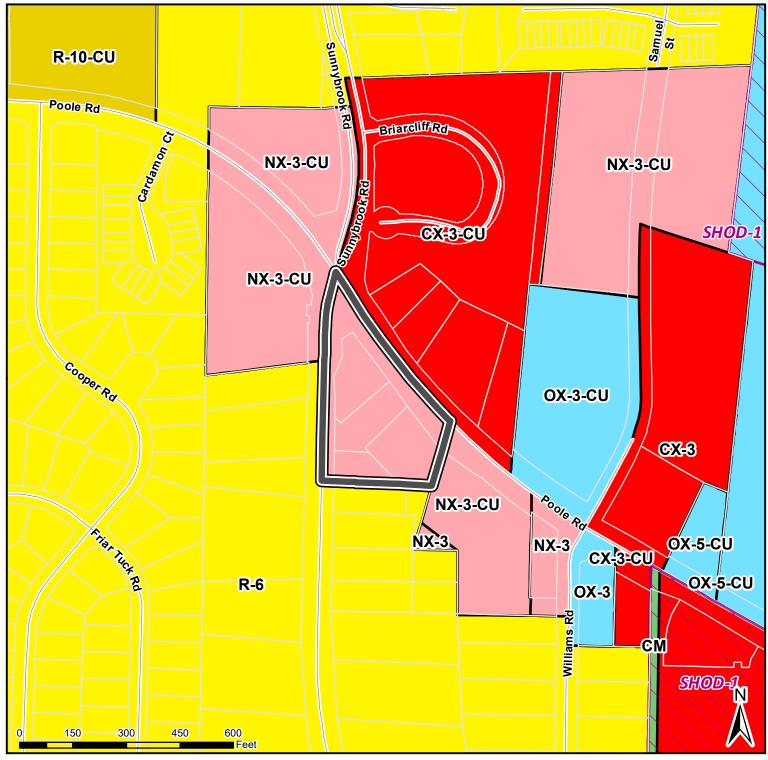
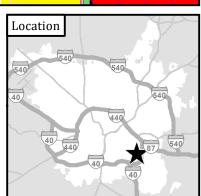
## **Existing Zoning**

## Z-33-2021



Property	637 Sunnybrook Rd; 3302, 3304, 3306 Poole Rd
Size	1.81 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU





## memo

То	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Donald Belk, Senior Planner
Department	Planning and Development
Date	September 8, 2021
Subject	City Council agenda item for September 21, 2021 – Z-33-21: Poole Road and Sunnybrook Road

On September 7, 2021, City Council authorized the public hearing for the following item:

**Z-33-21:** 3302, 3304, 3306 Poole Road and 637 Sunnybrook Road, at the southeast corner of the intersection of Poole Road and Sunnybrook Road.

Signed zoning conditions were provided on August 18, 2021 would (1) prohibit the uses of cemetery, detention center, jail, prison, vehicle fuel sales, and vehicle repair (minor); (2) allow no more than two (2) coin activated amusement devices; (3) prohibit drive-throughs; (4) permit no more than two (2) bays of parking with a single drive aisle between the building closest to the Poole Road public right of way and the right of way; (5) require a minimum of one (1) primary street-facing entrance per building; and (6) require direct pedestrian access from the public sidewalk to the primary street-facing entrance of the building.

**Current zoning:** Neighborhood Mixed Use-Three Stories-Conditional Use (NX-3-CU) **Requested zoning:** Neighborhood Mixed Use-Three Stories-Conditional Use (NX-3-CU)

Rezoning is required to remove a previous zoning condition that limited floor area ratio (FAR).

The request is **consistent** with the 2030 Comprehensive Plan.

The request is consistent with the Future Land Use Map.

The request is **consistent** with the Urban Form Map.

The Planning Commission recommends approval of the request (6 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Petition for Rezoning, and the Neighborhood Meeting Report.



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13047

### CASE INFORMATION: Z-33-21 POOLE ROAD AND SUNNYBROOK ROAD

Location	In southeast Raleigh located at the southeast quadrant of the intersection of Sunnybrook Road and Poole Road.]
	Addresses: 3302, 3304, 3306 Poole Road; 637 Sunnybrook Road
	PINs: 1723356469, 1723357400, 1723358312 and 1723356277
Current Zoning	iMaps, Google Maps, Directions from City Hall (auto) (transit) NX-3-CU
Requested Zoning	NX-3-CU
Area of Request	1.81 acres
Corporate Limits	The site lies within the corporate limits of Raleigh.
Property Owners	Hattie M. Clark
, ,	Post Office Box 46373
	Raleigh, NC 27620
	Joseph D. House
	3809 Cliff Haven Drive
	Raleigh, NC 27615
Applicant	Jennifer Ashton
	Longleaf Law Partners
	2235 Gateway Access Point, Suite 201
	Raleigh, NC 27607
Council District	С
PC Recommendation	November 8, 2021
Deadline	

### **SUMMARY OF PROPOSED CONDITIONS**

- 1. The following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the -NX District shall be prohibited: (i) cemetery; (ii) detention center, jail, prison; (iii) vehicle fuel sales; and (iv) vehicle repair (minor).
- 2. No more than two (2) coin activated amusement devices shall be allowed.
- 3. Drive-throughs are prohibited.
- 4. Permit no more than two (2) bays of parking with a single drive aisle between the building closest to the Poole Road public right of way and the right of way.
- 5. Require a minimum of one (1) primary street-facing entrance per building.
- 6. Require direct pedestrian access from the public sidewalk to the primary street-facing entrance of the building.

#### COMPREHENSIVE PLAN GUIDANCE

Future Land Use

Neighborhood Mixed Use (NMU), Moderate Density Residential (MODR)

Urban Form	Transit Emphasis Corridor	
Consistent Policies  Key Policies are directly related to most changes in zoning and are used to evaluate requests for consistency. They are marked with an orange circle (•).	<ul> <li>Policy LU 1.2</li> <li>Policy LU 1.3</li> <li>Policy LU 2.2</li> <li>Policy LU 2.6</li> <li>Policy LU 4.9</li> <li>Policy LU 5.1</li> <li>Policy LU 7.3</li> <li>Policy LU 7.6</li> <li>Policy LU 8.1</li> <li>Policy LU 8.10</li> <li>Policy UD 1.10</li> </ul>	Future Land Use Map and Zoning Consistency Conditional Use District Consistency Compact Development Zoning and Infrastructure Impacts Corridor Development Reinforcing the Urban Pattern Single-Family Lots on Major Streets Pedestrian-Friendly Development Housing Variety Infill Development Frontage
Inconsistent Policies	None.	

### FUTURE LAND USE MAP CONSISTENCY

The rezoning case is  $\boxtimes$  **Consistent**  $\square$  **Inconsistent** with the Future Land Use Map.

### COMPREHENSIVE PLAN CONSISTENCY

The rezoning case is 🛛 Consistent 🔲 Inconsistent with the 2030 Comprehensive Plan.

### **PUBLIC MEETINGS**

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
May 25, 2021 8 attendees	August 4, 2021	August 10, 2021 August 24, 2021	September 7, 2021 (Report of Planning Commission) September 21, 2021 (Public Hearing)

### PLANNING COMMISSION RECOMMENDATION

The rezoning case is **Consistent/Inconsistent** with the Future Land Use Map and **Consistent/Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

Reasonableness and Public Interest	The proposal is reasonable and in the public interest, and is supported by the following policies: LU 1.2 - Future Land Use Map and Zoning Consistency, LU 2.2 - Compact Development, LU 4.9 - Corridor Development, LU 5.1 - Reinforcing the Urban Pattern, LU 8.1 - Housing Variety, LU 8.10 - Infill Development, and UD 1.10 - Frontage.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: O'Haver Second: Miller In Favor: Dautel, Elder, Fox, Mann, Miller and O'Haver Opposed: None
Reason for Opposed Vote(s)	

### **A**TTACHMENTS

- 1. Staff report
- 2. Rezoning Application
- 3. Revised conditions (submitted 8/13/21)

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 and Comprehensive Plan Amendment Analysis.

INSERT SIGNATURE HERE UPON RECEIPT OF CR#	
Ken A. Bowers, AICP	Date:
Planning and Development Deputy Director	

Staff Coordinator: Don Belk: (919) 996-4641; <a href="mailto:Donald.Belk@raleighnc.gov">Donald.Belk@raleighnc.gov</a>



## **ZONING STAFF REPORT - CASE Z-33-21**

## **Conditional Use District**

## **OVERVIEW**

This request is to remove an existing condition that limits the maximum Floor Area Ratio (FAR) to 0.26 and prohibit certain uses but retain all other aspects of the existing zoning (Neighborhood Mixed Use-3 Stories-Conditional Use, NX-3-CU) of the parcels located at 3302, 3304, and 3306 Poole Road and 637 Sunnybrook Road. The applicant desires to remove this condition to increase the number of townhouse units that may be constructed on the site. The applicant has proposed conditions that would prohibit the uses of cemetery, detention center, jail, prison, vehicle fuel sales, and vehicle repair (minor); prohibit more than two (2) coin-activated amusement devices; and (3) prohibit drive-throughs.

The site is situated within a larger area of neighborhood and commercial mixed uses fronting Poole Road and Sunnybrook Road in southeast Raleigh. It lies at the southeast corner of the intersection of Poole Road and Sunnybrook Road, approximately 0.42 miles from the Poole Road/I-87 interchange. It is located adjacent to or near three recently rezoned areas: 3315 Poole Road (OX-3-CU, Z-23-18); 3219 Poole Road (NX-3-CU, Z-30-2018); and 800 Samuel Street (NX-3-CU; Z-9-2019). None of these other rezoning cases included specific conditions that impose a limit on FAR.

The site presently consists of four parcels. The parcel at 3306 Poole Road is vacant; the remaining three parcels consist of single-family homes constructed in the late 1950s. The site is bordered to across the intersection to the north by the Z-30-2018 property, the now-vacated Howard Griffin House (a Wake County historic inventory property), and to the north across Poole Road by two single-family homes and a duplex, also constructed in the late 1950s. To the east, the site is bordered by the Southeast Community Learning Center, which includes a daycare facility. The site is bordered to the west by a convenience store and fuel station at Sunnybrook and Poole, and three single-family residences constructed in the late 1950s and early 1960s. A duplex, built in 1959, adjoins the proposed rezoning site to the south.

The site is presently zoned NX-3-CU and is adjacent to other NX-3-zoned parcels to the north, west, and east, CX-3-CU zoning to the north, and R-6 zoning to the west and south.

Three of the four parcels in this rezoning proposal are designated for Neighborhood Mixed Use on the Future Land Use Map; the parcel located at 637 Sunnybrook is designated for Moderate Density Residential. The site lies at the corner of an existing Transit Emphasis Corridor along Poole Road, then turning north at Sunnybrook Road, as shown on the Urban Form Map.

The site of this proposal is located near several major parks and civic spaces. The Historic Oakview County Park and the Wake County Commons Building are located approximately

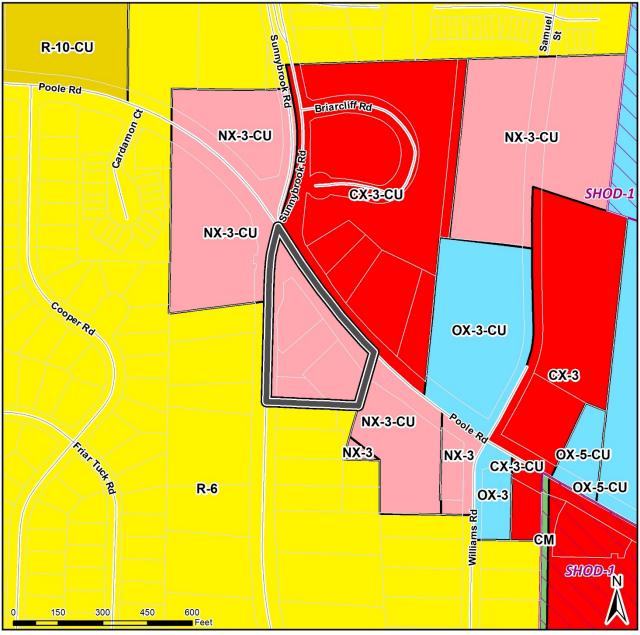
0.8 miles to the east, across I-87. Worthdale Park is located about 0.4 miles to the south. Further south, approximately 0.6 miles from the site, is the Walnut Creek Athletic Complex. Approximately 0.2 miles east of the site along Poole Road lies a 73-acre site owned by the N.C. Department of Transportation, which has been identified as the location for a future maintenance and operations center.

### **OUTSTANDING ISSUES**

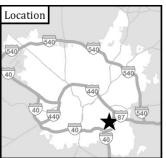
Outstanding	None	Suggested	N/A
Issues		Mitigation	

## **Existing Zoning**

## Z-33-2021



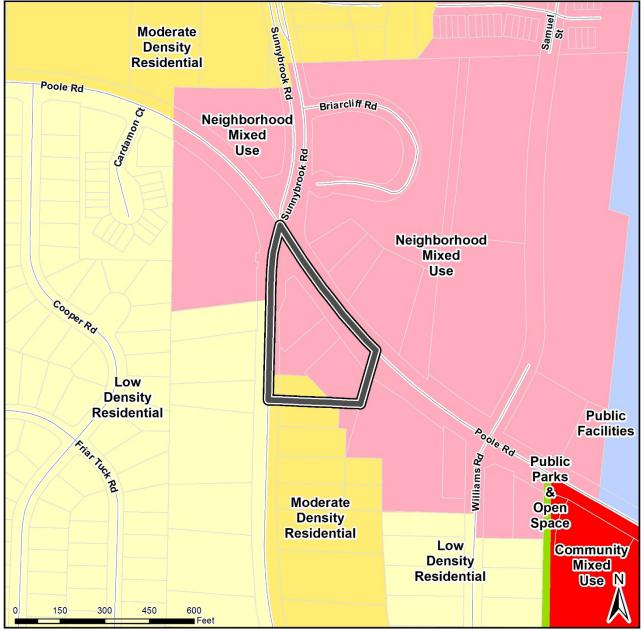
Property	637 Sunnybrook Rd; 3302, 3304, 3306 Poole Rd
Size	1.81 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU



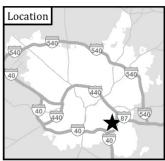
Map by Raleigh Department of Planning and Development (kuanc): 6/16/2021

## **Future Land Use**

## Z-33-2021



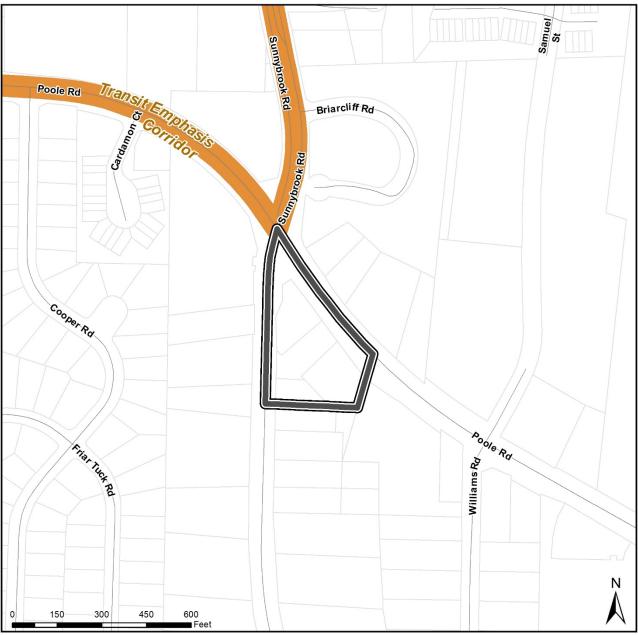
Property	637 Sunnybrook Rd; 3302, 3304, 3306 Poole Rd
Size	1.81 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU



Map by Raleigh Department of Planning and Development (kuanc): 6/16/2021

## **Urban Form**

## **Z-33-2021**



Property	637 Sunnybrook Rd; 3302, 3304, 3306 Poole Rd
Size	1.81 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU



Map by Raleigh Department of Planning and Development (kuanc): 6/16/2021

## **COMPREHENSIVE PLAN**

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

A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

Yes. The proposal is consistent with the visions, themes, and policies contained in the Comprehensive Plan as follows:

The request is consistent with the **Expanding Housing Choices** theme, as it will expand the supply of housing options.

The request is mostly consistent with the **Managing Our Growth** theme, as it will integrate a higher density of residential development along a Transit Emphasis Corridor and can facilitate a transit-supporting infill redevelopment of the site.

The request is consistent with the **Coordinating Land Use and Transportation** theme. The proposal is located along a multi-modal corridor as described on the Growth Framework Map, and it is in keeping with overall development patterns needed to support successful public transit service.

The request is consistent with the **Growing Successful Neighborhoods and Communities** theme. The proposal will provide new residential development that will provide public transit accessibility to open space, community services, retail, and employment.

B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

Yes. The site location is presently designated for Neighborhood Mixed Use, which typically applies to neighborhood shopping centers and pedestrian-oriented retail districts. Residential and mixed-use projects with upper-story housing are also supported by this designation. One parcel within this rezoning proposal is designated for Moderate Density Residential, which encourages a density of up to 14 units per acre.

C. 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?

N/A

D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Yes. Community facilities and streets appear sufficient to serve the proposed use.

## Future Land Use

r dtare Land OSE
Future Land Use designation: Neighborhood Mixed Use, Moderate Density Residential
The rezoning request is
☑ <b>Consistent</b> with the Future Land Use Map.
☐ Inconsistent
This proposal would remove a prior zoning condition that limited the maximum Floor Area Ratio (FAR) to 0.26 and would facilitate the development of multi-unit development at densities appropriate for both the Neighborhood Mixed Use and Moderate Density Residential designations.
<u>Urban Form</u>
Urban Form designation: Transit Emphasis Corridor
The rezoning request is
☑ Consistent with the Urban Form Map.
☐ Inconsistent
☐ Other
The site of this request is adjacent to the Transit Emphasis Corridors of Poole Road (west) and Sunnybrook Road (north), although it does not front either corridor. However, Poole Road has regular transit service continuing eastward to Poole Road thus a frontage would be appropriate. There is also a transit stop at Sunnybrook Road and Edison Road, less than 0.25 miles from the site. Proposed conditions will result in a 'hybrid' frontage that is consistent with the Transit Emphasis Corridor designation.
<u>Compatibility</u>
The proposed rezoning is
Compatible with the property and surrounding area.
☐ Incompatible.

## Public Benefits of the Proposed Rezoning

• Adds to the housing supply.

location.

 Creates higher-density mixed-use development adjacent to a Transit Emphasis Corridor.

The site of the proposed rezoning is located along both Poole Road, amidst existing commercial activity, and Sunnybrook Road, where the proposal would provide an appropriate transition of density and intensity to adjoining R-6-zoned parcels in that

- Will facilitate improved pedestrian transportation infrastructure on Sunnybrook Road.
- Facilitates infill development on vacant and underutilized parcels.

## <u>Detriments of the Proposed Rezoning</u>

 The proposal would generate significantly higher number of vehicular trips than under the current entitlements. While the rezoning proposal does not trigger the requirement for a traffic impact analysis, a TIA may be required at the site plan stage.

## **Policy Guidance**

Key policies are marked with an orange dot (•).

The rezoning request is **consistent** 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 proposed zoning (NX-3-CU) is consistent with the Future Land Use Map. The
proposed density of the site (equating to 31 units per acre) is an appropriate
residential density in this area. Furthermore, the subject site is adjoined by properties
that are already zoned for Neighborhood Mixed Use and Commercial Mixed Use,
forming the core of a Mixed-Use Community Center as identified on the Growth
Framework Map.

#### Policy LU 1.3 – Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

 The conditions proposed in the request are consistent with the Comprehensive Plan; specifically, conditions call for prohibition of vehicle fuel sales, auto repair, and drivethroughs.

#### Policy LU 2.2 – Compact Development

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

 The proposed rezoning site is ideally situated for a compact development that would support efficient transit service and improve pedestrian connectivity. It would result in the redevelopment of several vacant and underutilized parcels that front two major streets.

#### Policy LU 2.6 – Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

 The proposal would not adversely impact existing water infrastructure capacity. The site is located adjacent to a Transit Emphasis Corridor and will improve pedestrian connectivity and transit access along both Poole Road and Sunnybrook Road.

### Policy LU 4.9 – Corridor Development

Promote pedestrian-friendly and transit-supportive development patterns along multimodal corridors designated on the Growth Framework Map, and any corridor programmed for "transit intensive" investments such as reduced headways, consolidated stops, and bus priority lanes and signals.

 The proposal would provide for more intensive development and higher residential densities, which are transit-supportive along the Transit Emphasis Corridor.
 Pedestrian-friendly access and egress from new development can be facilitated through a Parking Limited (-PL) or hybrid frontage.

#### Policy LU 5.1 – Reinforcing the Urban Pattern

New development should acknowledge existing buildings, and, more generally, the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

 The proposal would result in new development that is characteristic of the surrounding area. Quality design and site planning could improve this area which presently consists of vacant and underutilized parcels. Conditions have removed several auto-oriented uses that could otherwise adversely impact the local character and appearance of this area.

### Policy LU 7.3 – Single-Family Lots on Major Streets

No new single-family residential lots should have direct vehicular access from major streets, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to major streets.

• The proposal would result in the redevelopment of several single-family parcels that front on Poole Road and Sunnybrook Road, both major streets.

#### Policy LU 7.6 – Pedestrian-Friendly Development

New and redeveloped commercial and mixed-use developments should be pedestrianfriendly.

 The proposal provides the opportunity to improve pedestrian access along two major streets by providing a frontage to enable ease of pedestrian access to sidewalks and transit stops. Zoning conditions will provide for direct pedestrian access from the primary street-facing buildings to the public sidewalk.

#### Policy LU 8.1 – Housing Variety

Accommodate growth in newly developing or redeveloping areas of the city through mixed-use neighborhoods with a variety of housing types.

 This proposal would result in the redevelopment of a key area along two major streets. Removal of the condition limiting Floor Area Ratio would facilitate the development of a variety of housing types, including townhomes and apartments.

#### Policy LU 8.10 – Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established

character of the area and should not create sharp changes in the physical development pattern.

 The proposal site presently consists of a vacant lot and three single-family homes constructed in the late 1950s. This rezoning would remove a condition in order to enable taller transit-accessible development and fill in an existing gap that would functionally and visually change the built form of the area.

#### Policy UD 1.10 – Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form

• The Urban Form Map provides guidance as to when frontage should be applied. This site adjoins the Transit Emphasis Corridor connecting Poole Road and Sunnybrook Road, and more frequent service along both of these major streets, to the south on Sunnybrook and to the east on Poole, is anticipated in the future. A Parking Limited (-PL) or hybrid frontage is recommended for this location. Conditions are provided that would result in a hybrid frontage consistent with this policy.

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

No inconsistent policies identified.

## Area Plan Policy Guidance

There is no area plan guidance for this site.

## **EQUITY AND CLIMATE CHANGE ANALYSIS**

## Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	30	31	Car-dependent; most errands require a car
Transit Score	30	30	There are a few nearby transit options
Bike Score	41	41	Minimal bike infrastructure
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	59	Higher value means lower transportation costs
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	62	Higher value means better access to jobs

Source: <u>Walk Score</u> is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. HUD index scores are percentiles indicating how well the subject tract performs compared to all other census tracts in the United States. A higher percentile for Low Transportation Cost or Jobs Proximity indicates a lower the cost of transportation and higher access to jobs in the nearby area, respectively.

## **Housing Energy Analysis**

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

## Housing Supply and Affordability

Does the proposal add or subtract from the housing supply?	Adds	Intent of this proposal is to facilitate development of townhomes.
Is naturally occurring affordable housing present on the site?	Likely	Three existing detached homes on the site; all more than 50 years old.
Does it include any subsidized units?	No	

Does it permit a variety of housing types beyond detached houses?	Yes	Proposal would permit all housing types.
If not a mixed-use district, does it permit smaller lots than the average? *	N/A	
Is it within walking distance of transit?	Yes	19 Apollo Heights; 18S Poole Road;

<sup>\*</sup>The average lot size for detached residential homes in Raleigh is 0.28 acres.

## **Demographic Indicators from EJSCREEN\***

Indicator	Site Area	Raleigh
Demographic Index** (%)	72	36
People of Color Population (%)	89	46
Low Income Population (%)	55	30
Linguistically Isolated Population (%)	6	3
Population with Less Than High School Education (%)	18	9
Population under Age 5 (%)	8	6
Population over Age 64 (%)	13	11
% change in median rent since 2015	24.6	20.3

<sup>\*</sup>Environmental Justice Screening and Mapping Tool from the Environmental Protection Agency (https://www.epa.gov/ejscreen)

## Health and Environmental Analysis

What is the life expectancy in this census tract? Is it higher or lower than the State average?	77.2	Below the State life expectancy of 78.1; in 3rd quintile (40-60%). Note: data not available for this census tract; value reflects average of surrounding tracts.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	
Are there hazardous waste facilities are located within one kilometer?	No	
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	

<sup>\*\*</sup>The Demographic Index represents the average of the percentage of people who are low income and the percentage of people who are minorities

Is this area considered a food desert by the USDA?	Yes	This location is within a Low Income and Low Access area at 1 and 10 miles, respectively, according to the USDA Food Access Research Atlas.
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## **Land Use History**

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	No	Parcels annexed in 1989.
Has the area around the site ever been the subject of an urban renewal program?*	No	
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	No	None identified.
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	No	None identified.

<sup>\*</sup>The response to this question is not exhaustive, and additional information may be produced by further research. Absence of information in this report is not conclusive evidence that no such information exists.

## Analysis Questions

1. Does the rezoning increase the site's potential to provide more equitable access to housing, employment, and transportation options? Does the rezoning retain or increase options for housing and transportation choices that reduce carbon emissions?

The rezoning proposal increases the site's equitable access potential by virtue of its location at a Transit Emphasis Corridor with access to multiple transit routes. The proposal would enable the construction of up to 57 townhomes or more than 50,000 square feet of office space.

2. Is the rezoning in an area where existing residents would benefit from access to lower cost housing, greater access to employment opportunities, and/or a wider variety of transportation modes? Do those benefits include reductions in energy costs or carbon emissions?

New mixed-use development at this proposed rezoning site will have price points and/or rental rates set by the market and may not increase affordability of housing or commercial options in this area. Although the site has access to multiple transit

routes, it remains largely car dependent for providing access to employment opportunities.

3. Have housing costs in this area increased in the last few years? If so, are housing costs increasing faster than the city average?

Housing costs have increased 22.3% within this area, faster than the City average of 20.3%.

4. Are there historical incidences of racial or ethnic discrimination specific to this area that have deprived Black, Indigenous, and People of Color (BIPOC) of access to economic opportunity, public services, or housing? If so, does the rezoning request improve any current conditions that were caused, associated with, or exacerbated by historical discrimination?

The subject site is located in Southeast Raleigh, where Raleigh's black residents were racially segregated during the Jim Crow era. The impacts of racial desegregation are still evident in this area, based on the demographic indicators listed in the tables above. The Census Tract where the rezoning site is located has a higher population of people of color, a higher low-income population, and lower levels of education than the City as a whole. The rezoning request will permit a variety of housing types that may be more affordable, thus creating opportunities for home ownership and improved housing conditions for renters.

5. Do residents of the area have disproportionately low life expectancy, low access to health insurance, low access to healthy lifestyle choices, or high exposure to environmental hazards and/or toxins? If so, does the rezoning create any opportunities to improve these conditions?

The life expectancy noted within this census tract is slightly below the state average. According to Census data, nearly 86% of Black persons have health insurance. The proposal site has a Grade B for park and greenway access, although the area is largely car dependent and there is minimal bicycle infrastructure. The area is considered a 'food desert' by USDA. There are no known incidences of exposure to environmental hazards. The rezoning would provide for the development of a mix of residential housing types, accessible to transit, improving overall access to nearby parks and recreation opportunities.

## **IMPACT ANALYSIS**

## **Historic Resources**

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

Impact Identified: None.

## Parks and Recreation

- 1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
- 2. Nearest existing park access is provided by Worthdale Park (0.4 miles) and Walnut Creek Athletic Complex (0.6 miles).
- 3. Nearest existing greenway trail access is provided by the Birch Ridge Connector Greenway Trail (0.5 miles).
- 4. Current park access level of service in this area is graded a B letter grade.

## **Public Utilities**

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	750	4,250	14,250
Wastewater	750	4,250	14,250

#### Impact Identified:

- The proposed rezoning would add 13,500 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
- 2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy

3. Verification of water available for Fire Flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

## Stormwater

Floodplain	none
Drainage Basin	Crabtree
Stormwater Management	Subject to stormwater regulations under Article 9 of UDO
Overlay District	none

**Impact Identified:** Alluvial soils (Mantachie – Me) along NE property line.

## **Transit**

1. The Unified Development Ordinance is sufficient as written to obtain the transit improvements required for this site.

## **Transportation**

#### 1. Site Location and Context

#### Location

The Z-33-21 site is in east Raleigh on the southeast corner of Sunnybrook Road and Poole Road.

#### Area Plans

The Z-33-21 site is located south of, but outside of the New Bern Corridor Study, which is focused on the design of New Bern Avenue and its frontage.

### 2. Existing and Planned Infrastructure

#### Streets

East of Sunnybrook Road, Poole Road is designated as 6-lane, divided avenue in Map T-1 of the 2030 Comprehensive Plan (Street Plan). Sunnybrook Road is designated as a 4-lane divided avenue. The portion of both streets the Z-33-21 site fronts on are maintained by NCDOT.

In accordance with UDO section 8.3.2, the maximum block perimeter for an NX-3 zoning districts is 3,000 feet. The existing block perimeter is approximately 6,200 feet.

#### Pedestrian Facilities

Sidewalks currently exist on the site's frontage on Poole Road, but not on Sunnybrook Road. UDO Article 8.4 requires that frontage improvements, including sidewalks be constructed as a part of all tier 3 site plans and subdivisions.

#### Bicycle Facilities

There are no existing bikeways in proximity to the Z-33-21 site. Poole Road and Sunnybrook Road are both designated for separated bikeways in Map T-3 of the Comprehensive Plan.

#### Transit

This site is served by GoRaleigh Route 19, which has frequent service and operates on Poole and Sunnybrook Road, connecting to GoRaleigh Station and Wake Med Hospital, generally on Martin Luther King Jr. Boulevard. There is also service east of the site on Poole Road by other, less frequent routes.

#### Access

Vehicle access to the subject property may be via Sunnybrook Road and/or Poole Road, subject to driveway spacing standards and NCDOT approval.

#### 3. Other Projects in the Area

North of the site, the City of Raleigh has programmed transportation projects to install bus rapid transit service on New Bern Avenue and construct bicycle and pedestrian facilities on New Bern Ave.

#### 4. TIA Determination

Based on the Envision results, approval of case Z-33-21 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed change in zoning conditions is projected to generate 32 new trips in the AM peak hour and 32 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual. Due to proximity to a major intersection, a TIA may be required during site permit review.

Z-33-21 Existing Land Use	Daily	AM	PM
Residential	36	3	4
Z-33-21 Current Zoning Entitlements	Daily	AM	PM
Neighborhood Mixed Use	342	23	39
Z-33-21 Proposed Zoning Maximums	Daily	AM	PM
Neighborhood Mixed Use	628	57	70
Z-33-21 Trip Volume Change	Daily	AM	PM
(Proposed Maximums minus Current Entitlements)	286	34	32

## **Urban Forestry**

1. No Urban Forestry requirements (UDO 9.1) are impacted by the rezoning

## **Impacts Summary**

Because the underlying zoning will not change as a result of this request, the impact of this proposal on existing infrastructure and services would be minimal. New zoning conditions, intended to facilitate the development of townhomes on this site, would continue the upward trend of new residential and commercial growth in this area as reflected in recently approved rezoning cases. The addition of new residences would increase the variety of housing stock and could provide new homeownership opportunities for current residents. Proposed zoning conditions would prohibit vehicle fuel sales and repair, and drive-throughs.

## Mitigation of Impacts

The location is well-served by transit, although it is still largely car-dependent. The site adjoins the existing Transit Emphasis Corridor at Sunnybrook and Poole Road. Conditions are provided that will result in a hybrid frontage to encourage more pedestrian-oriented development.

## CONCLUSION

This proposed rezoning will change the zoning conditions for part of an existing NX-3-CU district and the underlying zoning will remain intact. Removing a condition limiting floor area ratio will enable denser development and could add to the housing supply. The proposal will continue the trend of mixed-use development along the Poole Road corridor. It would facilitate infill redevelopment, filling a gap of vacant and underperforming parcels and improving the productivity of this location

This proposal is consistent with the Future Land Use Map, which designates the area for Neighborhood Mixed Use (the southernmost parcel is designated Moderate Density Residential).

The proposal is consistent with the Urban Form Map. The site is adjacent to the Transit Emphasis Corridor connecting Poole and Sunnybrook Road, although it does not actually front the property along these roads. Nonetheless, the proposal provides an opportunity to improve pedestrian connectivity and transit access along these sections of the corridors, and conditions have been provided that achieve consistency with the Urban Form Map.

Z-33-21 is consistent overall with the 2030 Comprehensive Plan.

#### CASE TIMELINE

Date	Action	Notes
May 25, 2021	Pre-Application Neighborhood Meeting	Eight persons attended.
June 14, 2021	Application submitted as Conditional Use rezoning	Proposal to change a zoning condition will require rezoning to a new district with new conditions (TCZ not applicable for this case.)
July 7, 2021	Application completed	
August 4, 2021	2 <sup>nd</sup> Neighborhood Meeting	Seven (7) persons in attendance at Roberts Park Community Center.
August 10, 2021	Planning Commission	Consent agenda
August 13, 2021	Applicant submits revised conditions.	New conditions will result in a hybrid frontage.
August 24, 2021	Planning Commission	New Business
September 7, 2021	City Council	Report of the Planning Commission
September 21, 2021	City Council	Public Hearing

## **APPENDIX**

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

	SUBJECT PROPERTY	NORTH	SOUTH	EAST	WEST
Existing Zoning	NX-3-CU	CX-3-CU, NX-3-CU	R-6	CX-3-CU, NX-3-CU	NX-3-CU, R-6
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	NMU	NMY	NMU, MODR	NMU	NMU, LDR
Current Land Use	Vacant, Residential	Residential, Commercial	Residential	Commercial, Institutional	Commercial, Residential
Urban Form	N/A	N/A	N/A	N/A	N/A

### **CURRENT VS. PROPOSED ZONING SUMMARY**

	EXISTING ZONING	PROPOSED ZONING
Zoning	NX-3-CU	NX-3-CU
Total Acreage	1.81	1.81
Setbacks:		
Front	10'	10'
Side	10'	10'
Rear	20'	20'
Residential Density:	9.39	31.49
Max. # of Residential Units	17	57
Max. Gross Building SF	20,499	67,059
Max. Gross Office SF	20,499	51,520
Max. Gross Retail SF	20,499	28,747
Max. Gross Industrial SF	N/A	N/A
Potential F.A.R	0.26	0.85

<sup>\*</sup>The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

## **Rezoning Application and Checklist**



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Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 8 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

		Rezoning	g Request			
Rezoning	Genera	Use Cond	ditional Use	Master Plan	Office Use Only Rezoning case #	
Туре	Text cha	ange to zoning conditions				
Existing zoning base di	strict: NX	Height: 3	Frontage:		Overlay(s):	
Proposed zoning base	district: NX	Height: 3	Frontage:		Overlay(s):	
<b>Helpful Tip:</b> View the 2 layers.	Zoning Map to sea	rch for the addres	ss to be rezoned, th	en turn on the 'Zo	oning' and 'Overlay'	
If the property has been	n previously rezor	ed, provide the re	zoning case numb	er:		
		General li	nformation			
Date:	Date a	mended (1):		Date amended (2	?):	
Property address: 637 Sunnybrook Rd, and 3302, 3304, 3306 Poole Rd						
Property PIN: 17233562	77, 1723356469, 1	723357400, and 1	723358312			
Deed reference (book/p	page): 9175/1002;	16150/1967; and 3	228/412			
Nearest intersection: Su	innybrook Rd and	Poole Rd	Property size (acr	es): 1.81		
For planned deve		Total units:		Total square footage:		
applications	only	Total parcels: Total bui		Total buildings	ngs:	
Property owner name a	and address: Hattie	Clark, and Josepl	n House			
Property owner email:						
Property owner phone:						
Applicant name and address: Jennifer Ashton, Longleaf Law Partners						
Applicant email: jashton@longleaflp.com						
Applicant phone: 919.780.5433—Docusigned by:						
Applicant signature(s):	Hattie M.					
Additional email(s):  30355A3E223440D  F081CA5EC50A4F9						
<u> </u>						

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Conditional Use District Zoning Conditions				
Zoning case #:	Date submitted:	Office Use Only Rezoning case #		
Existing zoning:	Proposed zoning:			

N (1 57 1 0 11/1 0ff 1
Narrative of Zoning Conditions Offered
1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the -NX District shall be prohibited: (i) cemetery; (ii) detention center, jail, prison; (iii) vehicle fuel sales; (iv) vehicle repair (minor); (v) no more than 2 coin activated amusement devices; and (vi) no drive-through business.

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature:	Docusigned by: Hattie M. Clark	( ) Bery			
Printed Name(s)·	Hattie M. Clark	Joseph House			

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Rezoning Application Addendum #1			
Comprehensive Plan Analysis	Office Use Only		
The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	Rezoning case #		

#### **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 Future Land Use Map designates 637 Sunnybrook Road as Moderate Density Residential. Moderate Density Residential allows for townhouses with densities not to exceed 14 units per acre. The Future Land Use Map further designates 3303, 3304 and 3306 Poole Road as Neighborhood Mixed Use. This designation allows for residential development in the Medium density range. NX is the most appropriate zoning district for the Neighborhood Mixed Use land use designation. Additionally, heights are generally limited to three stories in these areas. The proposed rezoning seeks to maintain the NX-3 zoning designation on the property, and eliminate the existing zoning condition restricting maximum FAR to 0.26. This change will facilitate the development of townhouses on the property, which is consistent with the Future Land Use Map.
- 2. The proposed rezoning seeks to maintain existing conditions relating to certain use prohibitions, such as vehicle repair (minor), vehicle fuel sales, and drive-throughs. This maintains project compatibility with the surrounding residential areas. Vehicle repair (major) and adult establishments already are prohibited within the -NX Zoning District, and therefore, are not included in the conditional use prohibitions.
- 3. The property is located at the intersection of Sunnybrook Road and Poole Road. The Urban Form Map does not provide any guidance on frontage for the subject property.
- 4. The property is immediately adjacent to the City's Economic Development Priority Area, located to the northeast of Poole Road. The proposed townhouse development will provide infill development that enhances the urban fabric and complements existing residential neighborhoods.
- 5. The rezoning request is consistent with Comprehensive Plan policies: LU 1.2 "Future Land Use Map and Zoning Consistency" (the proposed use is consistent with the existing Moderate Density Residential and Neighborhood Mixed Use Future Land Use Designation given that townhouses are proposed for the site; the Comprehensive Plan provides that NX is the closest corresponding zoning district for the Neighborhood Mixed Use designation); LU 2.2 "Compact Development" (the proposed use will be arranged as a compact development); LU 5.1 and LU 5.4 "Land Use Compatibility" (the proposed residential use will serve as a transition between the low density residential neighborhoods to the south and west of the site, and the commercial uses to the north and east of the site); LU 8.10 "Infill Development" (the proposed residential use will fill gaps in the urban fabrio); and EP 3.12 "Mitigating Stormwater Impacts" (development is proposed to mitigate stormwater impacts).

#### **Public Benefits**

Provide brief statements explaining how the rezoning request is reasonable and in the public interest.

The rezoning request is reasonable and in the public interest because it increases the area's housing variety.

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Rezoning Application Addendum #2	2
Impact on Historic Resources	
The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	Office Use Only Rezoning case #
Inventory of Historic Resources	
List in the space below all historic resources located on the property to be rezo the proposed zoning would impact the resource.	ned. For each resource, indicate how
There are no known historic resources located on the property.	
Public Mitigation	
Provide brief statements describing actions that will be taken to mitigate all neg	gative impacts listed above.
N/A	

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## **Design Guidelines**

The Applicant must respond to the **Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center", "Mixed-Use Center", or "Transit Station Areas", OR;
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

### Policy UD 7.3:

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The Applicant must respond to the **Downtown Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

#### Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

Please click here to download the Design Guidelines Addendum if required.

Urban Form Designation: N/A

Click here to view the Urban Form map.

Please continue to the next page for the Rezoning Checklist Submittal Requirement.

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Rezoning Checklist (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning:	Yes	N/A	Yes	No	N/A
I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	~				
2. Pre-application conference	~				
3. Neighborhood meeting notice and report	<b>~</b>				
4. Rezoning application review fee (see <u>Development Fee Guide</u> for rates).	<b>'</b>				
5. Completed application submitted through Permit and Development Portal	<b>~</b>				
6. Completed Comprehensive Plan consistency analysis	<b>~</b>				
7. Completed response to the urban design or downtown design guidelines		<b>'</b>			
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	~				
9. Trip generation study		~			
10. Traffic impact analysis		>			
For properties requesting a Conditional Use District:	Yes	N/A	Yes	No	N/A
11. Completed zoning conditions, signed by property owner(s)	~				
If applicable, see page 8:	Yes	N/A	Yes	No	N/A
12. Proof of Power of Attorney or Owner Affidavit		<b>'</b>			
For properties requesting a Planned Development or Campus District:	Yes	N/A	Yes	No	N/A
13. Master plan (see Master Plan submittal requirements)		<b>'</b>			
For properties requesting a text change to zoning conditions:	Yes	N/A	Yes	No	N/A
14. Redline copy of zoning conditions with proposed changes		<b>'</b>			
15. Proposed conditions signed by property owner(s)		<b>'</b>			

Please continue to the next page for the Master Plan Submittal Requirements checklist.

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Master Plan (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – Master Plan:	Yes	N/A	Yes	No	N/A
1. I have referenced this Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh		~			
2. Total number of units and square feet		~			
3. 12 sets of plans		1			
4. Completed application submitted through Permit and Development Portal		~			
5. Vicinity Map		1			
6. Existing Conditions Map		<b>\</b>			
7. Street and Block Layout Plan		1			
8. General Layout Map/Height and Frontage Map		<b>'</b>			
9. Description of Modification to Standards, 12 sets		<b>\</b>			
10. Development Plan (location of building types)		<b>\</b>			
11. Pedestrian Circulation Plan		<b>'</b>			
12. Parking Plan		<b>\</b>			
13. Open Space Plan		<b>'</b>			
14. Tree Conservation Plan (if site is two acres or more)		<b>\</b>			
15. Major Utilities Plan/Utilities Service Plan		7			
16. Generalized Stormwater Plan		<b>'</b>			
17. Phasing Plan		~			
18. Three-Dimensional Model/renderings		~			
19. Common Signage Plan		~			

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## Who Can Initiate a Zoning Request?

If requesting to down-zone property, the rezoning application must be signed by all the property owners whose property is subject to the downzoning. Downzoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

- 1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
- 2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

- 1. The property owner;
- 2. An attorney acting on behalf of the property owner with an executed power of attorney; or
- 3. A person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purpose of initiating the request, by property owners or third-party applicants.

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Re: (SITE LOCATION)

Date:

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is current zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (Please also provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning.

If you have any concerns or questions I (we) can be reached at:

For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh Planning and Development Department at:

(919) 996-2682 rezoning@raleighnc.gov

Thank you.

At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning and Development prior to the aforementioned 10-day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning and Development at time of application submittal.

Submitted Date:	
-----------------	--

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### SUMMARY OF ISSUES

A neighborhood meeting was held on (date)	to discuss a potential rezoning located at
	(property address). The neighborhood
Meeting was held at	(location). There were approximately
(number) neighbors in attendance. The general issues discussed were:	
Summary of Issues:	

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Attendance Roster			
Name	Address		

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Conditional Use District Zoning Conditions			
Zoning case #: Z-33-21	Date submitted: 8/18/21	Office Use Only Rezoning case #	
Existing zoning: NX-3	Proposed zoning: NX-3		

Narrative of Zoning	Conditions	Offered
---------------------	------------	---------

- 1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the -NX District shall be prohibited: (i) cemetery; (ii) detention center, jail, prison; (iii) vehicle fuel sales; and (iv) vehicle repair (minor).
- 2. No more than 2 coin activated amusement devices shall be allowed.
- 3. Drive-throughs are prohibited.
- 4. No more than 2 bays of on-site parking with a single drive aisle shall be permitted between the building closest to the Poole Road public right-of-way and the Poole Road public right-of-way.
- 5. Each building located within 100 feet of a primary street shall provide a minimum of 1 primary street-facing entrance per building.
- 6. Each building located within 100 feet of a primary street shall provide direct pedestrian access from the public sidewalk to the primary street-facing entrance of the building.

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional spage, is needed.

Property Owner(s) Signature: _	Masir Dukes 33072F25E70B4C7
Printed Name(s):Nasir Duke:	s 

### REZONING OF PROPERTY CONSISTING OF +/- 1.81 ACRES, LOCATED AT THE INTERSECTION OF SUNNYBROOK ROAD AND POOLE ROAD, IN THE CITY OF RALEIGH

# REPORT OF NEIGHBORHOOD MEETING WITH ADJACENT PROPERTY OWNERS AND TENANTS ON MAY 25, 2021

Pursuant to applicable provisions of the Unified Development Ordinance, a neighborhood meeting was held with respect to a potential rezoning with adjacent property owners and tenants on Monday, May 25, 2021, at 5:00 p.m. The property considered for this potential rezoning totals approximately 1.81 acres, and is located at the intersection of Sunnybrook Road and Poole Road, in the City of Raleigh, having Wake County Parcel Identification Numbers 1723356277, 1723356469, 1723357400 and 1723358312. This meeting was held virtually on Zoom with an option to call in by telephone. All owners and tenants of property within 500 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 list of the individuals who attended the meeting is attached hereto as **Exhibit C**. A summary of the items discussed at the meeting is attached hereto as **Exhibit D**.

#### EXHIBIT A - NEIGHBORHOOD MEETING NOTICE



To: Neighboring Property Owners and Tenants

From: Jennifer Ashton Date: May 10, 2021

Re: Neighborhood Meeting for Rezoning of 637 Sunnybrook Road, and 3302, 3304 and 3306

Poole Road

You are invited to attend a virtual meeting to discuss the proposed rezoning of 637 Sunnybrook Road, and 3302, 3304 and 3306 Poole Road. We have scheduled an informational meeting with surrounding neighbors on Monday, May 24th at 5:00 PM until 7:00 PM. Due to the COVID-19 Pandemic, this meeting will be held virtually. You can participate online or by telephone. To participate, visit:

To join with video:

https://zoom.us/

Meeting ID: 830 3226 7192

Password: 924411

To join by telephone:

+1 646 558 8656

Meeting ID: 830 3226 7192

Password: 924411

The purpose of this meeting is to discuss the proposed rezoning of 637 Sunnybrook Road, and 3302, 3304 and 3306 Poole Road (with Property Identification Numbers (PINs) 1723356277, 1723356469, 1723357400, and 1723358312). The property totals approximately 1.81 acres in size, and is located at the intersection of Sunnybrook Road and Poole Road.

The property is currently zoned Neighborhood Mixed Use with a 3-story height limit and zoning conditions (NX-3-CU), and the proposed zoning is NX-3-CU. The rezoning only is intended to modify certain zoning conditions with respect to the property, and is not intended to change the underlying zoning district or height limit. For example, the current zoning conditions relating to transportation are outdated and have been preempted by City of Raleigh code requirements. Additionally, the rezoning will eliminate the maximum floor area ratio of 0.26, which will allow certain residential uses to be developed on the property.

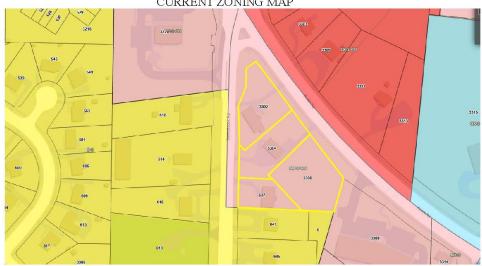
The City of Raleigh requires a neighborhood meeting involving the owners and tenants of property within 500 feet of the properties prior to filing a rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.780.5433 and jashton@longleaflp.com. Also, for more information about the rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at 919.996.2682 or rezoning@raleighnc.gov.

Attached to this invitation are the following materials:

- 1. Subject Property Current Aerial Exhibit
- 2. Subject Property Current Zoning Exhibit
- 3. A draft of the proposed Rezoning Application





# **Rezoning Application and Checklist**



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Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

		Rezoning R	equest			
Rezoning	General ι	ıse Conditional	use Mas	ter plan	OFFICE USE ONLY Rezoning case #	
Type	Text ch	ange to zoning condit	ions			
Existing zoning base di	strict: NX	Height: 3	Frontage:		Overlay(s):	
Proposed zoning base	district: NX	Height: 3	Frontage:		Overlay(s):	
Helpful Tip: View the 2 layers.	Zoning Map to s	search for the address	s to be rezoned, t	hen turn c	on the 'Zoning' and 'Overlay'	
If the property has been	n previously rez	oned, provide the rez	oning case numb	oer:		
		General Info	rmation			
Date:		Date amended (1):		Date am	ended (2):	
Property address: 637 8	Sunnybrook Rd,	and 3302, 3304, 3306	Poole Rd			
Property PIN: 17233562	277, 172335646	9, 1723357400, and 17	23358312			
Deed reference (book/p	oage): 9175/100	02; 16150/1967; and 3	228/412			
Nearest intersection: So	Nearest intersection: Sunnybrook Rd and Poole Rd Property size (acres): 1.81					
For planned development Total units: Total square footage:				uare footage:		
applications only:		Total parcels:		Total bui	Total buildings:	
Property owner name and address: Hattie Clark, and Joseph D. House						
Property owner email:						
Property owner phone:						
Applicant name and address: Jennifer Ashton, Longleaf Law Partners						
Applicant email: jashton@longleaflp.com						
Applicant phone: 919.780.5433						
Applicant signature(s):						
Additional email(s):						

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Conditional Use District Zoning Conditions			
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #	
Existing zoning:	Proposed zoning:		

Narrative of Zoning Conditions Offered			
1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the -NX District shall be prohibited: (i) cemetery; (ii) detention center, jail, prison; (iii) vehicle fuel sales; (iv) vehicle repair (minor); (v) no more than 2 coin activated amusement devices; and (vi) no drive-through business.			
The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.			
Property Owner(s) Signature:			
Printed Name:			

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#### **EXHIBIT B – NOTICE LIST**

\*\* POSTED NOTICE REQUIRED \*\* 3216 POOLE RD

RALEIGH NC 27610

ACEVEDO, JOHN JAIRO 545 COOPER RD

RALEIGH NC 27610-3723

BARRETT, WILLIAM D BARRETT, ROBI

1169 RW JORDAN RD PAGELAND SC 29728-8464

CARRIAGE PLACE PROPERTY OWNERS

ASSOCIATION INC PO BOX 6639

RALEIGH NC 27628-6639

CIRCLE K STORES INC

2626 GLENWOOD AVE STE 550 RALEIGH NC 27608-1370

CLARK, HATTIE 637 SUNNYBROOK RD

RALEIGH NC 27610-4308

CLARK, HATTIE M PO BOX 46373

RALEIGH NC 27620-6373

COC REAL ESTATE CO LLC 110 MACKENAN DR STE 300 CARY NC 27511-7901

**EUGENE & CARSON HOLDINGS LLC** 

3012 OLD ORCHARD RD RALEIGH NC 27607-6511

FREDERICK, MAXIMUS E 8809 BLUFF POINTE CT

RALEIGH NC 27615-4133

GIUFFRE, MICHAEL GIUFFRE, ELAINA

PO BOX 1652

WAKE FOREST NC 27588-1652

GODWIN, JULIAN G III GODWIN,

NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760

GODWIN, JULIAN G III GODWIN,

NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760 GODWIN, JULIAN G III GODWIN,

NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760

HOUSE BONEY LLC

GODWIN, NANCY H 2421 WENTWORTH ST RALEIGH NC 27612-4760

GREASON, MURRAY C JR TRUSTEE

WILDER, EDLEY W TRUST

745 ARBOR RD WINSTON SALEM NC 27104-2209 4441 SIX FORKS RD STE 106 RALEIGH NC 27609-5729

HOUSE, JOSEPH D 3809 CLIFF HAVEN DR RALEIGH NC 27615-4184

HOUSE, JOSEPH D HOUSE, BRENDA I

3809 CLIFF HAVEN DR RALEIGH NC 27615-4184 JAMES, CANDACE W JAMES, SIMON WARE JR

3305 FRIAR TUCK RD RALEIGH NC 27610-3742 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

LEGASPI, VICTOR LEGASPI, MARIA C.

1005 MARTRY RD

DURHAM NC 27713-7231

LIU, BIN LU, HONG QI 7920 VERONA PL RALEIGH NC 27613-4448 MEACHAM, KRISTEN DOUGLAS 614 SUNNYBROOK RD

RALEIGH NC 27610-4309

MENDEL, RISA HANOA INVESTMENTS

LTD

HANOA INVESTMENTS 8105 FAYETTEVILLE RD # 121-127

RALEIGH NC 27603-5667 PLUMMER, JOHN O JR ATTENTION : ESTELLE POTTER

1310 HILLSBOROUGH ST RALEIGH NC 27605-1827

OATES, JAMES A 553 COOPER RD RALEIGH NC 27610-3723

POSTAL CUSTOMER 3219 POOLE RD RALEIGH NC 27610

PARKS, MICHAEL T

2548 OAKES PLANTATION DR RALEIGH NC 27610-9328

POSTAL CUSTOMER 3220 POOLE RD RALEIGH NC 27610

POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
3302 POOLE RD	3303 POOLE RD	3304 POOLE RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
3305 BRIARCLIFF RD	3305 POOLE RD	3308 POOLE RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
3309 FRIAR TUCK RD	3311 POOLE RD	3313 FRIAR TUCK RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
3314 POOLE RD	3400 POOLE RD	3405 POOLE RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
549 COOPER RD	605 COOPER RD	616 SUNNYBROOK RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
630 SUNNYBROOK RD	641 SUNNYBROOK RD	645 SUNNYBROOK RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
649 SUNNYBROOK RD	653 SUNNYBROOK RD	655 SUNNYBROOK RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
POSTAL CUSTOMER	POSTAL CUSTOMER	POSTAL CUSTOMER
659 SUNNYBROOK RD	906 WILLIAMS RD	908 WILLIAMS RD
RALEIGH NC 27610	RALEIGH NC 27610	RALEIGH NC 27610
PRATHER, CHARLES HOUSTON	READ, KAYLI BROOKE MARRANO,	REYES, RICARDO ALFONSO LAZO
BURROUGHS, SHANNON M	JACOB MARK	VENTURA, DORIS ELIZABETH
7529 OLD HUNDRED RD	609 COOPER RD	610 SUNNYBROOK RD
RALEIGH NC 27613-3527	RALEIGH NC 27610-3725	RALEIGH NC 27610-4309
RIVERS, ROBERT A RIVERS, PATRICIA H	RP POOLE ROAD LLC	SANCHEZ-ALARCON, EDGAR
620 SUNNYBROOK RD	445 BISHOP ST NW STE 200	3222 DOVE TREE LN
RALEIGH NC 27610-4309	ATLANTA GA 30318-4303	RALEIGH NC 27610-6693

SLIPSTREAM RTP REAL ESTATE 1 LLC

1105 TRANSPORT DR RALEIGH NC 27603-4146 SMSNANC LLC TRADEMARK 700 GLENWOOD AVE RALEIGH NC 27605-1508 STARLIGHT HOMES NORTH CAROLINA LLC 2626 GLENWOOD AVE STE 550

SUNNYBROOK TRUST

PO BOX 311

GARNER NC 27529-0311

THOMAS, ALICE D 617 COOPER RD RALEIGH NC 27610-3725 WILLIAMS, DELORIS Y 601 COOPER RD RALEIGH NC 27610-3725

RALEIGH NC 27608-1370

WILLIAMS, ROBERT EUGENE WILLIAMS, WRIGHT, CALLA M

LINDA M

200 CROSS CURRENT LN RALEIGH NC 27610-1520 WRIGHT, CALLA M 613 COOPER RD RALEIGH NC 27610-3725

# **EXHIBIT C – MEETING ATTENDEES**

- 1. Jennifer Ashton
- 2. Kaline Shelton
- 3. Ira Mabel
- 4. Nathan Becker
- 5. Sandra Baker
- 6. Calla Wright7. Dolores Williams
- 8. 919-607-6257

#### EXHIBIT D – ITEMS DISCUSSED

- 1. Rezoning Process
- 2. Current Site Data and Proposed Zoning District
- 3. Nathan Becker: He requested information about how the rezoning might affect his property. He also wanted to know what the development plans are for these lots. It was stated that the site was being proposed for townhomes.
- 4. Sandra Baker: Proposed use on site.
- 5. Calla Wright: Location of the site, height of the proposed townhomes, whether the units would be for sale or for lease, and what the price point of units would be. It was stated that the site had not been designed yet, but that the existing maximum height of three stories would apply.

### REZONING OF PROPERTY CONSISTING OF +/- 1.81 ACRES, LOCATED AT THE SUNNYBROOK RD AND POOLE RD INTERSECTION, IN THE CITY OF RALEIGH

## REPORT OF SECOND NEIGHBORHOOD MEETING WITH ADJACENT PROPERTY OWNERS ON AUGUST 4, 2021

Pursuant to applicable provisions of the Unified Development Ordinance, a second neighborhood meeting was held with respect to a potential rezoning with adjacent property owners and tenants on Wednesday, August 4, 2021, at 6:00 p.m. The property considered for this potential rezoning totals approximately 1.81 acres, and is located at the intersection of Sunnybrook Road and Poole Road, in the City of Raleigh, having Wake County Parcel Identification Numbers 1723356277, 1723356469, 1723357400 and 1723358312. All owners and tenants of property within 1,000 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 list of the individuals who attended the meeting is attached hereto as **Exhibit C**. A summary of the items discussed at the meeting is attached hereto as **Exhibit D**.

#### EXHIBIT A – NEIGHBORHOOD MEETING NOTICE



To: Neighboring Property Owner and Tenants

From: Jennifer Ashton

Date: July 23, 2021

Re: Neighborhood Meeting for Rezoning of 637 Sunnybrook Road, and 3302, 3304 and 3306

Poole Road (City of Raleigh Zoning Case No. Z-33-21)

You are invited to attend an informational meeting to discuss the proposed rezoning of 637 Sunnybrook Road, and 3302, 3304 and 3306 Poole Road (with Property Identification Numbers (PINs) 1723356277, 1723356469, 1723357400, and 1723358312). The meeting will be held on Wednesday, August 4, 2021 from 6:00 PM until 8:00 PM, at the following location:

Roberts Park Community Center CC Multi Purpose Room 1300 E. Martin St. Raleigh, NC 27610

The property totals approximately 1.81 acres in size, and is located at the intersection of Sunnybrook Road and Poole Road. The property is currently zoned Neighborhood Mixed Use with a 3-story height limit and zoning conditions (NX-3-CU), and the proposed zoning is NX-3-CU. The rezoning only is intended to modify certain zoning conditions with respect to the property, and is not intended to change the underlying zoning district or height limit. For example, the current zoning conditions relating to transportation are outdated and have been preempted by City of Raleigh code requirements. Additionally, the rezoning will eliminate the maximum floor area ratio of 0.26, which will allow certain residential uses to be developed on the property.

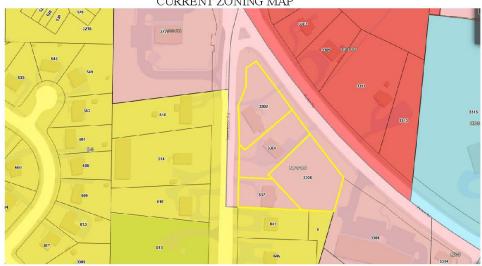
The City of Raleigh requires a neighborhood meeting involving the owners and tenants of property within 1000 feet of the property after filing the rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.780.5433 and jashton@longleaflp.com. Also, for more information about the rezoning, you may visit www.raleighnc.gov or contact Donald Belk at the Raleigh City Planning Department at 919-996-4641 or Donald.Belk@raleighnc.gov.

Attached to this invitation are the following materials:

- 1. Subject Property Current Aerial Exhibit
- 2. Subject Property Current Zoning Exhibit





#### **EXHIBIT B – NOTICE LIST**

1723348899

LEGASPI, VICTOR LEGASPI, MARIA C.

1005 MARTRY RD DURHAM NC 27713-7231

1723256028

HINTON, REGINA 3200 FRIAR TUCK RD RALEIGH NC 27610-3741

1723257301

J LANIER HOLDINGS LLC PO BOX 28213

RALEIGH NC 27611-8213

1723362722

MERITAGE HOMES OF THE CAROLINAS, INC 8800 E RAINTREE DR STE 300

SCOTTSDALE AZ 85260-3966

1723361097

CLARK, ELIZABETH H 3218 POOLE RD

RALEIGH NC 27610-2840

1723354702 CIRCLE K STORES INC

PROPERY TAX DEPARTMENT

PO BOX 52085 PHOENIX AZ 85072-2085

1723356469 HOUSE, JOSEPH D 3809 CLIFF HAVEN DR RALEIGH NC 27615-4184

1723357792

GODWIN, JULIAN G III GODWIN, NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760

1723357400 HOUSE, JOSEPH D 3809 CLIFF HAVEN DR RALEIGH NC 27615-4184

1723342236 RESIDENT/TENANT

3305 BELL DR RALEIGH NC 27610 1723358240

BARRETT, WILLIAM D BARRETT, ROBIN M

1169 RW JORDAN RD PAGELAND SC 29728-8464

1723256331

WINTERS, WILLIE MARSHALL 3201 FRIAR TUCK RD RALEIGH NC 27610-3740

1723257301 RESIDENT/TENANT 3205 FRIAR TUCK RD

RALEIGH NC 27610

1723258257 KING, VICTORIA 3213 FRIAR TUCK RD RALEIGH NC 27610-3740

1723364186

GREASON, MURRAY C JR TRUSTEE WILDER,

EDLEY W TRUST 745 ARBOR RD

WINSTON SALEM NC 27104-2209

1723354702 RESIDENT/TENANT 3220 POOLE RD RALEIGH NC 27610

1723356469 RESIDENT/TENANT 3302 POOLE RD UNIT A RALEIGH NC 27610

1723357792 RESIDENT/TENANT 3303 POOLE RD RALEIGH NC 27610

1723357400 RESIDENT/TENANT 3304 POOLE RD RALEIGH NC 27610

1723369137

GODWIN, JULIAN G III GODWIN, NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760 1723268892

MERITAGE HOMES OF THE CAROLINAS, INC 8800 E RAINTREE DR STE 300

SCOTTSDALE AZ 85260-3966

1723257101

BALDWIN, EDWARD L BALDWIN, EDWARD L JR

3204 FRIAR TUCK RD RALEIGH NC 27610-3741

1723257289

ROWE, LEONARD ROWE-MATTHEWS, CAROLIN

3209 FRIAR TUCK RD RALEIGH NC 27610-3740

1723351702

CARRIAGE PLACE PROPERTY OWNERS

ASSOCIATION INC PO BOX 6639 RALEIGH NC 27628-6639

1723364186 RESIDENT/TENANT 3219 POOLE RD RALEIGH NC 27610

1723369717

WINSLOW RIDGE AT SUNNYBROOK HOMEOWNERS ASSOCIATON INC 812 SALEM WOODS DR STE 102 RALEIGH NC 27615-3346

1723356469 RESIDENT/TENANT 3302 POOLE RD UNIT B RALEIGH NC 27610

1723369502

ALDERMAN, AMANDA DENTON 515 SUNNYBROOK RD RALEIGH NC 27610-2850

1723342236 MALLETTE, DAVID L JR 1621 BENNETT ST RALEIGH NC 27604-2379

1723369137 2 signs required 3305 BRIARCLIFF RD RALEIGH NC 27610 1723452474 RESIDENT/TENANT 3315 200 POOLE RD RALEIGH NC 27610

1723249778 CLARK, MICHAEL E CLARK, WANDALY J 3318 FRIAR TUCK RD RALEIGH NC 27610-3743

1723249771 ESTES, CLARENCE C ESTES, FIDIE R 3322 FRIAR TUCK RD RALEIGH NC 27610-3743

1723249674 WILLIAMS, WILLIAM A WILLIAMS, AZELENE L 3326 FRIAR TUCK RD RALEIGH NC 27610-3743

1723341551 HIPP, HANNAH RAE DILLARD 3333 FRIAR TUCK RD RALEIGH NC 27610-3742

1723341464 RESIDENT/TENANT 3337 FRIAR TUCK RD RALEIGH NC 27610

1723461438 KING, VERONICA 3350 BRIDGEVILLE RD RALEIGH NC 27610-2875

1723462408 SWAIN, FRANCES Y 3356 BRIDGEVILLE RD RALEIGH NC 27610-2875

1723462468 BELL, BERNICE ETTA 3360 BRIDGEVILLE RD RALEIGH NC 27610-2875

1723444846 LOT PROPERTIES LLC 907 QUEENSFERRY RD CARY NC 27511-6422 1723452474 RESIDENT/TENANT 3315 POOLE RD RALEIGH NC 27610

1723460524 JOHNSON, JOHN G 3320 EATMON MILL CT RALEIGH NC 27610-3700

1723341666 FULLWOOD, JENNIFER JILL FULLWOOD, KENNETH L 6028 RIVER LANDING DR

RALEIGH NC 27604

1723341569 SMITH, BRENDA R 3329 FRIAR TUCK RD RALEIGH NC 27610-3742

1723249479 MANNING, MICHAEL MANNING, MARSHA H 3334 FRIAR TUCK RD RALEIGH NC 27610-3743

1723249460 WATSON, MILTON M WATSON, MARION J 3338 FRIAR TUCK RD RALEIGH NC 27610-3743

1723461468 MCGINN, ROBERT MCGINN, ANGELA 3352 BRIDGEVILLE RD RALEIGH NC 27610-2875

1723462428 YOUNG, ERIC A YOUNG, HANNAH 305 DANUBE ST RALEIGH NC 27615-1656

1723443945 PARKS, MICHAEL T 2548 OAKES PLANTATION DR RALEIGH NC 27610-9328

1723444846 RESIDENT/TENANT 3404 POOLE RD RALEIGH NC 27610 SMITH, RALPH JR WILLIAMS, CAROLYN SMITH

3317 FRIAR TUCK RD RALEIGH NC 27610-3742

1723341862

1723341764 HOLT, PATRICIA MARTIN HOLT, ARDO C

3321 FRIAR TUCK RD
RALEIGH NC 27610-3742

1723341666 RESIDENT/TENANT 3325 FRIAR TUCK RD RALEIGH NC 27610

1723249576 MOORE, MAMIE ALFREIDA MOORE, MELODY

MONIQUE 3330 FRIAR TUCK RD RALEIGH NC 27610-3743

1723341464 HOLLAND, DEREK HOLLAND, KRISTA 5601 S ARNLEA CT WILMINGTON NC 28409-3984

1723341354 SMITH, ROBET ALPHONSA 3341 FRIAR TUCK RD RALEIGH NC 27610-3742

1723461488 SWIGART, DRAKE YOUNG 3354 BRIDGEVILLE RD RALEIGH NC 27610-2875

1723462428 RESIDENT/TENANT 3358 BRIDGEVILLE RD RALEIGH NC 27610

1723443945 RESIDENT/TENANT 3400 POOLE RD RALEIGH NC 27610

1723444846 RESIDENT/TENANT 3404 200 POOLE RD RALEIGH NC 27610 1723368674 ALDERMAN, AMANDA DENTON 509 SUNNYBROOK RD

RALEIGH NC 27610-2850

1723358644 RESIDENT/TENANT 3305 POOLE RD RALEIGH NC 27610

1723343213

BYRDSONG, CLEVELAND JR BYRDSONG, CARSTOBA S 3307 BELL DR RALEIGH NC 27610-3760

1723450025 RESIDENT/TENANT 3308 106 POOLE RD RALEIGH NC 27610

1723450025 RESIDENT/TENANT 3308 POOLE RD RALEIGH NC 27610

1723450025 RESIDENT/TENANT 904 WILLIAMS RD RALEIGH NC 27610

1723343158 MOORE, JOHN L 3309 ONYX RD MIRAMAR FL 33025-2820

1723450508 RESIDENT/TENANT 3311 POOLE RD RALEIGH NC 27610

1723450592 GODWIN, NANCY H 2421 WENTWORTH ST RALEIGH NC 27612-4760

1723452003 RESIDENT/TENANT 3314 POOLE RD RALEIGH NC 27610 1723351047

JAMES, CANDACE W JAMES, SIMON WARE JR 3305 FRIAR TUCK RD RALEIGH NC 27610-3742

1723358644 RESIDENT/TENANT 3307 POOLE RD RALEIGH NC 27610

1723450025 HOUSE BONEY LLC 4441 SIX FORKS RD STE 106 RALEIGH NC 27609-5729

1723450025 RESIDENT/TENANT 3308 108 POOLE RD RALEIGH NC 27610

1723450025 RESIDENT/TENANT 3310 POOLE RD RALEIGH NC 27610

1723341946 SLIPSTREAM RTP REAL ESTATE 1 LLC 1105 TRANSPORT DR RALEIGH NC 27603-4146

1723343158 RESIDENT/TENANT 3311 BELL DR RALEIGH NC 27610

1723341879 PLUMMER, JOHN O JR ATTENTION : ESTELLE POTTER 1310 HILLSBOROUGH ST RALEIGH NC 27605-1827

1723249886 BUSCEMI, JOHN M JR FORSBERG, EMILY L 3314 FRIAR TUCK RD

3314 FRIAR TUCK RD RALEIGH NC 27610-3743

1723452474 RP POOLE ROAD LLC 445 BISHOP ST NW STE 200 ATLANTA GA 30318-4303 1723358644 GODWIN, JULIAN G III GODWIN, NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760

1723358312 CLARK, HATTIE M PO BOX 46373 RALEIGH NC 27620-6373

1723450025 RESIDENT/TENANT 3308 102 POOLE RD RALEIGH NC 27610

1723450025 RESIDENT/TENANT 3308 109 POOLE RD RALEIGH NC 27610

1723450025 RESIDENT/TENANT 3312 POOLE RD RALEIGH NC 27610

1723341946 RESIDENT/TENANT 3309 FRIAR TUCK RD RALEIGH NC 27610

1723450508 GODWIN, NANCY H 2421 WENTWORTH ST RALEIGH NC 27612-4760

1723341879 RESIDENT/TENANT 3313 FRIAR TUCK RD RALEIGH NC 27610

1723452003

HOUSE, JOSEPH D HOUSE, BRENDA I 3809 CLIFF HAVEN DR RALEIGH NC 27615-4184

1723452474 RESIDENT/TENANT 3315 100 POOLE RD RALEIGH NC 27610 1723350904 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RAI FIGH NC 27609-6621

1723351977 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723350901 RESIDENT/TENANT 518 CARDAMON CT RALEIGH NC 27610

1723367463 RESIDENT/TENANT 519 SUNNYBROOK RD RALEIGH NC 27610

1723256789 NIXON, YVONNE THOMAS, DANIEL

520 COOPER RD RALEIGH NC 27610-3724

1723350806 GHOLSTON, BETTY C. 522 CARDAMON CT RALEIGH NC 27610-2885

1723256771 BANKS, BOBBY L BANKS, CHRIS MARIE

1401 E MARTIN ST RALEIGH NC 27610-2611

1723351893 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723351871 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723351768 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498 1723350904 RESIDENT/TENANT 516 CARDAMON CT RALEIGH NC 27610

1723258886 KOVACK, MELISSA L 517 COOPER RD RALEIGH NC 27610-3723

1723351984 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723350809 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RALEIGH NC 27609-6621

1723351992 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723351899 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723256771 RESIDENT/TENANT 524 COOPER RD RALEIGH NC 27610

1723258771 WALTERS, KYLE E WALTERS, YVONNE B 525 COOPER RD RALEIGH NC 27610-3723

1723350778 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723350796 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498 1723256886 NEWKIRK, JAMES L NEWKIRK, MARCINA C

516 COOPER RD RALEIGH NC 27610-3724

1723350901 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RALEIGH NC 27609-6621

1723367463 LIVERMAN, JACQUELYN DENTON 509 SUNNYBROOK RD RALEIGH NC 27610-2850

1723350809 RESIDENT/TENANT 520 CARDAMON CT RALEIGH NC 27610

1723258789

CHITWOOD, JACOB TAYLOR BITTNER, AMANDA BROOK

521 COOPER RD RALEIGH NC 27610-3723

1723350821 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723364458 MORNING STAR MISSIONARY BAPTIST CHURCH

524 SUNNYBROOK RD RALEIGH NC 27610-2851

1723350759 KHUSHI PROPERTIES LLC 10450 DURANT RD STE 101 RALEIGH NC 27614-6498

1723256683 CURTIS, DEASHELY JR CURTIS, CATHERINE T

528 COOPER RD RALEIGH NC 27610-3724

1723256594 GRAHAM, ERNEST E GRAHAM, ANITA P

915 CLAY HILL DR

KNIGHTDALE NC 27545-9285

1723455108

COC REAL ESTATE CO LLC 110 MACKENAN DR STE 300

CARY NC 27511-7901

1723446719 RESIDENT/TENANT 3408 POOLE RD

RALEIGH NC 27610

1723447553 2 signs required 3416 POOLE RD RALEIGH NC 27610

1723563197 RESIDENT/TENANT 3509 POOLE RD RALEIGH NC 27610

1723463688

WINSLOW RIDGE AT SUNNYBROOK HOMEOWNERS ASSOCIATON INC 812 SALEM WOODS DR STE 202 RALEIGH NC 27615-3346

1723266088 RESIDENT/TENANT 504 COOPER RD RALEIGH NC 27610

1723268081 HODGE, PORTIA D 509 COOPER RD RALEIGH NC 27610-3723

1723360014 RESIDENT/TENANT 510 CARDAMON CT RALEIGH NC 27610

1723256983 HOLLOWAY, CLEMENTINE P 512 COOPER RD RALEIGH NC 27610-3724

1723350908 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RALEIGH NC 27609-6621 1723455108 RESIDENT/TENANT 3405 POOLE RD

RALEIGH NC 27610

1723456036

RALEIGH CITY OF PO BOX 590 RALEIGH NC 27602-0590

1723563197 NORTH CAROLINA STATE OF

STATE PROPERTY OFFICE 116 W JONES ST RALEIGH NC 27603-1335

1723563197 RESIDENT/TENANT 3601 POOLE RD RALEIGH NC 27610

1723269105

DRAYTON, WALTER W DRAYTON, JOSEPHINE D 501 COOPER RD

RALEIGH NC 27610-3723

1723268088

MOORE, CAROLYN H MASSENBURG

505 COOPER RD RALEIGH NC 27610-3723

1723367632 ALDERMAN, AMANDA 509 SUNNYBROOK RD RALEIGH NC 27610-2850

1723360001 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RALEIGH NC 27609-6621

1723258983 THREATT, DEMETRIS C 571 SECRETARIAT DR SCHERTZ TX 78108-2325

1723350908 RESIDENT/TENANT 514 CARDAMON CT RALEIGH NC 27610 1723446719

POOLE ROAD LIMITED PARTNERSHIP

C/O KFC #Y333035

2950 GATEWAY CENTRE BLVD MORRISVILLE NC 27560-9615

1723447553

WALNUT CREEK LIMITED PARTNERSHIP

33 S SERVICE RD JERICHO NY 11753-1036

1723563197 RESIDENT/TENANT 3507 POOLE RD RALEIGH NC 27610

1723563197 RESIDENT/TENANT 3909 POOLE RD RALEIGH NC 27610

1723266088

VAQUIZ, JOSE LUIS PEREZ VAQUIZ, MELFA

DANURIS 17821 93RD AVE JAMAICA NY 11433-1437

1723266091

COOK, TRAVIS VENTURINI, GRACE

508 COOPER RD RALEIGH NC 27610-3724

1723360014 D&P KNIGHTDALE LLC 4008 BARRETT DR STE 101 RALEIGH NC 27609-6621

1723360001 RESIDENT/TENANT 512 CARDAMON CT RALEIGH NC 27610

1723258983 RESIDENT/TENANT 513 COOPER RD RALEIGH NC 27610

1723367551 ALDERMAN, AMANDA 515 SUNNYBROOK RD RALEIGH NC 27610-2850 1723256594 RESIDENT/TENANT 532 COOPER RD RALEIGH NC 27610 1723259614 MORTON, GARY L 5105 DEERCHASE TRL WAKE FOREST NC 27587-6382 1723259614 RESIDENT/TENANT 535 COOPER RD RALEIGH NC 27610

1723259680

1723350685

1723366302 SOUTHERN BELL TELEPHONE & 1155 PEACHTREE ST NE # 15H08 ATLANTA GA 30309-7629

CITY OF OAKS VENTURES, LLC 536 COOPER RD RALEIGH NC 27610-3724

1723257458

RAMOS, ALIANA 539 COOPER RD RALEIGH NC 27610-3723

1723258433 FOXWELL, FLORINE A 540 COOPER RD RALEIGH NC 27610-3724 1723259410 BAYLOR, GEORGE D GODFREY, LINDA F 544 COOPER RD

ACEVEDO, JOHN JAIRO 545 COOPER RD RALEIGH NC 27610-3723

1723351692

WILLIAMS, ROBERT EUGENE WILLIAMS, LINDA

200 CROSS CURRENT LN RALEIGH NC 27610-1520 1723351692 RESIDENT/TENANT 549 COOPER RD RALEIGH NC 27610

RALEIGH NC 27610-3724

1723351570 OATES, JAMES A 553 COOPER RD RALEIGH NC 27610-3723

1723259384 WRIGHT, WILLIE JR 154 LUTHER RD RALEIGH NC 27610-1804 1723259384 RESIDENT/TENANT 600 COOPER RD RALEIGH NC 27610 1723351472 WILLIAMS, DELORIS Y 601 COOPER RD RALEIGH NC 27610-3725

RALEIGH NC 27610-3725

1723351385

PRATHER, CHARLES HOUSTON BURROUGHS,

SHANNON M

1723354540

1723353347

7529 OLD HUNDRED RD RALEIGH NC 27613-3527 1723351385 1723351276 RESIDENT/TENANT

605 COOPER RD RALEIGH NC 27610

READ, KAYLI BROOKE MARRANO, JACOB MARK 609 COOPER RD

1723351168 WRIGHT, CALLA M

RALEIGH NC 27610-3725

1723259233 MONTERA, FRANK 613 COOPER RD 614 COOPER RD RALEIGH NC 27610-3726

REYES, RICARDO ALFONSO LAZO VENTURA, DORIS ELIZABETH

610 SUNNYBROOK RD RALEIGH NC 27610-4309

614 SUNNYBROOK RD

RALEIGH NC 27610-4309

1723353255

MENDEL, RISA HANOA INVESTMENTS LTD

HANOA INVESTMENTS

8105 FAYETTEVILLE RD # 121-127

1723353255 RESIDENT/TENANT

616 SUNNYBROOK RD UNIT A RALEIGH NC 27610

RALEIGH NC 27603-5667

1723353255 RESIDENT/TENANT 616 SUNNYBROOK RD UNIT B

MEACHAM, KRISTEN DOUGLAS

RALEIGH NC 27610

1723353255 RESIDENT/TENANT 616 SUNNYBROOK RD

RALEIGH NC 27610

1723350152

THOMAS, ALICE D 617 COOPER RD RALEIGH NC 27610-3725

1723353086 RALEIGH CITY OF

PO BOX 590 RALEIGH NC 27602-0590 1723343857

RIVERS, ROBERT A RIVERS, PATRICIA H

620 SUNNYBROOK RD RALEIGH NC 27610-4309 1723343659 LIU, BIN LU, HONG QI

7920 VERONA PL RALEIGH NC 27613-4448 1723343659 RESIDENT/TENANT 630 SUNNYBROOK RD RALEIGH NC 27610

1723357129 SUNNYBROOK TRUST PO BOX 311 GARNER NC 27529-0311

1723344430

FORREST, ROBERT LEE JR TRUSTEE MARGIE FORREST IRREVOCABLE TRUST 640 SUNNYBROOK RD RALEIGH NC 27610-4309

1723347937 SANCHEZ-ALARCON, EDGAR 3222 DOVE TREE LN RALEIGH NC 27610-6693

1723347921 LEGASPI, VICTOR LEGASPI, MARIA C. 1005 MARTRY RD DURHAM NC 27713-7231

1723347789 RESIDENT/TENANT 655 SUNNYBROOK RD RALEIGH NC 27610

1723348437 BULLUCK, JEFF C BULLUCK, JOYCE B 4112 PEPPERTON DR RALEIGH NC 27606-1734

1723258008 RESIDENT/TENANT 700 COOPER RD RALEIGH NC 27610

1723249965 RESIDENT/TENANT 701 COOPER RD RALEIGH NC 27610

1723257032 DUMONT, WILLIAM J. 303 BATHGATE LN CARY NC 27513-5565 1723356277 CLARK, HATTIE 637 SUNNYBROOK RD RALEIGH NC 27610-4308

1723357129 RESIDENT/TENANT 641 SUNNYBROOK RD RALEIGH NC 27610

1723356160 FREDERICK, MAXIMUS E 8809 BLUFF POINTE CT RALEIGH NC 27615-4133

1723347937 RESIDENT/TENANT 649 SUNNYBROOK RD RALEIGH NC 27610

1723347921 RESIDENT/TENANT 653 SUNNYBROOK RD RALEIGH NC 27610

1723347694 EUGENE & CARSON HOLDINGS LLC 3012 OLD ORCHARD RD RALEIGH NC 27607-6511

1723348437 RESIDENT/TENANT 661 SUNNYBROOK RD RALEIGH NC 27610

1723344298 BOYKIN, ROY LEE 700 SUNNYBROOK RD RALEIGH NC 27610-4311

1723348353 HOPCO CONSTRUCTION INC 2124 JARMAN DR RALEIGH NC 27604-3611

1723257032 RESIDENT/TENANT 704 COOPER RD RALEIGH NC 27610 1723344512

FORREST, ROBERT LEE JR TRUSTEE MARGIE FORREST IRREVOCABLE TRUST

640 SUNNYBROOK RD RALEIGH NC 27610-4309

1723357129 RESIDENT/TENANT 643 SUNNYBROOK RD RALEIGH NC 27610

1723356160 RESIDENT/TENANT 645 SUNNYBROOK RD RALEIGH NC 27610

1723349907 SANCHEZ-ALARCON, EDGAR 3222 DOVE TREE LN RALEIGH NC 27610-6693

1723347789 EUGENE & CARSON HOLDINGS LLC 3012 OLD ORCHARD RD RALEIGH NC 27607-6511

1723347694 RESIDENT/TENANT 659 SUNNYBROOK RD RALEIGH NC 27610

1723258008 MANGUM, OMENDA HEIRS PERRY, MARCELLAN

MELINDA LINDSAY 4220 KILCULLEN DR RALEIGH NC 27604-3513

1723249965 MILLER, MAXINE A PO BOX 156412 FORT WORTH TX 76155-1412

1723348353 RESIDENT/TENANT 701 SUNNYBROOK RD RALEIGH NC 27610

1723345240

CHAVIS, IVORY TRUSTEE TRUST OF IVORY

CHAVIS

5600 ALTA VISTA CT RALEIGH NC 27610-3261 1723345240 RESIDENT/TENANT 704 SUNNYBROOK RD

RALEIGH NC 27610

1723347286 GADSDEN, HENRY 705 SUNNYBROOK RD RALEIGH NC 27610-4310

1723248854 JOHNSON, DEBORA BASS 709 COOPER RD RALEIGH NC 27610-3727

1723248746

SCOTT, LILLIE BYRD MALVISE A SCOTTT 7707 WISCONSIN AVE APT 1106 BETHESDA MD 20814-6557

1723248649 PRYOR, LEO JR 717 COOPER RD RALEIGH NC 27610-3727

1723248534 BROWN, DANIEL ALEXANDER BROWN, SARAH F 725 COOPER RD

725 COOPER RD RALEIGH NC 27610-3727

1723441801 GIUFFRE, MICHAEL GIUFFRE, ELAINA PO BOX 1652

WAKE FOREST NC 27588-1652

1723441801 RESIDENT/TENANT 906 C WILLIAMS RD RALEIGH NC 27610

1723441702 RESIDENT/TENANT 908 WILLIAMS RD UNIT 1 RALEIGH NC 27610

1723443691 RESIDENT/TENANT 909 WILLIAMS RD RALEIGH NC 27610 1723248981 SCALES, DERRICK L SCALES, HEATHER Z

PO BOX 21521

WINSTON SALEM NC 27120-1521

1723246984 TERRELL, WILLIAM M TERRELL, RUTH H 46 INDIAN TRL

SANFORD NC 27332-8384

1723348129

BELL, CEDRIC E BELL, PATIENCE L HEIRS

709 SUNNYBROOK RD RALEIGH NC 27610-4310

1723248746 RESIDENT/TENANT 713 COOPER RD RALEIGH NC 27610

1723248641 COCOPALM PROPERTIES LLC

705 PENN RD RALEIGH NC 27604-2358

1723456736

STARLIGHT HOMES NORTH CAROLINA LLC 2626 GLENWOOD AVE STE 550 RALEIGH NC 27608-1370

1723441801 RESIDENT/TENANT 906 A WILLIAMS RD RALEIGH NC 27610

1723443791 DUELL, HENRY L 907 WILLIAMS RD RALEIGH NC 27610-4314

1723441702 RESIDENT/TENANT 908 WILLIAMS RD UNIT 2 RALEIGH NC 27610

1723441602

PULLEN, TERRI D PULLEN, RICHARD H

910 WILLIAMS RD RALEIGH NC 27610-4315 1723248981 RESIDENT/TENANT 705 COOPER RD RALEIGH NC 27610

1723246984 RESIDENT/TENANT 708 COOPER RD RALEIGH NC 27610

1723246858 NORBERTO, CARLOS 712 COOPER RD RALEIGH NC 27610-3728

1723246840

GAMEZ, NELY ROMERO ROMERO, HERBERTH

ERIBERTO 716 COOPER RD RALEIGH NC 27610-3728

1723248641 RESIDENT/TENANT 721 COOPER RD RALEIGH NC 27610

1723462112

GODWIN, JULIAN G III GODWIN, NANCY H

2421 WENTWORTH ST RALEIGH NC 27612-4760

1723441801 RESIDENT/TENANT 906 B WILLIAMS RD RALEIGH NC 27610

1723441702 SMSNANC LLC TRADEMARK 700 GLENWOOD AVE RALEIGH NC 27605-1508

1723443691

AYALA, MARIA I MARTINEZ REYES, FRANCISCO N

3921 MARDELA SPRING DR RALEIGH NC 27616-7828

1723443591 OMOTI, ALICE F 911 WILLIAMS RD RALEIGH NC 27610-4314 1723441502 JACOBSON, LANE P. 912 WILLIAMS RD RALEIGH NC 27610-4315

1723443491 RESIDENT/TENANT 913 WILLIAMS RD UNIT B RALEIGH NC 27610

1723443331 JEFFERS, JESSIE A 12200 KAYSMOUNT CT RALEIGH NC 27614-6935 1723443491 HUBAND, ROBERT K 3261 ANDERSON DR RALEIGH NC 27609-7855

1723441412 BATTLE, HENRY L BATTLE, PEGGY C 914 WILLIAMS RD RALEIGH NC 27610-4315

1723443331 RESIDENT/TENANT 917 WILLIAMS RD RALEIGH NC 27610 1723443491 RESIDENT/TENANT 913 WILLIAMS RD UNIT A RALEIGH NC 27610

1723441312 HARDY, JAMES H JR 916 WILLIAMS RD RALEIGH NC 27610-4315

1723441202 BROWN, WILLIAM C 918 WILLIAMS RD RALEIGH NC 27610-4315

# **EXHIBIT C – MEETING ATTENDEES**

- 1. Jennifer Ashton
- 2. Bernice Bell
- 3. Donald Belk
- 4. Alycia Gaither5. Paul Stephenson6. Yvonne Walkers
- 7. Kyle Walters

# EXHIBIT D – ITEMS DISCUSSED

- 1. Rezoning process
- 2. Current site data and proposed rezoning district
- 3. How rezoning might affect neighboring properties4. Proposed use on site
- 5. Traffic congestion
- 6. Site clearing activities on nearby developments