



PLANNING COMMISSION WRITTEN COMMENTS

4802 CHEEK ROAD (Z2400033 and BDG2400014)

Item heard on February 10, 2026

Comments received as of February 17, 2026

Z2400033

4802 Cheek Road

CHAIR CHAGARIS	<p>Vote: No</p> <p>Comments: Again numerous concerns over lack of adequate infrastructure to safely address the needs of the current citizens that live in this area. What is the plan to ensure the safety of the citizens in this area? An actual commitment to improving first responders both city and county wide ... would be advisable.</p>
VICE-CHAIR CAMERON	<p>Vote: No</p> <p>Comments: For the record, I voted “no” on Case Z2400033, 4802 Cheek Road.</p> <p>My vote reflects serious and unresolved concerns about approving additional development in an area already experiencing significant strain from ongoing growth that the City has not adequately addressed. This location continues to face documented and persistent challenges, including well water disruption for existing residents, increased and unsafe traffic from agricultural operations, general traffic congestion that impedes emergency response times, and environmental degradation—particularly damage to Little Creek.</p> <p>Until these cumulative impacts are fully studied, mitigated, and responsibly resolved through coordinated city action, I do not believe it is prudent to approve further development in this area.</p> <p>Accordingly, I respectfully register my opposition to this case.</p>
BAILEY	<p>Vote: No</p> <p>Comments: The proposal seeks rezoning of 69 acres on Cheek Road for 190 townhomes, with 45 acres developed and commitments such as 100- year stormwater controls, limited stream crossings, and contributions to public services. Although outside the UGB, the applicant asserts staff mistakenly omitted the site and says the project meets nearly all comprehensive- plan policies. The development sits at the center of 37 farms, and 21 residents opposed it, citing traffic, inadequate EMS and infrastructure, environmental and wildlife impacts, blasting risks, lack of walkable amenities, utility strain, and loss of rural character amid many nearby projects. Commissioners questioned whether offering only one lot—or 3%—was sufficient for a 190- unit project and asked how wetlands would be addressed, with the applicant reiterating their UGB position and compliance claims.</p>

CAPERS	Vote: No
	Comments:
CZAJKOWSKI	Vote: No
	Comments: The project itself is solid in a vacuum, other than the lack of commitment to affordable housing. The issue is the location, which is outside of the UGB. The precedent this could set is enormous and worthy of serious consideration if the project is to move forward. The donation to the volunteer fire department is a positive.
MONTES	Vote: No
	Comments: Although I do believe the UGB is subject to change and this property may be developed in the future – there are 3 elements of this proposal that seem to be problematic. First, and the most obvious is the request to revise the UGB; if this does occur, I believe the design of the project should be significantly more innovative and affordable housing proffers to be more impactful. Second, is the entrance that is blitzing a significant amount of wetlands. Although the applicant has the right to impact wetlands and simply pay the consequential mitigation, this rural part of the City should be more carefully preserved. Third is the second access point off of Holly Height Dr. Although I believe the developer could likely improve this road which would be beneficial for everyone, it appears neighbors would likely object to approving easements and have expressed they want this road to be left alone. I hope this land can somebody be developed under better circumstances.
NEUNKIRCHNER	Vote: No
	Comments: Rural communities and the impact of extending the UGB needs careful consideration and must clearly illustrate a substantial benefit to the city and community. It's problematic when the city is not yet able to provide appropriate infrastructure.
PIONTAK	Vote: No
	Comments: 3% affordable housing commitment at 80% and donation of one unit via a non-profit is a start, but could be enhanced; otherwise project is solid.
RITCHIE	Vote: No
	Comments: Annexation outside of the UGB with a very small affordability commitment. Inconsistent with the PTM. The applicant argues that staff communicated a belief that this area should have been included in the UGB according to the existing process which is irrelevant as the UGB is established through a council vote.
WOUK	Vote: No
	Comments: Comments: Durham's Comprehensive Plan Policy 167 states that to expand the UGB, 1. a development must demonstrate that adequate public utilities, emergency services, transportation services, and public schools are available to accommodate the request, and, 2. Durham's ability to achieve the goals of the Comprehensive Plan will be increased. As documented by neighbors, this part of Durham does not have adequate services, and it is not demonstrated that the goals of the Comp Plan will be increased by allowing this development outside of the UGB. No significant changes have occurred since the adoption of the Comp Plan and there are no benefits to affordability (beyond the minimal commitment) and no increase of environmental goals (quite the opposite). This is a rural area with a rural nature, surrounded by working farms and very close to Falls Lake and its tributaries, which are already impaired by development in the area. Further development outside the UGB is neither ideal nor warranted.