedestrian circulation and/or accessibility to City parks and greenways.

LU 2.6 Zoning and Infrastructure Impacts. The proposed development will mitigate the impacts of increased density by landscaping, dedication of additional right-of-way and/or road improvements.

LU 4.2, 4.3, 4.5, 4.6, 4.7 and 4.9 Transportation. The proposed zoning will provide an offer of cross-access and a transit stop easement to encourage and facilitate transit use, connectivity and transit intensive corridor development.

LU 5.5, 5.6 and 5.7 Density Transitions and Buffering. Transitions for the higher density of the proposed use to the single family lots to the south will be accommodated with landscaped transitional protective yards and transitional areas. In addition, impacts will be mitigated by density and height caps.

LU 8.1 Housing Variety. The proposed development will add senior housing to an area which currently includes affordable housing, market apartments, condominiums and single-family housing.

LU 8.9 Open Space in New Development. It is anticipated that the proposed development will provide significant open space and will be sensitive to the property’s ecological resources.

T 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 Land Use and Transportation Coordination. It is anticipated that the proposed development may address traffic through right-of-way dedication, road improvements and/or the provision of a transit stop easement.

T 2.1 and 2.2 Integration of Travel Modes and Defining Future Rights-of-Way. It is anticipated that the proposed development will provide safe and attractive transportation routes and roads including sidewalks and walking paths for pedestrians and bicycles and/or will facilitate increased or improved rights-of-way for vehicles.

T 2.9 Curb Cuts. Access points along the major and minor thoroughfare have been limited to minimize curb cuts.

T 4.1, 4.4 and 4.8. Transit. The proposed development will facilitate transit by reserving a transit stop and possibly dedicating additional right-of-way.

T 5.1, 5.2, 5.3, 5.4, 5.5, 5.9 and 5.10 Bicycle and Pedestrian Circulation. It is anticipated that the proposed development will encourage, facilitate and improve bike and pedestrian circulation, connectivity and access.

EP 2.5 Protection of Water Features. The proposed development will preserve and protect any stream located on the property confirmed by governmental entities as wetlands, or as a perennial stream classified as a Neuse River Buffer Stream.
EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

EP 3.1 Water Quality BMPs. It is anticipated that the proposed development will employ BMPs and/or other techniques to handle stormwater and enhance water quality.

EP 3.12 and 3.13 Stormwater Impacts During and After Construction. The proposed development will control stormwater through BMPs and/or other techniques to pre-development levels to avoid erosion and other environmental damage.

EP 5.1 and 5.3 Tree Conservation. The proposed development will conserve existing trees on site and add new landscaping to the development.

EP 8.1, 8.2, 8.3 and 8.4 Lighting. It is anticipated that the proposed development will minimize light pollution by limiting brightness, shielding fixtures and directing lighting away from residential uses where possible while taking safety concerns into consideration.

L1 1.8 Zoning for Housing. The proposed rezoning will support the City’s goal of ensuring a variety of housing types by facilitating a senior housing development.

H 4.2 Aging in Place. The proposed development will facilitate accessible housing with many amenities for seniors to allow aging in place.

PR 2.1 and 2.2 Park Accessibility and Greenway Awareness. The proposed development will promote and provide accessibility to and awareness of the City Greenway, Lake Lynn Park and Wooten Meadows for its senior residents.

UD 1.7 and 1.8 Scenic Corridors, Tree Planting and Tree Preservation. The proposed development will protect and enhance the view along major and minor thoroughfares by preserving trees and/or adding new landscaping.

II. Compatibility of the proposed map amendment with the property and the surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

The subject property is surrounded by multi-family uses to the north, a church to the east, single family and vacant land to the south and a greenway corridor and Raleigh Housing Authority apartments to the west.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

North: R-6 and R-10 condominiums and apartments
East: R-4 church
South: R-4 vacant lots and single-family detached
West: R-4 and R-10 Greenway and apartments

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:

Rezoning Petition
Form Revised July 17, 2012
EXHIBIT D. Request for Zoning Change

Please use this form only -- form may be photocopied. Please type or print. See Instructions in Filing Addendum

The proposed zoning map amendment to permit adult multi-family uses is compatible with the multi-family and institutional neighboring uses. The area includes great recreational opportunities for the residents of the existing and proposed multi-family developments with the Hare Snipe Creek Greenway trail just across Leesville Road and Lynn Lake Park less than a half mile away.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The landowner will be permitted to develop its property to its highest and best use.

B. For the immediate neighbors:

The development facilitated by the proposed rezoning will likely involve dedication of additional right-of-way and road improvements to the adjacent thoroughfares, will bring the property under the City’s stormwater regulations, will add tax base and provide for additional jobs for the community.

C. For the surrounding community:

The proposed rezoning in northwest Raleigh will provide a new source of senior housing to serve the aging population.

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

Multi-family development is available to properties to the east and north; however, a rezoning would be required to allow multi-family to the south. The church to the east is permitted to engage in many different types of activities as a church facility.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

The characteristics of the subject property, a fairly large tract in a largely multi-family area with good recreational opportunities, support a map amendment to allow moderate density residential uses.

V. Recommended items of discussion (where applicable).

1. An error by the City Council in establishing the current zoning classification of the property.

   N/A

2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
EXHIBIT D. Request for Zoning Change

The general area in which the subject property is located has experienced tremendous growth since the subject property was last zoned. What was once an undeveloped rural area of large lots has now been enveloped in the City and is appropriate for multi-family development.

3. The public need for additional land to be zoned to the classification requested.

As more people move to this area and housing patterns shift to a more dense model, the City needs additional land to be zoned to permit multi-family development.

4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

The subject property is located at the intersection of two major thoroughfares. It is in close proximity to the City’s Hare Snipe Creek Greenway Trail, Wooten Meadows picnic and athletic area, and Lake Lynn Park. The subject property is located approximately one (1) mile from Fire Station No. 17 on Pleasant Valley Road and within approximately two (2) miles of a police substation on Glenwood Avenue. The proposed development is not expected to exceed four (4) stories in height and given its adjacent roads and uses would not deprive neighbors of air and light.

5. How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.

The proposed rezoning advances the fundamental purpose of zoning by allowing and encouraging the highest, best and most appropriate use of the subject property - multi-family housing - which is in accordance with the Comprehensive Plan, and which honors the character of the area.

VI. Other arguments on behalf of the map amendment requested.

N/A.
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
cumudgtcw@earthlink.net

October 17, 2012

Mr. Mitchell Silver, Planning Director
 c/o Ms. DeShele Sumpter
 Planner I, Long Range Planning Division
 Department of City Planning
 One Exchange Plaza, Suite 304
 Raleigh, NC 27601

RE: NEIGHBORHOOD MEETING REPORT Regarding proposed Rezoning Petition of
Evelyn B. Stanley (the “Owner”), owner of approximately 12.16 acres located in the jurisdiction
of the City of Raleigh with addresses of 6720 Leesville Road, Raleigh, North Carolina 27612 and
6498 Ray Road, Raleigh, North Carolina 27613 (collectively, the “Subject Property”).

Dear Ms. Sumpter:

The Neighborhood Meeting was held on Monday, October 15, 2012 at 6:30 PM at the
Tabernacle Baptist Church, 8304 Leesville Road, Raleigh, NC 27613 to discuss the proposed
rezoning of the Subject Property located at 6720 Leesville Road, Raleigh, NC 27612 and 6498
Ray Road, Raleigh, NC 27613 collectively.

I appeared as the Attorney for the Contract Purchaser, Cameron General Contractors, Inc.
and its affiliated company Resort Lifestyle Communities, Inc. (collectively, the “Prospective
Development Group”). I was joined by the following representatives of these companies: Mr.
Breck Collingsworth, President and CEO, Mr. Matt Maude, CFO and General Counsel, Mr. Josh
Thornton, Assistant Vice President, Mr. Jake McGlade, Site/Market Analyst and Mr. Paul
Ritchie, Architect. Also present in behalf of my clients were Mr. Allan Newcomb and Mr. Bert
Nowell, real estate professionals; and in addition, Mr. Kenneth Stanley, Attorney in Fact for the
Owner was in attendance. As confirmed upon the attendance list attached hereto and
incorporated herein, there were nine (9) neighbors in attendance from the Autumn Chase
Condominium Community to the north of the Subject Property and from the single family
community fronting on Rest Haven Drive to the south. A representative of Calvary Presbyterian
Church to the east was also in attendance.

At the beginning of the meeting I introduced myself and apologized to those present who
attended our initial Neighbors’ Meeting on September 18, 2012 for the necessity of this second
meeting due to my flawed notice process for the initial meeting. I then introduced Mr. Thornton
who in turn introduced the other Prospective Development Group representatives in attendance. Mr. Thornton gave the background of these companies and information about their other projects before introducing Mr. Ritchie to answer questions about this proposed project.

Substantive discussion centered upon a number of subjects including without limitation: the proposed limitation of the development to senior citizens; the location of the proposed building and its proposed number of stories, style, materials, resident services, number of rental apartments, parking and garages; lighting of site; number of dumpsters and services; buffering of residential property to the south and to the north of the Subject Property; prospective additional right of way and improvements to Ray Road; ingress-egress point(s); driveway for the delivery of goods and services to the development (which will provide full eating services to the residents); questions about stormwater, about traffic generation/traffic light, and about the number of one (1), two (2) and three (3) bedroom apartments proposed for the development; excavation/retaining walls; and timing of construction and occupancy (if approved).

Upon the conclusion of the questions to Mr. Ritchie I explained the rezoning process, including the prospective filing of the Rezoning Petition this Friday, October 19, 2012, the date and time of the prospective meeting with the Northwest/Umstead CAC in December, 2012 and January, 2013, respectively and the Public Hearing on the evening of January 15, 2013. In connection with the prospective Rezoning Petition I indicated that I expected it by Conditions to contain a residential density limited to thirteen (13) dwelling units per acre; to limit vehicular access to one (1) point on Leesville Road and not more than two (2) access points on Ray Road and further that a transit easement would be offered along Leesville Road. I also indicated that I expected there to be a height limitation in the Rezoning Petition but that additional site work needed to be performed by Mr. Ritchie and my clients’ civil engineers before the height limitation could be confirmed. I also informed the attendees that the height limitation specified in the Rezoning Petition to be filed this Friday could be increased up to and including December 10, 2012 but thereafter the Conditions of the Case, including height limitations, could only be reduced.

As we concluded our meeting at approximately 8:00 PM I confirmed to those in attendance that I would send to all of the Notice Neighbors this Report of our meeting and would include the dates, times and location of the Northwest/Umstead CAC meetings this December and in January of next year.

In that regard, I note that under its present schedule the Northwest/Umstead CAC will meet as follows:

December 11, 2012, 7:00 PM and January 8, 2013, 7:00 PM at Northwest Police Station located at 8016 Glenwood Avenue, Raleigh, NC.

Sincerely,

Thomas C. Worth, Jr.

TCWjr/dsw
Enclosure
cc: Mr. Matt Maude and Mr. Josh Thornton
    Mr. Vince Chirichella, II
    Mr. Allan Newcomb
    Ms. Linda Jacobs
<table>
<thead>
<tr>
<th>Name</th>
<th>Address &amp; Phone Number (or email)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim Weir</td>
<td>8040 Eiger Drive, Lincoln, NE 68516</td>
</tr>
<tr>
<td>Josh Mynatt</td>
<td>(402) 420-2311</td>
</tr>
<tr>
<td>Matt M Downes</td>
<td></td>
</tr>
<tr>
<td>Sarah Mihale</td>
<td></td>
</tr>
<tr>
<td>Paul Kinne</td>
<td></td>
</tr>
<tr>
<td>Breck C. Gilles</td>
<td></td>
</tr>
<tr>
<td>Nathan Nunn</td>
<td></td>
</tr>
<tr>
<td>Paul Cheever</td>
<td></td>
</tr>
<tr>
<td>Nina Reid</td>
<td></td>
</tr>
<tr>
<td>Bert Nowell</td>
<td></td>
</tr>
<tr>
<td>Richard Flores</td>
<td></td>
</tr>
<tr>
<td>Bill Guerrero</td>
<td></td>
</tr>
<tr>
<td>Catherine Sharet</td>
<td></td>
</tr>
<tr>
<td>Steve Bowyer</td>
<td></td>
</tr>
<tr>
<td>Kenneth Steinley</td>
<td></td>
</tr>
<tr>
<td>Iris Rubin</td>
<td></td>
</tr>
<tr>
<td>Francine Francis</td>
<td></td>
</tr>
</tbody>
</table>