



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR#

## CASE INFORMATION: Z-43-19 LEESVILLE ROAD

<b>Location</b>	Northwest quadrant of the I-540 / Leesville Road interchange Address: 10805 Leesville Road PINs: 0778978517 <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
<b>Current Zoning</b>	R-4 w/ SHOD-1
<b>Requested Zoning</b>	R-10-CU w/ SHOD-1
<b>Area of Request</b>	18.81 acres
<b>Corporate Limits</b>	The subject site is within the city's ETJ and contiguous to corporate limits. Annexation is not required for rezoning but is likely for city services to achieve the requested entitlement.
<b>Property Owner</b>	Lois Berry 10909 Leesville Road Raleigh, NC 27613
<b>Applicant</b>	Brendie Vega WithersRavenel
<b>Citizens Advisory Council (CAC)</b>	Northwest CAC Christina Jones, Chairperson
<b>PC Recommendation Deadline</b>	March 9, 2019

## SUMMARY OF PROPOSED CONDITIONS

1. The apartment building type is prohibited.
2. The block perimeter standard (UDO section 8.3.2) shall not apply.
3. Maximum residential density is 6 units per acre.

**COMPREHENSIVE PLAN GUIDANCE**

<b>Future Land Use</b>	Moderate Density Residential
<b>Urban Form</b>	Parkway Corridor
<b>Consistent Policies</b>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 2.2—Compact Development Policy LU 8.10—Infill Development Policy LU 8.12—Infill Compatibility Policy EP 5.5—Forested Buffers Policy H 1.8—Zoning for Housing
<b>Inconsistent Policies</b>	Policy LU 4.10—Development at Freeway Interchanges Policy T 2.3— Preserving the Grid

**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**

<b>Neighborhood Meeting</b>	<b>CAC</b>	<b>Planning Commission</b>	<b>City Council</b>
10/14/2019 69 attendees	11/11/2019 12/11/2019 (vote)	12/10/2019	

**PLANNING COMMISSION RECOMMENDATION**

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

Reasonableness and Public Interest	
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	
Motion and Vote	
Reason for Opposed Vote(s)	

**ATTACHMENTS**

1. Staff report
2. Rezoning Application
3. Original conditions

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.

Planning Director	Date	Planning Commission Chair	Date
Staff Coordinator:	Ira Mabel: (919) 996-2652; <a href="mailto:Ira.Mabel@raleighnc.gov">Ira.Mabel@raleighnc.gov</a>		



# ZONING STAFF REPORT – CASE Z-43-19

## Conditional Use District

### OVERVIEW

This request is to rezone one parcel of approximately 18.81 acres from Residential-4 with Special Highway Overlay District-1 (R-4 w/ SHOD-1) to Residential-10-Conditional Use (R-10-CU) w/ SHOD-1. Proposed zoning conditions prohibit apartment buildings; waive the block perimeter standards of the UDO; and set a maximum residential density of 6 units per acre. The site is within the city's ETJ and contiguous with city limits.

The subject site is on the west side of Leesville Road, just north of the I-540 / Leesville Road interchange. The site is currently accessible only from Berry Crest Avenue on its southern side. According to the materials submitted by the applicant, the condition waiving block perimeter is warranted to due to the nature of the existing development, topography, and the surrounding roadways and properties. The applicant also claims that a planned extension of Berry Crest Avenue to Leesville Road will provide sufficient vehicular and pedestrian access. While these listed constraints are real, disregarding the block perimeter standards to eliminate challenging or impossible external connections may also have unintended consequences for the internal circulation of the site. In addition, the text change TC-6-19 Design Alternatives, approved on December 3, 2019, modified the UDO such that the connections of concern likely would not be required at the time of site plan.

The site is currently undeveloped and wooded. There is a significant grade change along Leesville Road, especially close to the interstate, with downward slopes as high as 40% in some places. Overall, the site slopes and drains toward a semi-circular stream flowing from its southeastern to southwestern corner. The stream is subject to a 50-foot buffer from the top of bank. Leesville Road is roughly the western boundary of the Falls Lake watershed in this area, meaning the watershed does not affect the rezoning site.

The subject site is designated as Moderate Density Residential on the Future Land Use Map. To the northwest on Farmridge Road are 18 detached dwellings, also in the ETJ and designated as Moderate Density Residential. Directly to the southwest is the Harrington Pointe subdivision, 168 townhouse lots and 94 detached lots approved in 2004. Harrington Pointe and additional residential development to the west are all designated as Low Density Residential.

Generally, land west of Leesville Road is within Raleigh's jurisdiction and zoned R-4; land east of Leesville Road is in Wake County and zoned R-40W. Other notable uses in the area include Sycamore Creek Elementary School and the St. Francis of Assisi Church, which includes multiple buildings on a 26-acre campus.

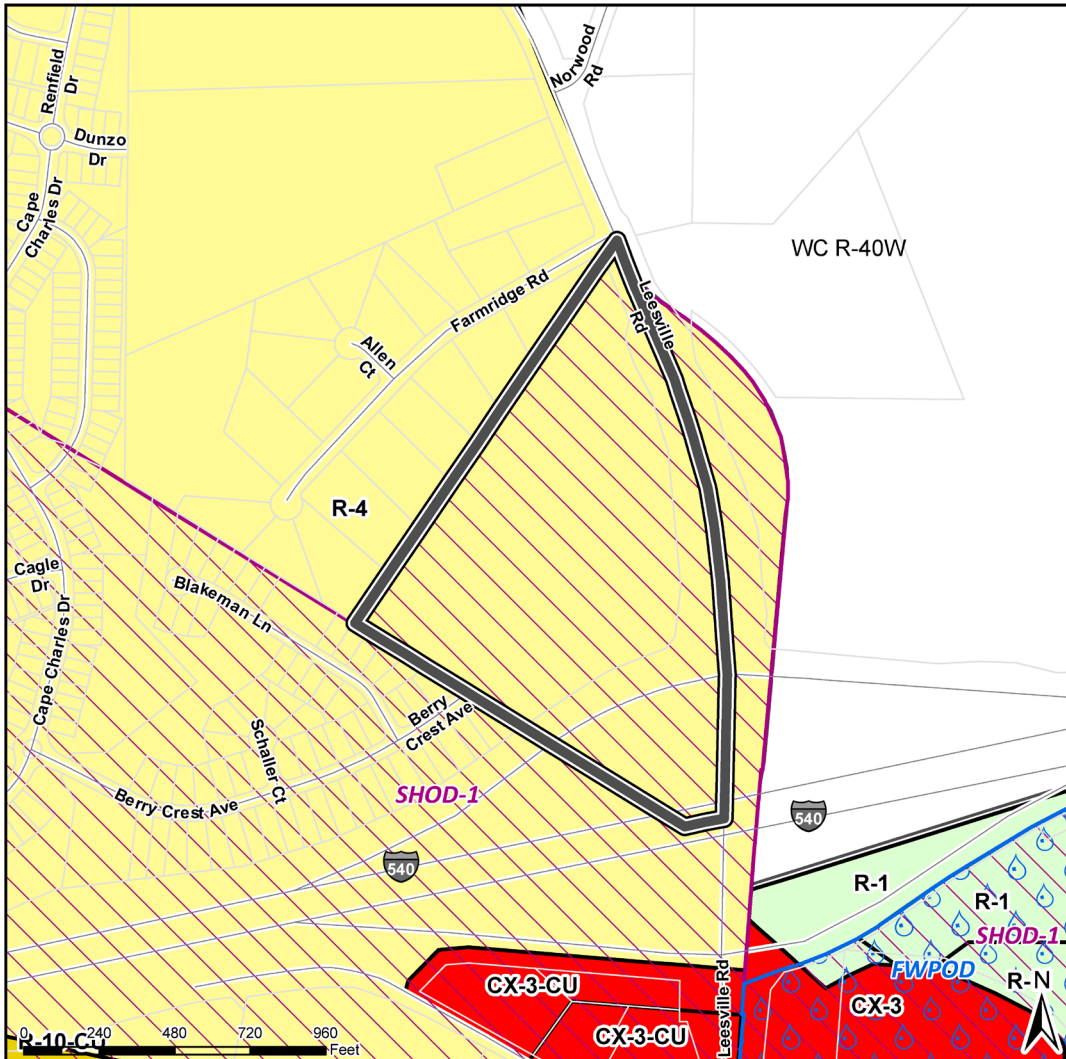
I-540 is a Parkway Corridor on the Urban Form Map. In this context, a Special Highway Overlay District (SHOD), which is included in this request, is an appropriate way to achieve the urban form goals.

## OUTSTANDING ISSUES

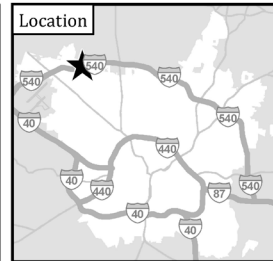
Outstanding Issues		Suggested Mitigation	
	<ol style="list-style-type: none"><li>1. Staff recommends removing the block perimeter condition.</li><li>2. The case has not received a vote from the Northwest CAC.</li></ol>		<ol style="list-style-type: none"><li>1. The applicant can resubmit proposed conditions without the waiver of block perimeter.</li><li>2. The applicant can request a vote on the January 14 meeting.</li></ol>

# Existing Zoning

# Z-43-2019



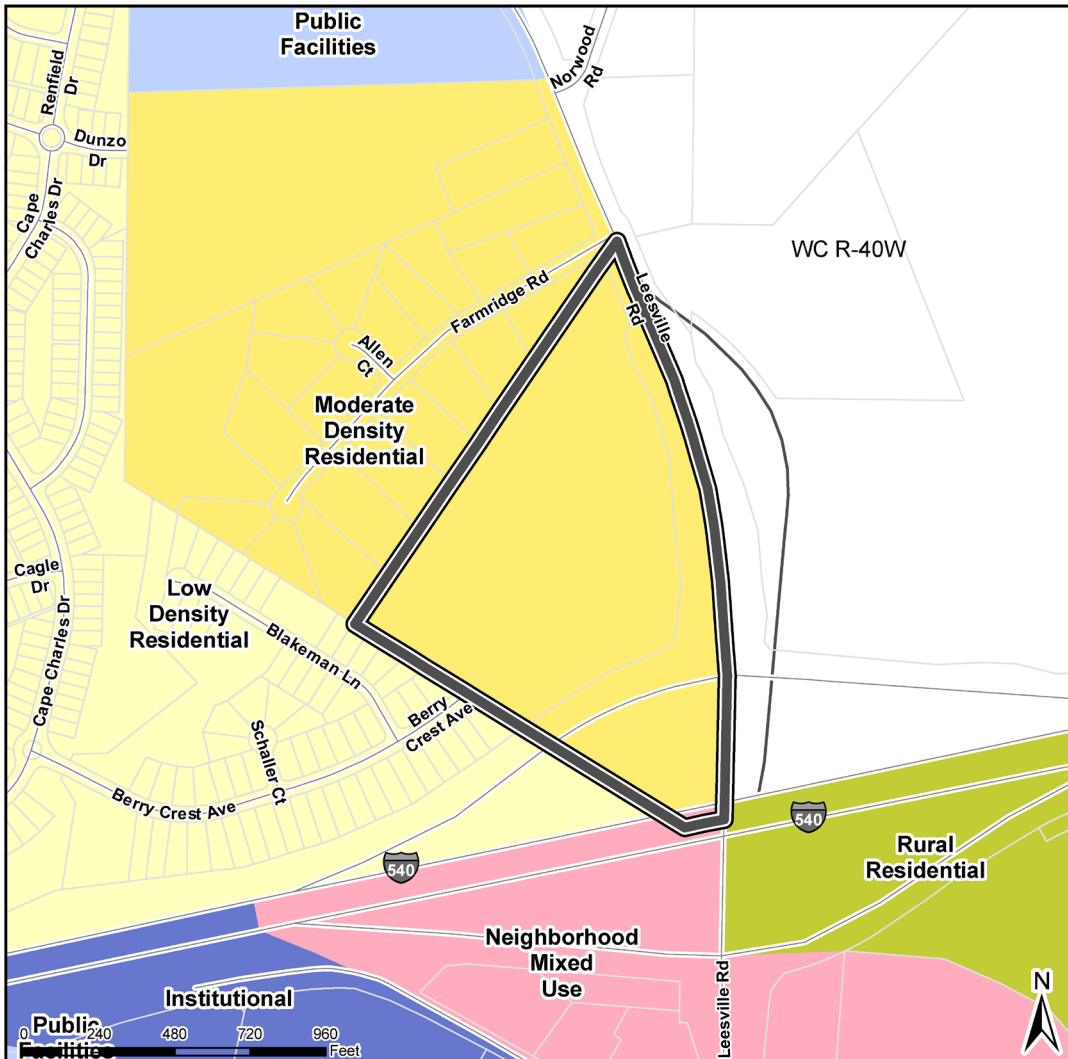
<b>Property</b>	10805 Leesville Rd
<b>Size</b>	19.26 acres
<b>Existing Zoning</b>	R-4 w/SHOD-1
<b>Requested Zoning</b>	R-10-CU w/SHOD-1



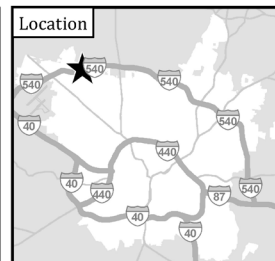
Map by Raleigh Department of City Planning (reckhowh). 10/25/2019

# Future Land Use

# Z-43-2019



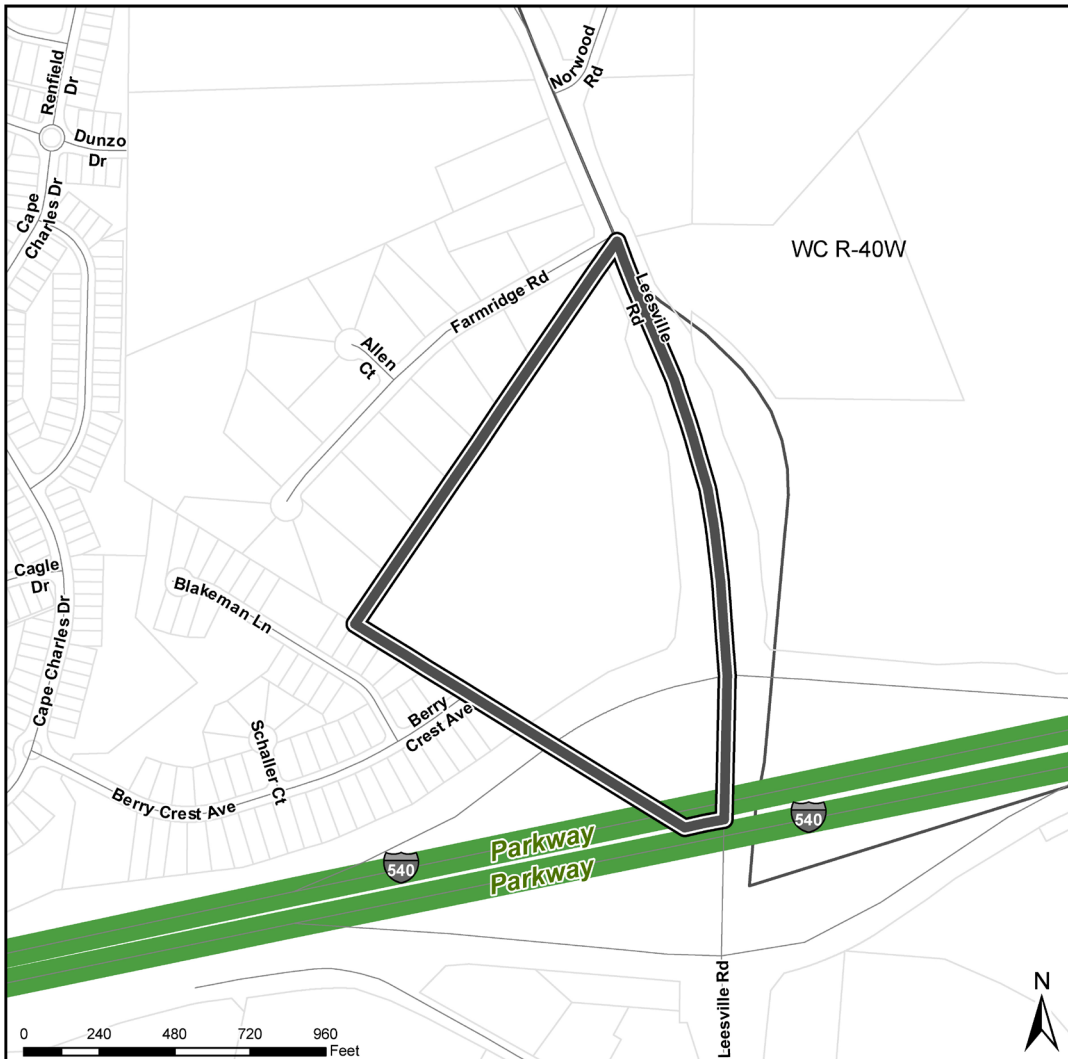
<b>Property</b>	10805 Leesville Rd
<b>Size</b>	19.26 acres
<b>Existing Zoning</b>	R-4 w/SHOD-1
<b>Requested Zoning</b>	R-10-CU w/SHOD-1



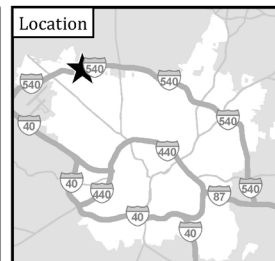
Map by Raleigh Department of City Planning (reckhowh); 10/25/2019

# Urban Form

# Z-43-2019



<b>Property</b>	10805 Leesville Rd
<b>Size</b>	19.26 acres
<b>Existing Zoning</b>	R-4 w/SHOD-1
<b>Requested Zoning</b>	R-10-CU w/SHOD-1



Map by Raleigh Department of City Planning (reckhowh); 10/25/2019



# 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 consistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Expanding Housing Choices** vision theme, which encourages expanding the supply of affordable housing. The request would permit up to 112 units and permit townhouse (although not apartment) building types, which is a substantial increase over the 42 detached units permitted under the current zoning.

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

Yes. The subject site is classified as Moderate Density Residential on the Future Land Use Map, which recommends residential development of up to 14 units per acre. The request includes a condition that limits density to 6 units per acre.

- 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?

N/A.

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

Probably. Community facilities and streets appear to be sufficient to serve the proposed use. However, staff recommends removing the proposed condition waiving block perimeter to ensure that new streets sufficient to support the development and improve the greater network can be required during site planning.

## Future Land Use

**Future Land Use designation:** Moderate Density Residential

**The rezoning request is**

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

**Inconsistent**

The Future Land Use Map designation of Moderate Density Residential calls for a maximum of 14 dwelling units per acre, including townhouses and apartments. This request limits residential density to 6 units per acre, which is below the amount envisioned by the FLUM category.

## Urban Form

**Urban Form designation:** Parkway Corridor

**The rezoning request is**

**Consistent** with the Urban Form Map.

**Inconsistent**

**Overview:** The site is adjacent to I-540, which as a Parkway Corridor suggests a heavily landscaped, suburban frontage. The request includes the Special Highway Overlay District-1 (SHOD-1), which in this context fulfills the Urban Form Map goals.

**Impact:** The main purpose of the SHOD-1 overlay is to establish protective yard planting standards. A 50-foot tree wide conservation area would be required along I-540, as well as a 50-foot wide tree conservation area for the first 200 feet of the parcel frontage on Leesville Road.

Other requirements included in SHOD-1 are a prohibition of off-premise signs, 5-story height maximum, exterior lighting standards, and spacing requirements for drive-thrus.

**Compatibility:** The landscaping standards of SHOD-1 are compatible with the intent of Parkway Corridors.

## Compatibility

**The proposed rezoning is**

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

**Incompatible.**

The request is compatible with the property and the surrounding area and can be established without adversely impacting neighboring properties. Although all nearby zoning districts are R-4, the Harrington Pointe subdivision was platted as a cluster unit development and includes a majority of townhouses. In addition, the request includes conditions which prohibit apartment buildings and limit residential density.

## Public Benefits of the Proposed Rezoning

- The request could provide greater housing choice and, by increasing supply, improve housing affordability.
- The request will facilitate infill development that is compatible with the surrounding neighborhood character.

## Detriments of the Proposed Rezoning

- The proposed condition waiving block perimeter requirements may preempt otherwise required transportation connections.

## Policy Guidance

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

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### **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 request is consistent with the recommendations of the Future Land Use Map of Moderate Density Residential, which envisions densities of 6 to 14 units per acre, including townhouses and apartments. This request limits residential density to 6 units per acre, which is below the amount envisioned by the FLUM category.

### **Policy LU 2.2—Compact Development**

*New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.*

- The proposed development will permit a higher intensity residential use than what is currently allowed. This will allow the development of the site at a density envisioned by the FLUM while also accommodating the environmental constraints and buffer requirements.

**Policy H 1.8—Zoning for Housing**

*Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well-supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.*

- Rezoning from R-4 to R-10 allows additional building types which will provide for increased housing choice and variety.

**Policy LU 8.10—Infill Development**

*Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.*

**Policy LU 8.12—Infill Compatibility**

*Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.*

- The site is currently vacant and creates a gap in both the built environment and the street grid. The request is compatible with the surrounding area because of proposed conditions which prohibit apartment buildings and limit residential density. New development and the associated required public improvements would improve local connectivity and reinforce neighborhood character.

**Policy EP 5.5—Forested Buffers**

*Conserve forested buffers along Raleigh’s freeways and expressways through the use of Special Highway Overlay Districts and conditional use zoning.*

- The request includes a Special Highway Overlay District. A 50-foot tree wide conservation area would be required along I-540, as well as a 50-foot wide tree conservation area for the first 200 feet of the parcel frontage on Leesville Road.

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

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**Policy LU 4.10—Development at Freeway Interchanges**

*Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mix of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.*

- The site is located adjacent to the Leesville Road (which is designated as Avenue 4-Lane Divided on the Street Plan) and I-540 interchange. The request will increase development intensity on the site but will not permit commercial uses.

**Policy T 2.3— Preserving the Grid**

*Existing street grid networks should be preserved and extended where feasible and appropriate to increase overall connectivity.*

- According to the materials submitted by the applicant, the condition waiving block perimeter is warranted to due to the nature of the existing development, topography, and the surrounding roadways and properties. While these constraints are real, disregarding the block perimeter standards to eliminate challenging or impossible external connections may also have unintended consequences for the internal circulation of the site.

# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	0	There is no current or planned bus service within a reasonable distance of the site.
Walk Score	30	17	The closest commercial destination is the Leesville Town Center on the south side of I-540.

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:** Residents of any development on the site will be heavily dependent on cars.

## Carbon/Energy Footprint: Housing

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

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

**Summary:** The proposed district would permit additional possible housing types, excluding apartments. Approval of this rezoning request would allow more energy-efficient housing units to be developed.

## Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The potential residential entitlement will more than double from 42 units to 112.
Does it include any subsidized units?	No	
Does it permit a variety of housing types?	Yes	The proposed district will permit detached, attached, and townhouse dwellings.
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	The minimum size of a townhouse lot in R-10 is approximately 10 times smaller than Raleigh's average detached house lot.
Is it within walking distance of transit?	No	There is currently no existing transit service within walking distance of the site.

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

**Summary:** The request would allow townhouse building types, which are generally more affordable than detached and attached units.

# IMPACT ANALYSIS

## Historic Resources

1. 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 Strickland Park (1.2 miles) and Leesville Park (2.5 miles).
3. Nearest existing greenway trail access is provided by Hare Snipe Creek Greenway Trail (3.3 miles).
4. Current park access level of service (LOS) grade in this area is a C.

**Impact Identified:** None.

## Public Utilities

1. The proposed rezoning would add approximately 28,000 gpd to the wastewater collection and water distribution systems of the city. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
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 and 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.



	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	10,500	28,000
Waste Water	0	10,500	28,000

**Impact Identified:** None.

### Stormwater

1. Site subject to Stormwater regulations under UDO 9.2 for runoff and nitrogen. No floodplain exists onsite. Possible Neuse Buffers exist.

**Impact Identified:** None.

### Transit

1. Comments from Transit are pending a Site Plan submittal.

**Impact Identified:** None.

### Transportation

1. **Location:** The Z-43-19 site is located in northwest adjacent to the Leesville Road and I-540.
2. **Area Plans:** The Z-43-19 site located near the Falls Lake area plan, but is not within its boundaries.
3. **Other Projects in the Area:** The City of Raleigh plans to improve Leesville Road between Westgate Road and Oneal Road. Improvements will include the addition of a center turn lane and bike and pedestrian facilities. The project is scheduled to be under construction in 2023. The City of Raleigh is also planning to add a separated bikeway to Westgate Road, Lumley Road, and Ebenezer Church Road. The design for this project is nearing completion, but the construction phasing and timing are uncertain at this time.
4. **Streets:** The site is located on Leesville Road which is designated as a 4-lane divided avenue on map T-1 of the Comprehensive Plan; it is maintained by NCDOT. Berry Crest Avenue stubs to the southwestern edge of the subject site. This local street is not designated on map T-1. It is built to Neighborhood Local (UDO Section 8.4.4.B) standards and is maintained by the City of Raleigh.

The maximum block perimeter for an R-10 zoning district is 2,500 feet. The existing block perimeter is over 15,000 feet due to the alignment of I-540. The applicant has submitted

condition #2 to exempt the site from the block perimeter requirements of UDO section 8.3.2. The supporting memo indicates an intention to extend Berry Crest Avenue to Leesville Road, but the submitted condition appears to eliminate a requirement for this extension.

On December 3, 2019, City Council adopted TC-6-2019, which creates objective criteria for design alternates to meet block perimeter requirements. It appears that TC-6-2019 would eliminate any requirement to stub a street to the I-540 right-of-way or the Farmridge Subdivision north of the site. Condition #2 should be eliminated as it appears to have no intended effect. If the intended effect is to prevent a connection of Berry Crest Avenue to Leesville Road, the condition creates inconsistencies with many 2030 Comprehensive Plan policies. Any such condition is inconsistent with the 2030 Comprehensive Plan, including policies LU4.2, T2.3, T2.4, T2.5, T2.6, T5.4, EP1.1, EP1.2, and RC1.5.

5. **Pedestrian Facilities:** There are no sidewalks currently along the site’s Leesville Road frontage. Their construction is required with development of this site. Berry Crest Avenue has a sidewalk on the north side of the street.
6. **Bicycle Facilities:** Leesville Road has bicycle lanes from I-540 to Hickory Grove Church Road.
7. **Transit:** This site is not proximal to existing or planned GoRaleigh service.
8. **Access:** Access to the subject property may be via Leesville Road or Berry Crest Avenue.
9. **TIA Determination:** Approval of case Z-43-19 would increase the amount of projected vehicular trips for the site. The projected increase from the current entitlements to the Proposed Zoning Maximums would be 52 more trips in the AM Peak Hour and 69 more trips in the PM Peak Hour. The net new trips generated due to the rezoning case would not trigger a Traffic Impact Analysis based on the thresholds in the Raleigh Street Design Manual.

Z-43-19 Existing Land Use Vacant	Daily	AM	PM
	0	0	0
Z-43-19 Current Zoning Entitlements R-4	Daily	AM	PM
	396	31	42
Z-43-19 Proposed Zoning Maximums R-10-CU	Daily	AM	PM
	1,057	83	111
Z-43-19 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>661</b>	<b>52</b>	<b>69</b>

**Impact Identified:** The condition waiving block perimeter as currently worded is inconsistent with the city’s transportation goals related to connectivity.

## Urban Forestry

1. Tree Conservation Areas are required per the SHOD-1 regulations.

**Impact Identified:** None.

## Impacts Summary

The condition waiving block perimeter as currently worded is inconsistent with the city's transportation goals related to connectivity.

## Mitigation of Impacts

The applicant could remove the block perimeter condition.

## **CONCLUSION**

This request is to rezone one parcel of approximately 18.81 acres from Residential-4 with Special Highway Overlay District-1 (R-4 w/ SHOD-1) to Residential-10-Conditional Use (R-10-CU) w/ SHOD-1. Proposed zoning conditions prohibit apartment buildings; waive the block perimeter standards of the UDO; and set a maximum residential density of 6 units per acre.

The request is **consistent** with Comprehensive Plan overall; **consistent** with the Future Land Use Map; and **consistent** with the Urban Form Map.

The request is **consistent** with Comprehensive Plan policies regarding infill development, zoning for housing, and development near freeways. The request is **inconsistent** with policies regarding preserving the street grid.

The request would support the Vision Theme of *Expanding Housing Choice*.

## **CASE TIMELINE**

Date	Action	Notes
10/24/19	Submitted application	
12/10/2019	Planning Commission review	

# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	R-4	R-4	N/A	R-40W	R-4
Additional Overlay	SHOD-1	N/A	N/A	N/A	SHOD-1
Future Land Use	Moderate Density Residential	Moderate Density Residential	N/A	N/A (Wake County)	Low Density Residential
Current Land Use	Undeveloped	Detached dwellings	I-540	Undeveloped; Detached dwellings	Detached dwellings
Urban Form	Parkway Corridor	N/A	Parkway Corridor	Parkway Corridor	Parkway Corridor

## CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-4	R-10-CU
Total Acreage	18.81	18.81
Setbacks:	(R-4, detached house)	(R-10, townhouse)
Front	10'	10'
Side	5'	0' or 6'
Rear	20'	20'
Residential Density:	2.23	5.95
Max. # of Residential Units	46	112
Max. Gross Building SF	105,000	224,000
Max. Gross Office SF	-	-
Max. Gross Retail SF	-	-
Max. Gross Industrial SF	-	-
Potential F.A.R	0.13	0.27

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

**CONDITIONAL USE DISTRICT ZONING CONDITIONS**

Zoning Case Number

Date Submitted

Existing Zoning **R-4**

Proposed Zoning **R-10-CU**

**OFFICE USE ONLY**

**Transaction #**

**Rezoning Case #**

**Narrative of Zoning Conditions Offered**

1. The following building type shall be prohibited: Apartment
2. The block perimeter shall not be subject to the provisions of UDO Section 8.3.2. (Please see the attached memo for an analysis of how this project meets UDO Section 10.2.4.E.2.c)
3. The maximum density shall be 6 du/acre.
- 4.
- 5.
- 6.
- 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/Registered Agent Signature  Print Name John T. Berry, Jr.. POA



October 22, 2019

Mr. Jason Hardin, AICP

Raleigh Department of City Planning  
One Exchange Plaza, Suite 300  
Raleigh, NC 27602

Re. Leesville Townhomes – PIN 0778978517 – Block Perimeter Modification

Dear Jason,

We understand that PIN 0778978517 will require a waiver on block perimeter requirements due to the nature of the existing development, topography, and the surrounding roadways and properties. Accordingly, this memorandum is to provide background and support for modifying this parcel's block perimeter requirements. We offer the following information in support of this modification:

- The property is bounded on the northeast side by a public street (Leesville Road), to the southeast side by an entrance ramp onto I-540, to the northwest and southwest by developed residential parcels, and wetlands accommodate much of the northwestern and central portions of the property.
- Berry Crest Avenue is aligned to the center of the property's southwestern limits. This alignment effectively splits the property in half, limiting the capability of the site to meet block perimeter requirements.
- The planned extension of Berry Crest Avenue to Leesville Road will provide for additional pedestrian connections through the site. This will increase mobility options for residents of the surrounding neighborhoods, fulfilling the intent of Article 8.3 of the UDO which calls for safe, efficient and convenient access through and around the subject site for multi-modal users.
- While the site cannot meet current block perimeter requirements due to surrounding development constraints, the site has access in all practical directions via multiple street connections and is generally well connected to the larger street network.

Given that connectivity is provided for the subject parcel to the extent practical, and that the subject parcel is limited by both existing public infrastructure and the presence of wetlands, we request a block perimeter modification for PIN 0778978517.

Should you have any questions, please do not hesitate to contact me at 919-238-0410 or at [fgallagher@withersravenel.com](mailto:fgallagher@withersravenel.com).

Sincerely,

Frances S. Gallagher, PE  
Transportation Manager

# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



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

## REZONING REQUEST

General Use     Conditional Use     Master Plan

Existing Zoning Base District **R-4**    Height **N/A**    Frontage **N/A**    Overlay(s) **SHOD-1**

Proposed Zoning Base District **R-10**    Height **N/A**    Frontage **N/A**    Overlay(s) **SHOD-1**

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

**OFFICE  
USE ONLY**

Transaction #

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

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

**SCOPE-0040-2019**

## GENERAL INFORMATION

Date **9.26.19**                      Date Amended (1)                      Date Amended (2)

Property Address **10805 Leesville Road**

Property PIN **0778978517**

Deed Reference (book/page) **001107/0000E**

Nearest Intersection **Leesville Road & Farmridge Road**

Property Size (acres) <b>19.263</b>	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings

Property Owner/Address

**Berry, Lois Spikes**  
10909 Leesville Road  
Raleigh, NC 27613

Phone **919 848-3730 H**    Fax **919 848-3730**  
919 622-5338 C

Email **berryjd140@gmail.com**

Project Contact Person/Address

**Brendie Vega/WithersRavenel**  
137 S. Wilmington Street, Suite 200  
Raleigh, NC 27601

Phone **919-535-5212**    Fax **919-467-6008**

Email **bvega@withersravenel.com**

Owner/Registered Agent Signature

Signature: *John J. Berry, Jr.*    POA

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

**REZONING APPLICATION ADDENDUM #1**

**Comprehensive Plan Analysis**

**OFFICE USE ONLY**

**Transaction #**

**Rezoning Case #**

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.

**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. Future Land Use Map designates site as Moderate Density Residential. This future land use is designed to support 6 to 14 dwelling units per acre, which is consistent with the proposed zoning.

2. The proposed rezoning allows for a more compact land use pattern, allowing for the concentration of utilities and improving the overall transportation network per Comprehensive Plan Policy LU 2.2.

3. The proposed site will serve as a both a connection and a transition between the low density residential neighborhood along Berry Crest Avenue to Leesville Road in line with and LU 4.5.

4. Townhome development under the proposed zone will bring a new residential product to an area currently saturated by single-family houses improving housing variety in line with LU 8.1 and H 1.8.

**PUBLIC BENEFITS**

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

1. The proposed zoning will provide additional housing options in a location currently supplied solely by single-family homes.

2. The proposed zoning will provide additional connections to Leesville Road for residents of the Dominion Park and Harrington Pointe neighborhoods while also serving as a density buffer.

3. Development of the property will expand public sanitary sewer to the current limits of the municipality, opening up the opportunity for ETJ expansion northward if desired in the future.

4.



**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**

**Transaction #**

**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.

n/a

According to the North Carolina State Historic Preservation Office GIS Server, there are no historical resources located within or immediately surrounding the subject parcel.

**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 N/A

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

1.	<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> n/a</p>
2.	<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> n/a</p>
3.	<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> n/a</p>
4.	<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> n/a</p>
5.	<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> n/a</p>
6.	<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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</p>

13.	<p><i>New public spaces should provide seating opportunities.</i>  <b>Response:</b>  n/a</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i>  <b>Response:</b>  n/a</p>
15.	<p><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>  n/a</p>
16.	<p><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>  n/a</p>
17.	<p><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>  n/a</p>
18.	<p><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>  n/a</p>
19.	<p><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>  n/a</p>

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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</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> n/a</p>



# Pre-Application Conference

## Meeting Record

Department of City Planning | One Exchange Plaza, Suite 300 | (919) 996-2682

<b>Meeting Date:</b> August 16, 2019 11:30 AM	
<b>Attendees:</b> Arnaldo Echevarria, George Young, David Brown, Don Belk, Hannah Reckhow, Jason Hardin	
<b>Site Address/PIN:</b> 10805 Leesville Road	
<b>Current Zoning/Designation:</b> R-4	
<b>Proposed Zoning/Designation:</b> R-10	
<b>CAC Contact Information:</b> Northwest CAC <a href="mailto:Aracelys.Torrez@raleighnc.gov">Aracelys.Torrez@raleighnc.gov</a> 919-996-5717	
<p><b>Notes:</b> Applicant interested in townhomes. Site is designated as Moderate Density Residential on the Future Land Use Map, which would support between 6 and 14 dwelling units per acre. R-10 would be consistent with this policy. Other policies regarding compatibility and zoning for housing would be relevant as well. No Urban Form designation on this site. Conversations with the neighbors will be important. Leesville Road is a four-lane divided avenue, would not be compatible with individual driveways/detached houses. Site does not meet block perimeter currently. Rezoning case can incorporate exemption, additional documentation is required, and request would be evaluated for consistency with Comprehensive Plan. After rezoning, issue would involve Board of Adjustment. Recent text change TC-5A-18 alters townhouse building type street frontage. Applicant considering prohibiting apartment type through conditions.</p>	
Department & Staff	Notes
<p><b>Transportation</b></p> <p><input type="checkbox"/> Jason Myers  <a href="mailto:Jason.Myers@raleighnc.gov">Jason.Myers@raleighnc.gov</a>            919-996-2166</p>	
<p><b>Historic Preservation</b></p> <p><input type="checkbox"/> Melissa Robb  <a href="mailto:Melissa.Robb@raleighnc.gov">Melissa.Robb@raleighnc.gov</a>            919-996-2632</p> <p><input type="checkbox"/> Collette Kinane  <a href="mailto:Collette.Kinane@raleighnc.gov">Collette.Kinane@raleighnc.gov</a>            919-996-2649</p>	

<p><b>Parks, Recreation, &amp; Cultural Resources</b></p> <p><input type="checkbox"/> TJ McCourt <a href="mailto:Thomas.McCourt@raleighnc.gov">Thomas.McCourt@raleighnc.gov</a> 919-996-6079</p> <p><input type="checkbox"/> Emma Liles <a href="mailto:Emma.Liles@raleighnc.gov">Emma.Liles@raleighnc.gov</a> 919-996-4871</p>	
<p><b>Public Utilities</b></p> <p><input type="checkbox"/> John Sorrell <a href="mailto:John.Sorrell@raleighnc.gov">John.Sorrell@raleighnc.gov</a> 919-996-3485</p> <p><input type="checkbox"/> Lorea Sample <a href="mailto:Lorea.Sample@raleighnc.gov">Lorea.Sample@raleighnc.gov</a> 919-996-3484</p>	
<p><b>Stormwater</b></p> <p><input type="checkbox"/> Gary Morton <a href="mailto:Gary.Morton@raleighnc.gov">Gary.Morton@raleighnc.gov</a> 919-996-3517</p> <p><input type="checkbox"/> Charles Webb <a href="mailto:Charles.Webb@raleighnc.gov">Charles.Webb@raleighnc.gov</a> 919-996-3519</p>	
<p><b>Development Services</b></p> <p><input type="checkbox"/> Justin Rametta <a href="mailto:Justin.Rametta@raleighnc.gov">Justin.Rametta@raleighnc.gov</a> 919-996-2665</p> <p><input type="checkbox"/> Mike Walters <a href="mailto:Michael.Walters@raleighnc.gov">Michael.Walters@raleighnc.gov</a> 919-996-2636</p>	