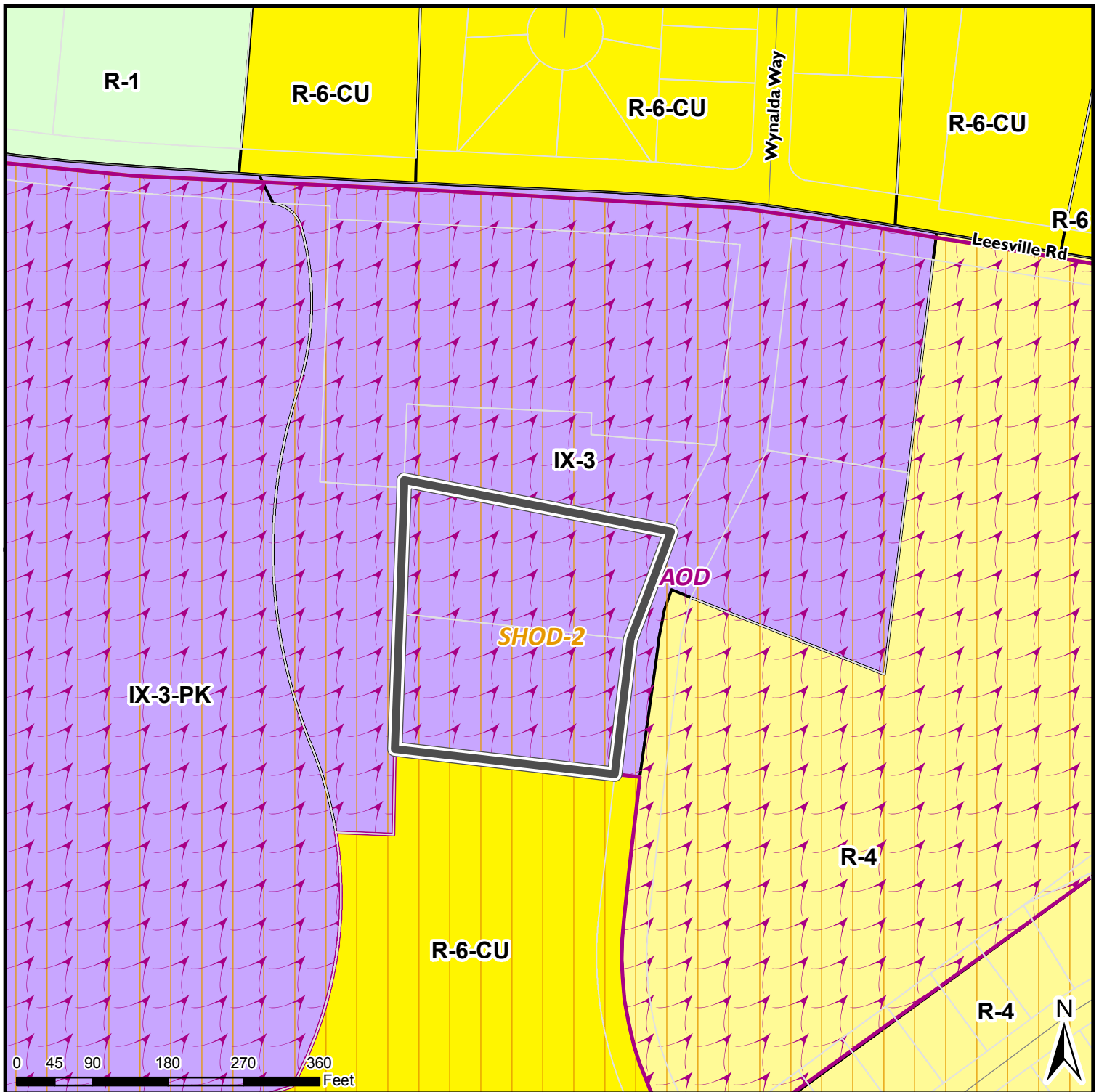


Existing Zoning Map

Z-25-16

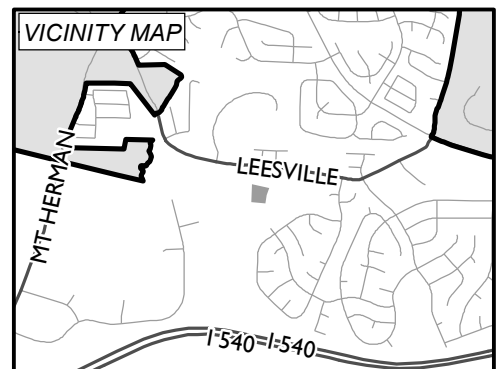


**Submittal
Date**

8/16/2016

Request:

1.96 acres from
IX-3 w/ AOD & SHOD-2
to R-4 w/ SHOD-2



Map Date: 8/17/2016



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-25-16 Leesville Road

<i>Location</i>	Leesville Rd, south side, west of its intersection with Englehardt Dr. Address: 12101 Leesville Rd; 12105 Leesville Rd. PIN: 0778384976 & 0778394190
<i>Request</i>	Rezone property from Industrial Mixed Use – 3 Stories – with Special Highway Overlay District-2 and Airport Overlay District (IX-3 w/ SHOD-2 & AOD) to Residential 4 – Conditional Use– with Special Highway Overlay District-2 (R-4 with SHOD-2).
<i>Area of Request</i>	1.96 acres
<i>Property Owner</i>	Anthony K. Dudley 5400 Alpine Dr. Raleigh, NC 27609-4604
<i>Applicant</i>	Katherine D. Wilkerson Lynch & Eatman, L.L.P. P.O. Box 30515 Raleigh, NC 27622
<i>Citizens Advisory Council (CAC)</i>	Northwest Jay Gudeman, Chair 919) 789-9884; jay@kilpatrickguteman.com
<i>PC Recommendation Deadline</i>	January 9, 2017

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

<i>FUTURE LAND USE</i>	Office/Research & Development
<i>URBAN FORM</i>	Center: City Growth Center Corridor: <i>None Designated</i>
<i>CONSISTENT Policies</i>	Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 8.10 - Infill Development Policy LU 8.12 - Infill Compatibility Policy UD 5.1 - Contextual Design Policy EP 8.10 - Airport Noise Protection for Residential Uses
<i>INCONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

- | |
|--|
| 1. Future subdivision map required to carry airport noise contour annotation. |
| 2. Avigation Easement to be granted to airport. |
| 3. Interiors of future dwellings required to meet specified sound reduction level. |

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
April 4, 2016	September 13, 2016 (presented)		

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	
<i>Motion and Vote</i>	

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

Date

Staff Coordinator:

Sophie Huemer: (919) 996-2652; Sophie.Huemer@raleighnc.gov



Zoning Staff Report – Z-25-16

Conditional Use District

Case Summary

Overview

The proposal seeks to rezone the property for the construction of residences. The property is currently located within the Airport Overlay District which prohibits residential uses.

The Airport Overlay District extends over a large area in Northwest Raleigh. The District corresponds with the flight paths and resulting noise contours of aircraft approaching or departing Raleigh-Durham International Airport. The district's northeast edge runs to Leesville Road, just to the north of the subject site. The properties north of Leesville Road are outside of the overlay, while those on the south side, including the subject property and those lots north of it are within it. The property abutting the south side of the property is zoned R-6-CU and is not located within the overlay district. The Woodlawn and Dominion Park neighborhoods located less than one quarter of a mile south of the subject property along Englehardt Drive are zoned R-4 and are not within the overlay district. The property as it exists today is completely wooded. Properties to the north, south, and west are similarly wooded. To the east is the site of a future city park.

The subject site lies within the northeastern corner of the Brier Creek-area City Growth Center, focused at the intersection of the Glenwood Avenue and I-540 corridors; the Woodlawn neighborhood stands just outside that Center, as do most residential properties on the west side of Glenwood Avenue, north of Brier Creek Parkway. For the past decade and a half, the Growth Center area has been incrementally undergoing development with intensive retail and office uses focused at its core, and with industrial uses south and north of I-540, extending to the eastern reaches of ACC Boulevard, just west of the subject site. The present Future Land Use designation of the subject property—Office/ Research & Development—has anticipated similar non-residential build-out. Such non-residential uses are permitted within the Airport Overlay.

Primary access to the site would be provided by Englehardt Drive. Currently, the roadway is only an unimproved right-of-way along the site's frontage; improvements stub out at the edge of the Woodlawn subdivision on the site's southeast. The road is anticipated to extend from the stubout to Leesville Road eventually, but no timetable or public funding is currently allocated for that future connectivity.

As noise contour mapping shows the subject site to be within the airport's projected 65-decibel day/night average sound level contour (65 DNL), the Raleigh-Durham Airport Authority is being consulted regarding comment. However, the proposal does provide several conditions designed to mitigate noise impacts from aircraft. Those provisions echo conditions of Z-5-15 (Englehardt Drive) and Z-10-12 (Westgate Drive), both of which applied for and were granted removal of the Airport Overlay District.

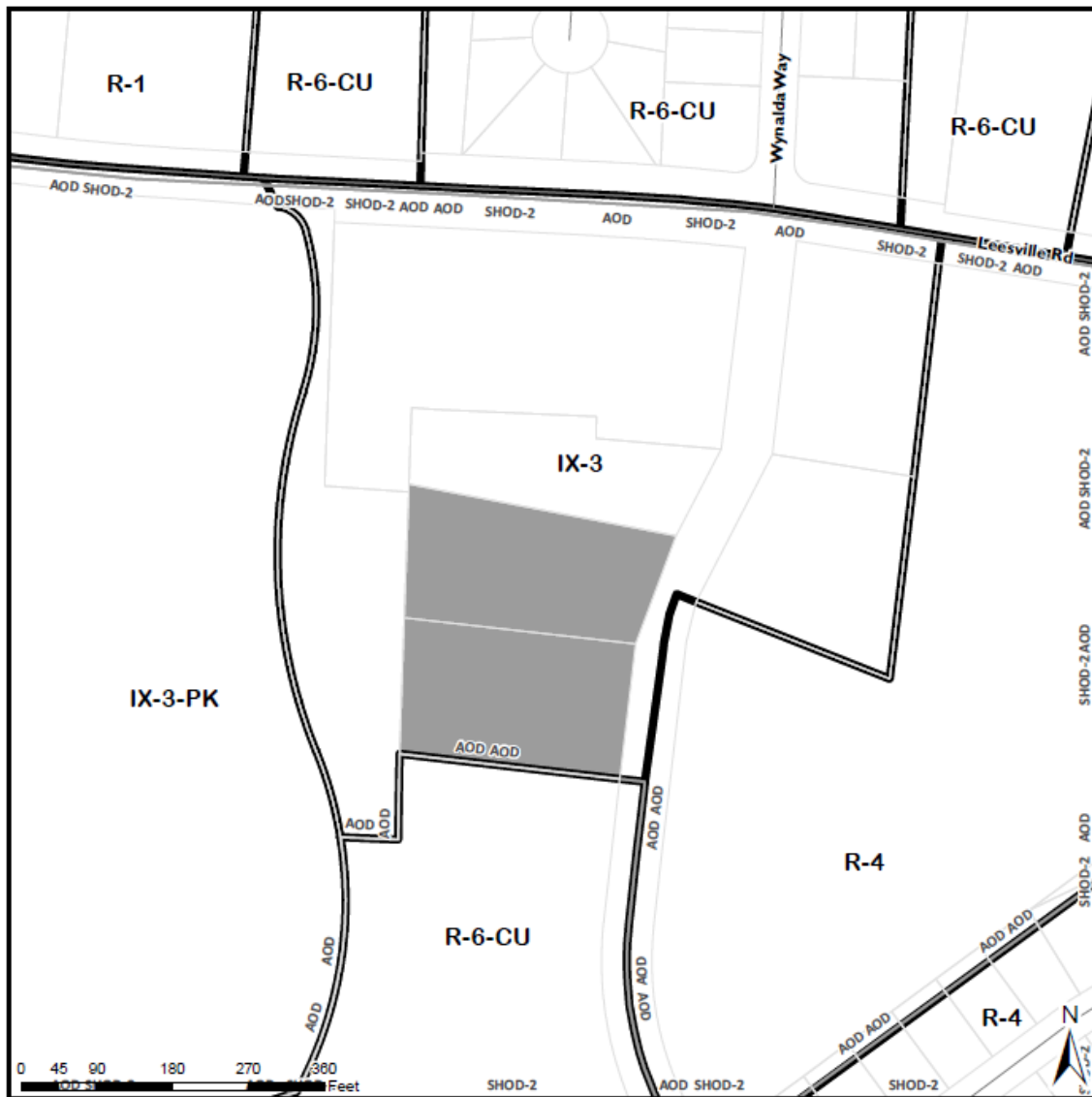
It should also be noted that, in light of the intensity of non-residential development which would be permitted under the current Industrial Mixed Use zoning, the request for the change to R-6 represents a significant downzoning.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. Sewer and fire flow matters may need to be addressed upon development.2. There are Neuse Buffers, wetlands, and floodplain present along and adjacent to the southern property boundary.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. Address sewer and fire flow capacities at the site plan stage.2. Address Neuse buffers, wetlands, and floodplain at the site plan stage.
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Existing Zoning Map

Z-25-16

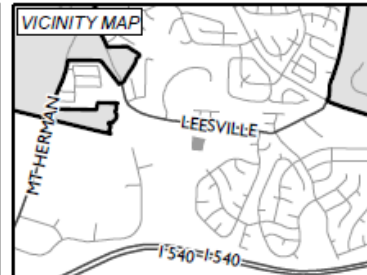


**Submittal
Date**

8/16/2016

Request:

1.96 acres from
IX-3 w/ AOD & SHOD-2
to R-4 w/ SHOD-2



Map Date: 8/17/2016

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
Existing Zoning	Industrial Mixed Use-3 Stories	Industrial Mixed Use-3 Stories	Residential-6 Conditional	Industrial Mixed Use-3 Stories	Industrial Mixed Use-3 Stories
Additional Overlay	Airport, and Special Highway-2	Airport, and Special Highway-2	Special Highway-2	Airport, and Special Highway-2	Airport, and Special Highway-2
Future Land Use	Office/ Research & Development	Office/ Research & Development	Office/ Research & Development; Public Parks & Open Space	Office/ Research & Development	Office/ Research & Development
Current Land Use	Vacant (wooded)	Manufactured Home	Vacant (wooded)	Vacant (wooded); Single Family Residence	Vacant (wooded)
Urban Form (if applicable)	City Growth Center	City Growth Center	City Growth Center	City Growth Center	City Growth Center

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Residential Density:	- 0 - (not permitted within an Airport Overlay District)	4 DUs/acre (7 Maximum)
Setbacks: Front: Side: Rear:	5 feet 5 feet(side street) 0 or 6 feet 0 or 6 feet	20 feet 10 feet 30 feet
Retail Intensity Permitted:	25,907	(not permitted)
Office Intensity Permitted:	33,633	(not permitted)

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
Total Acreage	1.96	1.96
Zoning	IX-3 w/ AOD & SHOD-2	R-4 w/ SHOD-2
Max. Gross Building SF (if applicable)	50,496	N/A

<i>Max. # of Residential Units</i>	- 0 - (not permitted within an Airport Overlay District)	7
<i>Max. Gross Office SF</i>	33,633	(not permitted)
<i>Max. Gross Retail SF</i>	25,907	(not permitted)
<i>Max. Gross Industrial SF</i>	35,406	(not permitted)
<i>Potential F.A.R</i>	0.59	n/a

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

The proposed rezoning is:

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

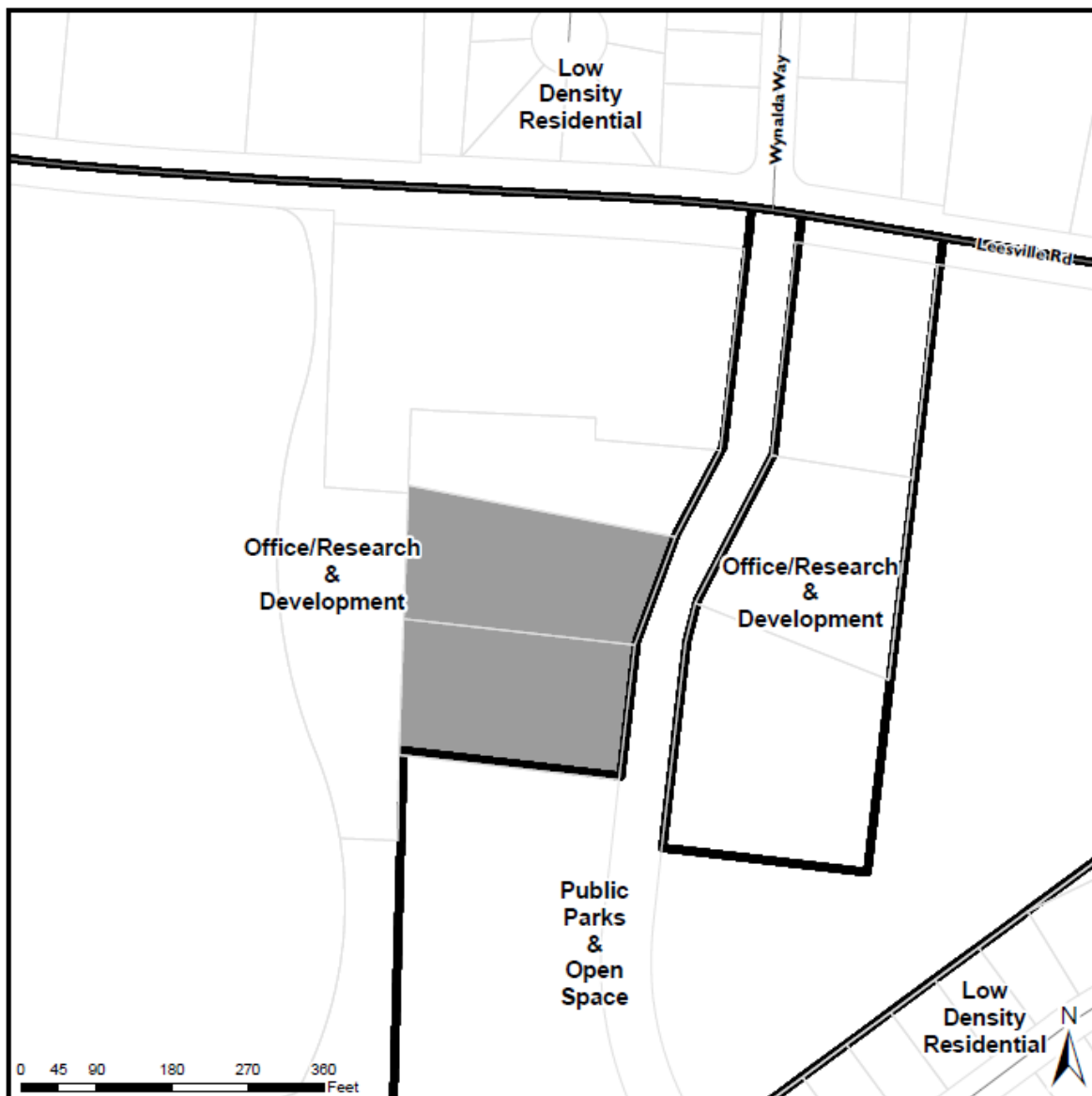
☐ **Incompatible.**

Analysis of Incompatibility:

The site abuts a residentially zoned parcel to the south (R-6-CU) and is directly across the Englehardt Drive right-of-way from a future city park.

Future Land Use Map

Z-25-16

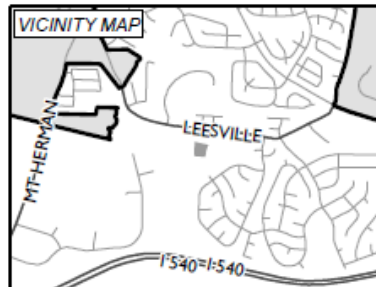


**Submittal
Date**

8/16/2016

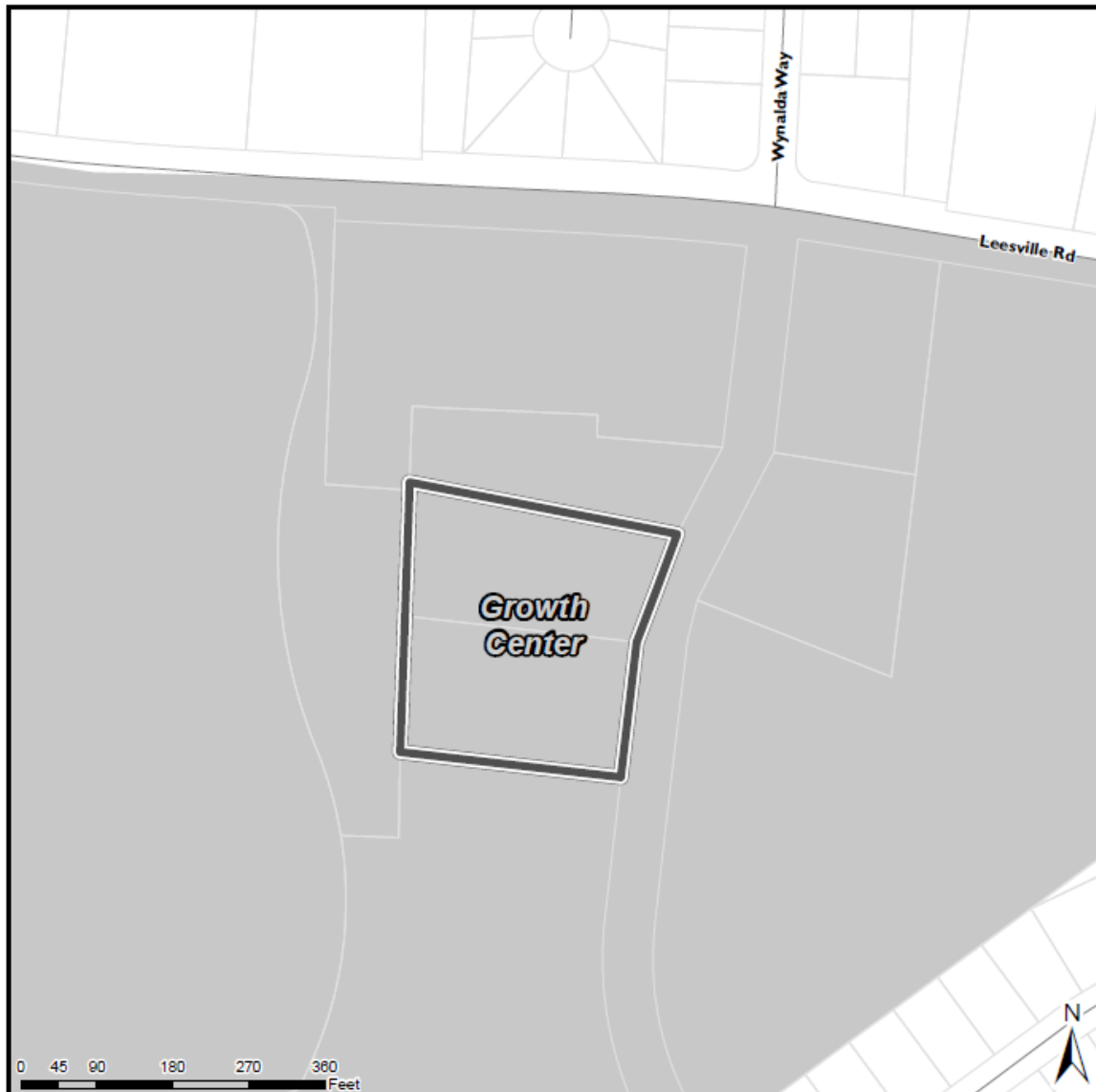
Request:

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to R-4 w/ SHOD-2



Urban Form Map

Z-25-16

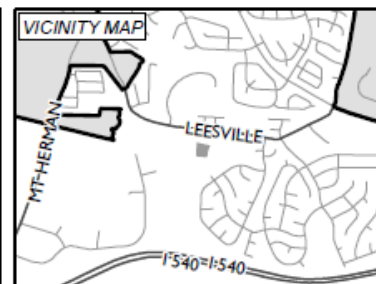


**Submittal
Date**

8/16/2016

Request:

1.96 acres from
IX-3 w/ AOD & SHOD-2
to **R-4 w/ SHOD-2**



Map Date: 8/17/2016

2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

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

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

The proposal is inconsistent with the site's Future Land Use and Urban Form designations, which envision the property being developed with non-residential uses. However, the requested rezoning does reflect the character of current land uses nearby. The parcel is adjacent to existing Low Density Residential development, and immediately across the street from a future City park. The adjacent neighborhoods are already served by City utilities, enabling those services' extension to the site upon its development.

2.2 Future Land Use

Future Land Use designation: Office/Research & Development

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The Future Land Use map anticipates non-residential development of the site. The requested zoning would only permit residential uses.

2.3 Urban Form

Urban Form designation: City Growth Center

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

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The inclusion of the site within a City Growth Center area directs growth towards “significant infill development” rather than low-density residential uses permitted under the proposed zoning.

2.4 Policy Guidance

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 shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes

The Future Land Use designation supports non-residential uses on the site, rather than the residential development sought by the rezoning request.

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

- Several land uses which could be incompatible with the adjacent southern single-family zoning district and nearby future City park are prohibited in the proposed zoning district.
- Urban form and development similar to that of the adjacent neighborhoods would be permitted.
- Noise reduction measures are required for house interiors.

3.2 Detriments of the Proposed Rezoning

- While access to the site could be afforded from the south via the stubout of Englehardt Drive, no public improvements are dedicated for completing the northern section of the street. (The same would also hold true under existing zoning, however.)

4. Impact Analysis

4.1 Transportation

The existing parcels are vacant and generate no traffic. These parcels front onto an unimproved public right-of-way (future Englehardt Drive extension). There are no City of Raleigh CIP projects or state STIP projects planned for either street in the vicinity of the Z-25-2016 site.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. Site access will be provided via the public right-of-way of Englehardt Drive extension.

In accordance with UDO section 8.3.2, the maximum block perimeter for R-4 zoning (average lot size > 40,000 sf) is 8,000 feet. The block perimeter for Z-25-2016 cannot be computed until the future Englehardt Drive extension is constructed. Approval of Z-25-2016 would result in a net decrease in allowable Land Use intensity and a subsequent decrease in daily and peak hour trips. A traffic study is not needed for Z-25-2016.

Impact Identified: None

4.2 Transit

This area is currently not served by transit. Neither the City of Raleigh Short Range Transit Plan nor the Wake County Transit Plan suggests future transit in this area. There are no transit requests.

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	Floodplain associated with flood prone soils are adjacent to and along southern property boundary.
<i>Drainage Basin</i>	Sycamore
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	None

Impact Identified: Site is subject to Stormwater Regulations under Article 9.2 of the UDO. There are Neuse Buffers, wetlands, and floodplain present along and adjacent to the southern property boundary.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	3,910 gpd	1,750 gpd
<i>Waste Water</i>	0 gpd	3,910 gpd	1,750 gpd

1. The proposed rezoning would add approximately 1,750 gpd to the wastewater collection and water distribution systems of the City. The nearest waterline is located in street ROW ~ 120' North of site & the nearest gravity sewerline is located on West side of Sycamore

Creek ~ 2,300' West of site. Offsite City of Raleigh Sanitary Sewer Easement acquisition will be required for connection to Sycamore Creek interceptor

2. 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
3. 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

4.5 Parks and Recreation

1. There are no existing greenway trails or connectors on this site. Staff would like to request greenway easement dedication along the stream which extends along the southern boundary. This easement would be a minimum of 50' in width from the stream top of bank. This easement dedication would facilitate a connection in the future between the proposed Erinsbrook Park and an adjacent greenway corridor (Sycamore), approximately 0.3 miles west of the site.
2. The nearest greenway trail access is Haresnipe Creek, 4.9 miles distance.
3. Recreation services are provided by Strickland Road Park, 2.8 miles.
4. The site is adjacent to the proposed Erinsbrook Park. The master plan process for Erinsbrook Park is currently underway with anticipated adoption in mid-2017. Funding has not been allocated for construction at this time.

Impact Identified: None.

4.6 Urban Forestry

1. UDO Article 9.1 (Tree Conservation) applies to site plans and subdivisions 2 acres or more in size.

Impact Identified: None.

4.7 Designated Historic Resources

No nearby historic resources

Impact Identified: None

4.8 Community Development

Impact Identified: None

4.9 Impacts Summary

1. Sewer and fire flow matters may need to be addressed upon development.
2. There are Neuse Buffers, wetlands, and floodplain present along and adjacent to the southern property boundary.

4.10 Mitigation of Impacts

1. Address sewer and fire flow capacities at the site plan stage.
2. Address Neuse buffers, wetlands, and floodplain at the site plan stage.

5. Conclusions

The proposal would permit low density residential development of the property, a land use which is currently prohibited due to the site's inclusion in the Airport Overlay District. The Future Land Use and Urban Form maps envision more intensive, non-residential development on the site, but contextually, the existing developments to the south (and outside the AOD) are all residential. Other adjoining properties within the AOD are undeveloped, but include a future park directly across the Englehardt Drive right-of-way from the site and a site to the North that is currently zoned IX-3. Case conditions include provisions to mitigate aircraft noise impacts, echoing language from two other recently-approved removals of AOD areas.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

OFFICE
USE ONLY

Existing Zoning Classification IX-3 with AOD and SHOD-2

Transaction #

Proposed Zoning Classification Base District R-4 with SHOD-2 Height _____ Frontage _____

450164

If the property has been previously rezoned, provide the rezoning case number: Z-27B-2014

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

GENERAL INFORMATION

Property Address 12101 and 12105 Leesville Road, Raleigh, NC Date May 27, 2016

Property PIN 0778384976 and 0778394190 Deed Reference (book/page)

Nearest Intersection Leesville Road and Wynalda Way Property Size (acres) 1 acre and .96 acres

Property Owner/Address

5400 ALPINE DR
RALEIGH NC 27609-4604

Phone

Fax

Email anthonykdudley@gmail.com

Project Contact Person/Address

Katherine B. Wilkerson
Lynch & Eatman, L.L.P.
P.O. Box 30515
Raleigh, NC 27622

Phone 919-571-8560

Fax 919-571-9983

Email kwilkerson@lyncheatman.com

Owner/Agent Signature

Email

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

Signed in:

8/16/16

2:39:24 PM

REZONING APPLICATION ADDENDUM

Comprehensive Plan Analysis

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.

OFFICE USE ONLY

Transaction #

Rezoning Case #

STATEMENT OF CONSISTENCY

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

1. While this proposed rezoning is inconsistent with the idea of providing mixed use commercial or light industrial zoning as shown on the current map, the use is consistent with the low density residential use in the area and will be located next to a recently approved residential subdivision being developed directly to the south.

2. The proposal does comply with the Comprehensive Plan Theme of "Growing Successful Neighborhoods and Communities" and is located across the street from residential development and a future City park. It is also located in proximity to Sycamore Creek Elementary School.

3.

4.

PUBLIC BENEFITS

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

1. This use is consistent with the surrounding residential uses and is a public benefit by preventing commercial or industrial uses that would be incompatible with the surrounding residential development and the future city park.

2.

3.

4.

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	<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> The proposed rezoning does not accomodate a mixed-use development
2.	<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> The proposed rezoning is for single-family residential development in keeping with the adjacent neighborhoods.
3.	<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> Because this is a single family development, no connecting road is required
4.	<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> Because this is a single family development, no connecting road is required
5.	<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> Because this is a single family development, no connecting road is required
6.	<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> This guideline does not apply to a single family residential use.
7.	<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> This guideline does not apply to a single family residential use.
8.	<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> This guideline does not apply to a single family residential use.
9.	<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> This guideline does not apply to a single family residential use.
10.	<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> This guideline does not apply to a single family residential use.
11.	<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> This guideline does not apply to a single family residential use.
12.	<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> This guideline does not apply to a single family residential use.
13.	<i>New public spaces should provide seating opportunities.</i> This guideline does not apply to a single family residential use.
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> This guideline does not apply to a single family residential use.
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> This guideline does not apply to a single family residential use.

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> This guideline does not apply to a single family residential use.
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> This guideline does not apply to a single family residential use.
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> This guideline does not apply to a single family residential use.
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> This development will comply with UDO requirements for building a single family house in compliance with environmental regulations.
20.	<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> This guideline does not apply to a single family residential use.
21.	<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> This guideline does not apply to a single family residential use.
22.	<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> This guideline does not apply to a single family residential use.
23.	<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> This guideline does not apply to a single family residential use.
24.	<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> This guideline does not apply to a single family residential use.
25.	<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> This guideline does not apply to a single family residential use.
26.	<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> This guideline does not apply to a single family residential use.

Conditional Use District Zoning Conditions

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Transaction #

Existing Zoning **IX3 W/AOD + SHDD2** Proposed Zoning **R-4CU W/SHDD -2**

NARRATIVE OF ZONING CONDITIONS OFFERED

Any recorded subdivision map of the property shall include a notation that the property lies within the Raleigh Durham International Airport "composite 65 DNL noise contour" projected in the RDU Airport's long range facility plan.

Prior to recordation of a subdivision map of the property, the owner of the property shall record an Aviation Easement, which shall grant in favor of the Raleigh Durham International Airport Authority a perpetual right and easement for the free and unobscured flight of aircraft over and in the vicinity of any portion of the property not within the Airport Overlay District and used for residential purposes.

Any new residential dwelling on the property shall be constructed with material and in a manner sufficient to assure a 25dB reduction of A-weighted aircraft sound levels reaching the interior of the dwelling resulting in interior sound levels not exceeding 42 dB. A written certification by an architectural acoustician accredited by the Acoustical Society of America, or state licensed engineer or architect shall be deemed to satisfy this condition.

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7.

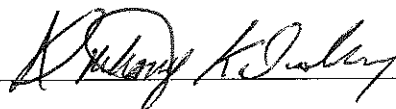
8.

9.

10.

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 K. Dudley

LYNCH & EATMAN, L.L.P.

LAWYERS
SUITE 100, GLENLAKE SIX
4130 PARKLAKE AVENUE
RALEIGH, NORTH CAROLINA 27612
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kwilkerson@lyncheatman.com

March 31, 2016

0778394190
Dudley, Anthony K.
5400 Alpine Drive
Raleigh, NC 27609-4604

Re: Rezoning of 12101 and 12105 Leesville Road, Raleigh, NC

Dear Sir or Madam:

We represent Anthony Dudley, the owner of the above referenced properties. He is petitioning to rezone the properties from IX-3 with Airport Overlay District and Special Highway Overlay District – 2 to R-4. This will change the property from Industrial Mixed Use zoning with the overlay districts to Residential – 4 zoning without the overlay districts which allows single family houses. Mr. Dudley plans to build his personal home on the property.

As a part of this process, we are holding a meeting for the adjacent neighbors to allow Mr. Dudley to explain his plans and to answer any questions. This meeting will take place on April 14, 2016 at 6:00 p.m. at the Harrington Pointe clubhouse located at 6210 O'Connor Street, Raleigh, NC 27617.

If you have any questions or comments before or after the meeting, please feel free to contact me.

Very truly yours,

Katherine B. Wilkerson

KBW:pbf

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5400 ALPINE DR
RALEIGH NC 27609-4604

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ANGUS BARN PROPERTIES LLC THE
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0778395233
HUCKS, ALBERT JR HEIRS
WHITNEY MCMAHAN
5301 DEERGRASS CT
RALEIGH NC 27613-6585

0778398142
PARKER, FORREST F III PARKER,
KIMBERLY N
12013 LEESVILLE RD
RALEIGH NC 27613-8311

0778491043
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27602-0590

SUMMARY OF ISSUES

A neighborhood meeting was held on April 14, 2016 (date) to discuss a potential rezoning located at 12101 and 121015 Leesville Road, Raleigh (property address). The neighborhood meeting was held at Harrington Pointe Clubhouse, at 6210 O'Connor Street, Raleigh, NC 27617 (location). There were approximately zero (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

The attendees were the owner, his lawyer, his real estate broker and the manager of the clubhouse. We had materials to give to any neighbor that came, but no neighbors attended.

Attendance List – Zoning Meeting for 12101 and 12105 Leesville Road – Thursday, April 14, 2016 at 6:00 pm.

1. Anthony K Dudley *Anthony K Dudley*
2. Jeanell Morton *Jeanell Morton*
3. ROBERT RHODES *Ann Rhoads (RESIDENT)*
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.