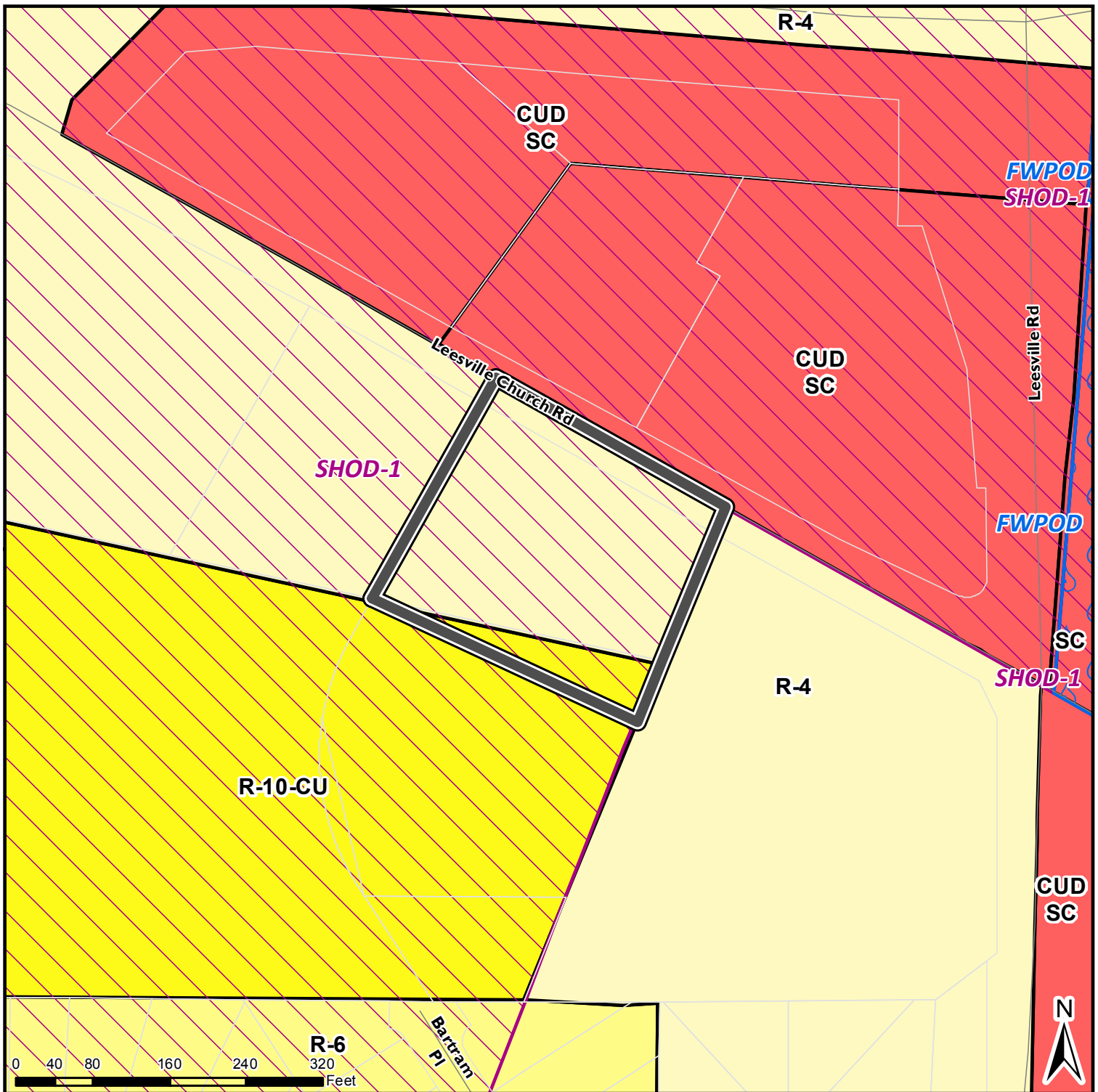


# Existing Zoning Map

# Z-13-2015



**Submittal  
Date**

3/24/2015

## Request:

1.56 acres from  
**R-4 & R-10-CU w/SHOD-1**  
to **OX-3-CU**

### VICINITY MAP





## Certified Recommendation

Raleigh Planning Commission

CR# 11644

### Case Information: Z-13-15 – Leesville Church Road

<i>Location</i>	Leesville Church Road, south side, west of its intersection with Leesville Road Addresses: Portions of 13401 & 13305 Leesville Church Road PINs: 0778958702 (portion), 0788050462 (portion)
<i>Request</i>	Rezone property from Residential-4 and Residential-10 Conditional Use District, both with Special Highway Overlay District-1 (R-4 & R-10 CUD w/ SHOD-1) to Office Mixed Use–3 stories–Conditional Use (OX-3-CU)
<i>Area of Request</i>	1.56 acres
<i>Property Owner</i>	Josh Talton/ 13405 Leesville Church Rd./ Raleigh, NC 27617; Leesville Baptist Church/ 13305 Leesville Church Rd./ Raleigh, NC 27617
<i>Applicant</i>	Michael Birch: Morningstar Law Group: (919) 590-0388, <a href="mailto:mbirch@morningstarlawgroup.com">mbirch@morningstarlawgroup.com</a>
<i>Citizens Advisory Council (CAC)</i>	Northwest-- Jay Gudeman, Chair: (919) 789-9884; <a href="mailto:jay@kilpatrickguteman.com">jay@kilpatrickguteman.com</a>
<i>PC Recommendation Deadline</i>	September 21, 2015

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Institutional
<b><i>URBAN FORM</i></b>	Center: <i>(None designated)</i> Corridor: <i>(None designated)</i>
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU 5.3 - Institutional Uses Policy LU 8.10 - Infill Development Policy LU 8.11 - Development of Vacant Sites Policy UD 5.1 - Contextual Design
<b><i>INCONSISTENT Policies</i></b>	<i>(None identified)</i>

### Summary of Proposed Conditions

1. Principal use limited to day care, school.
2. Maximum building height limited to one story and thirty-five feet.

## Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
3/11/15	4/14/15; 5/12/15: Y- 3, N- 4, Abst.- 1	6/23/15 (recommended approval)	7/7/15	8/4/15

☐ **Valid Statutory Protest Petition**

### Attachments

1. Staff report
2. Current Zoning Conditions (southeast corner of site): Z-91-95 [Ordinance (1995) 784 ZC 378]
3. Traffic Impact Analysis Evaluation
4. Traffic Impact Analysis Review Memo

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approve with conditions.</b> City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Future Land Use Map of the Comprehensive Plan and applicable Plan policies.</li> <li>2. The proposed rezoning is reasonable and in the public interest. Conditioned uses would serve nearby neighborhoods.</li> <li>3. The proposal is compatible with the surrounding area. Permitted development would be of height and form similar to existing development nearby.</li> </ol>
<i>Motion and Vote</i>	Motion: Swink Second: Buxton In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster and Swink Opposed:

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

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	<u>6/23/15</u> Date
----------------------------	---------------	--	------------------------

Staff Coordinator: Doug Hill: (919) 996- 2622; [Doug.Hill@RaleighNC.gov](mailto:Doug.Hill@RaleighNC.gov)



## Zoning Staff Report – Case Z-13-15

### Conditional Use District

## Case Summary

### Overview

The proposal seeks to rezone the site to allow a day care facility/ preschool. Under the current Special Highway Overlay District-1 (SHOD-1) zoning, non-residential properties must be a minimum of two acres in size; the intended subdivision/ recombination would create a lot only 1.56 acre in size. The requested Office Mixed Use zoning would allow greater flexibility regarding day care center enrollment.

The proposed lot/ site is located on Leesville Church Road, which is currently a dead-end street. The road provides sole access to several single-family lots to the west, all of which are zoned R-4. Those lots are likewise within Special Highway Overlay District-1 zoning. At present, the road is being extended to the Pine Hollow Middle School, now under construction (per [SP-47-13](#)).

Properties on the north side of Leesville Church Road are zoned Shopping Center Conditional Use (per zoning cases [Z-8-13](#) and [Z-72-05](#)). The lot at the northwest corner with Leesville Road is built out with a free-standing pharmacy; a single-family house stands on the property furthest west. The bulk of the area between is undeveloped and mostly wooded. The area east of Leesville Road is zoned Shopping Center Conditional Use, and is largely built out in attached and outparcel retail establishments.

Immediately east of the site is a church campus, zoned R-4 and outside the SHOD-1, with frontage on both Leesville Church Road and Leesville Road. South and southwest of the site lies the 35-acre campus of the future Pine Hollow Middle School, zoned Residential-10 Conditional Use (per [Z-91-95](#)). The southeast corner of the rezoning site is currently subject to the same R-10 CU zoning, which follows existing lot lines; it is expected that rezoning of the subject site will precede recombination to achieve the expected site boundaries.

The Pemberton and Westgate Estates subdivisions lie south of the school site, extending to Westgate and Leesville roads; the zoning of both is primarily R-6, with a few lots zoned R-4 just south of the church property, along Leesville Road. The development of the school site will tap existing stubouts in the neighborhoods at Shallcross Way and Bartram Place. The latter will be extended northward to Leesville Church Road, forming the western boundary of the subject site, and thus making the site a corner lot.

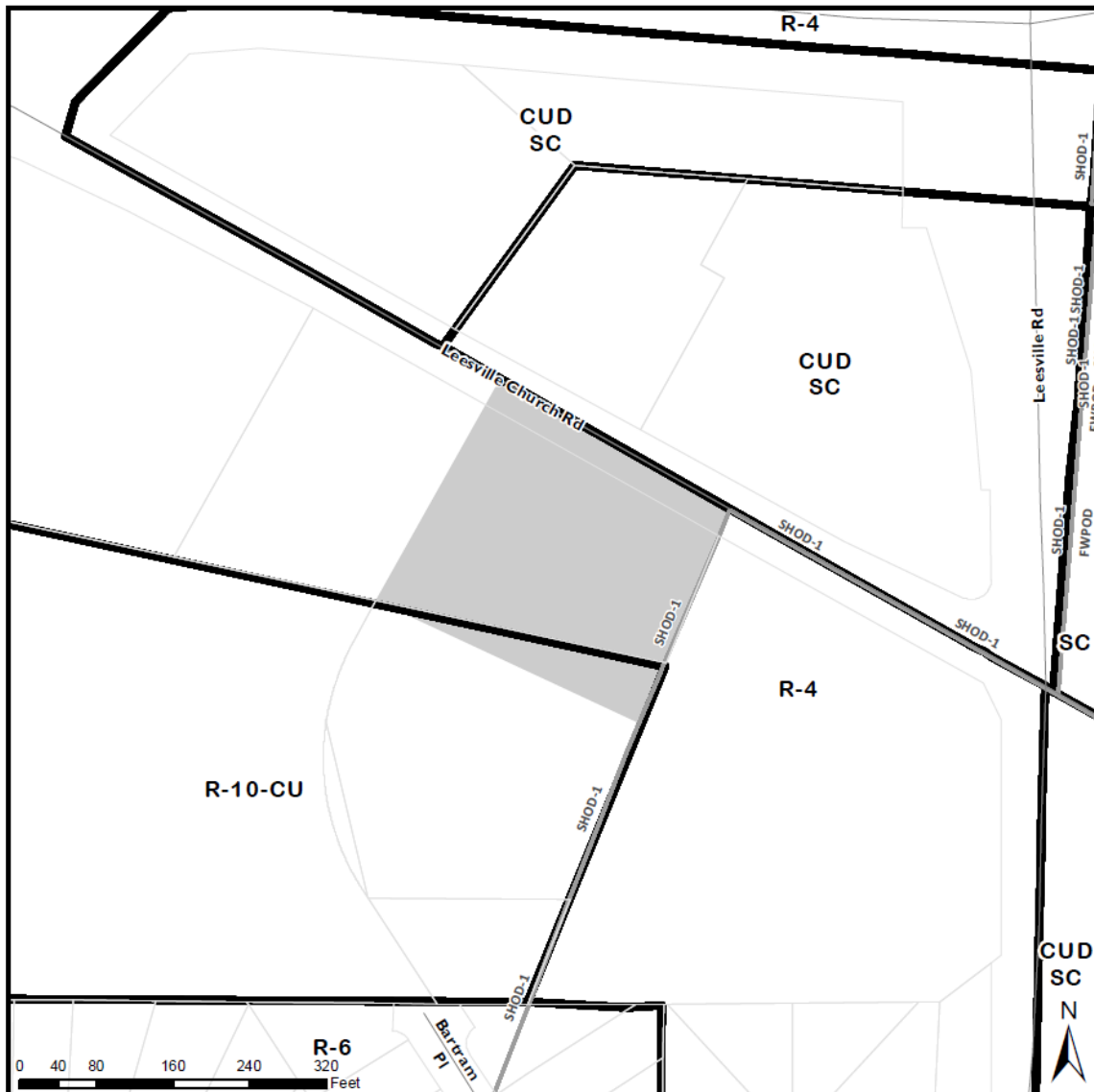
The portion of the site along Leesville Church Road lies close to street grade, with most of the site relatively level. Drainage is mainly to the south, toward the middle school property. Existing development in the area is one or two stories. The Middle School will be up to 3 stories in height.

### Outstanding Issues

<i>Outstanding Issues</i>	1. Sewer and fire flow matters may need to be addressed upon development.	<i>Suggested Mitigation</i>	1. Address sewer and fire flow capacities at the site plan stage.
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# Existing Zoning Map

**Z-13-2015**



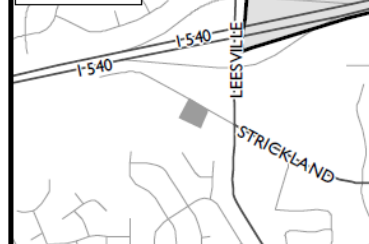
**Submittal  
Date**

3/24/2015

## Request:

**1.56 acres from  
R-4 & R-10-CU w/SHOD-1  
to OX-3-CU**

### VICINITY MAP



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	Residential-4; Residential-10 Conditional Use	Shopping Center Conditional Use	Residential-10 Conditional Use	Residential-4	Residential-4
<i>Additional Overlay</i>	Special Highway Overlay District-1	Special Highway Overlay District-1	Special Highway Overlay District-1	(none)	Special Highway Overlay District-1
<i>Future Land Use</i>	Institutional	Neighborhood Mixed Use	Institutional	Institutional	Institutional
<i>Current Land Use</i>	Vacant	Vacant; pharmacy	Church; school (under construction)	Church	Single-unit living
<i>Urban Form (if applicable)</i>	n/ a	n/ a	n/ a	n/ a	n/ a

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	R-4: 4 DUs/a.; R-10: 10 DUs/a. (6 DUs total)	(not permitted)
<i>Setbacks:</i>	<u>R-4</u> 20'	<u>R-10</u> 10'
<i>Front:</i>	10' (20' aggr.)	5' (10' aggr.)
<i>Side:</i>	30'	20'
<i>Rear:</i>		
<i>Retail Intensity Permitted:</i>	(not permitted)	(not permitted)
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted)

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Total Acreage</i>	1.56	1.56
<i>Zoning</i>	R-4 & R-10 CUD w/ SHOD-1	OX-3-CU
<i>Max. Gross Building SF</i>	n/a	37,700 *
<i>Max. # of Residential Units</i>	6	(not permitted)
<i>Max. Gross Office SF</i>	(not permitted)	(not permitted)
<i>Max. Gross Retail SF</i>	(not permitted)	(not permitted)
<i>Max. Gross Industrial SF</i>	(not permitted)	(not permitted)
<i>Potential F.A.R</i>	n/a	0.55

\*The development intensity for the proposed zoning were estimated using an impact analysis tool. The estimate is presented only to provide guidance for analysis.

The proposed rezoning is:

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

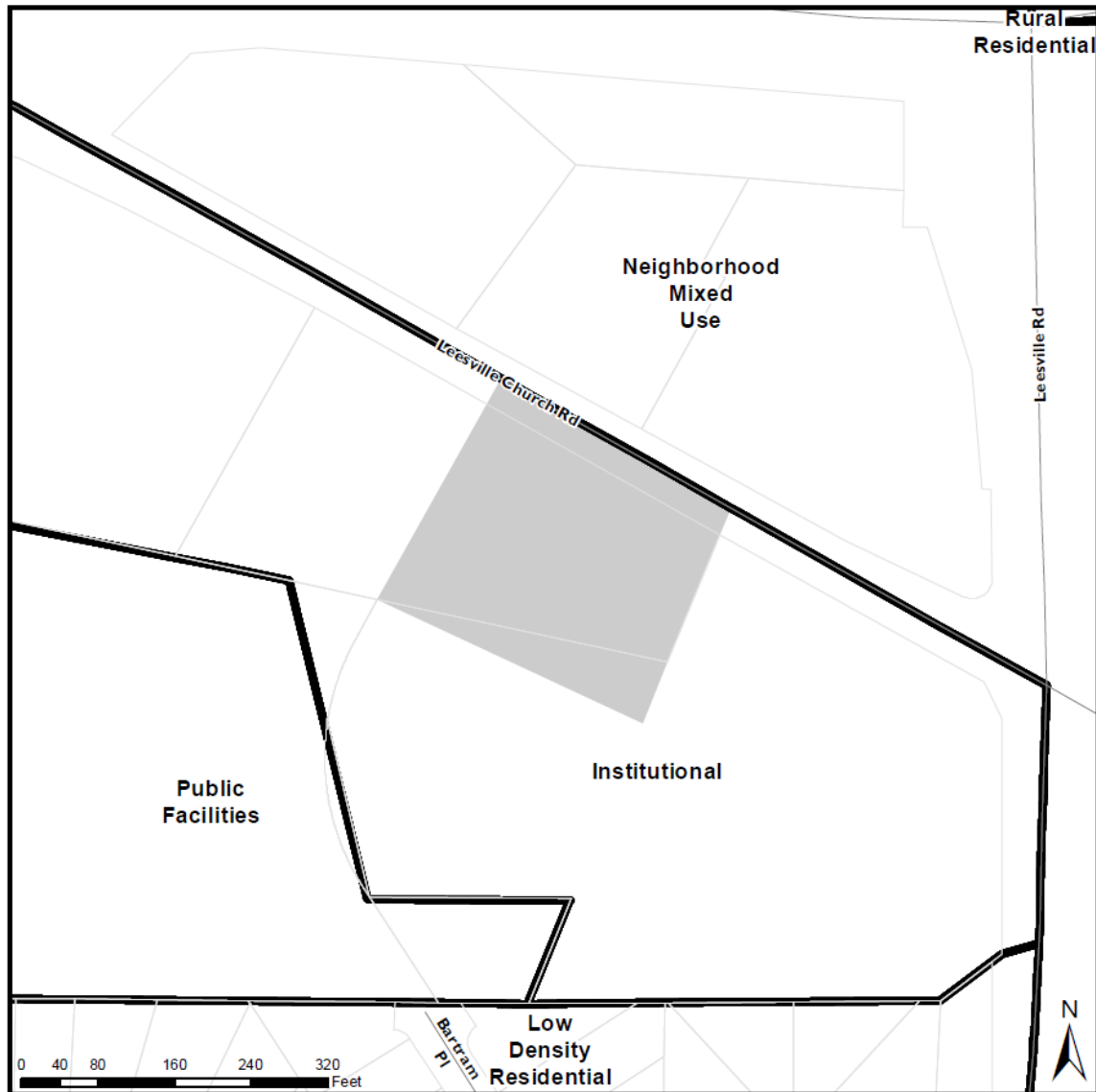
☐ **Incompatible.**

Analysis of Incompatibility:

(N/A)

# Future Land Use Map

**Z-13-2015**

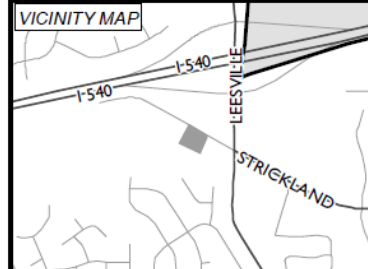


**Submittal  
Date**

3/24/2015

## Request:

1.56 acres from  
R-4 & R-10-CU w/SHOD-1  
to OX-3-CU





## 2. Comprehensive Plan Consistency Analysis

### 2.1 Comprehensive Plan

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

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

The proposal can be considered consistent with the vision, themes, and policies of the Comprehensive Plan. The Future Land Use designation for the property anticipates institutional uses on site; the conditioned uses would fall within that category. The proposal is in keeping with Comprehensive Plan themes "Managing Our Growth" (through integrated land uses, and provision of adequate infrastructure). Site use would serve existing and anticipated residential development nearby.

Built form possible under the proposal would complement existing build-out (e.g., church campus on the east).

Existing community facilities and streets, in tandem with improvements anticipated as a result of construction of the adjacent middle school, appear sufficient to accommodate site redevelopment.

### 2.2 Future Land Use

**Future Land Use designation:** Institutional

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/A)

### 2.3 Urban Form

**Urban Form designation:**

☒ **Not applicable** (no Urban Form designation)

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

## **2.4 Policy Guidance**

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

(None identified.)

## **2.5 Area Plan Policy Guidance**

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

# **3. Public Benefit and Reasonableness Analysis**

## **3.1 Public Benefits of the Proposed Rezoning**

- Would permit land uses and built form compatible with those adjoining.
- Would permit institutional services in close proximity to residential uses.

## **3.2 Detriments of the Proposed Rezoning**

(None identified.)

# **4. Impact Analysis**

## **4.1 Transportation**

Leesville Church Road is a two-lane facility; it is maintained by the NCDOT. A Traffic Study for Z-13-15 has been reviewed by Transportation Planning staff.

There are no CIP projects scheduled for the immediate area surrounding this case. Driveway access and cross access to adjacent properties shall conform to current City standards. The subject properties lie outside the ½-mile buffer area for future fixed-guideway transit stops.

The block perimeter for the proposed site is greater than 3,000 feet. Section 8.3.2 of the Unified Development Ordinance identifies a maximum block perimeter of 3,000 feet for development up to four stories under the Office Mixed Use zoning classification. New public streets may be required to maintain a well-connected street network.

**Impact Identified:** Analysis indicates that additional traffic from the proposed day care center will not change the existing levels of service at Strickland Road and I-540 in the AM or PM peak hours. The unsignalized intersection at Leesville Road and the Leesville Towne

Centre driveway will see an increase in delay for southbound left turns due to increases in northbound trips associated with background growth from the Pine Hollow Middle School. None of the unsignalized intersections within the study area are expected to warrant signalization if case Z-13-2015 is approved.

Pedestrian level-of-service is predicted to be LOS-C or better for all crossing directions (eastbound, westbound, etc.) at the Leesville/Strickland/Leesville Church intersection. Bicycle level-of-service along Leesville Road is predicted to be LOS-E for the segment between the I-540 westbound and eastbound ramps and LOS-D for the segment between the I-540 eastbound ramp and Strickland Road.

#### 4.2 Transit

This area is not currently served by transit and it is not suggested for service in the City of Raleigh Short Range Transit Plan or the Wake County 2040 Transit Study.

**Impact Identified:** None.

#### 4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Sycamore
<i>Stormwater Management</i>	Article 9.2 of UDO
<i>Overlay District</i>	none

**Impact Identified:** No impacts identified.

#### 4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	4,290 gpd	9,630 gpd
<i>Waste Water</i>	4,290 gpd	9,630 gpd

The proposed rezoning would add approximately 5,340 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

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

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

#### 4.5 Parks and Recreation

Site rezoning has no impacts to existing or proposed greenway corridors, connectors or trails. The nearest trail connection is Hare Snipe (3.1 miles away). Park services are provided by Strickland Road Park (1.0 miles).

**Impact Identified:** None.

#### **4.6 Urban Forestry**

The site as shown is less than 2 acres (gross) so will not have to comply with UDO Sec. 9.1 Tree Conservation.

**Impact Identified:** None.

#### **4.7 Designated Historic Resources**

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

**Impact Identified:** None.

#### **4.8 Community Development**

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

#### **4.9 Impacts Summary**

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

#### **4.10 Mitigation of Impacts**

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

## **5. Conclusions**

The proposal would permit site use consistent with the Future Land Use designation and pertinent policies of the Comprehensive Plan. Access will be possible from the existing Leesville Church Road right-of-way, as well as the extension of Bartram Place, now under construction in conjunction with the development of the nearby Pine Hollow Middle School. Conditioned built form and uses are compatible with the area.

**Current Zoning Conditions:** *PIN 0778855521 (overlapping southeast corner of site)*

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**ORDINANCE (1995) 784 ZC 378**  
**Effective: 11-21-95**

**Z-91-95 Westgate Road**, north side, and south of the Proposed Northern Wake Expressway, being Map 0778.04, Block 83, Parcel 0975. Approximately 125 acres to Residential-6 Conditional Use and Residential-10 Conditional Use.

Conditions: (10/23/95)

- a. Additional rights of way needed for the extension of Strickland and Ebenezer Church Road shall be reimbursed at R-4 values. The Strickland Road extension shall not exceed a maximum width of one hundred ten (110) feet and the Ebenezer Church Road Extension shall not exceed a maximum width of eighty (80) feet.
- b. The development of this property shall comply with the provisions of C.R. 7107.
- c. The presently existing SHOD-1 affecting the northern portion of the property shall remain in effect.
- d. Additional right of way needed for Westgate Road in its existing alignment shall be reimbursed at R-4 values. This additional right of way upon Petitioner's property shall not exceed a maximum width of fifteen (15) feet.



# Planning & Development


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

3/24/15  
10:10:02  
K. Pruitt

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification: Residential-4 and Residential-10-CU all with SHOD-1 Proposed Zoning Classification Base District: OX Height: -3 Frontage: None	413942
If the property has been previously rezoned, provide the rezoning case number: Z-91-95 (R-10-CU); Z-1-93 (SHOD-1)	
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 413942	2-13-15

### GENERAL INFORMATION

Property Address: 13401 Leesville Church Road (Josh Talton; 1.25 ac) and 13305 Leesville Church Road (Leesville Baptist Church; 0.31 acres) [portions of each property]		Date March 24, 2015
Property PIN: 0778-95-8702 (Josh Talton; 1.25 ac) and 0788-05-0462 (Leesville Baptist Church; 0.31 ac) [portions of each property]	Deed Reference (Book/Page) Book of Maps 1996, Page 779 (Talton) and Book of Maps 2000, Page 704 (Leesville Baptist Church)	
Nearest Intersection: Leesville Church Road and Leesville Road		Property size (in acres): 1.56 ac
Property Owner/Address: Josh Talton, 13405 Leesville Church Road, Raleigh, NC 27617 Leesville Baptist Church, 13305 Leesville Church Road, Raleigh, NC 27617	Phone	Fax
	Email	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Raleigh, NC 27560	Phone: 919.590.0388	Fax
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature:  3/21/2015 owner	Email: jtalton@gmztl.com	

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



# Planning & Development

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

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
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Nearest Intersection: Leesville Church Road and Leesville Road		Property size (in acres): 1.56 ac
Property Owner/Address: Josh Talton, 13405 Leesville Church Road, Raleigh, NC 27617 Leesville Baptist Church, 13305 Leesville Church Road, Raleigh, NC 27617	Phone	Fax
	Email	
Project Contact Person/Address: Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Raleigh, NC 27560	Phone: 919.590.0388	Fax
	Email: mbirch@morningstarlawgroup.com	
Owner/Agent Signature: <i>Michael Birch, President 3/21/2015</i> Leesville Baptist Church	Email T. MONERADO @ NC.RR.COM	

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



# Planning & Development

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

OFFICE USE ONLY	
Zoning Case Number: Z-13-15	Transaction Number
Date Submitted: June 18, 2015	
Existing Zoning: R-4 & R-10-CU w/ SHOD-1	Proposed Zoning: OX-3-CU

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The following principal uses, as listed in the Allowed Principal Use Table (UDO Section 6.1.4), shall be the only principal uses permitted on the property: (i) day care center; (ii) school, public or private.
2.	The maximum building height for any building on the property shall be one (1) story and thirty-five (35) feet, as measured in accordance with UDO section 1.5.7 et. seq.

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

Owner/Agent Signature: <i>Josh Talton - owner</i> 06/23/2015	Print Name Josh Talton
--	---------------------------





# Planning & Development


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

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-13-15		Transaction Number
Date Submitted: June 18, 2015		
Existing Zoning: R-4 & R-10-CU w/ SHOD-1	Proposed Zoning: OX-3-CU	

## NARRATIVE OF ZONING CONDITIONS OFFERED

1. The following principal uses, as listed in the Allowed Principal Use Table (UDO Section 6.1.4), shall be the only principal uses permitted on the property: (i) day care center; (ii) school, public or private.
2. The maximum building height for any building on the property shall be one (1) story and thirty-five (35) feet, as measured in accordance with UDO section 1.5.7 et. seq.

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

Owner/Agent Signature: 	Print Name ANTHONY A. MONFRADO
---	-----------------------------------



# Planning & Development

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

## Rezoning Application Addendum

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

### STATEMENT OF CONSISTENCY

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

1. The property is designated "Institutional" on the Future Land Use Map, which encourages public or private institutional uses, such as private and public schools, and day care uses. The rezoning request is consistent with this guidance because the rezoning request permits public and private institutions and prohibits uses not contemplated by the Institutional category.
2. The property is not subject to any area plan, and is not within any center or along any corridor designated on the Urban Form Map.
3. The rezoning request is consistent with the following policies: (i) Policy LU 1.2 "Future Land Use Map and Zoning Consistency" because the rezoning request is consistent with the Institutional guidance as noted above; (ii) Policy LU 1.3 "Conditional Use District Consistency" because the rezoning request prohibits uses not contemplated by the Institutional category; (iii) Policy LU 5.3 "Institutional Uses" because the property is surrounded by institutional uses (middle school to west, church to east) and is not located within a residential neighborhood; and (iv) Policy LU 5.5 "Transitional and Buffer Zone Districts" because the rezoning request permits institutional uses consistent with adjacent uses and the property is located between commercial uses to the north (pharmacy) and residential to the south.
4. The sole purpose of removing the SHOD-1 is to permit a site with a minimum gross site size of less than two acres. Even though the rezoning request seeks to remove the SHOD-1, the rezoning request is consistent with Policy EP 5.5 "Forested Buffers" and preserves the impact the SHOD-1 standards. Even without the SHOD-1, the rezoning request, by virtue of the requested district and abutting districts, limits height more restrictive than the SHOD-1 standard, prohibits off-premise signs, and limits lighting, and the protective yards required by the SHOD-1 would not be required on the property even if zoned with the SHOD-1. Additionally, the property to the immediate east is not zoned with the SHOD-1.

### PUBLIC BENEFITS

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

1. The rezoning request provides public benefits by zoning land in accordance with the Future Land Use Map, by providing institutional land uses compatible with adjoining land uses, and by providing institutional land uses in close proximity to residential uses that would be served by the institutional uses.

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS  
ON MARCH 11, 2015

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 11, 2015, at 6:00 p.m. The property considered for rezoning totals approximately 1.56 acres, and has the addresses of 13305 and 13401 Leesville Church Road, and with Wake County Parcel Identification Numbers 0788-05-0462 and 0778-95-8702. This meeting was held in the Chapel at Leesville Baptist Church, located at 13305 Leesville Church Road, Raleigh, NC 27617. All owners of property within 100 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

## EXHIBIT A

### NEIGHBORHOOD MEETING NOTICE



Michael Birch | Partner  
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To: Neighboring Property Owner

From: Michael Birch

Date: February 26, 2015

Re: Notice of meeting to discuss potential rezoning of a portion of properties located on the south side of Leesville Church Road, west of the intersection with Leesville Road, containing approximately 1.56 acres, with the addresses of 13305 and 13401 Leesville Church Road, having Wake County Parcel Identification Numbers 0788-05-0462 and 0778-95-8702, and being owned by Josh Talton and Leesville Baptist Church (the "Property").

We are counsel for a developer that is considering rezoning the Property. The Property is currently zoned Residential-4 and Residential-10 Conditional Use, all with a Special Highway Overlay District-1. The proposed zoning district is Office Mixed Use with a maximum height of three stories (OX-3). The purpose of the proposed rezoning is to facilitate the development of a day care use on the Property.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, March 11, 2015 from 6:00 p.m. to 7:00 p.m. This meeting will be held in the Chapel (Old Sanctuary) at the Leesville Baptist Church, located at 13305 Leesville Church Road, Raleigh, NC 27617.

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

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



## **EXHIBIT B**

### **LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT**

WAKE COUNTY BOARD OF EDUCATION  
REAL ESTATE SERVICES DIRECTOR  
1551 ROCK QUARRY RD  
RALEIGH NC 27610-4145

TALTON, JOSH  
13405 LEESVILLE CHURCH RD  
RALEIGH NC 27617-5205

CVS PHARMACY INC  
C/O CVS CAREMARK CORP  
1 CVS DR  
WOONSOCKET RI 02895-6146

NORTHWEST ASSOCIATES  
% JOSEPH THOMAS  
12 STERN DR  
PORT JEFFERSON NY 11777-1136

LEESVILLE BAPTIST CHURCH  
13305 LEESVILLE CHURCH RD  
RALEIGH NC 27617-5249

CVS 75127 NC LLC  
C/O CVS CORPORATION  
1 CVS DR  
WOONSOCKET RI 02895-6146

VENABLES, NANCY A  
5332 BARTRAM PL  
RALEIGH NC 27617-7905

COWELL, SALLIE BAXTER  
5324 BARTRAM PL  
RALEIGH NC 27617-7905

CLEMENTE, ERIC P CLEMENTE, KERRY A  
5328 BARTRAM PL  
RALEIGH NC 27617-7905

SCHNEIDER, NORBERT  
3939 GLENWOOD AVE APT 701  
RALEIGH NC 27612-4659

YORKDALE, KAREN F  
9817 WHITECLAY CT  
RALEIGH NC 27617-7902

CHRISTENSEN, JOSHUA R CHRISTENSEN, STEPHANIE  
9816 WHITECLAY CT  
RALEIGH NC 27617-7902

GIBBS, GREGORY D  
9812 WHITECLAY CT  
RALEIGH NC 27617-7902

SAINTSING PROPERTIES LLC  
EDNA S DILLARD  
9608 OLD LEESVILLE RD  
RALEIGH NC 27613-7520

## **EXHIBIT C**

### **SUMMARY OF DISCUSSION ITEMS**

On Wednesday, March 11, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. No nearby property owners attended the meeting, so no items were discussed.

## **EXHIBIT D**

### **NEIGHBORHOOD MEETING ATTENDEES**

1. No attendees.