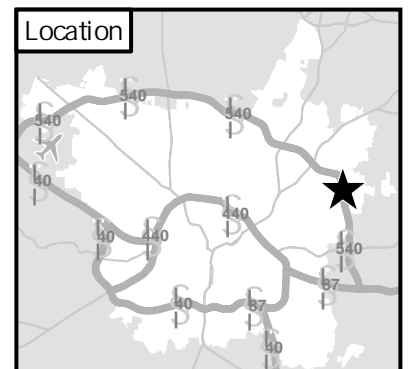


Property	5116 Needham Rd
Size	1.27 acres
Existing Zoning	R-4 w/SHOD-1
Requested Zoning	R-10-CU w/SHOD-1



# Rezoning Application and Checklist

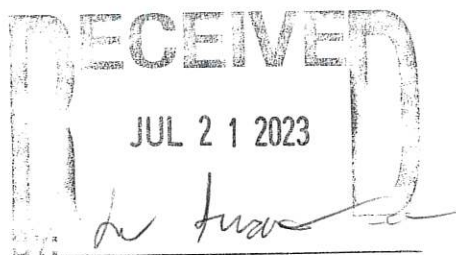
Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Rezoning Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan
	<input type="checkbox"/> Text change to zoning conditions		
Existing zoning base district: R-4	Height:	Frontage:	Overlay(s): SHOD-1
Proposed zoning base district: R-10	Height:	Frontage:	Overlay(s): SHOD-1
<b>Helpful Tip:</b> <a href="#">View the Zoning Map</a> to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date: June 20, 2023	Date amended (1):	Date amended (2):
Property address: 5116 Needham Road		
Property PIN: 1746-21-0963		
Deed reference (book/page): 14732 / 904		
Nearest intersection: Needham Road and Cornett Way		Property size (acres): 1.27
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Robert and Susan Dail		
Property owner email:		
Property owner phone:		
Applicant name and address: Worth Mills, Longleaf Law Partners; 4509 Creedmoor Road, Suite 302, Raleigh, NC 27612		
Applicant email: <a href="mailto:wmills@longleaflp.com">wmills@longleaflp.com</a>		
Applicant phone: 919.645.4313		
Applicant signature(s): <i>Robert Dail Susan Dail</i>		
Additional email(s): <i>rdail5216@gmail.com dailsat@aol.com</i>		



Conditional Use District Zoning Conditions		
Zoning case #: TBD	Date submitted: June 20, 2023	OFFICE USE ONLY Rezoning case #
Existing zoning: R-4 w/ SHOD-1	Proposed zoning: R-10-CU w/ SHOD-1	

**Narrative of Zoning Conditions Offered**

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the R-10 zoning district shall be prohibited: (i) Boardinghouse; (ii) Outdoor sports or entertainment facility; (iii) Bed & breakfast; and (iv) Hospitality house.
2. The Apartment building type shall be prohibited.
3. No individual Townhouse building shall contain more than seven (7) dwelling units.

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

Property Owner(s) Signature: Robert Dail Susan C. Dail

Printed Name: Robert Dail Susan C. Dail

**RECEIVED**  
JUL 21 2023  
BY: Sea Dewar

**Rezoning Application Addendum #1**

**Comprehensive Plan Analysis**

The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.

**OFFICE USE ONLY**

Rezoning case #  
\_\_\_\_\_

**Statement of Consistency**

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

**Public Benefits**

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

**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.

[Empty space for listing historic resources and their impacts]

**Proposed Mitigation**

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

[Empty space for providing mitigation statements]



## 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>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.</p> <p><b>Response:</b></p>
<b>2</b>	<p>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.</p> <p><b>Response:</b></p>
<b>3</b>	<p>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.</p> <p><b>Response:</b></p>
<b>4</b>	<p>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.</p> <p><b>Response:</b></p>
<b>5</b>	<p>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.</p> <p><b>Response:</b></p>
<b>6</b>	<p>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.</p> <p><b>Response:</b></p>

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

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



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

Rezoning Checklist (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning	Yes	N/A	Yes	No	N/A
1. I have referenced this <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					
2. Pre-application conference.					
3. Neighborhood meeting notice and report					
4. Rezoning application review fee (see <a href="#">Fee Guide</a> for rates).					
5. Completed application submitted through Permit and Development Portal					
6. Completed Comprehensive Plan consistency analysis					
7. Completed response to the urban design guidelines					
8. Two sets of stamped envelopes addressed to all property owners and tenants of the rezoning site(s) and within 500 feet of area to be rezoned.					
9. Trip generation study					
10. Traffic impact analysis					
<b>For properties requesting a Conditional Use District:</b>					
11. Completed zoning conditions, signed by property owner(s).					
<b>If applicable, see page 11:</b>					
12. Proof of Power of Attorney or Owner Affidavit.					
<b>For properties requesting a Planned Development or Campus District:</b>					
13. Master plan (see Master Plan submittal requirements).					
<b>For properties requesting a text change to zoning conditions:</b>					
14. Redline copy of zoning conditions with proposed changes.					
15. Proposed conditions signed by property owner(s).					

REZONING OF PROPERTY CONSISTING OF +/- 1.27 ACRES,  
LOCATED ALONG NEEDHAM ROAD, SOUTHEAST OF THE I-540 AND BUFFALOE  
ROAD INTERSECTION, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS AND TENANTS ON  
JUNE 7, 2023

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent neighbors on Wednesday, June 7, 2023 at 5:30 p.m. The property considered for this potential rezoning totals approximately 1.27 acres, and is located along Needham Road, southeast of the I-540 and Buffalo Road intersection, in the City of Raleigh, having Wake County Parcel Identification Number 1746-21-0963. This meeting was held at the Marsh Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604. All owners and tenants of property within 500 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



To: Neighboring Property Owner and Tenants  
From: Worth Mills  
Date: May 26, 2023  
Re: Neighborhood Meeting for Rezoning of 5116 Needham Road

You are invited to attend an informational meeting to discuss the proposed rezoning of 5116 Needham Road (with Property Identification Number (PIN) 1746-21-0963). The meeting will be held on **Wednesday, June 7, 2023, from 5:30 PM until 6:30 PM**, at the following location:

**Marsh Creek Park  
Classroom 107  
3050 N New Hope Road  
Raleigh, NC 27604**

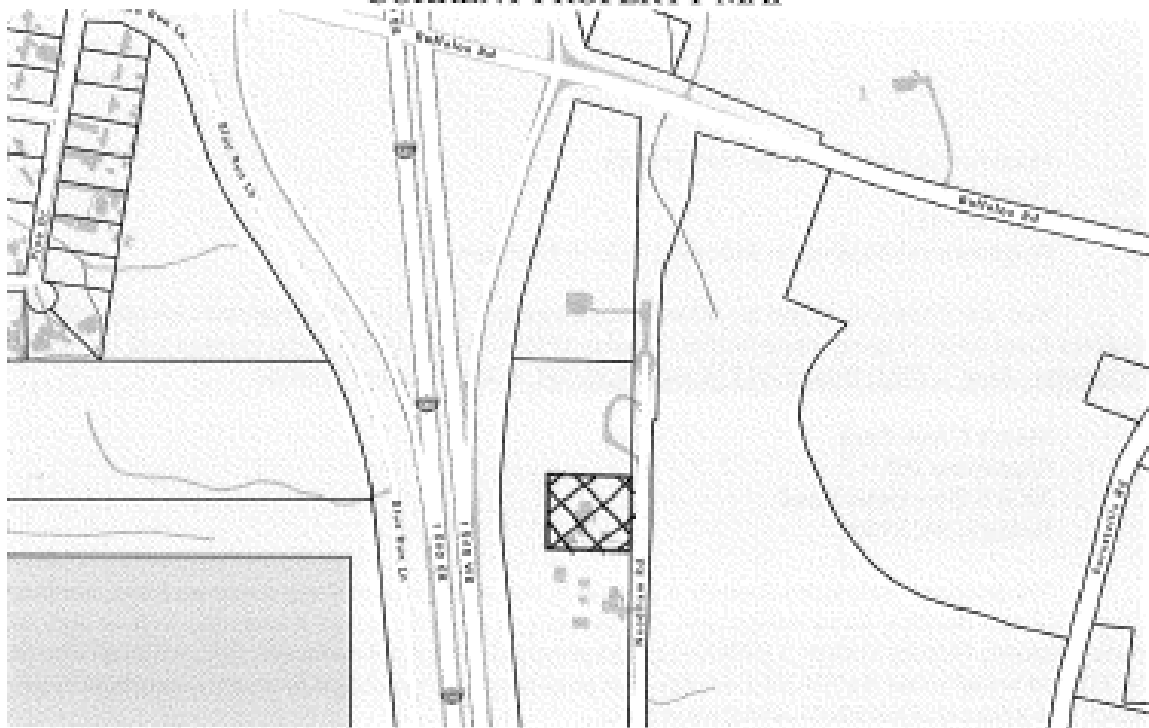
The property totals approximately 1.27 acres in size and is located along Needham Road, southeast of the I-540 and Buffalo Road intersection. The property is currently zoned Residential-4 (R-4) with the Special Highway Overlay District 1 (SHOD-1). The proposed zoning is Residential-10 Conditional Use (R-10-CU), and would retain the SHOD-1 overlay. The purpose of the rezoning is to create a consistent zoning district with adjacent residentially-zoned properties.

The City of Raleigh requires a neighborhood meeting involving the owners and tenants of property within 500 feet of the property prior to filing the rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

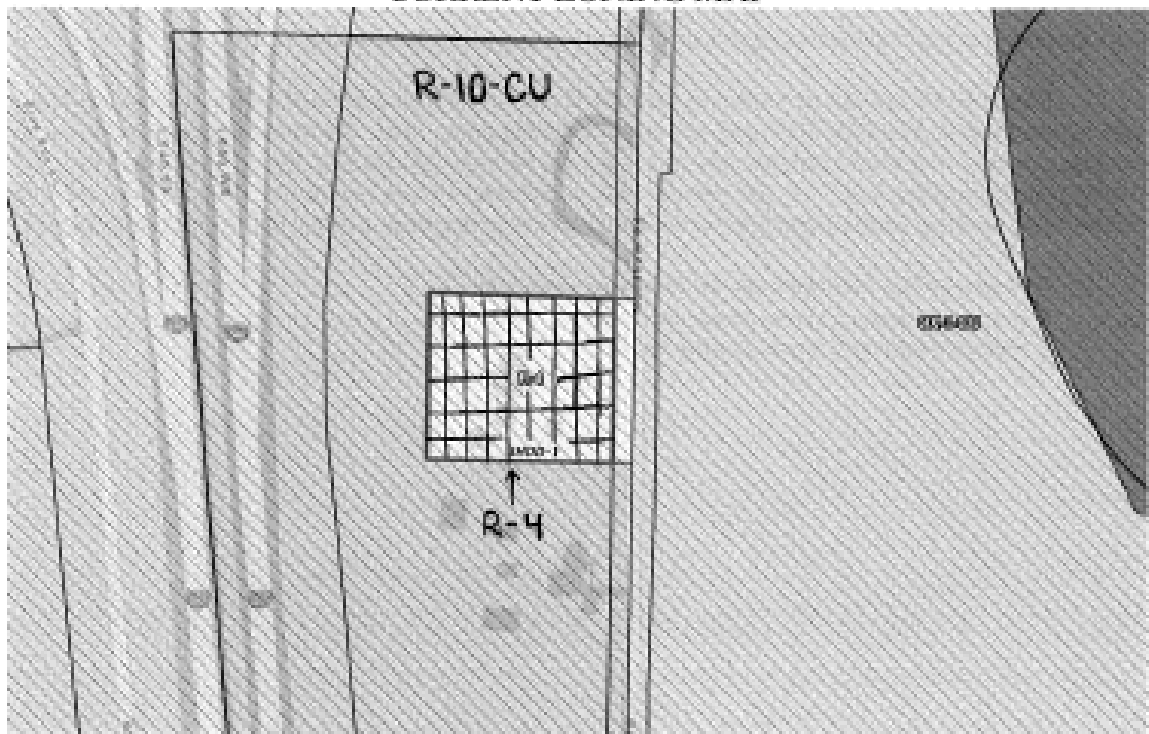
Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919-645-4313 and [wmills@longleaflp.com](mailto:wmills@longleaflp.com). Also, for more information about the rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planner Robert Tate at 919.996.2235 or [robert.tate@raleighnc.gov](mailto:robert.tate@raleighnc.gov). If you would like to submit written comments or questions after the neighborhood meeting, please participate in the applicable rezoning case at [www.publicinput.com/rezoning](http://www.publicinput.com/rezoning).

Attached to this invitation are the following materials:  
1. Subject Property Current Aerial Exhibit  
2. Subject Property Current Zoning Exhibit

### CURRENT PROPERTY MAP



### CURRENT ZONING MAP



**EXHIBIT B – NOTICE LIST**

<b>OWNER</b>	<b>ADDR1</b>	<b>ADDR2</b>
DAIL, ROBERT FRANKLIN DAIL, SUSAN C	5116 NEEDHAM RD	RALEIGH NC 27604-9797
SOUTHWOOD FERNANDINA LLC	PO BOX 280	GASTONIA NC 28053-0280
BUFFALOE ROAD INVESTMENTS LLC	6908 N RIDGE DR	RALEIGH NC 27615-7033
FIFTH TURNER LLC	410 LAKESTONE DR	RALEIGH NC 27609-6359
CURRENT RESIDENT	5136 NEEDHAM RD	RALEIGH NC 27604

## **EXHIBIT C – ITEMS DISCUSSED**

1. Current zoning
2. Proposed zoning
3. Zoning of adjacent properties
4. Intention to develop consistent with recently approved townhouse project nearby



## **EXHIBIT D – MEETING ATTENDEES**

1. Worth Mills (Longleaf Law Partners)
2. Jason Hetep (Community Coordinator)