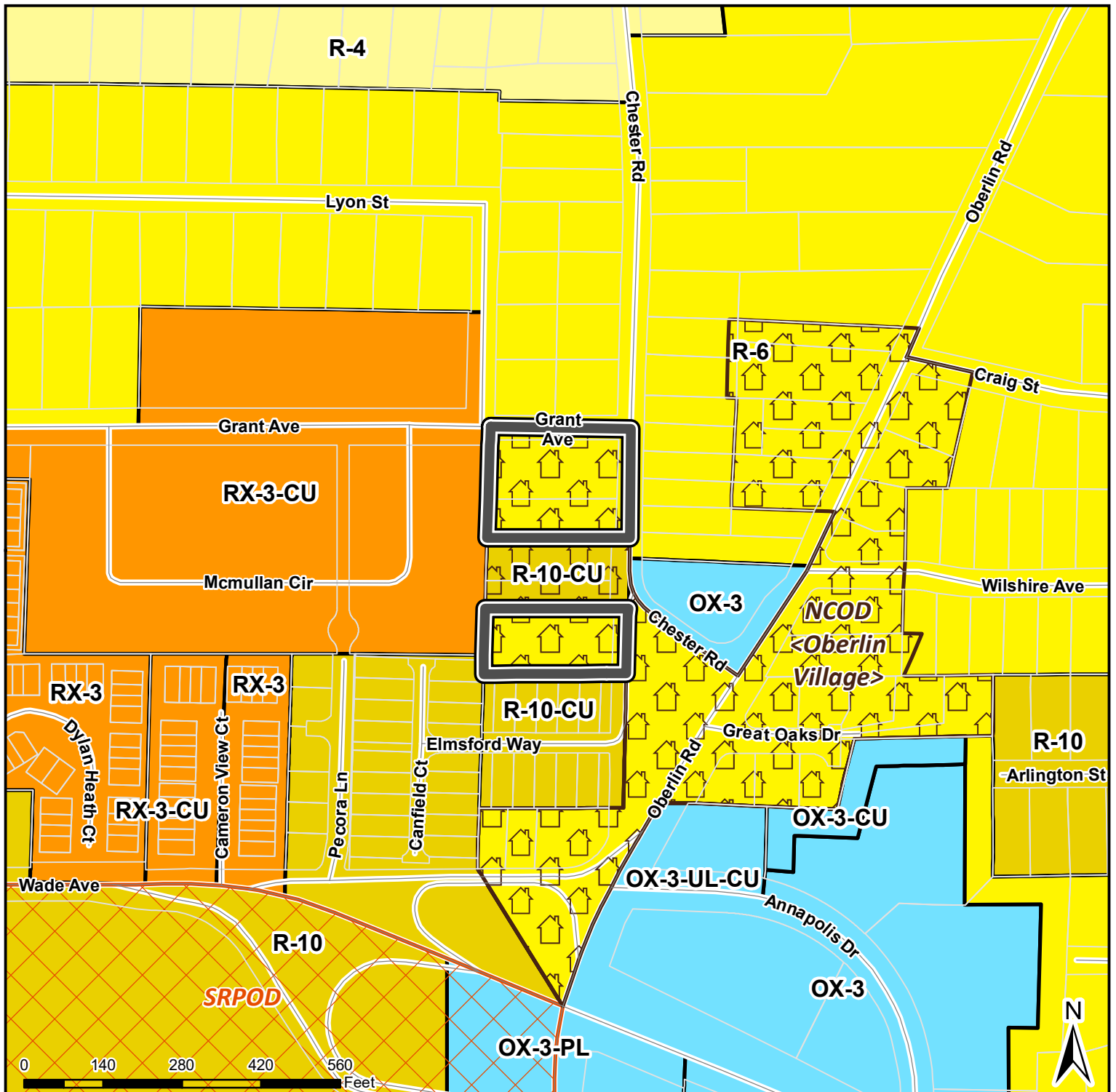


Existing Zoning

Z-62-2021



Property	1325, 1335, & 1341 Chester Rd
Size	1.56 acres
Existing Zoning	R-6 w/NCOD
Requested Zoning	R-10-CU



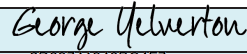


Rezoning Application and Checklist

Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500

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 Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions		
Existing zoning base district: R- 6	Height:	Frontage:	Overlay(s): NCOD
Proposed zoning base district: R- 10	Height:	Frontage:	Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 1325, 1335, and 1341 Chester Road		
Property PIN: See Attachment A		
Deed reference (book/page): See Attachment A		
Nearest intersection: See Attachment A		Property size (acres): See Attachment A
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: See Attachment A		
Property owner email: See Attachment A		
Property owner phone: See Attachment A		
Applicant name and address: George Yelverton		
Applicant email: mstuart@morningstarlawgroup.com		
Applicant phone: 919-890-3318		
Applicant signature(s): 		
Additional email(s):		

RECEIVED

By Carmen Kuan at 9:50 am, Sep 23, 2021

Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #
Existing zoning: R-6	Proposed zoning: R-10-CU	

Narrative of Zoning Conditions Offered

1. An opaque fence or wall, not less than 6 feet tall, shall be installed within 10 feet of the southern site boundary, and a portion of the western site boundary, adjacent to the parcels described on Table A, attached, except where tree conservation area, cross access, or utility easements may be located. Additional exceptions may be made to provide adequate site distance at any intersection or driveway.

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.

DocuSigned by:

Property Owner(s) Signature:

George Yelverton

2D83741348BC4F7...

Printed Name: George A. Yelverton III**RECEIVED****By Carmen Kuan at 9:51 am, Sep 23, 2021**

Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #
Existing zoning: R-6	Proposed zoning: R-10-CU	

Narrative of Zoning Conditions Offered

1. An opaque fence or wall, not less than 6 feet tall, shall be installed within 10 feet of the southern site boundary, and a portion of the western site boundary, adjacent to the parcels described on Table A, attached, except where tree conservation area, cross access, or utility easements may be located. Additional exceptions may be made to provide adequate site distance at any intersection or driveway.

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.

DocuSigned by:

Katherine J. Yelverton

Property Owner(s) Signature:

0CDF8E4531D34A6...

Printed Name: Katherine J. Yelverton

RECEIVED

By Carmen Kuan at 9:51 am, Sep 23, 2021

ATTACHMENT A**PROPERTY INFORMATION**

PIN	Address	Deed Book/Page	Nearest Intersection	Size (acre)	Owner Name	Owner Address	Current Zoning
1704067846	1325 Chester Road	14359/1058	Chester Rd and Elmsford Way	.64	Cetinale, LLC	3347 ALLEGHANY DR, RALEIGH NC 27609-6903	R-6-NCOD
1704077038	1335 Chester Road	12784/1959	Chester Rd and Grant Ave	.36	The Pulliam of Raleigh, LLC	3347 ALLEGHANY DR, RALEIGH NC 27609-6903	R-6-NCOD
1704077146	1341 Chester Road	10622/226	Chester Rd and Grant Ave	.56	Cetinale, LLC	3347 ALLEGHANY DR, RALEIGH NC 27609-6903	R-6-NCOD
Total Acres				1.56			

Rezoning Application Addendum #1**Comprehensive Plan Analysis**

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.

OFFICE USE ONLY

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.

R-10 zoning is one of the recommended zoning districts for the Moderate Density Residential FLUM designation applicable to this site.

While the Urban Form Map doesn't provide a designation for this location, the new dwelling units would be located on a section of Chester Road adjacent to Oberlin Road, which is a designated Transit Emphasis Corridor programmed for a high level of service and appropriate for new residential use.

Comprehensive Plan policies LU 5.1 (Reinforcing the Urban Pattern, LU 8.1 (Housing Variety), and H 1.8 (Zoning for Housing) are supported by this request which maintains the surrounding pattern of providing residential uses at a moderate density and a three-story height limit.

Public Benefits

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

The requested rezoning would provide a gentle increase in density at a location walkable to a Transit Emphasis Corridor, compatible with neighboring properties, both as developed and as zoned, and capitalizing on existing infrastructure at a central location.

Rezoning Application Addendum #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 rezoned. For each resource, indicate how the proposed zoning would impact the resource.

None.

Proposed Mitigation

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

N/A

Urban 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" or "Mixed-Use Center", 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.

Urban form designation: None

Click [here](#) to view the Urban Form Map.

1

All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.

Response:

2

Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.

Response:

3

A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial.

Response:

4

Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.

Response:

5

New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.

Response:

6

A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.

Response:

7	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p>Response:</p>
8	<p>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</p> <p>Response:</p>
9	<p>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p>Response:</p>
10	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p>Response:</p>
11	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p>Response:</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Response:</p>
13	<p>New public spaces should provide seating opportunities.</p> <p>Response:</p>

14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Response:</p>
15	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p>Response:</p>
16	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</p> <p>Response:</p>
17	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p>Response:</p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response:</p>
19	<p>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</p> <p>Response:</p>
20	<p>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</p> <p>Response:</p>

21	<p>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</p> <p>Response:</p>
22	<p>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</p> <p>Response:</p>
23	<p>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</p> <p>Response:</p>
24	<p>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</p> <p>Response:</p>
25	<p>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</p> <p>Response:</p>
26	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response:</p>

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
1. 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see Fee Guide for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:					
11. Completed zoning conditions, signed by property owner(s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 11:					
12. Proof of Power of Attorney or Owner Affidavit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:					
14. Redline copy of zoning conditions with proposed changes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Total number of units and square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 12 sets of plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Vicinity Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Existing Conditions Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Street and Block Layout Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Development Plan (location of building types)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Parking Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Open Space Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Phasing Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Common Signage Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.

Temporary Option for Virtual Neighborhood Meetings

During times when in-person gatherings are restricted, this document consists of guidance and templates for conducting a virtual meeting that may satisfy the pre-submittal neighborhood meeting prerequisite for filing a rezoning request and, when required, the second neighborhood meeting prerequisite for Planning Commission review. All requirements related to notice and neighborhood meetings found in the UDO are still applicable and should be reviewed when preparing for a neighborhood meeting.

Raleigh Planning & Development staff are available to advise you in the preparation for virtual neighborhood meetings. For more information, contact JP Mansolf (919) 996-2180 or jp.mansolf@raleighnc.gov.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive community feedback regarding a rezoning prior to submittal to Raleigh Planning & Development or prior to Planning Commission review, per the standards found in [UDO Ch. 10](#). The intention of the meeting is to facilitate neighbor communication; identify issues of concern early on; and provide the applicant an opportunity to address neighbors' concerns about the potential impacts of the rezoning request at key steps in the rezoning process.

GUIDANCE FOR VIRTUAL NEIGHBORHOOD MEETINGS

The virtual neighborhood meeting option is available to applicants on a temporary basis during times when in-person gatherings are restricted. Above and beyond the requirements for neighborhood meetings found in the UDO, the following practices are strongly encouraged for virtual neighborhood meetings:

Verification of mailed notice for virtual neighborhood meetings can be completed by USPS or Raleigh Planning & Development staff.

Neighborhood meeting notification letters can be verified in one of two ways for virtual neighborhood meetings:

- By using USPS in compliance with [UDO Sec. 10.2.1.C.1.b](#).
- By coordinating with Raleigh Planning & Development staff.
 - When City of Raleigh facilities are open to the public, applicants may present stuffed, stamped, addressed, and unsealed neighborhood meeting notifications to Raleigh Planning & Development staff prior to the 10-day period for confirmation that the complete list of property owners is being noticed and that the notices contain adequate information to satisfy the requirements of the UDO and are in keeping with this guidance document.
 - When City of Raleigh facilities are closed to the public, applicants may present electronic documentation to city staff prior to the 10-day period for verification. Documentation should include: an electronic copy of the notification letter and any enclosures, the mailing list, photographs of the mailing that demonstrates the number of envelopes prepared for mailing, an attestation from the applicant that the mailing satisfies all UDO requirements and that acknowledges that false statements negate validity of the mailing.

The meeting should be held within specific timeframes and meet certain requirements.

The UDO requires that “the applicant shall provide an opportunity to meet with property owners of the development site and property owners within the mailing radius described in [UDO Sec. 10.2.1.C.1](#). In order to provide meaningful opportunity, a virtual neighborhood meeting should follow these guidelines:

- Electronically via an interactive online video conferencing software such as Microsoft Teams, Zoom, WebEx, or any similar platform of the applicant’s choice.
- The software must support a two-way conversation that allows for residents to ask questions and provide thoughts, as well as hear the applicant’s presentation.
- The software should provide an option for an individual to participate exclusively by telephone.
- The meeting should be conducted for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- The meeting should not be held on City of Raleigh or State of North Carolina recognized holidays.
- Just as with an in-person meeting, an attendance sheet must be completed to log known attendees of the virtual meeting. Note if no one attended.

Additional informational material should be provided by post to all invitees.

To help facilitate discussion during the meeting for all participants, especially those that may participate exclusively by telephone, informational material should be provided by post. A copy of all mailed materials should be included as part of the Neighborhood Meeting report required for the rezoning application. In addition to details required by [UDO Sec. 10.2.1.C.1](#), the following information should be mailed with the meeting notice:

- The date, time, and detailed instructions for how to participate in the virtual meeting either online or by telephone.
- A current aerial photograph of the area.
- A current zoning map of the area.
- A draft of the rezoning petition to be submitted.
- For a rezoning request to a district that requires a master plan ([UDO Art. 4.6](#) and [4.7](#)) preliminary or schematic plans of the proposed master plan should be provided to help facilitate discussion.

The meeting agenda should describe the action to be requested and the nature of the questions involved.

This information should be addressed during the meeting:

- Explanation of the rezoning process.
- Explanation of future meetings (additional neighborhood meetings, if any; Planning Commission review; City Council public hearing).
- Explanation of the development proposal, including proposed uses and zoning conditions; explanation of any proposed master plan; and any public information available about the property owner or buyer, developer or builder, and/or likely tenant.
- Questions or concerns by virtual attendees and responses by the applicant.
- Report of any questions and concerns received by the applicant in correspondence or phone call in advance of the meeting, along with any applicant-provided responses.

The applicant shall be responsible for notifying any neighbors who request to be kept up-to-date of any additional neighborhood meetings and the actual submittal date to the City of Raleigh Development Portal.

Date: September 3, 2021

Re: Properties located at 1325, 1335, and 1341 Chester Road (the "Property")

Dear Neighbors:

We are counsel for George Yelverton ("Mr. Yelverton"), who is considering rezoning the above-captioned Property, a context map of which appears on the back side of this notice. Currently, the Property is zoned R-6 with NCOD (neighborhood conservation overlay district). Mr. Yelverton is considering rezoning the Property to Residential Mixed Use – 5 Stories - Conditional (RX-5-CU). The purpose of the rezoning is to permit construction of residences.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding neighbors on **Wednesday, September 15, 2021, from 5 pm p.m. to 7 p.m.** The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 5pm and will be followed by an opportunity for questions and answers. Depending on attendance, the programmed portion of the meeting is likely to end between 5:30 and 6pm. The additional time is intended to allow for a late start in the event of any technical issues related to the virtual meeting, and your flexibility is appreciated. Once the meeting has been successfully completed, the online meeting, including the telephone dial-in option, will remain open until 7pm, and we will be happy to review the proposal or answer additional questions during this time.

The City of Raleigh requires a neighborhood meeting involving the owners and tenants of property within 500 feet of the site prior to filing a rezoning application. 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 919.890.3318 or mstuart@mstarlaw.com. Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf
Raleigh Planning & Development
(919)996-2180
JP.Mansolf@raleighnc.gov

If you have any concerns or questions about this potential rezoning I can be reached at:

Molly M. Stuart
Morningstar Law Group
(919) 890-3318
mstuart@mstarlaw.com

Sincerely,



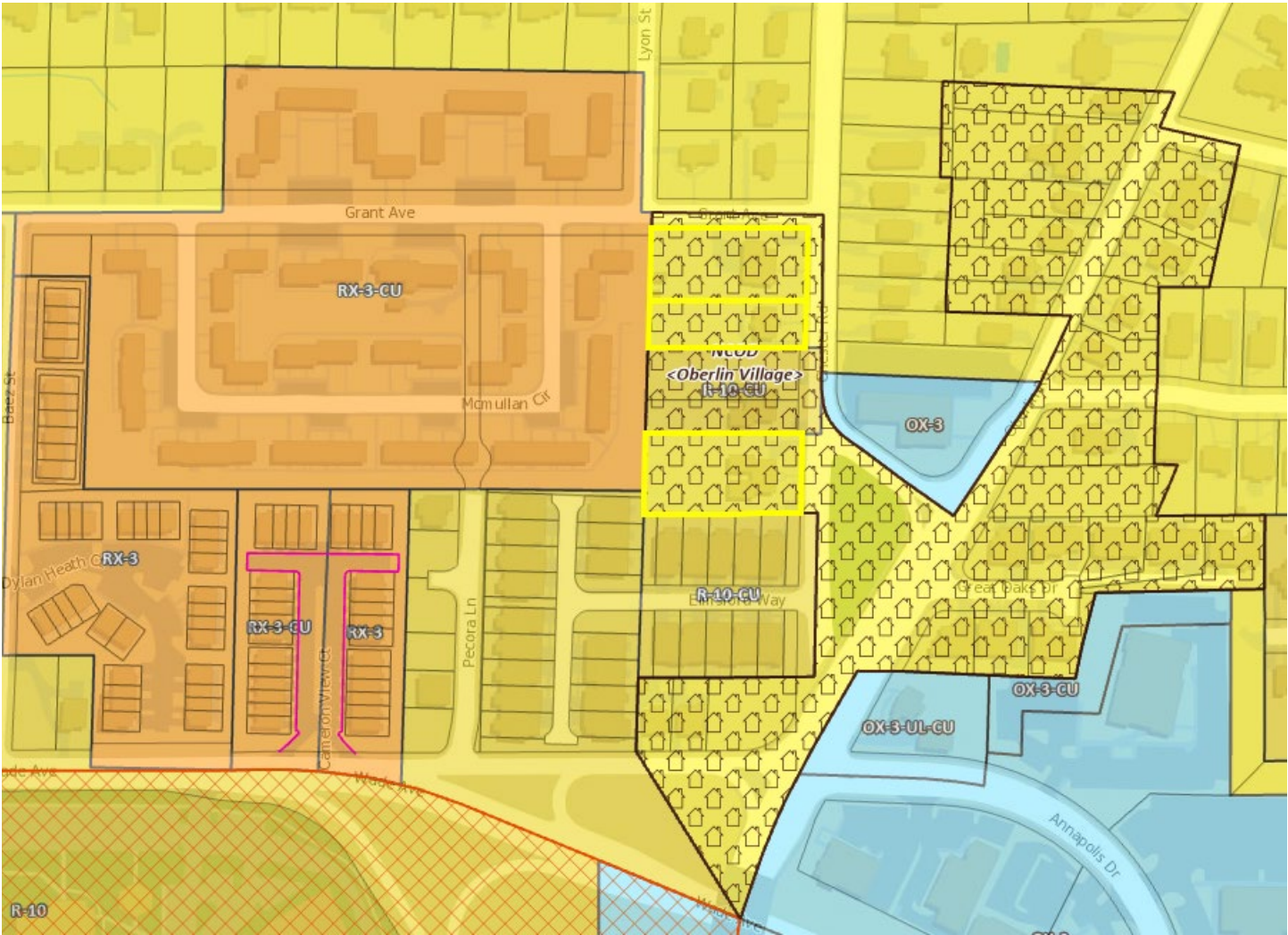
Neighborhood Meeting Agenda

- I. Introductions
- II. The rezoning process
- III. The project
- IV. Question and answer period

Aerial Photo



Zoning





**How to Participate in the September 15, 2021 Neighborhood Meeting
Re: 1325, 1335, and 1341 Chester Road**

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to morningstarlaw.group/09152021mtg to register for the meeting.
(Registration is necessary as we are required by the City of Raleigh to have a record of attendance.)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 312 626 6799
 - +1 929 436 2866
 - +1 301 715 8592
 - +1 346 248 7799
 - +1 669 900 6833
 - +1 253 215 8782
 - Enter Webinar ID: 872 2073 0916
 - Enter password: 145715
 - *For attendance purposes as required by the City of Raleigh, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

If you have difficulty connecting or have technical difficulties during the meeting, you can email us at meetings@mstarlaw.com or call 919-590-0366.

You are encouraged to join the meeting via your computer or smartphone so that you will have access to Zoom Webinar's interactive features including Raise Hand and Chat.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or Chat features. If you use Raise Hand, a panelist will either unmute you to allow you to speak or will chat with you to solicit your questions/comments.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at meetings@mstarlaw.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.



Rezoning Application and Checklist

Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500

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 Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan
	<input type="checkbox"/> Text change to zoning conditions		
			OFFICE USE ONLY Rezoning case # _____
Existing zoning base district: R-6		Height:	Frontage:
Proposed zoning base district: RX		Height: 5	Frontage:
			Overlay(s): NCOD
			Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 1325, 1335, and 1341 Chester Road		
Property PIN: See Attachment A		
Deed reference (book/page): See Attachment A		
Nearest intersection: See Attachment A		Property size (acres): See Attachment A
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: See Attachment A		
Property owner email: See Attachment A		
Property owner phone: See Attachment A		
Applicant name and address: George Yelverton		
Applicant email:		
Applicant phone:		
Applicant signature(s):		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case # _____
Existing zoning: R-6	Proposed zoning: RX-5-CU	

Narrative of Zoning Conditions Offered
1. A maximum of 22 dwelling units shall be permitted on the property.

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: _____

Page 2 of 15

REVISION 10.27.20

raleighnc.gov

SUMMARY OF ISSUES

A neighborhood meeting was held on September 15, 2021 (date) to discuss a potential rezoning located at 1325, 1335, and 1341 Chester Road (property address). The neighborhood meeting was held at [virtual] (location). There were approximately 131 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Neighbors asked questions about nearby apartments going in. We are unable to discuss as these apartments are not a part of this project. Neighbors upset because that property used to belong to applicant and he sold to developer. Neighbors believe applicant will sell this property to developer. Applicant plans to sell the property at some time in the future and is changing rezoning in anticipation of that future sell, but currently has no plan to develop the property.
Discussed traffic issues and asked if additional access streets would be added. No plans to develop property at this time, so can't answer this question. Neighbors also asked about speed bumps. City representative referred them to other City rep and gave them that contact information.
Discussed current zoning and requested zoning as well as conditions of zoning. 3 stories vs 4 stories and height conditions.
Neighbors questioned why a commercial building would be added in a residential neighborhood and why some don't want commercial. Discussed types of commercial buildings that would be appropriate for this neighborhood; coffee shop, small restaurant; etc.
Neighbors are concerned that this is being pitched as a small scale development, but are concerned it will be expanded into a larger scale project. There is concern about the parcel that is between the ones being rezoned and that it is going to be combined with these parcels. Informed neighbors that was not the plan and any changes would be required to have City approval.
There is concern about safety and pedestrian accessibility. The small scale commercial is not designed to draw in outside traffic. This is meant to be a walkable area and this commercial is meant to bring in bike and pedestrian traffic, not large scale vehicle traffic.
Neighbors feel City has already made up their mind regarding approving this project. City representative informed neighbors he is not the one who decides. There is a process and this is only the first step. This process takes several months to complete and there is no guaranty it will be approved.
Neighbors questioned if transit was being added. City rep stated there was a sales tax added to bring transit into Oberlin. As far as he knows, that is still planned.

SUMMARY OF ISSUES

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Summary of Issues:

Neighbors requested site plan. Stating it would be easier to make decide if they approve if they had a site plan to look at. There is no site plan yet. This is the first step. Applicant doesn't plan to develop the properties. He is just rezoning to sell in a few years.
Neighbors want to know when the City Council meeting will be held. No idea yet as rezoning application has not yet been filed. Neighbors within 500 feet will be notified. We can add people outside that zone to that list if you provide us with an address.
Discussed Future Land Use plan and UDO in regards to this proposed rezoning as well as overlay district.
Neighbors wanting to know what limits are on new apartments. City rep went over what is stated in requirements from the 90s but stated those are now obsolete due to this now being covered in the UDO.
Neighbors concerned about storm water runoff and how a new development will affect the neighborhoods storm water runoff. Due to small size, not certain if this will be affected, but will be looked into when there is a site plan.
Neighbors want to know what type of parking complex will go in with commercial development. Any parking will be according to City requirements.
Neighbors concerned about not being heard. Many do not agree with the properties being developed. Neighbors want there to be a second meeting, even if it is not required for this rezoning. Neighbors are concerned about being notified. There will be signs posted for all future meetings, in addition to notices being mailed out.
See attached statement that was read by neighbors. (next page)

Neighbor Statement as read by Robin Saleeby

Molly, thank you for giving me the chance to speak. My name is Rob Saleeby, both myself and numerous of my family members live on all sides of these parcels in question. I'd like to start by saying we've been involved in and the supporters of grown in the development of Raleigh for the 75 years that we have been here. But that's in areas where development and density are appropriate and reasonable. Mr. Yelverton, respectfully, I have one word for you, and that's greed. You just made \$16.75 million dollars at the expense of our neighborhood. Leaving us with a development that belongs downtown, not in a low-density residential neighborhood. You got away with that, and even got a variance from our neighborhood on top of that. But it seems having your cake and eating it too wasn't enough for you. Now you're coming back for the icing. This time to push the envelope even further, and again, only one word comes to mind, and that's greed. What you're attempting to ask for is predatory and incompatible with the surrounding area. There's no place for a commercial building, whether that's condos with a retail component, of any kind in our low-density residential neighborhood. Even at 4 stories and 50 feet, that would be almost twice as high as the surrounding home and town homes. These two parcels could and should have been included as buffers to the entrance to the monstrosity of apartments to ease the flow of traffic noise and chaos that we have and continue to have on our neighborhood. To think you're going to put even more density around us is absurd. The properties you have are in the Overlay District, as you know, and have a 28 ft height restriction, which limits you to 2 stories. Just like everyone else that's in that district has had to apply by. Johnny Chapel recently found out how much this neighborhood is willing to fight and protect itself from anything other than low-density residential. He rezoned a parcel on Annapolis and Oberlin, which is on the edge of our neighborhood, and not actually inside it, like your parcels. I have to applaud and commend Johnny because he heard our voices, he heard our concerns, and he added a condition that restricts him to only town houses on the property and added a condition that respects the Oberlin Overlay District. This case affects many, many more parties and the opposition is exponentially stronger. We are united as a community on this and plan to do everything in our power to defend our homes and our single-family residential neighborhood. Molly, I've followed some of your work, you've done some great things to help our City grow in areas where growth and density are appropriate, but this is not that. Quite the opposite, and I'm shocked that you took this case. Seeking a 4-story commercial building of any kind in a low-density residential neighborhood is not in the public interest. It's harmful to everyone in this neighborhood, and it's harmful to the property values of everyone in this neighborhood. The only thing this does not harm is George Yelverton's pockets. Put yourself in our shoes. If someone proposed a 4-story commercial building next to your house, I think you'd be doing exactly what we're going to do, unite as a community and use any and every resource we have to protect ourselves. Our demand is simple: Option 1, do not move forward with your case; Option 2, add a townhouse only condition that respects the Oberlin Overlay District on file.

Thank you.

Attendance Roster

Name	Address
Matthew Carpenter	1324 Dylan Heath Court, Raleigh
Lauren Isbell	1406 Chester Rd, Raleigh
Alex Flessel	
Tom Barker	510 Glenwood Ave., Suite 317, Raleigh
E Scarborough	2615 Tatton Drive, Raleigh
Scott Shore	2614 Wells Ave., Raleigh
harriet stephenson	1833 Wilshire Ave
Yorke Sartorio	2606 Churchill road, Raleigh
William Zevin	1821 Wishire Ave, Raleigh
Ed Steele	2304 Elmsford Way, Raleigh
Elizabeth Ross	2901 Fairview Rd, Raleigh
Dixon McKay	1209 Weldon Place, Raleigh
Marsden Crawley	
Rebecca Boston	2614 Wells Ave., Raleigh
Perri Mathews	Wilshire Avenue, Raleigh
Debbie Fox	2303 Churchill Rd, Raleigh
Alex	
Katherine Messenger	1314 Mayfair Road, Raleigh
WENDY ZEVIN	1821 Wilshire Ave Raleigh
Teresa Cope	2333 Lyon St Raleigh
Cathy Lepley	2001 Lewis Cir Raleigh
Margaret Poyner	2337 Churchill Rd Raleigh
Alex Wilson	2342 Churchill Road Raleigh
Jean Dodd	1920 Craig St Raleigh
Marissa Alvarez	1309 Pecora Lane Raleigh
Jim Lepley	2001 Lewis Circle Raleigh
corinna Bailey	1500 Chester Road Raleigh
Kim Randolph	1808 Great Oaks Dr Raleigh
Timothy Boyd	1200 Weldon Place Raleigh
Greg Eades	1425 Chester Road Raleigh
Frank DeRonja	
Jane Worley	1317 Canfield Ct Raleigh
CHRISTY STROTHER	
Paul Nevill	
Gwynn Nowell	1407 Chester Rd Raleigh
Carol Thornhill	
Michael Peeler	1905 Craig St Raleigh
Kelly Broughton	1832 Wilshire Ave Raleigh

Attendance Roster

Name	Address
Lynn Stellings	2610 Grant Avenue Raleigh
Gary King	1326 Rand Drive Raleigh
Pam Davis	
John Hanson	2605 Churchill Road Raleigh
Marcia Barham	1712 Picadilly Ln Raleigh
Richard Adams	2326 Hathaway Rd Raleigh
Jean Boyles	
Karen Creech	
Jonathan Flahive	1336 Chester Road
Michael Ross	2901 Fairview Rd Raleigh
Jerry Smith	2300 Elmsford Way Raleigh
Charlotte Newby	1313 Canfield Court Raleigh
Dianne Sellers	2308 Elmsford Way Raleigh
Cameron Saleh	
James Wilson	2330 Churchill Rd Raleigh
Paula	2330 Hathaway Road Raleigh
Bruce Prager	1305 Canfield Court Raleigh
Christina Hutchinson	
Lucy Daniels	2636 Tatton Drive Raleigh, N.C.
Karen Gainey	
Karen Britt Peeler	1905 Craig Street Raleigh
Robin Saleeby	
Tom Werk	2325 Hathaway Rd Raleigh
Matthew Klem	One Exchange Plaza Raleigh
Gregory Filardi	1402 Chester Raleigh
Fabian Thornhill	3418 Churchill Road Raleigh
Julie Moore	
Erin Roberts	1805 Chester Road Raleigh
Chris and Laura Turner	1400 Chester Rd Raleigh
Alexandra Hightower	1420 EDEN LN, Raleigh
Judith Sierra	2335 Churchill Road Raleigh
Aaron Isbell	1406 Chester Rd Raleigh
Ernie Simons	1308 Canfield Court, j Raleigh
Karin Green	
Vivian Zeldis	
David Humphrey	1301 Cameron View Ct Raleigh
Carole Wilson	
aaron isbell	

Attendance Roster

Name	Address
Elizabeth Fentress	2540 Tatton drive
Suzanne Hoke	1401 Chester Rd. Raleigh
Brenda Hudson	1501 Chester Road Raleigh
Pat Wilson	
Noah Flessel	1410 Chester Road Raleigh
James Crouch	2604 Churchill Road Raleigh
Jack Gorrell	
Will Anders	2622 Dover Road, NC Raleigh
James Brantley	1213 Weldon Place Raleigh
Mourad Aissa	2609 GRANT AVE RALEIGH
Wesley Brummer	1325 Oberlin Road Raleigh
Callaway McKay	1509 Chester Rd Raleigh
Mary Crawley	
Matt Albert	
John Rybovich	2610 Grant Avenue Raleigh
Richard Loeppert	1317 Rand Drive Raleigh
Blair Sly	1321 Chester Rd. RALEIGH
Marion Deerhake	1409 Canfield Ct. Raleigh
Avery Dean	
ELLA WILLIAMS	3715 ALABAMA AVE SE WASHINGTON
William Zeke Creech	
Robert Franks	
Cynthia Poole	1401 Oberlin Rd Raleigh
Kathy Huffstetler	
Bee Nowell	1 407 Chester Rd Raleigh
Linda Silber	2612 Churchill Rd Raleigh
Ginny McKay	
steven sartorio	2606 Churchill Road Raliegh
Horace Deanne	2309 Elmsford Way
Sara	
Michael Johnson	1300 Canfield Ct Raleigh
Kevin Wade	1433 Chester Rd. Raleigh
Stacy Nelson	
Pam Davis	
21 attendees via phone (we do not have names)	

OWNER'S AFFIDAVIT

STATE OF NC)
 COUNTY OF Wake)

Katherine J. Yelverton for The Pulliam of Raleigh, LLC ("Owner"), the Owner of the premises located at 1335 Chester Road, Raleigh, North Carolina and having PIN 1704077038 (the "Property"), hereby acknowledges and agrees that Cetinale, LLC ("Applicant"), as represented by Morningstar Law Group, intends to file a petition for rezoning of the Property with the City of Raleigh, and that Applicant, as represented by George A. Yelverton III, Mack Paul or Molly Stuart, is authorized by Owner to undertake and prosecute such rezoning. Affiant acknowledges on behalf of Owner that zoning conditions must be signed, approved, and consented to by Owner.

AFFIANT:

Name: Katherine J. Yelverton

State of NC
 County of Wake

Subscribed and sworn to (or affirmed) before me on this 14 day of Sept, 2021, by Katherine J. Yelverton, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

#201134900131

EX- 12-6-21

Thomas K Lenz Jr
 (Notary Public)

