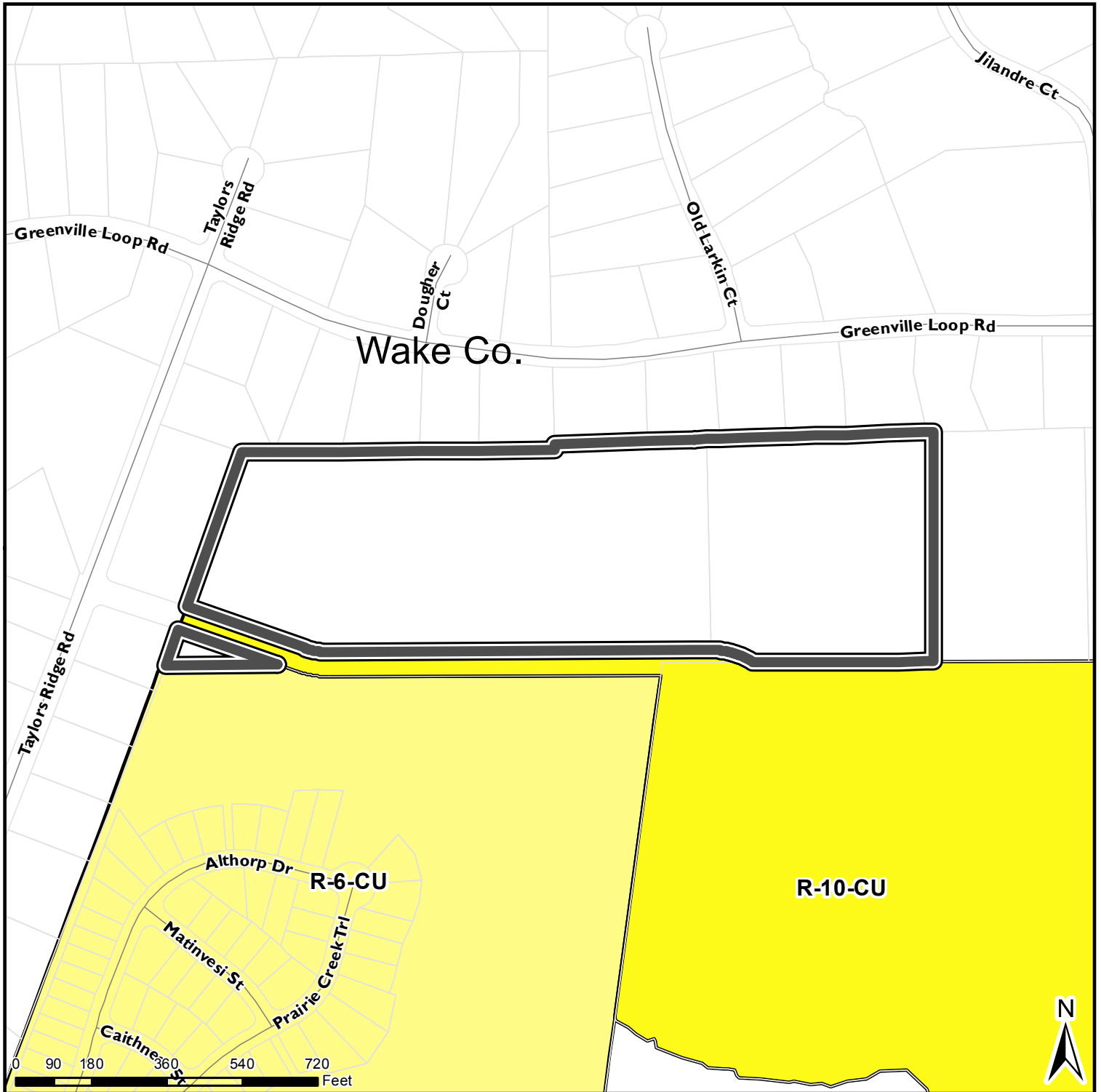


Existing Zoning Map

Z-41-2014



Submittal Date

12/19/2014

Request:

**19.86 acres from
Wake County R-30
to R-10-CU**

VICINITY MAP





Certified Recommendation

Raleigh Planning Commission

CR# 11628

Case Information Z-41-14 Canyon Drive and Taylors Ridge Road

<i>Location</i>	Future Canyon Drive, near its intersection with Taylors Ridge Road Address: 0 Canyon Drive and 2502 Forestville Road (portion) PIN: 1748245821 and 1748345881 (portion)	
<i>Request</i>	Rezone property from R-30 (Wake County) to R-10-CU	
<i>Area of Request</i>	19.9 acres	
<i>Property Owner</i>	Yadkin Bank 206 High House Road Cary, NC 27513	and Sandra Lynn Burnett 2502 Forestville Road Wake Forest, NC 27587
<i>Applicant</i>	Michael Birch Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	
<i>Citizens Advisory Council (CAC)</i>	Forestville – Latika Vick, Chairperson forestvillecac@gmail.com	
<i>PC Recommendation Deadline</i>	July 27, 2015	

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

FUTURE LAND USE	Low Density Residential (LDR)
URBAN FORM	n/a
CONSISTENT Policies	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 3.1 – Zoning of Annexed Lands Policy LU 5.6 – Buffering Requirements Policy LU 8.9 – Open Space in New Development
INCONSISTENT Policies	(None)

Summary of Proposed Conditions

1. Limits maximum residential density.
2. Prohibits certain building types and two-unit and multi-unit living uses.
3. Specifies a minimum lot size, lot width, and lot depth.
4. Specifies a minimum amount of open space set-aside.

5. Requires a buffer area next to adjacent properties.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
9/17/14	2/10/15 (Y – 2; N – 0)	4/28/15	5/5/15	

Valid Statutory Protest Petition

Attachments

1. Staff report
2. TIA worksheet
3. Memo regarding invalid statutory protest petition

Planning Commission Recommendation

<i>Recommendation</i>	Approve with conditions. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> 1. The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. 2. The proposed rezoning is reasonable and in the public interest. It allows for the addition of new housing options, and the zoning conditions require an open space set-aside which exceeds Code standards. 3. The proposal is compatible with the surrounding area. The proposed maximum residential density of 4 dwelling units an acre (3 dwelling units an acre if part of a subdivision with adjacent property) is compatible with surrounding low-density residential development. In addition, the proposal prohibits attached houses, townhouses, apartment buildings, and two-unit and multi-unit living uses.
<i>Motion and Vote</i>	Motion: Terando Second: Fleming In Favor: Buxton, Fleming, Fluhrer, Lyle, Schuster, Swink, Terando and Whitsett Opposed:

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

Planning Director Date

4/28/15

Planning Commission Chairperson Date

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



Zoning Staff Report – Case # Z-41-14

Conditional Use District

Case Summary

Overview

The subject properties are located in northeast Raleigh close to the towns of Wake Forest and Rolesville. The proposal is being submitted in conjunction with two annexation requests, as the site is currently under Wake County’s jurisdiction; the site is located within Raleigh’s Short-Range Urban Service Area (SRUSA). Under interlocal agreement the site can be brought into Raleigh’s jurisdiction, at which time Raleigh water and sewer services would be made available. The annexation public hearings for these properties are scheduled for May 19, 2015.

The subject site is a mix of vacant, wooded property (0 Canyon Drive) and cleared property with accessory structures (portion of the 2502 Forestville Road); the remainder of the Forestville Road property that is not part of this zoning request is used as a single-family residence. Adjacent properties to the south are vacant and wooded, while single-family residential uses surround the other sides of the subject site. Canyon Drive is not an existing improved street, but is shown as future right-of-way with existing access easements (Wake County Book of Maps 2008, Page 1999).

The site and all adjacent properties within Raleigh’s jurisdiction are designated as Low Density Residential on the Future Land Use Map. There is no Urban Form designation for this area. While adjacent properties to the west, east and south are also within Raleigh’s SRUSA, adjacent properties to the north are within Wake Forest’s SRUSA.

The site is currently zoned R-30 (Wake County) which equates to a minimum lot size of 30,000 square feet and a maximum density of 1.45 dwelling units per acre. There are a variety of adjacent zoning districts, including: R-6-CU, R-10-CU, and R-30 (Wake County zoning).

Although a protest petition was filed for this case in September 2014, state law does not allow protest petitions for properties that are initially zoned in a jurisdiction as part of an annexation or other measure. Since this is the first zoning that the city will place on these properties if the annexation request is approved, the petition does not meet state standards for a Valid Statutory Protest Petition.

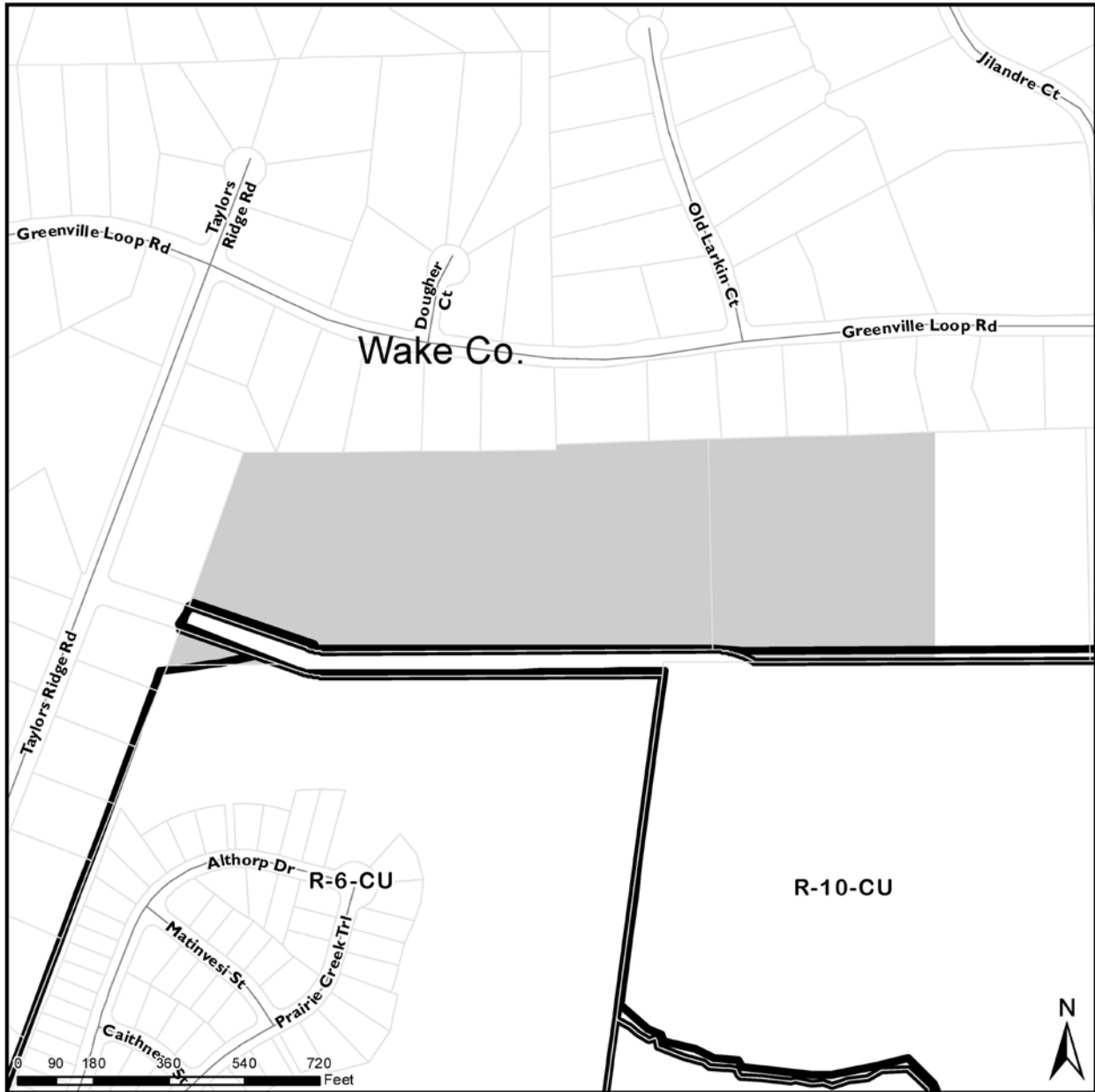
The proposed zoning, R-10-CU, has several conditions that limit the maximum residential density to 4 dwelling units per acre, prohibit certain building types and living uses, specify minimum lot size, lot width, and lot depth, specify a minimum open space set-aside, and require a buffer area next to adjacent properties. These conditions mirror those for an adjacent 80 acre parcel in zoning case Z-29-14 (approved January 20, 2015; Ordinance 389ZC705).

Outstanding Issues

<i>Outstanding Issues</i>	<i>(None.)</i>	<i>Suggested Mitigation</i>	<i>n/a</i>
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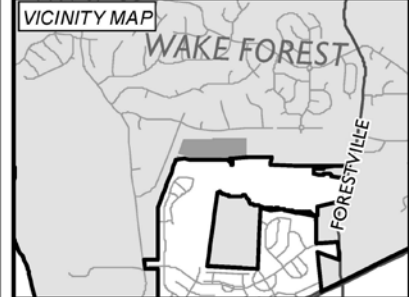
Existing Zoning Map

Z-41-2014



Submittal Date
12/19/2014

Request:
19.86 acres from
Wake County R-30
to R-10-CU



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-30 (Wake County)	R-30 (Wake County)	R-6-CU and R-10-CU	R-30 (Wake County)	R-30 (Wake County)
<i>Additional Overlay</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Future Land Use</i>	Low Density Residential	<i>n/a (outside of Raleigh's Urban Service Area)</i>	Low Density Residential	Low Density Residential	Low Density Residential
<i>Current Land Use</i>	Vacant; accessory structures	Single-family	Vacant and single-family	Single-family	Single-family
<i>Urban Form (if applicable)</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning*
<i>Residential Density:</i>	1.45 DUs/acre 29 total DUs	4 DUs/acre** 79 total DUs
<i>Setbacks:</i>		
<i>Front:</i>	30'	10'
<i>Side:</i>	10'	5'
<i>Rear:</i>	30'	20'
<i>Retail Intensity Permitted:</i>	<i>Not permitted</i>	<i>Not permitted</i>
<i>Office Intensity Permitted:</i>	<i>Not permitted</i>	<i>Not permitted</i>

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	19.86	19.86
<i>Zoning</i>	R-30 (Wake County)	R-10-CU
<i>Max. Gross Building SF (if applicable)</i>	<i>n/a</i>	<i>n/a</i>
<i>Max. # of Residential Units</i>	29	79
<i>Max. Gross Office SF</i>	<i>Not permitted</i>	<i>Not permitted</i>
<i>Max. Gross Retail SF</i>	<i>Not permitted</i>	<i>Not permitted</i>
<i>Max. Gross Industrial SF</i>	<i>Not permitted</i>	<i>Not permitted</i>
<i>Potential F.A.R</i>	<i>n/a</i>	<i>n/a</i>

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

** Per conditions.

The proposed rezoning is:

Compatible with the property and surrounding area.

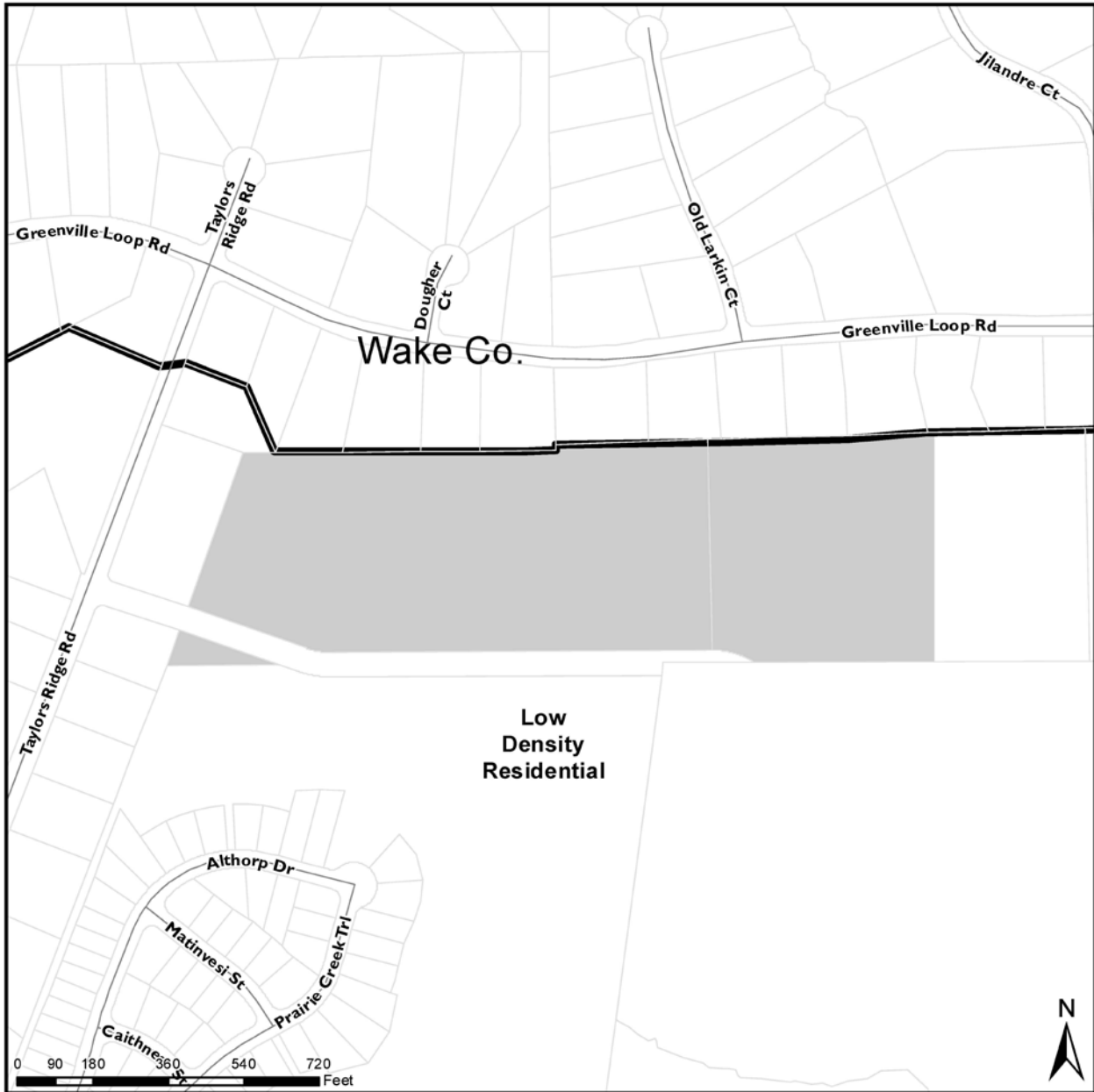
Incompatible.

Analysis of Incompatibility:

<i>n/a</i>

Future Land Use Map

Z-41-2014

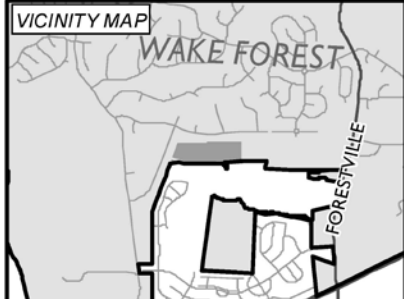


Submittal Date

12/19/2014

Request:

19.86 acres from
Wake County R-30
to R-10-CU



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

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

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

The proposal is consistent with the vision, themes, and policies of the Comprehensive Plan, as well as with the Future Land Use Map designation. The Low Density Residential Future Land Use category in the Comprehensive Plan calls for development within the range of 1 to 6 dwelling units per acre. This proposal limits the maximum residential density to 4 dwelling units per acre, and further stipulates that if the property is included as part of a subdivision with additional property that the overall maximum density will be 3 dwelling units per acre.

The Low Density Residential category also states in part: "Smaller lots, townhouses and multifamily dwellings would only be appropriate as part of a conservation subdivision resulting in a significant open space set-aside." The zoning request provides two conditions that make it consistent with the provisions of this category: 1) the prohibition of townhouse and apartment building types as well as two-unit and multi-unit living, and 2) the requirement that a minimum of 20% of the net site area be designated as open space set-aside.

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

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

Analysis of Inconsistency:

n/a

2.3 Urban Form

Urban Form designation:

Not applicable (no Urban Form designation)

The rezoning request is:

Consistent with the Urban Form Map.

Inconsistent

Analysis of Inconsistency:

n/a

2.4 Policy Guidance

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

(None.)

2.5 Area Plan Policy Guidance

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

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- Provides the opportunity for additional housing.
- Rezoning is being triggered by annexation, an action consistent with interlocal agreement.
- With annexation, the property will need to have city utilities extended to the site, broadening the availability of such services to the immediate area.

3.2 Detriments of the Proposed Rezoning

(None anticipated.)

4. Impact Analysis

4.1 Transportation

The parcels are undeveloped and have no public street frontage. Access to the public street system is limited to the easement known as Canyon Drive. There are no street improvement projects planned for Taylors Ridge Road or Greenville Loop Road. A traffic impact analysis report is not required for Z-41-2014. Cross access to adjacent parcels is not required.

Impact Identified: None.

4.2 Transit

Transit is currently not available in this area. Both the City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study anticipate a cross-town connector route that

would run from Six Forks Rd/Strickland Rd to Louisburg Rd/Forestville Rd and provide connections to other CAT routes.

Impact Identified: None.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present A small area of alluvial soil type Wo in the SW corner of the property
<i>Drainage Basin</i>	Neuse
<i>Stormwater Management</i>	Section 9.2 of the Unified Development Ordinance
<i>Overlay District</i>	None.

Impact Identified: There is a relatively small amount of Neuse River buffer and alluvial soils (type Wo) in the SW corner of the property.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	0 gpd	69,615 gpd
<i>Waste Water</i>	0 gpd	69,615 gpd

Impact Identified: Since the proposed rezoning property is currently located outside the Corporate Limits and Extraterritorial Jurisdiction of Raleigh, the rezoning will add approximately 69,615 gpd to the wastewater collection and water distribution systems of the City. There are currently no existing sanitary sewer or water mains serving the proposed rezoning property.

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

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

4.5 Parks and Recreation

The site is not adjacent to an existing or proposed greenway trail or greenway connector. Park services are provided by the under construction Horseshoe Farm Park (1.6 miles) or the proposed Thornton Road Park (1.6 miles). The nearest greenway trail is 1.2 miles.

Impact Identified: None.

4.6 Urban Forestry

Subdivisions 2 acres or more in size are required to establish tree conservation areas in accordance with UDO Article 9.1.

Impact Identified: None.

4.7 Designated Historic Resources

No known historic resources.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

Sewer and fire flow matters may need to be addressed upon development.

4.10 Mitigation of Impacts

Address sewer and fire flow capacities at the site plan stage.

5. Conclusions

The proposed rezoning is consistent with the Comprehensive Plan and the Future Land Use Map designation. It is also compatible with adjacent uses and development densities. The Low Density Residential Future Land Use category calls for development within the range of 1 to 6 dwelling units per acre. The proposal meets this standard by limiting the maximum residential density to 4 dwelling units per acre (3 dwelling units per acre as part of future subdivision with additional property). In addition, the proposal balances the smaller lot sizes that are available under the R-10 zoning designation by providing a minimum of 20% open space set-aside.




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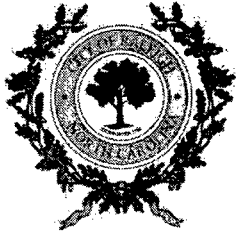
**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Classification: Residential-30 (Wake County) Proposed Zoning Classification Base District: R-10 CUD Height: N/A Frontage: None If the property has been previously rezoned, provide the rezoning case number: Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 407604 (Rezoning Pre-Application Conference); 407517 (Due Diligence Session)	Transaction Number

GENERAL INFORMATION		
Property Address: 0 Canyon Drive and 2502 Forestville Road (portion of)		Date
Property PIN: 1748-24-5821 and 1748-34-5881 (portion of)	Deed Reference (Book/Page): Book 15757, Page 905 and Book 3516, Page 034 (portion of)	
Nearest Intersection: Canyon Drive and Taylor's Ridge Road		Property size (in acres): 13.26 ac and 6.60 ac, for total of 19.86 ac
Property Owner/Address: Yadkin Bank, 206 High House Road, Cary, NC 27513	Phone	Fax
Sandra Lynn Burnett, 2502 Forestville Road, Wake Forest, NC 27587	Email	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone: 919.590.0388	Fax: 919.882.8890
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature 	Email: Alicia.Daugherty@yadkinbank.com	

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



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Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification: Residential-30 (Wake County) Proposed Zoning Classification Base District: R-10 CUD Height: N/A Frontage: None	
If the property has been previously rezoned, provide the rezoning case number:	
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 407604 (Rezoning Pre-Application Conference); 407517 (Due Diligence Session)	

GENERAL INFORMATION		
Property Address: 0 Canyon Drive and 2502 Forestville Road (portion of)		Date <i>April 17, 2015</i>
Property PIN: 1748-24-5821 and 1748-34-5881 (portion of)	Deed Reference (Book/Page): Book 15757, Page 905 and Book 3516, Page 034 (portion of)	
Nearest Intersection: Canyon Drive and Taylor's Ridge Road.		Property size (in acres): 13.26 ac and 6.60 ac, for total of 19.86 ac
Property Owner/Address: Yadkin Bank, 206 High House Road, Cary, NC 27513 Sandra Lynn Burnett, 2502 Forestville Road, Wake Forest, NC 27587	Phone	Fax
	Email	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone: 919.590.0388	Fax: 919.882.8890
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature <i>Sandra Lynn Burnett</i>	Email:	

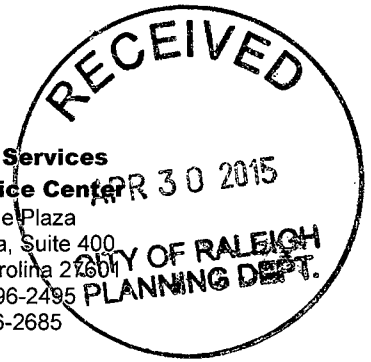
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Fax 919-516-2685



Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-41-14		Transaction Number
Date Submitted: April 23, 2015		
Existing Zoning: Residential-30 (Wake County)	Proposed Zoning: Residential-10 CUD	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The maximum residential density on the property shall be four (4) units per acre; however, the property shall be included as part of a subdivision with additional property with an overall maximum residential density of three (3) units per acre.
2.	Attached house, townhouse and apartment building types and two-unit living and multi-unit living uses shall be prohibited on the property.
3.	The minimum lot size shall be 5,500 square feet.
4.	The minimum lot width for an interior lot shall be fifty (50) feet. However, this condition shall not prevent any lot abutting a cul-de-sac from taking advantage of UDO section 1.5.2.E.
5.	The minimum lot depth shall be ninety (90) feet. However, this condition shall not apply to a lot abutting a cul-de-sac, in which case such lot abutting a cul-de-sac shall have a minimum lot depth of sixty (60) feet, as measured in accordance with UDO section 1.5.2.E.
6.	If the property subject to this rezoning ordinance is developed independently without being included in a subdivision with additional property, then such subdivision must provide a minimum open space set aside of twenty percent (20%) of the net site area of the subdivision. But, if the property subject to this rezoning ordinance is included in a subdivision with adjoining property, then this minimum open space set aside of twenty percent (20%) of the net site area of the subdivision may be satisfied in whole or in part on the adjoining property within the overall subdivision and based on the gross acreage of the overall subdivision. Unless a more restrictive standard is required by the UDO, the open space required to be set aside by this zoning condition shall include one or more of the following: floodway areas; natural resource buffers required along primary and secondary watercourses; jurisdictional wetlands under federal law that meet the definition applied by the Army Corps of Engineers; flood fringe areas; historic, archeological and cultural sites, cemeteries and burial grounds; areas that connect neighboring open space, trails or greenways; and tree conservation areas; however, the existence of such areas on the property shall not require the inclusion of such areas as open space required by this condition so long as the minimum amount of twenty percent (20%) is satisfied. The open space required to be set aside by the zoning condition shall be subject to Sections 2.5.3., 2.5.4., 2.5.5., 2.5.6. and 2.5.7. of the UDO.
7.	A buffer measuring at least 32' in depth shall be provided on the property adjacent to those properties to the west and north, more particularly described as Lot 10 on the plat recorded in Book of Maps 1984, Page 1027, Lots 11, 12, 13, 14, 15, 16 and 17 on the plat recorded in Book of Maps 1985, Page 1482, and Lots 17, 18, 19, 20 and 21 on the plat recorded in Book of Maps 1988, Page 1078, Wake County Registry. Unless a more stringent standard is required by the UDO or in the event this area is designated a tree conservation area in conformance with UDO Article 9.1, this buffer shall be undisturbed except for the removal of dead, diseased, unsafe or unhealthy trees with a permit issued by the City. In addition to these permitted disturbances, that portion of the buffer adjacent to Lot 11 on the plat recorded in Book of Maps 1985, Page 1482 and located south of the existing stream may be disturbed for purposes associated with an approved road crossing the stream.

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

Owner/Agent Signature <i>Alicia Daugherty</i>	Print Name <i>Alicia Daugherty, Yadkin Bank</i>
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Development Services
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One Exchange Plaza
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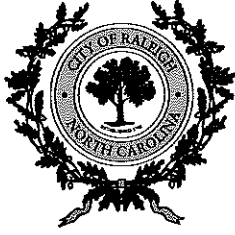
Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-41-14		Transaction Number
Date Submitted: April 23, 2015		
Existing Zoning: Residential-30 (Wake County)	Proposed Zoning: Residential-10 CUD	

NARRATIVE OF ZONING CONDITIONS OFFERED

- The maximum residential density on the property shall be four (4) units per acre; however, the property shall be included as part of a subdivision with additional property with an overall maximum residential density of three (3) units per acre.
- Attached house, townhouse and apartment building types and two-unit living and multi-unit living uses shall be prohibited on the property.
- The minimum lot size shall be 5,500 square feet.
- The minimum lot width for an interior lot shall be fifty (50) feet. However, this condition shall not prevent any lot abutting a cul-de-sac from taking advantage of UDO section 1.5.2.E.
- The minimum lot depth shall be ninety (90) feet. However, this condition shall not apply to a lot abutting a cul-de-sac, in which case such lot abutting a cul-de-sac shall have a minimum lot depth of sixty (60) feet, as measured in accordance with UDO section 1.5.2.E.
- If the property subject to this rezoning ordinance is developed independently without being included in a subdivision with additional property, then such subdivision must provide a minimum open space set aside of twenty percent (20%) of the net site area of the subdivision. But, if the property subject to this rezoning ordinance is included in a subdivision with adjoining property, then this minimum open space set aside of twenty percent (20%) of the net site area of the subdivision may be satisfied in whole or in part on the adjoining property within the overall subdivision and based on the gross acreage of the overall subdivision. Unless a more restrictive standard is required by the UDO, the open space required to be set aside by this zoning condition shall include one or more of the following: floodway areas; natural resource buffers required along primary and secondary watercourses; jurisdictional wetlands under federal law that meet the definition applied by the Army Corps of Engineers; flood fringe areas; historic, archeological and cultural sites, cemeteries and burial grounds; areas that connect neighboring open space, trails or greenways; and tree conservation areas; however, the existence of such areas on the property shall not require the inclusion of such areas as open space required by this condition so long as the minimum amount of twenty percent (20%) is satisfied. The open space required to be set aside by the zoning condition shall be subject to Sections 2.5.3., 2.5.4., 2.5.5., 2.5.6. and 2.5.7. of the UDO.
- A buffer measuring at least 32' in depth shall be provided on the property adjacent to those properties to the west and north, more particularly described as Lot 10 on the plat recorded in Book of Maps 1984, Page 1027, Lots 11, 12, 13, 14, 15, 16 and 17 on the plat recorded in Book of Maps 1985, Page 1482, and Lots 17, 18, 19, 20 and 21 on the plat recorded in Book of Maps 1988, Page 1078, Wake County Registry. Unless a more stringent standard is required by the UDO or in the event this area is designated a tree conservation area in conformance with UDO Article 9.1, this buffer shall be undisturbed except for the removal of dead, diseased, unsafe or unhealthy trees with a permit issued by the City. In addition to these permitted disturbances, that portion of the buffer adjacent to Lot 11 on the plat recorded in Book of Maps 1985, Page 1482 and located south of the existing stream may be disturbed for purposes associated with an approved road crossing the stream.

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

Owner/Agent Signature 	Print Name SANDRA L. BURNETT
---------------------------	---------------------------------



Planning & Development

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

Rezoning Application Addendum

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

STATEMENT OF CONSISTENCY

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

1. The property is designated Low Density Residential on the Future Land Use Map. This category recommends residential development with a density between one and six units per acre. The proposed zoning condition limits residential density to four units per acre. Based on the condition limiting density to four units per acre, the rezoning request is consistent with the Future Land Use Map.
2. The Low Density Residential category suggests that smaller lots would be appropriate if part of subdivision that provides significant open space. The proposed rezoning to R-10 would permit smaller lots. The lot sizes and building types permitted by the proposed rezoning are similar to the lot sizes and building types permitted and developed in the immediately adjacent Highland Creek subdivision (S-27-05). This adjacent subdivision is also designated Low Density Residential, but it is not a conservation subdivision. The lot sizes and building types permitted by the proposed rezoning are consistent and compatible with those permitted in the adjacent development, which is similarly designated on the Future Land Use Map.
3. The proposed rezoning is consistent with Comprehensive Plan policies LU 5.4 "Density Transitions" and LU 8.1 "Housing Variety" by providing a low density residential subdivision adjacent to other low density residential uses while at the same time permitting a mix of lot sizes and building types.

PUBLIC BENEFITS

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

1. The proposed rezoning benefits the public by providing a mix of lot sizes in a growing area of the City and in close proximity to the mixed-use area located on the south side of Louisburg Road at the intersection of Leland Drive.
2. The proposed rezoning benefits the public by rezoning land consistent with the Future Land Use Map guidance, consistent with Comprehensive Plan policies, and consistent with surrounding development.

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON SEPTEMBER 17, 2014

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, September 17, 2014, at 7:00 p.m. The properties considered for rezoning include an 80.802-acre parcel with an address of 2628 Forestville Road and with Wake County Parcel Identification Number 1748-43-5922, and a 13.26-acre parcel with an address of 0 Canyon Drive and with Wake County Parcel Identification Number 1748-24-5821. This meeting was held at the Marsh Creek Community Center, located at 3016 N. New Hope Road, Raleigh, NC 27604. All owners of property within 100 feet of the subject properties were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



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

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

To: Neighboring Property Owner

From: Michael Birch

Date: September 4, 2014

Re: Notice of meeting to discuss potential rezoning of a parcel on the west side of Forestville Road, between Hartham Park Avenue and Lillie Liles Road, containing approximately 80.8 acres, with the address of 2628 Forestville Road with Wake County Parcel Identification Number 1748-43-5922, and a parcel on the east side of Taylors Ridge Road near the intersection with Canyon Drive, containing approximately 13.26 acres, with the address of 0 Canyon Drive, with Wake County Parcel Identification Number 1748-24-5821 (the "Property").

We are counsel for a developer that is considering rezoning the above-captioned Property. The Property is currently zoned Residential-4 in the City of Raleigh and Residential-30 in Wake County, and the proposed zoning district is Residential-10 Conditional Use, with a condition limiting residential density to four units per acre.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, September 17, 2014 at 7:00 p.m. This meeting will be held in the classroom at the Marsh Creek Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604.

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

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

EXHIBIT B

LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

AF-STONEGATE LLC
1330 SUNDAY DR STE 105
RALEIGH NC 27607-5196
1748554155

BATTS, MICHAEL D BATTS, CATHY B
2628 CASHLIN DR
RALEIGH NC 27616-5565
1748434195

BROOKS, BRENDA JANE TIMMENY, TOM
2616 CASHLIN DR
RALEIGH NC 27616-5565
1748436173

BURNETT, SANDRA LYNN
2502 FORESTVILLE RD
WAKE FOREST NC 27587-8138
1748345881

BURNETT, SANDRA LYNN
2502 FORESTVILLE RD
WAKE FOREST NC 27587-8138
1748441850

DUONG, MINH Q
2624 CASHLIN DR
RALEIGH NC 27616-5565
1748435155

FELMET, JOHN W FELMET, SUSAN W
2605 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748644252

HARBIN, MATTHEW D HARBIN, THERESA D
2636 CASHLIN DR
RALEIGH NC 27616-5565
1748433172

HAYWARD, JAMES W THIRER-HAYWARD, MELISSA
2612 CASHLIN DR
RALEIGH NC 27616-5565
1748437123

HEBERT, JOHN T
2608 FORESTVILLE RD
WAKE FOREST NC 27587-8140
1748548289

HIGHLAND CREEK MASTER ASSN INC
1225 CRESCENT GRN STE 250
CARY NC 27518-8119
1748428958

JOHNSON, EMMETT GLENN JOHNSON, PATRICIA C
2601 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748644375

KARIKARI-AGYEMAN, ELYSEE A ADIMADO, KOFI S
2608 CASHLIN DR
RALEIGH NC 27616-5565
1748438103

KOTEK, KEVIN J KOTEK, DOLLY J
2609 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748644131

MCCARTY, DANIEL J MCCARTY, ANGELA B
2613 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748634911

MCCARTY, DANIEL J MCCARTY, ANGELA B
2613 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748644021

MORRISON, STEVEN S MORRISON, LIN JING Y
2529 FORESTVILLE RD
WAKE FOREST NC 27587-8139
1748648198

PAGUIO, CRISTINO J PAGUIO, EVELYN Q
2632 CASHLIN DR
RALEIGH NC 27616-5565
1748434134

PERRY FARM LLC
404 EMERSON DR
RALEIGH NC 27609-4537
1748733146

RAFFENSPERGER, TIMOTHY W
2629 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748633558

SMITHEY, LARRY
2625 FORESTVILLE RD
WAKE FOREST NC 27587-8141
1748633780

STELL, WILLIAM A STELL, MARY S K
3936 LOUISBURY RD
WAKE FOREST NC 27587-8116
1748642673

TAW DEVELOPMENT INC
6300 WESTGATE RD STE A
RALEIGH NC 27617-4754
1748231148

TUCKER, JAMES H TRUSTEES, THOMAS O
PO BOX 410
CAROLINA BEACH NC 28428-0410
1748323666

VALLIDO, EUGENIA S VALLIDO, MARLON A
2700 AMERY LN
RALEIGH NC 27616-5582
1748533016

WAKE CNTY BOARD OF EDUCATION THE
RE SERVICES DIRECTOR
1551 ROCK QUARRY RD
RALEIGH NC 27610-4145
1748435922

WILES, BUCK DAVIS TRUSTEE
3612 PIKEVILLE PRINCETON RD
PRINCETON NC 27569-8860
1748633891

YADKIN BANK
206 HIGH HOUSE RD
CARY NC 27513
1748245821

ZELICHE, ABBEY
2620 CASHLIN DR
RALEIGH NC 27616-5565
1748436114

ALLRED, GARY ALLRED, KRISTEN
3304 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9379
1748251310

BROWN, RONALD L BROWN, TAMMY F
3204 TAYLORS RIDGE RD
WAKE FOREST NC 27587-9375
1748148839

BUCKMASTER, CHARLES W BUCKMASTER, KATHY C
3312 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9379
1748253261

DOHERTY, JOHN M
3412 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9380
1748350272

GANN, ROBERT M GANN, KATHY
3208 TAYLORS RIDGE RD
WAKE FOREST NC 27587-9375
1748159169

HARP, SHERWOOD WAYNE HARP, DANTE W
3400 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9380
1748255221

JENKINS, MARTIN DAVID JENKINS, PAMELA K
3136 TAYLORS RIDGE RD
WAKE FOREST NC 27587-9387
1748147635

LOPOSAY, WILLIAM D LOPOSAY, LINDA F
3132 TAYLORS RIDGE RD
WAKE FOREST NC 27587-9387
1748146582

MEYERS, JOHN M MEYERS, CHARLEEN
3408 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9380
1748258261

OSBORNE, WILLIAM E OSBORNE, GINGER K
3308 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9379
1748252223

STUBBS, IAN
3408 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9380
1748256260

TAYLOR, CHARLES D TAYLOR, KIMBERLY D
3420 GREENVILLE LOOP RD
WAKE FOREST NC 27587-9380
1748352233

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Wednesday, September 17, 2014, at 7:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. Below is a list of items discussed at the meeting:

1. Access to Taylors Ridge Road
2. Construction of Canyon Drive
3. Housing types permitted in R-10
4. Proposed layout for subdivision
5. Location and width of buffer areas adjacent to existing neighborhoods
6. Blasting concerns and impacts on surrounding structures and drinking water
7. Maximum density permitted by rezoning
8. Purpose of rezoning to R-10
9. Protection of cemetery
10. Impact of additional traffic on surrounding roads and existing residents
11. Connectivity with surrounding developments
12. Improvements to Taylors Ridge Road and Greenville Loop Road and nearby intersections
13. Impact on stormwater quantity and quality, particularly volume in creeks and erosion
14. Impact on wells and drinking water supply
15. Increase in density
16. Noise associated with construction, traffic and new residents
17. Light associated with new streets and residences
18. Permitted lot sizes and comparison with R-30 lot sizes and density
19. Projected home prices
20. Impact of development and additional traffic on property values
21. Existing traffic issues, particularly on Forestville Road and at Ligon Mill Road
22. Amenities within proposed development

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. Larry Matthews
2. Lynn & Jeremy Kennon
3. David & Tish Terrell
4. Carlos Ferreira
5. Glenn & Patricia Johnson
6. Sandra Burnett
7. Dan & Deb Haberek
8. Sherman Biggerstaff
9. Ashley Perry
10. West Forehand
11. Drew Mickus
12. Alan & Carol Dellapenna
13. Michael Reed
14. Dan & Angela McCarty
15. John & Susan Fletmet
16. Kevin & Dolly Kotek
17. Steve & Kim Morrison
18. David & Wendee Kirkley
19. Wesley & Allison Prather
20. Charles & Kathy Buckmaster
21. Bill Herring
22. Ronald & Tammy Brown
23. Sarah & Ian Stubbs
24. Kimber & Trent Lunsford
25. Carlton Gage
26. Mark Bradley
27. Ginger & William Osborne
28. James Albright & Nancy Green
29. John & Charleen Meyers
30. Wayne & Dante Harp
31. Tony & Robyn Hartt
32. Greg Lemly
33. John & Wanda McElveen
34. Joe & Betsy Wilburn
35. Martin, Pamela & Kimberly Jenkins
36. Alan & Robin Oglesby
37. Margaret Holland
38. Marlin Miller
39. Terri Cook
40. William Hall
41. Dennis Hodges
42. Robert Smith & Linda Orlasky