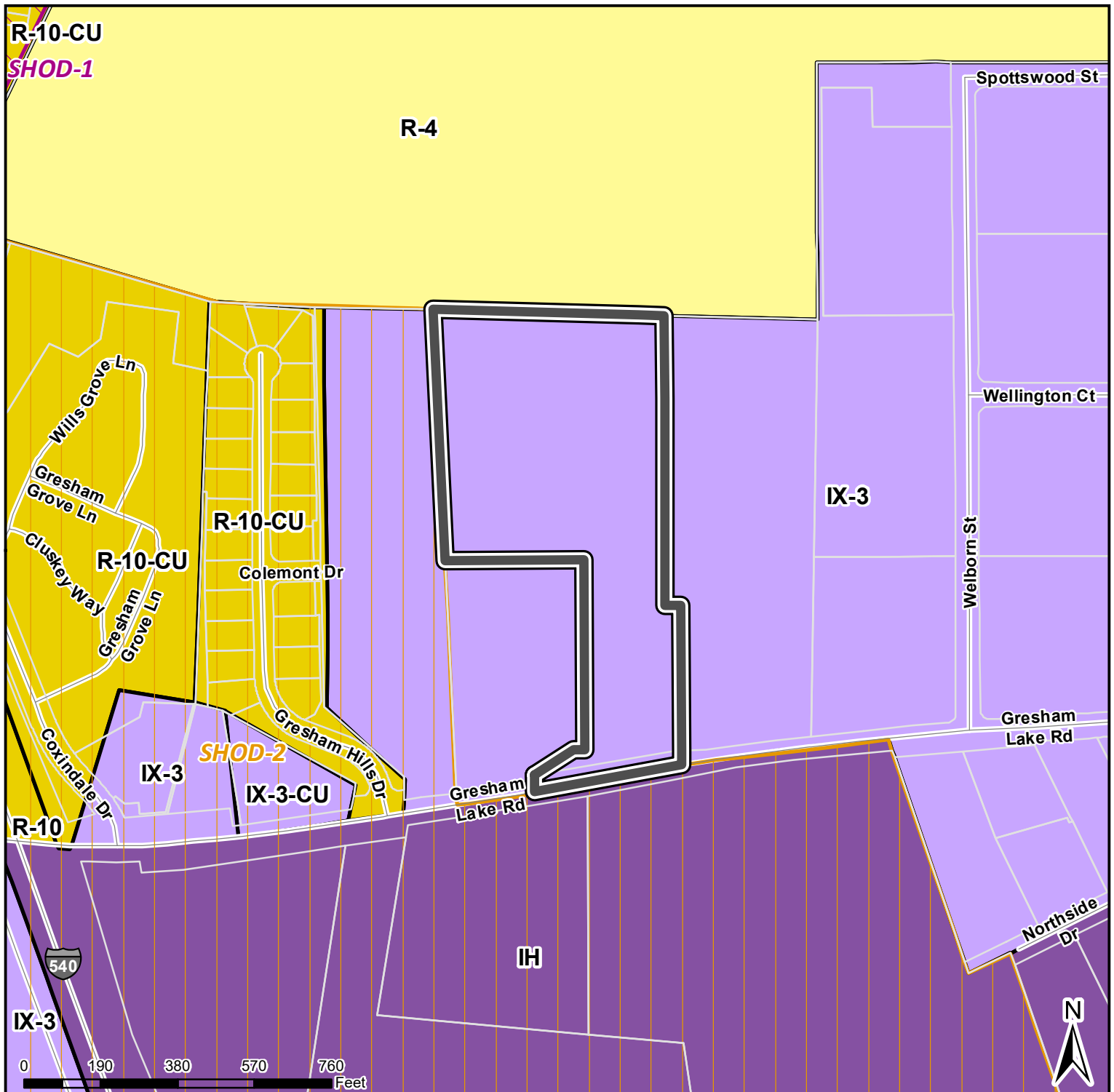
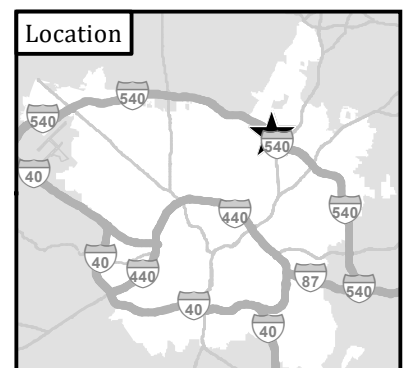


# Existing Zoning

# Z-7-2021



Property	3095 Gresham Lake Rd
Size	10 acres
Existing Zoning	IX-3
Requested Zoning	CX-3-CU



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Sara Ellis, Senior Planner
Department	Planning and Development
Date	May 04, 2021
Subject	City Council agenda item for May 18, 2021 – Z-7-21

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On Tuesday, May 4, 2021, City Council authorized the public hearing for the following item:

**Z-7-21 3095 Gresham Lake Road**, approximately 10.51 acres located at [3095 Gresham Lake Road](#).

Signed zoning conditions provided on April 28, 2021 prohibit the following uses: single-unit living; two-unit living; and cottage court; limit the number of residential units to no more than 200; restrict rental fees to be affordable to households earning 60% of the area median income (AMI) as determined by the City of Raleigh Housing & Neighborhood Department; require a fence within 35' of the western property boundary with signs displaying "No Trespassing" signs about 300' apart; a berm with plantings and a minimum 10' setback for residential uses; and a pedestrian easement connecting Gresham Road to Durant Nature Preserve shall be provided.

**Current zoning:** Industrial Mixed Use-3 (IX-3)

**Requested zoning:** Commercial Mixed Use with conditions (CX-3-CU)

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

The request is **inconsistent** with the Future Land Use Map.

The Planning Commission recommends approval of the request (8 - 0).

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



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13007

## CASE INFORMATION: Z-7-21 3095 GRESHAM LAKE ROAD

Location	Gresham Lake Road on the southern side, located approximately a quarter mile east of its intersection with I-540. Address: 3905 Gresham Lake Road PINs: 1727276820 <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
Current Zoning	IX-3
Requested Zoning	CX-3-CU
Area of Request	10.51 acres
Corporate Limits	The site is located outside of the Corporate City Limits but within the ETJ and contiguous with Corporate City limits on the northern side. An annexation will be required to connect to City services.
Property Owner	Gresham Lake Partners, LLC 1201 Edwards Mill Road, Suite 300 Raleigh, NC 27607
Applicant	Landon Cox LDG Development, LLC 1469 S. 4 <sup>th</sup> Street, Louisville, KY 40208
Council District	A
PC Recommendation Deadline	Monday, June 28 <sup>th</sup> 2021

## SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall not be permitted as principal uses on the property: single-unit living; two-unit living; and cottage court.
2. Rental fees for dwelling units on the property shall be affordable for households earning an average of 60% of the area median income or less for a period of no less than 25 years from the date of issuance of a certificate of occupancy on the property.
3. The area within 35 feet of the parcels bordering the site to the west shall contain (1) an opaque fence a minimum of 6 feet in height displaying information signs averaging no more than 300 feet apart along any individual fence, containing text in letters not less than 5 inches in height stating "NO TRESPASSING", (2) a berm with a minimum height of 2.5 feet, (3) 4 shade trees per 100 lineal feet, (4) 3 understory trees per 100 lineal feet, and (5) 40 shrubs per 100 lineal feet. Additionally, no residential building shall be located within 10 feet of the Adjoining Parcels.

- |   |
|---|
| 4. Provide a minimum 10' wide, paved, public pedestrian access easement extending from Gresham Lake Road and connecting to Durant Nature Preserve |
|---|

## COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Business & Commercial Services
Urban Form	None
Consistent Policies	Policy H 1.2 Geographic Dispersal of Affordable Units Policy H 1.9 Housing Diversity Policy LU 8.1 Housing Variety Policy T 5.9 Pedestrian Networks Policy ED 1.1 Corridor Revitalization Policy PR 5.4 Improving Park Access
Inconsistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 3.1 Zoning of Annexed Lands Policy LU 10.2 Retail in Industrial Zones Policy LU 11.1 Preserving Industrial Land Policy LU 11.3 Commercial Uses in Industrial Areas Policy LU 11.4 Rezoning/Development of Industrial Areas

## FUTURE LAND USE MAP CONSISTENCY

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

## COMPREHENSIVE PLAN CONSISTENCY

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

## PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
December 2, 2020 7 Attendees	March 31, 2021	March 30, 2021 (Consent) 4/22/2021, 4/27/2021	5/4/2021, 5/18/2021

## PLANNING COMMISSION RECOMMENDATION

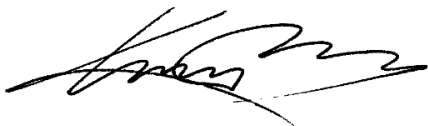
The rezoning case is **Inconsistent** with the Future Land Use Map and **Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

Reasonableness and Public Interest	The request would increase the housing supply and subsidized housing supply.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel only from Business and Commercial Services to Community Mixed Use.
Recommendation	Approval
Motion and Vote	Motion: McIntosh Second: Bennett In Favor: Bennett, Fox, Lampman, Mann, McIntosh, O'Haver, Rains and Winters
Reason for Opposed Vote(s)	

## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Comprehensive Plan Amendment Analysis

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



Ken A. Bowers, AICP  
Planning and Development Deputy Director

Date: 4/27/2021

Staff Coordinator: Sara Ellis: (919) 996-2234; [Sara.Ellis@raleighnc.gov](mailto:Sara.Ellis@raleighnc.gov)



# ZONING STAFF REPORT – CASE Z-7-21

## Conditional Use District

### OVERVIEW

The request is to rezone approximately 10.51 acres located at 3095 Gresham Lake Road from Industrial Mixed Use-3 (IX-3) to Commercial Mixed Use-3 with Conditions (CX-3-CU). Proposed zoning conditions prohibit the following uses: single-unit living; two-unit living; and cottage court; limit the number of residential units to no more than 200; restrict rental fees to be affordable to households earning 60% of the area median income (AMI) as determined by the City of Raleigh Housing & Neighborhood Department; require a fence within 35' of the western property boundary with signs displaying "No Trespassing" signs about 300' apart; a berm with plantings and a minimum 10' setback for residential uses; and a pedestrian easement connecting Gresham Road to Durant Nature Preserve shall be provided.

The site is located outside of Corporate City Limits, but within the extra territorial jurisdiction and an annexation will be required should the developer wish to connect to City Services such as fire, police and utilities at City-rates. The site is contiguous with Raleigh City limits on its northern side.

The rezoning site is a vacant, irregular shaped parcel with about 370' of southern frontage along Gresham Lake Road and opening up to an approximate width of 544' in the back northern half. The parcel is forested in the front and lightly around its border, but generally clear cut in the middle. There is some topographical change present around the borders and middle of the site, with a small creek running north south on the western most corner of the site.

The area surrounding the rezoning site is a mixture of light and heavy industrial uses to the south and east, with residential uses located further west of the site. Zoning, current land use, and the Future Land Use Map designations in the area are currently well aligned with the exception of a parcel forested parcel to the south and west of the rezoning site. This forested four-acre parcel is zoned IX-3 but contains three detached dwellings. The IX-3 zoning designation is shared by the site's other neighboring parcel to the west which contains a car dealership, and by the parcel on the east which contains a landscape supply company.

Gresham Hills Drive immediately west of the site contains a multifamily community with R-10-CU zoning, a district shared by the last adjacent parcel east of I-540. The parcel to the north is zoned R-4 and contains the Durant Nature Preserve, which is a City of Raleigh maintained park. The rezoning request includes a condition to provide a minimum 10' paved public pedestrian access easement that connects with Gresham Lake Road. This condition would improve Park Level of Service in the area, which is currently graded "letter C" and

would mitigate the adverse impact of informal social trails that would likely occur in the absence of a formal dedicated connection. The parcels to the south are zoned IH and contain a recycling center and resource extraction use.

The rezoning site is designated as Business & Commercial Services on the Future Land Use Map as is one parcel to the west, all of the immediate area up to I-540 to the south and the immediate area to the west. The area to the north of the site is designated Public Parks & Open Space, as it contains the Durant Nature Preserve.

The site is located within a Priority Area for Economic Development on Map ED-1, which are areas in which 40% or more of the block group is zone for non-residential uses; and that are considered “high poverty” or are adjacent to “high poverty” block groups. Or that contains census block groups in which 40% or more of the Block Group are zoned for industrial use.

There is no urban form map designation for this area.

### **OUTSTANDING ISSUES**

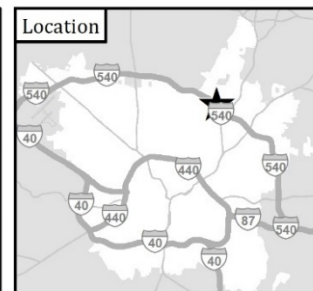
<b>Outstanding Issues</b>	<b>1. None</b>	<b>Suggested Mitigation</b>	<b>1. N/A</b>
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# Future Land Use

Z-7-2021



<b>Property</b>	3095 Gresham Lake Rd
<b>Size</b>	10 acres
<b>Existing Zoning</b>	IX-3
<b>Requested Zoning</b>	CX-3-CU

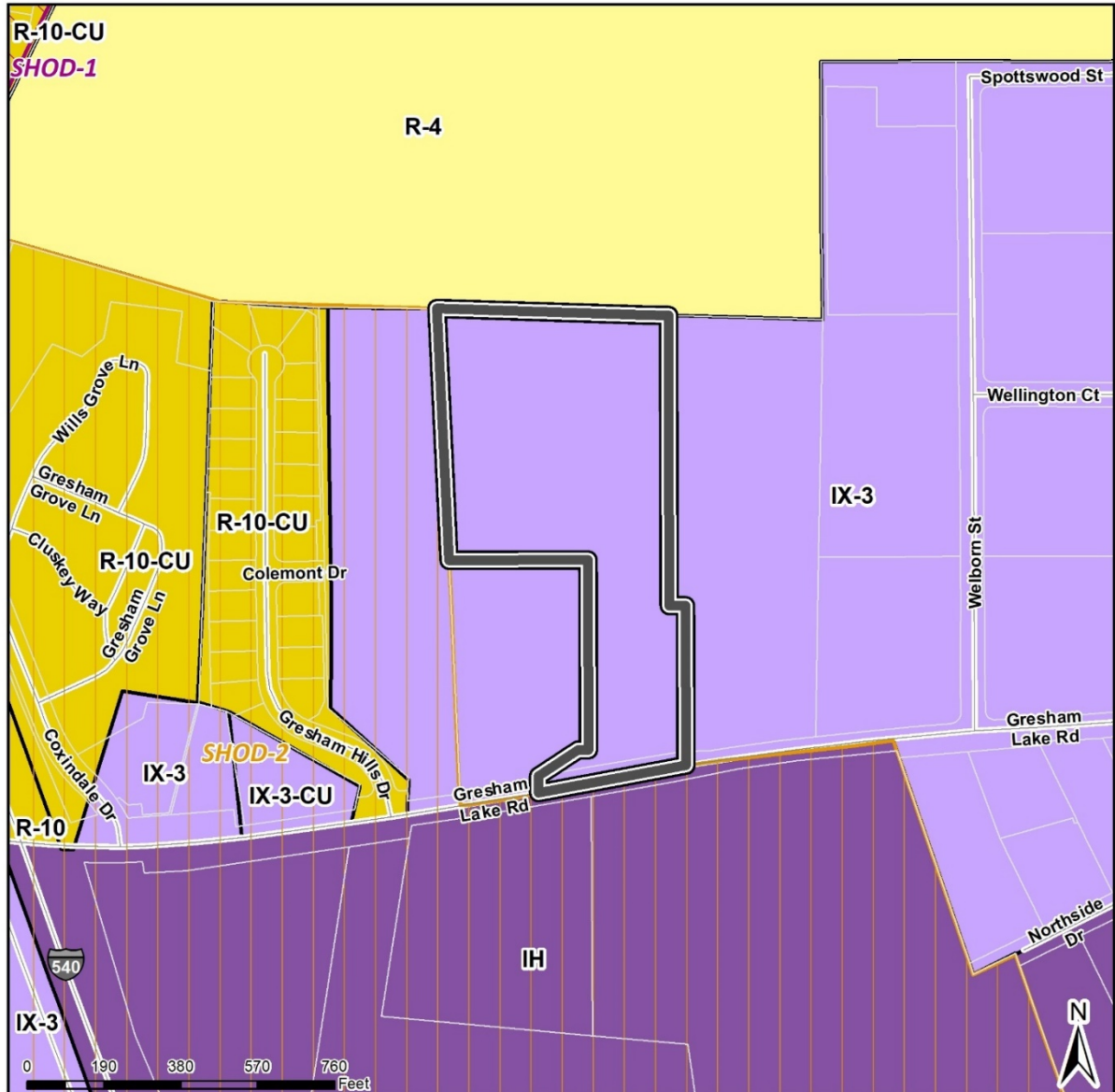


Map by Raleigh Department of City Planning (kuanc): 2/5/2021

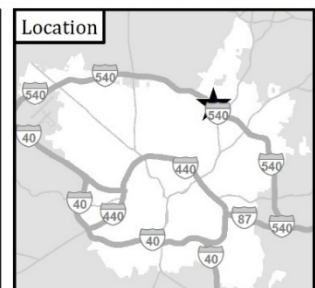


# Existing Zoning

Z-7-2021



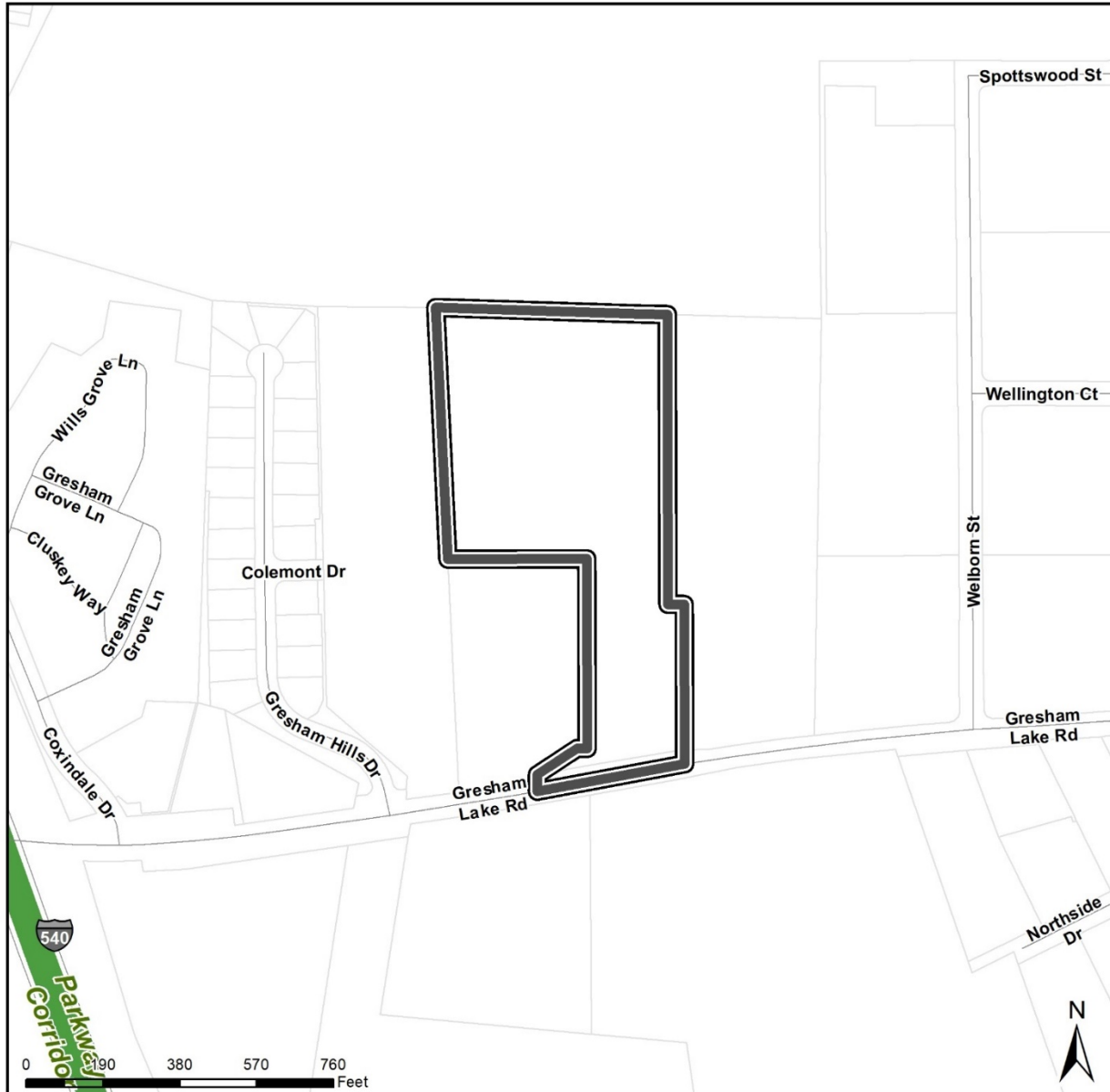
<b>Property</b>	3095 Gresham Lake Rd
<b>Size</b>	10 acres
<b>Existing Zoning</b>	IX-3
<b>Requested Zoning</b>	CX-3-CU



Map by Raleigh Department of City Planning (kuanc): 2/5/2021

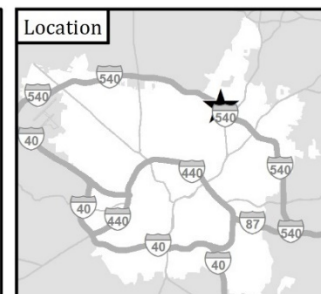
# Urban Form

**Z-7-2021**



<b>Property</b>	3095 Gresham Lake Rd
<b>Size</b>	10 acres
<b>Existing Zoning</b>	IX-3
<b>Requested Zoning</b>	CX-3-CU

Map by Raleigh Department of City Planning (kuanc): 2/5/2021



# COMPREHENSIVE PLAN

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

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

The request is inconsistent with *Coordinating Land Use and Transportation* which encourages higher density residential developments with housing options at all levels of affordability to be located in places where they can support transit investments. This site is not accessible to transit and would place affordable rental units in a location where a car is required to run errands or access basic services. The request is also inconsistent with *Growing Successful Neighborhoods and Communities* which envisions new development to be walkable with convenient access to open space, community services and retail. While the site will be walkable to Durant Nature Preserve, it will require a car to access any basic services due to the location in an industrial area. The request is also inconsistent with *Managing Our Growth*, while it would increase the amount of subsidized affordable housing in the area, it would place it in between two industrial parcels that may be incompatible with residential neighbors by virtue of the noise, truck traffic and dust that is inherent in their operations.

The request is consistent with the *Expanding Housing Choices* which envisions Raleigh having an expanded supply of affordable and workforce housing options that provide housing opportunities for all segments of the population.

The request is consistent with policies related to affordable housing, greenway access and improving pedestrian networks. It is however inconsistent with policies relating to the Future Land Use Map consistency, zoning of annexed lands, retail in industrial zones, and policies around preservation of industrial land.

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

No, the Future Land Use Map designation for this site is Business & Commercial Services which recommends Industrial Mixed Use (IX) zoning.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

No, the use may be a challenge to establish without adversely impacting the industrial character of the area. The site's neighbors on the east and west are landscape supply companies that by virtue of the use, may produce dust, truck traffic and noise that is generally not compatible with residential neighbors.

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

Yes, the development of the site under the proposed zoning would be well-served by existing City infrastructure and facilities.

## Future Land Use

**Future Land Use designation:** Business & Commercial Services

**The rezoning request is**

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

The Business and Commercial Services Future Land Use Map designation recommends high-impact or heavy commercial activities that would not be compatible with residential uses or that have locational needs (such as frontage along freeways, expressways or other major streets) that are not conducive to mixed use development. These areas are generally zoned IX, and housing would be limited, but live-work units or housing combined with an employment generating ground floor could be permitted in certain locations.

The rezoning request is not consistent with this designation as it would permit residential uses such as a stand-alone apartment building that is not combined with employment generating ground floor uses. Additionally, it would permit residential uses on a parcel surrounded by light industrial, which may not be compatible next to residential due to the sounds, smells, and noises those uses generate. If approved the request would amend the Future Land Use Map to Commercial Mixed Use as CX is the closest corresponding zoning district.

## Urban Form

**Urban Form designation:** None

**The rezoning request is**

☐ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

☒ **Other**

There is no urban form designation associated with this site.

## Compatibility

**The proposed rezoning is**

☐ **Compatible** with the property and surrounding area.

☒ **Incompatible.**

The requested CX- zoning would allow a wide range of commercial, residential, and light industrial uses in an area currently used for and designated for light industrial. The proposed increase in residential density may be in conflict with the existing light industrial uses, that include landscape supply companies that may generate noise, truck traffic and dust – impacts that are generally separated from residential uses.

### Public Benefits of the Proposed Rezoning

- The rezoning would potentially bring up to 304 additional housing units that will be affordable at 60% of the Area Median Income (AMI) for the next 25 years.
- The rezoning may bring a vacant piece of land located in the County into productive use.

### Detriments of the Proposed Rezoning

- The rezoning request would increase the type and number of residential uses permitted in a predominately light industrial area where the existing uses may be in conflict due to the noise, odor, and traffic they generate.

### Policy Guidance

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

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#### **Policy H 1.2 Geographic Dispersal of Affordable Units**

*Promote dispersal and production of affordable housing units throughout all areas of the city using the city's Housing Location Policy adopted in 2015.*

- The site is located within census tract 540.16, which per the City's 2014 report is not located within a census tract that has a majority of minority residents, residents living below poverty of a high concentration of subsidized housing.

#### **Policy H 1.9 Housing Diversity**

*Promote housing diversity and affordable housing choices for households at 60 percent of AMI or below in the immediate area around transit corridors.*

- The request includes a condition that requires rental fees to remain affordable for households earning an average of 60% of the area median income for no less than 25 years.

#### **Policy LU 8.1 Housing Variety**

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

- The request would increase the types of housing permitted on the site; only the mixed use and general building types are permitted under the current IX zoning. The request would allow the apartment building type.

#### **Policy T 5.9 Pedestrian Networks**

*New subdivisions and large-scale developments should include safe pedestrian walkways or multi-use paths that provide direct links between roadways and major destinations such as transit stops, schools, parks, and shopping centers.*

- The request includes a zoning condition providing a 10' wide, paved public access easement from Gresham Lake Road to Durant Nature Preserve.

#### **Policy ED 1.1 Corridor Revitalization**

*Stimulate the revitalization and redevelopment of Raleigh's aging commercial corridors and centers through the use of targeted economic development programs, zoning, land use regulations, public investments in infrastructure, and incentives.*

- The site is located in an Economic Development Priority Area per Map ED-1 in the 2030 Comprehensive Plan. The request to rezone the parcel may facilitate its development and potential annexation.

#### **Policy PR 5.4 Improving Park Access**

*Public spaces should be included in private developments that can connect to and benefit from their proximity to public infrastructure and spaces such as greenway trails, public sidewalks, and plazas.*

- The rezoning request includes a condition to provide a minimum 10' paved public pedestrian access easement that connects with Gresham Lake Road. This condition would improve Park Level of Service in the area, which is currently graded "letter C" and would mitigate the adverse impact of informal social trails that would likely occur in the absence of a formal dedicated connection

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

#### **Policy LU 1.2 Future Land Use Map and Zoning Consistency**

*The Future Land Use Map and associated Comprehensive Plan policies shall be used to guide zoning, ensure the efficient and predictable use of land capacity, guide growth and development, protect public and private property investments from incompatible land uses, and efficiently coordinate land use and infrastructure needs.*

#### **Policy LU 3.1 Zoning of Annexed Lands**

*The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands*

*are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.*

- The proposal would apply the Commercial Mixed Use (CX) zoning to the site, which is inconsistent with the FLUM guidance for Business & Commercial Services that recommends an IX zoning. The Business and Commercial Services Future Land Use Map designation recommends high-impact or heavy commercial activities that would not be compatible with residential uses or that are not conducive to mixed use development. These areas are generally zoned IX, and housing would be limited, but live-work units or housing combined with an employment generating ground floor could be permitted in certain locations.

The rezoning request is not consistent with this designation as it would permit residential uses such as a stand-alone apartment building that is not combined with employment generating ground floor uses. Additionally, it would permit residential uses on a parcel surrounded by light industrial, which may not be compatible next to residential due to the sounds, smells, and noises those uses generate. If approved the request would amend the Future Land Use Map to Commercial Mixed Use as CX is the closest corresponding zoning district.

#### **Policy LU 10.2 Retail in Industrial Zones**

*Discourage retail uses in industrial zones to maintain viable industrial areas and avoid an oversupply of retail uses.*

#### **Policy LU 11.1 Preserving Industrial Land**

*Support land use policies that protect competitive opportunities to locate industrial, flex, and warehouse sites near major transportation corridors and the airport.*

#### **Policy LU 11.3 Commercial Uses in Industrial Areas**

*Limit specified non-industrial uses in industrially zoned areas, including office and retail development, in order to preserve these areas for industrial development.*

- The request would permit would generally permit the same types of commercial uses allowed in CX that were allowed under IX, with some additional overnight lodging permitted in CX. However, it would significantly limit the amount of industrial uses permitted by no longer allowing light industrial (manufacturing, assembly, contractors and building maintenance) brewery, vehicle repair and wholesale trade.

#### **Policy LU 11.4 Rezoning/Development of Industrial Areas**

*Allow the rezoning and/or redevelopment of industrial land for non-industrial purposes when the land can no longer viably support industrial activities or is located such that industry is not consistent with the Future Land Use Map. Examples include land in the immediate vicinity of planned transit stations.*

- The site is still a viable location for industrial uses. Its two neighbors on the east and west are both zoned IX-3 and both are currently being used for industrial purposes.

However, the area is starting to see some shift towards increased residential uses, evidenced by the Autumn Point Apartments and Gresham Hills duplex community located about a tenth of a mile west of the site.

### Area Plan Policy Guidance

There is no area specific guidance for this site.



# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	12	There is no bus stop within walking distance of the site.
Walk Score	31	24	Nearly all errands will require a car.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

**Summary:** The site is not served by transit, the transit score of 12 is likely reflecting the nearby Wake Forest Express, which is proximate to the site but travels down Capital Boulevard and does not have a stop within walking distance. The walk score is also likely inflated by virtue of the nearby businesses. While they are walkable, they consist of breweries and other industrial uses, and there are no grocery stores or other service uses within walking distance.

## Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	No
Townhouse	56.5	No
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

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

**Summary:** The request included zoning conditions that prohibit the detached and townhouse building types, which are less energy efficient than the apartment building type. Single family

and townhome building types are not permitted under the current zoning, therefore the request would retain the same level of energy efficiency.

## Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The request would increase the housing supply from approximately 255 units to approximately 304 units.
Does it include any subsidized units?	Yes	The request includes a condition to require rental fees be limited to 60% of AMI for a period of 25 years.
Does it permit a variety of housing types beyond detached houses?	Yes	The request prohibits the detached and attached building type, but would allow the apartment, general building and mixed use building types.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	The request is located in a mixed use district.
Is it within walking distance of transit?	No	There are no transit stops within walking distance of the site.

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

**Summary:** The request would permit a greater diversity of housing types by rezoning from IX to CX. In the IX zoning district only the General and Mixed-Use building types are permitted, and the requested CX district would allow both. The site is not located within walking distance of transit but does include subsidized affordable units.

# IMPACT ANALYSIS

## Historic Resources

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

**Impact Identified:** None.

## Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Durant Nature Preserve (0.7 mile) and Abbott's Creek Park (3.0 miles).
3. Nearest existing greenway trail access is provided by Spring Forest Greenway Trail (2.4 mile).
4. Current park access level of service in this area is graded a C letter grade. Park access level of service would improve with a developer-provided pedestrian connection directly to Durant Nature Preserve. There is an existing natural surface trail (the "Border Trail") within Durant Nature Preserve that passes within 80 feet of the shared property line with this site. Developer should consider providing a dedicated pedestrian connection to this trail. Development of a formal connection during construction would mitigate the adverse impact of informal social trails that would likely occur in the absence of a formal dedicated connection. It is particularly important to manage ingress/egress at Nature Preserves due to the sensitive nature of these landscapes.

**Impact Identified:** Without a condition to provide a connection to Durant Nature Preserve, the request may result in informal social trails that could damage the sensitive landscape. This impact can be mitigated through the provision of a zoning condition that would provide a formal trail connecting to Durant Nature Preserve.

## Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	159,375	190,000
Waste Water	0	159,375	190,000

**Impact Identified:**

1. The proposed rezoning would add approximately 30,625 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
3. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
4. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

**Stormwater**

<b>Floodplain</b>	No FEMA
<b>Drainage Basin</b>	Perry Creek
<b>Stormwater Management</b>	Subject to stormwater regulations under Article 9 of UDO
<b>Overlay District</b>	none

**Impact Identified:** no downstream stormwater complaints

**Transportation & Transit**

Full transportation comments will be provided when the case is before the Planning Commission for discussion.

1. Based on the Envision results, approval of case Z-7-21 would not increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from IX-3 to CX-3-CU is projected to generate fewer new trips in the AM peak hour and the same trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-7-21 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-7-21 Current Zoning Entitlements	Daily	AM	PM
Industrial Mixed Use	3,594	303	388
Z-7-21 Proposed Zoning Maximums	Daily	AM	PM

Commercial Mixed Use	3,533	285	388
Z-7-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>-61</b>	<b>-18</b>	<b>0</b>

**Impact Identified:** The condition to include a paved pedestrian access easement may increase connectivity for pedestrians to the Durant Nature Park. The rezoning from IX to CX would result in a slight decrease in the number of daily trips.

### Urban Forestry

The site is larger than two acres, and UDO Section 9.1.3 Tree Conservation will be applicable to the site.

**Impact Identified:** No impacts identified.

### Impacts Summary

The request would increase the park level of service in the area through the offering of the zoning condition to provide a paved pedestrian access easement from Gresham Lake Road into the Durant Park.

### Mitigation of Impacts

No mitigation of impacts required at this stage.

## CONCLUSION

The rezoning request is for a 10.51-acre parcel to be rezoned from IX-3 to CX-3-CU. The site is comprised of a single parcel located on the northern side of Gresham Lake Road, approximately a quarter mile east of its intersection with I-540. It is currently undeveloped with some light forestation at the front and along the border of the parcel. The Future Land Use Map designates the site as Business & Commercial Services.

The requested zoning is **inconsistent** with the Future Land Use Map, which envisions light industrial uses where housing is combined with employment-generating retail. The request to rezone to CX- would allow the apartment building type, which is not currently permitted in IX-zoning and may be incompatible in an area bordered by landscape supply companies on the east and west. The proposal may result in conflicts between the existing industrial neighbors and new residential units. The Future Land Use Map generally separates residential and industrial uses, which tend to produce noise, dust, truck traffic and other impacts generally not found in residential areas.

The proposed zoning is **inconsistent** with the 2030 Comprehensive Plan overall due to the incompatible location for residential development in an industrial area. While the area has seen some transition from industrial to residential since the early 1990's, the residential parcels are adjacent to one another. The subject site lies between industrial uses and lacks the same buffering provided for other nearby residential uses. The request is **inconsistent** with policies related to future land use map consistency, preservation of industrial lands, and zoning of annexed lands. The request may be brought closer to consistency by providing additional buffering against the industrial properties on the eastern side, but the general conflicts between residential development and industrial are generally mitigated by not placing them next to one another. The request is however **consistent** with policies relating to affordable housing and expanding park access.

The request would support the Vision Theme of Expanding Housing Choices. It is inconsistent with the Vision Themes of Coordinating Land Use and Transportation and Growing Successful Neighborhoods and Communities.

This proposal is inconsistent with the Future Land Use Map and inconsistent overall with the 2030 Comprehensive Plan.

## CASE TIMELINE

Date	Action	Notes
02/03/2021	Conditional use rezoning application submitted	Outstanding issues with conditions; security camera condition not enforceable by code.

03/18/2021	Revised, unsigned, zoning conditions submitted	Outstanding issues resolved security camera condition removed. Condition added to limit dwelling units to no more than 200.

# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	IX-3	R-4	IH	IX-3	IX-3
Additional Overlay	None	None	SHOD-2	SHOD-2	None
Future Land Use	Business & Commercial Services	Public Parks & Open Space	Business & Commercial Services	Business & Commercial Services	Business & Commercial Services
Current Land Use	Vacant	Park	Resource Extraction, Recycling Facility	Landscaping Supply	Residential, Auto Sales, Landscaping Supply
Urban Form	None	None	None	None	None

## CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	IX-3	CX-3-CU
Total Acreage	10.51	10.51
Setbacks:		
Front	3'	5'
Side	3'	5'
Rear	0' or 6'	0' or 6'
Residential Density:	7.42	28.92
Max. # of Residential Units	255	200
Max. Gross Building SF	933,093	357,909
Max. Gross Office SF	274,973	274,973
Max. Gross Retail SF	153,433	153,433
Max. Gross Industrial SF	933,093	--
Potential F.A.R	2.04	0.78

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





# COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-7-21

## OVERVIEW

The site is designated for Business & Commercial Services on the Future Land Use Map, if approved the site will be re-designated as Community Mixed Use.

## LIST OF AMENDMENTS

1. Amend the Future Land Use Map from Business & Commercial Services to Community Mixed Use.

## IMPACT ANALYSIS

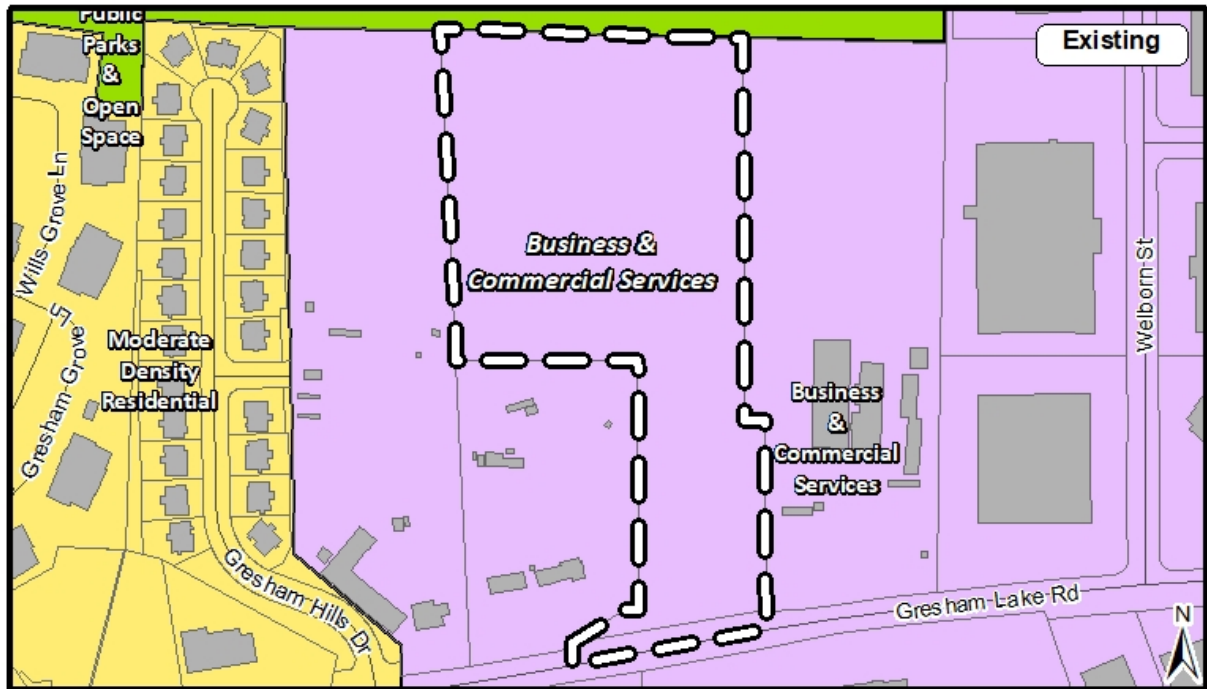
The Future Land Use Map amendment caused by approval of this request may permit an incompatible use next to the existing light industrial uses. Residential uses are generally not considered compatible next to light industrial uses without substantial buffering or separation. The rezoning site lies between two landscaping supply companies on the east and west sides. Approval of this request may result in conflicts between the existing light industrial uses, and the newer residential development as the existing uses generate noise, dust, and truck traffic.

## AMENDED MAPS

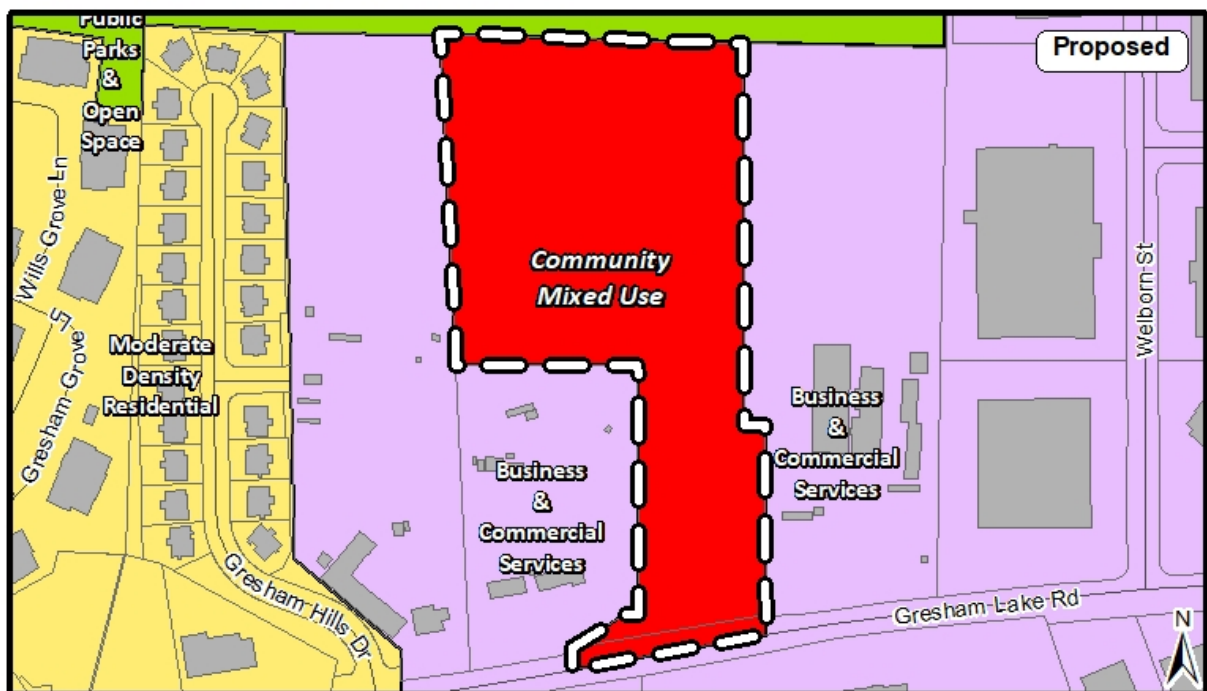
See following page.

## Z-7-2021: Required Amendment to the Future Land Use Map

Existing Designation: Business and Commercial Services



Proposed Designation: Community Mixed Use



# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan <b>See Attachment A</b>			<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>
Existing Zoning Base District <b>IX</b> Height <b>3</b> Frontage    Overlay(s) _____			
Proposed Zoning Base District <b>CX</b> Height <b>3</b> Frontage <b>N/A</b> Overlay(s) _____			
<i>Click <a href="#">here</a> to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
GENERAL INFORMATION			
Date		Date Amended (1)	
Date Amended (2)			
Property Address <b>3095 Gresham Lake Road</b>			
Property PIN <b>1727276820</b>		Deed Reference (book/page) <b>17306/2335</b>	
Nearest Intersection <b>Gresham Lake Road and Gresham Hills Drive</b>			
Property Size (acres) <b>10.51</b>	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address <b>Gresham Lake Partners LLC</b> <b>1201 Edwards Mill Road, Suite 300</b> <b>Raleigh, NC 27607</b>		Phone <b>(919) 832-1111</b>	Fax
		Email <b>janthony@aacre.com</b>	
Applicant Name/Address <b>LDG Development, LLC</b> <b>1469 S. 4th Street</b> <b>Louisville, KY 40208</b> <b>Attn: Landon Cox</b>		Phone <b>(502) 649-0601</b>	Fax
		Email <b>lcox@ldgdevelopment.com</b>	
Applicant* Signature(s) <i>Landon Cox</i> <small>DocuSigned by: 546F7306769B471...</small>		Email <b>lcox@ldgdevelopment.com</b>	

\*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

**RECEIVED**

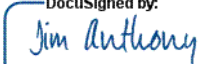
**By JP Mansolf at 8:42 am, Feb 03, 2021**

**RECEIVED****By Sara Ellis at 9:18 am, Apr 28, 2021****CONDITIONAL USE DISTRICT ZONING CONDITIONS**Zoning Case Number **Z-7-21****OFFICE USE ONLY**Date Submitted **April 9, 2021****Rezoning Case #**Existing Zoning **IX-3**Proposed Zoning **CX-3-CU****Narrative of Zoning Conditions Offered**

1. The following uses shall not be permitted as principal uses on the property: single-unit living; two-unit living; and cottage court. Not more than 200 dwelling units shall be permitted on the property.
  2. Rental fees for dwelling units on the property shall be affordable for households earning an average of 60% of the area median income or less for a period of no less than 25 years from the date of issuance of a certificate of occupancy on the property. The rent and income limits will follow the Affordable Housing Standards determined annually by the City of Raleigh Housing & Neighborhoods Department. An Affordable Housing Deed Restriction in a form approved by the City shall be filed and recorded in the property's chain of title by the property owner in the Wake County Register of Deeds prior to the project receiving a certificate of occupancy.
  3. The area within 35 feet of the adjoining parcels listed below (the "Adjoining Parcels"), where not comprising part of any Tree Conservation Area on the property, shall contain (1) an opaque fence a minimum of 6 feet in height displaying information signs averaging no more than 300 feet apart along any individual fence, containing text in letters not less than 5 inches in height stating "NO TRESPASSING," (2) a berm with a minimum height of 2.5 feet, measured perpendicular to the center of the crown, (3) 4 shade trees per 100 lineal feet, (4) 3 understory trees per 100 lineal feet, and (5) 40 shrubs per 100 lineal feet. Additionally, no residential building shall be located within 10 feet of the Adjoining Parcels.
- | PIN        | Address                | Book  | Page |
|------------|------------------------|-------|------|
| 1727271868 | 2917 Gresham Lake Road | 17294 | 1887 |
| 1727275304 | 3011 Gresham Lake Road | 17902 | 1286 |
| 1727370752 | 3109 Gresham Lake Road | 1822  | 189  |
4. A public pedestrian access easement no less than 20 feet in width and having a paved surface no less than 10 feet in width shall be provided on the property and shall connect from Gresham Lake Road, or any public right of way directly or indirectly connecting to Gresham Lake Road, to the northern property line adjacent to the Durant Nature Preserve located on the parcel having PIN 1727399804 and conveyed by deed recorded in Book 5741 Page 364 of the Wake County Registry.

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

Property Owner(s) Signature

DocuSigned by:  
  
 5DCE938E5876467...

Print Name

**James Anthony, Jr.**

REZONING APPLICATION ADDENDUM #1		
<b>Comprehensive Plan Analysis</b>	<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>	
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.		
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.		
<p>Some types of housing are contemplated within the Business and Commercial Services District, albeit combined with employment generation, which is permitted within the requested district. While there is no Urban Form Map designation at this location, the proposal is supported by many Comprehensive Plan policies, such as LU 2.5 (Healthy Communities), by providing direct access to both a park and an employment center, H 1.2 (Geographic Dispersal of Affordable Units), H 1.8 (Zoning for Housing); H 1.9 (Housing Diversity), H 2.5 (Removing Housing Barriers); H 2.6 (Long-Term Affordability).</p>		
PUBLIC BENEFITS		
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.		
<p>The need for affordable housing in the city is well-known, and the focus of many different City of Raleigh efforts to ensure housing for those in need amid rising housing costs. The potential to provide affordable residences adjacent to the Durant Nature Preserve as well as an employment center represents a step toward fulfilling several of the city's goals, including providing dispersed and diverse housing for a wide range of income levels.</p>		

**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

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

- |           |   |
|-----------|---|
| <b>1.</b> | <p><i>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.</i></p> <p><b>Response:</b></p>   |
| <b>2.</b> | <p><i>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.</i></p> <p><b>Response:</b></p>  |
| <b>3.</b> | <p><i>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.</i></p> <p><b>Response:</b></p>  |
| <b>4.</b> | <p><i>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.</i></p> <p><b>Response:</b></p> |
| <b>5.</b> | <p><i>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.</i></p> <p><b>Response:</b></p>   |
| <b>6.</b> | <p><i>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.</i></p> <p><b>Response:</b></p>   |

7.	<p><i>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.</i></p> <p><b>Response:</b></p>
8.	<p><i>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.</i></p> <p><b>Response:</b></p>
9.	<p><i>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.</i></p> <p><b>Response:</b></p>
10.	<p><i>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.</i></p> <p><b>Response:</b></p>
11.	<p><i>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.</i></p> <p><b>Response:</b></p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Response:</b></p>



13.	<i>New public spaces should provide seating opportunities.</i> <b>Response:</b>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> <b>Response:</b>
15.	<i>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.</i> <b>Response:</b>
16.	<i>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.</i> <b>Response:</b>
17.	<i>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.</i> <b>Response:</b>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> <b>Response:</b>
19.	<i>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.</i> <b>Response:</b>

20.	<p><i>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.</i></p> <p><b>Response:</b></p>
21.	<p><i>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.</i></p> <p><b>Response:</b></p>
22.	<p><i>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.</i></p> <p><b>Response:</b></p>
23.	<p><i>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.</i></p> <p><b>Response:</b></p>
24.	<p><i>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.</i></p> <p><b>Response:</b></p>
25.	<p><i>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.</i></p> <p><b>Response:</b></p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p><b>Response:</b></p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this <b>Rezoning Checklist</b> 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"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see <a href="#">Fee Schedule</a> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
<b>For properties requesting a conditional use district:</b>					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<b>If applicable (see Page 11):</b>					
10. Proof of power of attorney or owner affidavit	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting a Planned Development (PD) or Campus District (CMP):</b>					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
<b>For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):</b>					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

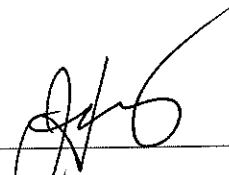
MASTER PLAN SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the <b>Master Plan Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

**OWNER'S AFFIDAVIT**

STATE OF NC )  
 )  
COUNTY OF Wake )

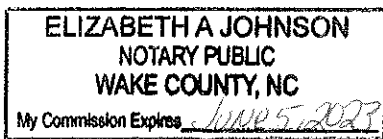
James Anthony, Jr., ("Affiant") as Manager of Gresham Lake Partners LLC, a North Carolina limited liability company ("Owner"), the Owner of the premises located at 3095 Gresham Lake Road, Raleigh, North Carolina and having PIN 1727276820 (the "Property"), hereby acknowledges and agrees that LDG Development, 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 Landon Cox, Chris Byrd, Kara Dischinger, 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:

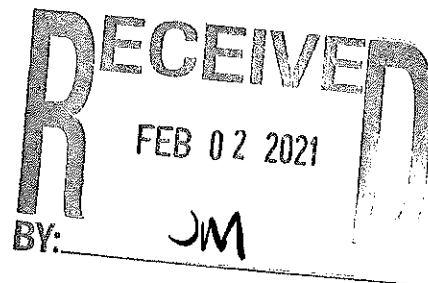
  
Name: James Anthony, Jr.

State of NC  
County of Wake

Subscribed and sworn to (or affirmed) before me on this 26<sup>th</sup> day of JANUARY, 2020,  
by James Anthony, Jr., personally known to me or proved to me on the basis of satisfactory  
evidence to be the person who appeared before me.



  
(Notary Public)



## Who can initiate a rezoning request?

If requesting to down-zone property, the rezoning application must be signed by all of the property owners whose property is subject to the down-zoning. Down-zoning 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 purposes 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](mailto: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.

## NOTIFICATION LETTER TEMPLATE

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE and TIME). The meeting will be held virtually. You can participate online or by telephone. To participate, visit:

(MEETING WEB ADDRESS)

Or call:

(MEETING PHONE NUMBER)

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is currently zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (ANY OTHER RELEVANT DETAILS OF THE REQUEST.)

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online; visit [www.raleighnc.gov](http://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](mailto:JP.Mansolf@raleighnc.gov)

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

(NAME)

(CONTACT INFO)

Sincerely,

## ATTESTATION TEMPLATE

### Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the \_\_\_\_\_, day of \_\_\_\_\_, 2020. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

---

Signature of Applicant/Applicant Representative

---

Date

## SUMMARY OF ISSUES

A neighborhood meeting was held on December 2, 2020 (date) to discuss a potential rezoning located at 3095 Gresham Lake Road (property address).  
 The neighborhood meeting was held at [virtual] (location).  
 There were approximately 7 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

The need for buffers against noise and dust was discussed, noting the businesses are not currently in their busy season.

Questions were raised about whether families want to live at this location.

Potential environmental issues were raised. The applicant will soon begin a new environmental assessment.

Some neighbors are concerned about safety and liability issues. The potential for fencing and other security was discussed.

**Trespass on the industrial properties is a concern.**

There is heavy truck traffic on Gresham Lake Road and bright lighting across the street 24 hours a day.

A concern was raised that increased setbacks will be required on neighboring parcels.

Industrial neighbors are concerned about the potential for increased complaints.

[illegible]

REZONING OF PROPERTY CONSISTING OF +/- 10.51 ACRES  
LOCATED AT 3095 GRESHAM LAKE ROAD IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON  
MARCH 31, 2021

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, March 31, at 5:00 p.m. The property considered for this potential rezoning totals approximately 10.51 acres, and is located at 3095 Gresham Lake Road, in the City of Raleigh, having Wake County Parcel Identification Number 1727276820. This meeting was held Virtually. All owners of property within 1000 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. Attached hereto as **Exhibit C** is a summary of the items discussed at the meeting and attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

**EXHIBIT A – NEIGHBORHOOD MEETING NOTICE**



Molly M. Stuart | Counsel  
421 Fayetteville Street, Suite 530  
Raleigh, NC 27601  
919-890-3318  
mstuart@morningstarlawgroup.com  
www.morningstarlawgroup.com

To: Neighboring Property Owner  
From: Molly Stuart  
Date: March 16, 2021  
Re: Notice of virtual meeting to discuss potential rezoning of 3095 Gresham Lake Road (the "Property")

We are counsel for LDG Development, LLC ("LDG"), which plans to rezone the above-captioned Property. Currently, The Property is zoned IX-3. LDG is considering rezoning the Property to accommodate multifamily residential building, with additional zoning conditions (CX-3-CU). The purpose of the zoning request is to accommodate multifamily residential use on the site.

You are invited to attend a neighborhood meeting on Wednesday, March 31, 2021 from 5pm to 7pm. 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.

After the submittal of certain rezoning applications, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 1,000 feet of the area requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning & Development Department regarding the items discussed at the meeting. You can view the full application materials, including the first neighborhood meeting materials on the City's current zoning cases page (<https://raleighnc.gov/SupportPages/zoning-cases>). This rezoning application is filed under case no. Z-7-21.

If you have further questions about the rezoning process, please contact:

Sara Ellis  
Raleigh Planning & Development  
(919) 996-2234  
[sara.ellis@raleighnc.gov](mailto:sara.ellis@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](mailto:mstuart@mstarlaw.com)

Sincerely,

A handwritten signature in blue ink, appearing to read "M Stuart", is written above the printed name.

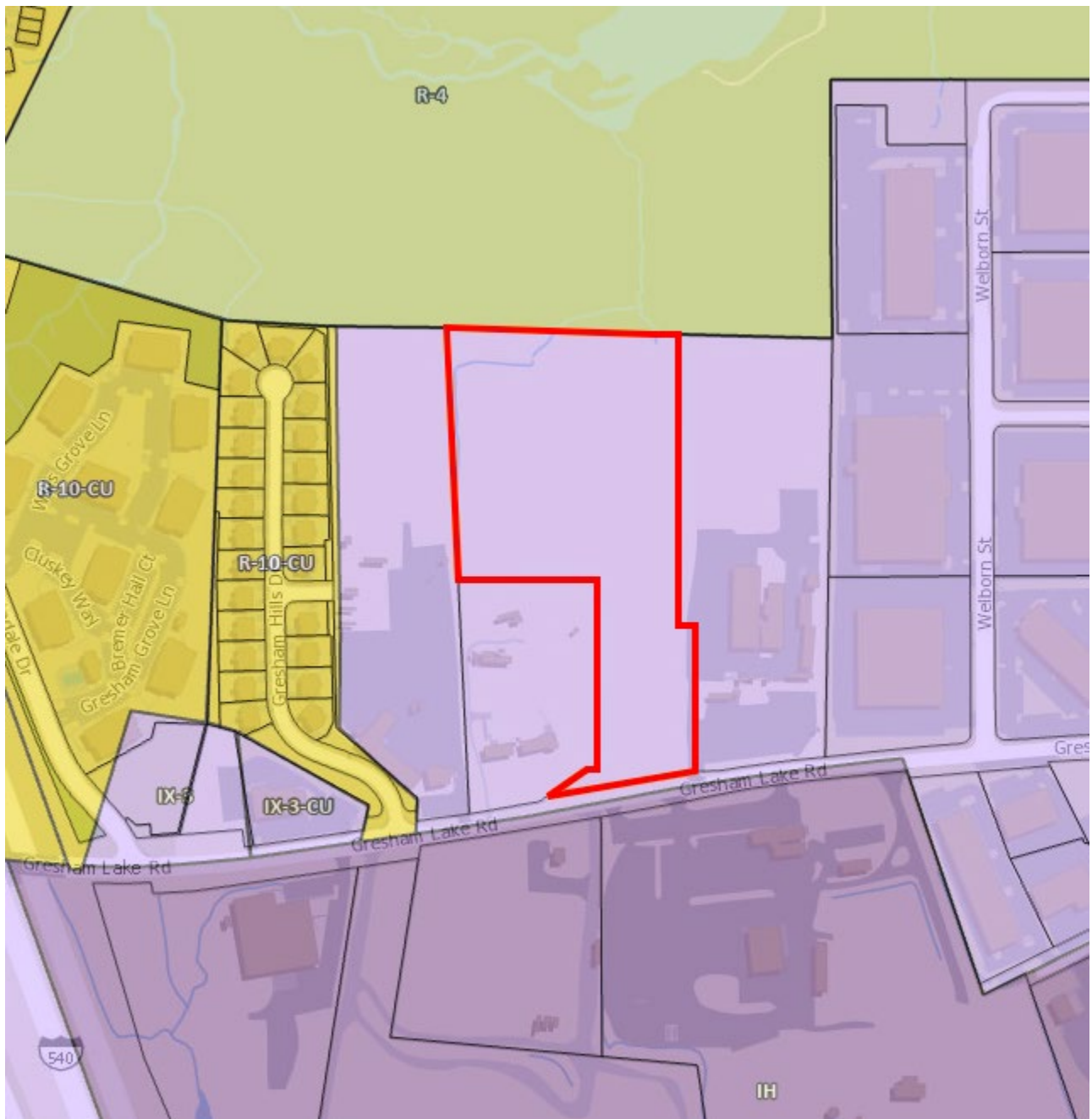
Molly Stuart



Aerial Photo



## Zoning



**How to Participate in the March 31, 2021 Neighborhood Meeting**  
**Re: Gresham Lake Road**

- To participate by PC, Mac, iPad, iPhone or Android device,
  - Go to [bit.ly/mlg03312021mtg](https://bit.ly/mlg03312021mtg) 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: 959 6337 1999
  - Enter password: 954556
  - *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](mailto: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](mailto:meetings@mstarlaw.com). At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.

**EXHIBIT B – NOTICE LIST**

BLAKE, HARRY L BLAKE, KARIN LYNN  
3381 FORT JIM RD  
PLACERVILLE CA 95667-7916

BLYTHE CONSTRUCTION INC  
1936 LEE RD STE 300  
WINTER PARK FL 32789-7202

CAPITAL ENTERPRISE GROUP INC  
527 POWELL DR  
RALEIGH NC 27606-1621

CAPITAL HILL INVESTMENTS LLC  
3601 WOODS MYRTLE CT N  
WILSON NC 27896-1278

CHAPPEL, DEREK J ZHU, LUNAN  
7650-101 GRESHAM HILLS DR  
RALEIGH NC 27615-3760

CHAPPELL, DEREK  
7643 GRESHAM HILLS DR # 101  
RALEIGH NC 27615-3763

CHAPPELL, DEREK CHAPPELL, XIN HUA  
7619 GRESHAM HILLS DR STE 101  
RALEIGH NC 27615-3763

DENNING, GREGORY F DENNING,  
BARBARA  
1021 BENTHAM DR  
RALEIGH NC 27614-8303

DOMINUS LLC  
2941 WAKEFIELD PINES DR  
RALEIGH NC 27614-9826

EATMON FAMILY PROPERTIES  
939 BROOKSIDE DR NW  
WILSON NC 27893-2112

EBW PROPERTIES LLC  
120 HAMPTON PINES DR  
MORRISVILLE NC 27560-7546

GRANTHAM HOLDINGS LLC  
3121 CASTAWAY LN  
ATLANTA GA 30341-4620

GRESHAM HILLS ASSOC LLC  
PO BOX 1266  
SAN CARLOS CA 94070-1266

GRESHAM HILLS HOME OWNERS ASSOC  
PO BOX 2107  
WILSON NC 27894-2107

GRESHAM LAKE PARTNERS LLC  
1201 EDWARDS MILL RD STE 300  
RALEIGH NC 27607-3625

GRESHAM LAKE PROPERTIES LLC  
3600 BRACKENRIDGE LN  
FUQUAY VARINA NC 27526-7562

GRESHAM PARK LLC  
701 EXPOSITION PL STE 101  
RALEIGH NC 27615-3356

HEADINGTON PROPERTIES LLC  
137 WATSONS MILL LN  
CLAYTON NC 27527-5390

JEDSGD LLC  
13609 POSSUM TRACK RD  
RALEIGH NC 27614-9375

LEAVER, JASON A. LEAVER, CYNTHIA  
ANN  
PO BOX 42  
MOUNT VERNON VA 22121-0042

LEE, JAMES W JR LEE, DEBORAH B  
800 FAIRWAY DR  
CLAYTON NC 27520-8605

LEE, JAMES W LEE, ANNIE H  
800 FAIRWAY DR  
CLAYTON NC 27520-8605

LINCOLN PARK NORTH PROPERTY  
OWNER LLC  
ELLIS PRESERVE  
3843 W CHESTER PIKE  
NEWTOWN SQUARE PA 19073-2304

LINCOLN PARK NORTH PROPERTY  
OWNER LLC  
ZEBRA PORTFOLIO JV LLC  
3843 W CHESTER PIKE  
NEWTOWN SQUARE PA 19073-2304

MAAC LLC  
106 MARSEILLE PL  
CARY NC 27511-6016

MANAHER, KEVIN  
301 FAYETTEVILLE ST UNIT 2307  
RALEIGH NC 27601-2175

MCLAMB, MICHAEL W MCLAMB,  
DEBORAH L  
665 DAN OWEN DR  
HAMPSTEAD NC 28443-4030

MONTANO, VIRGILIO MONTANO,  
SANDRA  
8240 WHISPERING GLEN LN  
RALEIGH NC 27614-8502

NGUYEN, DUC THAI LE, CHIBAO NGUYEN  
403 GRAVEL BROOK CT  
CARY NC 27519-6001

NPPC HOLDINGS LLC  
8004 HARPS MILL RD  
RALEIGH NC 27615-3720



OSBORNE, ALDENE ELIZABETH CREECH  
PO BOX 11  
NEW VERNON NJ 07976-0011

RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

RALEIGH RECLAMATION LLC  
2310 GARNER RD  
RALEIGH NC 27610-4612

RESIDENT/TENANT  
2800 GRESHAM GROVE LN  
RALEIGH NC 27615

RESIDENT/TENANT  
2807 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
2917 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3000 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3000 GRESHAM LAKE RD UNIT A  
RALEIGH NC 27615

RESIDENT/TENANT  
3000 GRESHAM LAKE RD UNIT B  
RALEIGH NC 27615

RESIDENT/TENANT  
3011 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3011 GRESHAM LAKE RD UNIT A  
RALEIGH NC 27615

RESIDENT/TENANT  
3109 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3109 GRESHAM LAKE RD UNIT A  
RALEIGH NC 27615

RESIDENT/TENANT  
3107 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3110 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3010 GRESHAM LAKE RD UNIT A  
RALEIGH NC 27615

RESIDENT/TENANT  
3010 GRESHAM LAKE RD UNIT B  
RALEIGH NC 27615

RESIDENT/TENANT  
3010 GRESHAM LAKE RD UNIT C  
RALEIGH NC 27615

RESIDENT/TENANT  
3010 GRESHAM LAKE RD UNIT D  
RALEIGH NC 27615

RESIDENT/TENANT  
3110 GRESHAM LAKE RD UNIT E  
RALEIGH NC 27615

RESIDENT/TENANT  
3114 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3125 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3125 GRESHAM LAKE RD UNIT A  
RALEIGH NC 27615

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3125 GRESHAM LAKE RD UNIT B  
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3125 GRESHAM LAKE RD UNIT C  
RALEIGH NC 27615

RESIDENT/TENANT  
3125 GRESHAM LAKE RD UNIT D  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 NORTHSIDE DR  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 101 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 104 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 105 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 106 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 108 SPOTTSWOOD ST  
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3200 109 SPOTTSWOOD ST  
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RESIDENT/TENANT  
3200 112 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 113 SPOTTSWOOD ST  
RALEIGH NC 27615

RESIDENT/TENANT  
3200 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 NORTHSIDE DR  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
201 101 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 104 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 106 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 107 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3201 113 WELLINGTON CT  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 GRESHAM LAKE RD  
RALEIGH NC 27615

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3209 103 GRESHAM LAKE RD  
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RESIDENT/TENANT  
3209 111 GRESHAM LAKE RD  
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3209 114 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 117 GRESHAM LAKE RD  
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3209 124 GRESHAM LAKE RD  
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3209 126 GRESHAM LAKE RD  
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3209 128 GRESHAM LAKE RD  
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3209 131 GRESHAM LAKE RD  
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RESIDENT/TENANT  
3209 135 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 143A GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 151 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 154 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3209 160 GRESHAM LAKE RD  
RALEIGH NC 27615

RESIDENT/TENANT  
3219 NORTHSIDE DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7605 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7605 WELBORN ST UNIT A  
RALEIGH NC 27615

RESIDENT/TENANT  
7605 WELBORN ST UNIT B  
RALEIGH NC 27615

RESIDENT/TENANT  
7610 101 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7610 102 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7611 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7611 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7614 101 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7614 102 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7615 GRESHAM HILLS DR #101  
RALEIGH NC 27615

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7615 GRESHAM HILLS DR #102  
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7619 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7622 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7622 GRESHAM HILLS DR #102  
RALEIGH NC 27615

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7623 101 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7623 102 GRESHAM HILLS DR  
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7627 101 GRESHAM HILLS DR  
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7627 102 GRESHAM HILLS DR  
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7630 101 GRESHAM HILLS DR  
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7630 102 GRESHAM HILLS DR  
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7631 101 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7631 102 GRESHAM HILLS DR  
RALEIGH NC 27615

RESIDENT/TENANT  
7634 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7634 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7635 GRESHAM HILLS DR # 101  
RALEIGH NC 27615

RESIDENT/TENANT  
7635 GRESHAM HILLS DR # 102  
RALEIGH NC 27615

RESIDENT/TENANT  
7638 GRESHAM HILLS DR # 101  
RALEIGH NC 27615

RESIDENT/TENANT  
7638 GRESHAM HILLS DR # 102  
RALEIGH NC 27615

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7639 GRESHAM HILLS DR # 101  
RALEIGH NC 27615



RESIDENT/TENANT  
7639 GRESHAM HILLS DR # 102  
RALEIGH NC 27615

RESIDENT/TENANT  
7642 GRESHAM HILLS DR # 101  
RALEIGH NC 27615

RESIDENT/TENANT  
7642 GRESHAM HILLS DR # 102  
RALEIGH NC 27615

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7643 GRESHAM HILLS DR #102  
RALEIGH NC 27615

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7646 GRESHAM HILLS DR #101  
RALEIGH NC 27615

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7646 GRESHAM HILLS DR #102  
RALEIGH NC 27615

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7647 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7647 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7650 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7651 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7651 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7654 GRESHAM HILLS DR #101  
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7654 GRESHAM HILLS DR #102  
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7655 GRESHAM HILLS DR #101  
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RALEIGH NC 27615

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7658 GRESHAM HILLS DR #101  
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7659 GRESHAM HILLS DR #101  
RALEIGH NC 27615

RESIDENT/TENANT  
7659 GRESHAM HILLS DR #102  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 101 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 104 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 105 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 106 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 107 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 110 WELBORN ST  
RALEIGH NC 27615

RESIDENT/TENANT  
7711 111 WELBORN ST  
RALEIGH NC 27615

RITD LLC  
2806 GRESHAM LAKE RD  
RALEIGH NC 27615-4217

SOR REAL ESTATE LLC  
PO BOX 30994  
RALEIGH NC 27622-0994

SUBSTELNY FAMILY LLC  
1220 VIRGIL RD  
DURHAM NC 27703-8818

WILSON, DONNA K  
6909 CARLTON DR  
RALEIGH NC 27616-6301

WILLS GROVE INC  
701 EXPOSITION PL STE 101  
RALEIGH NC 27615-3356

TESORIERO, LUANNE /TR  
15468 CELTIC ST  
MISSION HILLS CA 91345-1304

TOTAL RENTAL RESOURCE LLC  
3324 MARIE DR  
RALEIGH NC 27604-3620

VIA DE LA VISTA INVESTMENT LLC  
DAO HARRISON  
3301 PENNSY DR  
LANDOVER MD 20785-1606

## **EXHIBIT C – ITEMS DISCUSSED**

1. Discussed rezoning process and where we are in the process
2. Gave date for Planning Commission meeting
3. Discussed current zoning and rezoning request
4. What is future land use and how it fits in with our project
5. Summary of Zoning Conditions being requested
6. Showed draft concept plan
7. Discussed the applicant/client, what they do, and project
8. Discussed number of units
9. How project is or isn't consistent with Future Land Use
10. Is project governed by Sec 42 LIHTC
11. Concerns about residential units in a commercial area. Traffic/crime/access to amenities
12. Shuttle service for residents
13. Traffic will be reduced with residential compared to commercial zoning
14. Transfer station will be going in across the street where there is currently a landfill. Very noisy
15. What road works are required?
16. What affect will this project have on surrounding property?
17. What are the projected rents?
18. How to get emails re future meetings

## **EXHIBIT D – MEETING ATTENDEES**

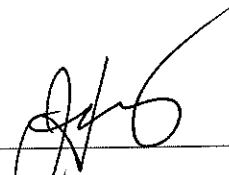
1. Jere Buch
2. Sara Ellis
3. Marina Aleman
4. Charise Bonzanie
5. Adam Gray
6. Cassandra Pryor
7. Rich Trahin
8. The Ray's
9. Martina Aleman
10. Jim Anthony
11. Stephen Kenney
12. Dan Wall

**OWNER'S AFFIDAVIT**

STATE OF NC )  
 )  
COUNTY OF Wake )

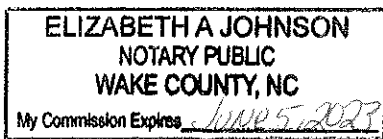
James Anthony, Jr., ("Affiant") as Manager of Gresham Lake Partners LLC, a North Carolina limited liability company ("Owner"), the Owner of the premises located at 3095 Gresham Lake Road, Raleigh, North Carolina and having PIN 1727276820 (the "Property"), hereby acknowledges and agrees that LDG Development, 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 Landon Cox, Chris Byrd, Kara Dischinger, 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: James Anthony, Jr.

State of NC  
County of Wake

Subscribed and sworn to (or affirmed) before me on this 26<sup>th</sup> day of JANUARY, 2020,  
by James Anthony, Jr., personally known to me or proved to me on the basis of satisfactory  
evidence to be the person who appeared before me.



  
(Notary Public)

