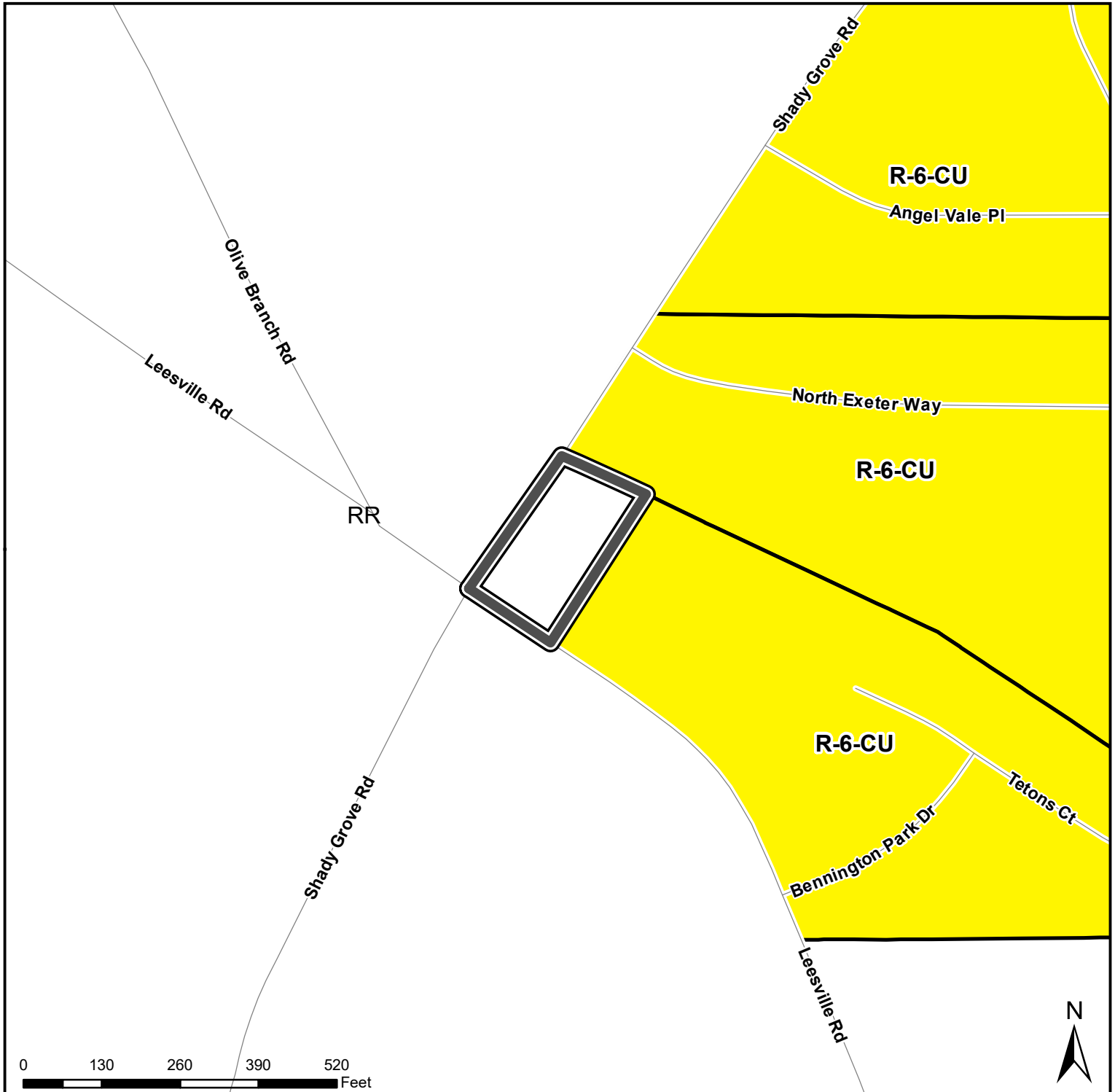
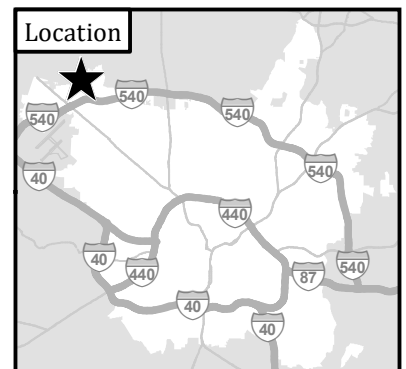


Existing Zoning

Z-47-2020



Property	7403 Leesville Rd
Size	0.71 acres
Existing Zoning	Durham RR
Requested Zoning	R-10-CU



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	JP Mansolf, Planner
Department	Planning and Development
Date	April 21, 2021
Subject	City Council agenda item for May 4, 2021 – Z-47-20

On April 20, 2021, City Council authorized the public hearing for the following item:

Z-47-20 7403 Leesville Rd, approximately 0.71 acres [located at the intersection of Leesville Road and Shady Grove Road \(District E\)](#).

Signed zoning conditions provided on April 15, 2021 prohibit all uses except single-unit living, two-unit living, multi-unit living, cottage court, and compact development, require a airport noise notification statement that would be included in restrictive covenants filed prior to any sale of the subject property or lot within the subject property and requires certification that the noise levels within any residential dwelling does not exceed 42 decibels.

Current zoning: Current Zoning: Durham Residential Rural with Airport Overlay-60 (RR w/A-60).

Requested zoning: Requested Zoning: Residential-10-Conditional Use (R-10-CU)

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

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

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

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13002

CASE INFORMATION: Z-47-20 LEESVILLE ROAD

Location	At the intersection of Leesville Road and Shady Grove Road Address: 7403 Leesville Road PINs: 0779028028 iMaps , Google Maps , Directions from City Hall
Current Zoning	Rural Residential (Durham)
Requested Zoning	Residential-10 (R-10)
Area of Request	0.71 acres
Corporate Limits	The site is located outside of Raleigh's ETJ. Annexation is required to apply Raleigh zoning.
Property Owner	MEJM PROPERTIES LLC
Applicant	Pamela Porter
Council District	E
PC Recommendation Deadline	June 7, 2021

SUMMARY OF PROPOSED CONDITIONS

1. Only the following uses shall be permitted on the property: single-unit living, two-unit living, multi-unit living, cottage court, and compact development. All other uses shall be prohibited.
2. Requires an aircraft noise notification statement be filed with the register of deeds prior to any sale of rezoned property or lot within the rezoned property. It also requires the statement to be recorded in restrictive covenants prior to the sale of any property or lot within the property and a recorded copy to be provided to Planning and Development within 3 days of recordation.
3. Requires a sealed letter from an accredited acoustician, architect or engineer that certifies the sounds levels within the any residential dwelling be reduced by 25 decibels not to exceed 42 decibels.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Moderate Density Residential
Urban Form	No Urban Form Map designation
Consistent Policies	LU 1.2 Future Land Use Map and Zoning Consistency LU 3.1 Zoning of Annexed Lands LU 3.4 Infrastructure Concurrency H 1.8 Zoning for Housing EP 8.10 Airport Noise Protection for Residential Uses

Inconsistent Policies

LU 3.2 Location of Growth

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
September 14, 2020 3 attendees	n/a	March 3, 2021 – Consent Agenda, deferred with no discussion March 23, 2021 – deferred for consideration of additional sound attenuation conditions. April 13, 2021 – PC recommends approval 8-0	

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	The case is consistent with the Comprehensive Plan and Future Land Use Map, in particular with policies LU 1.2, LU 3.4 and EP 8.10.
Change(s) in Circumstances	

Amendments to the Comprehensive Plan	n/a
Recommendation	Approval
Motion and Vote	Motion: Miller Second: Rains In favor: Bennett, Fox, Lampman, McIntosh, Miller, O' Haver, Rains, and Winters
Reason for Opposed Vote(s)	n/a

ATTACHMENTS

1. Staff report
2. Comments from Raleigh-Durham Airport Authority
3. Rezoning Application
4. Revised 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.



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 4/13/21

Staff Coordinator: JP Mansolf: (919) 996-2180; JP.Mansolf@raleighnc.gov



ZONING STAFF REPORT – CASE Z-47-20

Conditional Use District

OVERVIEW

The request seeks to rezone one 0.71-acre parcel from Durham County Rural Residential (RR) to Residential-10 (R-10). The request includes one condition that limits uses to single-unit living, two-unit living, multi-unit living, cottage court, and compact development.

The site is located on the Durham County side of the Wake-Durham County border at the northeastern corner of Shady Grove Road and Leesville Road. Despite the site's location in Durham County, Raleigh has annexation authority through the annexation agreement with Durham County adopted in 2019. The site is not within Raleigh city limits or Extra Territorial Jurisdiction (ETJ), but directly borders Raleigh city limits to the east and north. Annexation is required to apply Raleigh zoning and provide water and sewer service. The applicant has submitted an annexation petition (AX-17-20) that is being reviewed concurrently with the rezoning request. City sewer and water are adjacent to the site.

The site is currently vacant. It is on the border of an area transitioning from predominately agricultural and rural residential to newer residential subdivisions consisting of predominately detached homes. To the east/northeast of the site are newer residential subdivisions within Raleigh city limits, while to the west/northwest of the site is predominately agricultural and rural development in unincorporated Durham County. The closest commercial and retail options to the site are approximately 1.5 miles to the southwest along Brier Creek Parkway. There is currently no transit service to the site.

An unimproved public right-of-way runs along the northwestern edge of the property, that is intended to facilitate a realigned intersection of Leesville Road, Shady Grove Road, and North Exeter Way. Upon development, a small portion of the northwest corner of the property is required to be dedicated as a component of this public right-of-way.

To the west, in Durham County, the nearby Durham county zoning is generally Rural Residential (RR) to the north and south with some residential developments in the broader area to the east zoned Planned Development Residential (PDR). On the Wake County side, the broader area to the west and northwest is almost exclusively Residential-6 (R-6) subdivisions.

The site's current Durham County Rural Residential zoning district generally provides for agricultural activities and residential development on lots one acre or greater with commercial and industrial development generally prohibited. The site is also subject to Durham's -A60 Airport Overlay District which does not prohibit land uses besides firing ranges, but does have requirements for lighting, signage, and indoor noise limits. Raleigh has an Airport Overlay District (AOD) that the Comprehensive plan recommends for sites within the 65-decibel level noise contour, which does not apply to this property as it is

approximately 1,900 feet outside of that contour line. Raleigh's AOD would prohibit any household living uses.

With regards to this request the Raleigh Durham Airport Authority has the following comments, with full comments included in the attachments:

"We request that should the City of Raleigh decide to approve the rezoning, the City condition the rezoning upon the builder's agreement to provide sound attenuation for the structure on the parcel, consistent with Durham County's A-60 AOD requirements. Sound attenuation measures includes construction techniques such as masonry walls, acoustic windows and either concrete roof or attic insulation at levels greater than code. These sound attenuation techniques will significantly reduce penetration of noise cause by aircraft overflights that will frequently occur in this area."

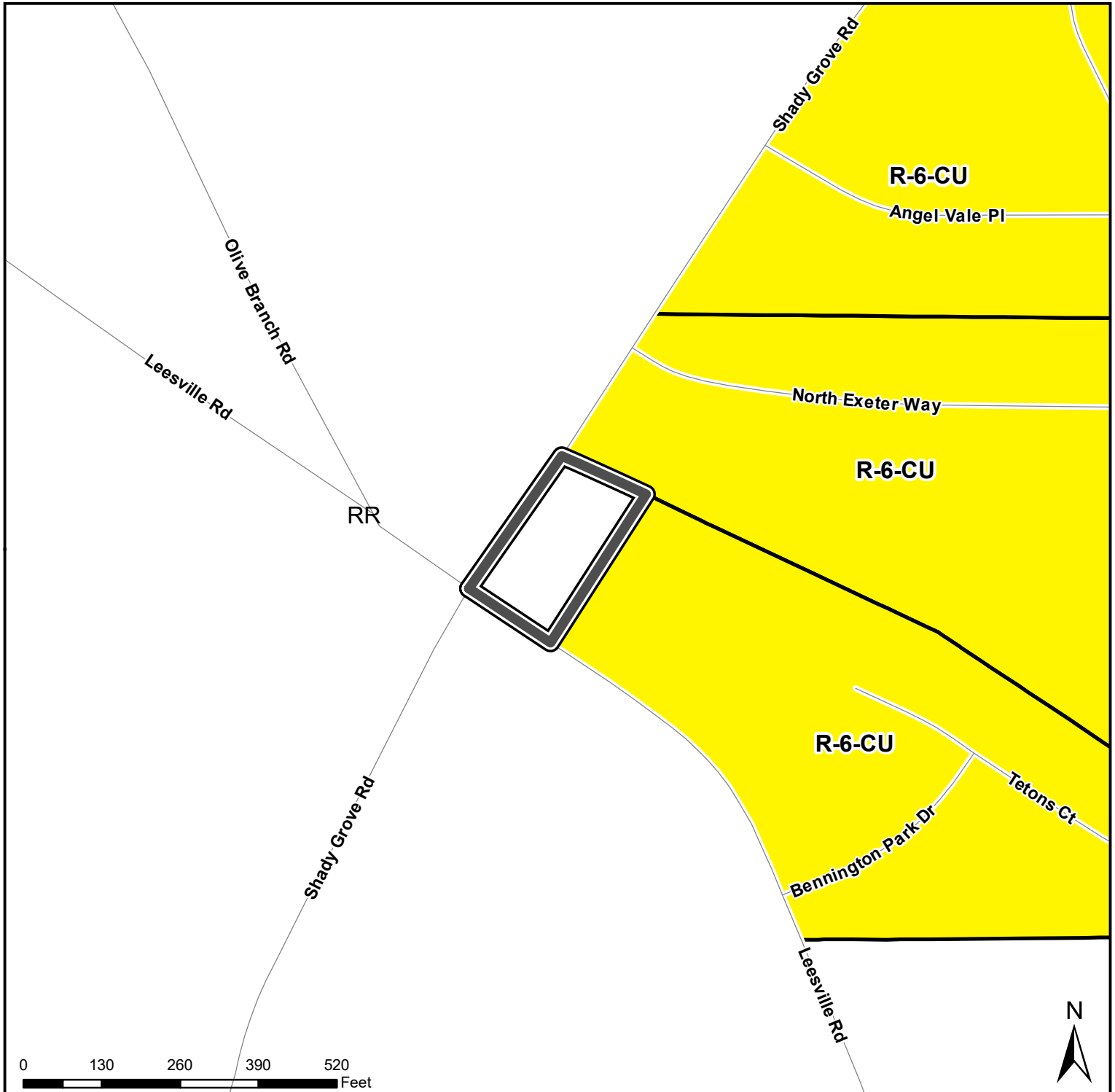
The site is designated as Moderate Density Residential on the Future Land Use Map, as are the parcels to the south of the site. The parcels to the east and northeast are designated Low Density Residential. The adjacent Durham County parcels to the northwest are designated as Low Density Residential which recommends a density of 4 dwellings units per acre or less. The requested Residential-10 district is consistent with the Future Land Use Map guidance which recommends residential uses at a density of 6-14 units per acre. There is no Urban Form Map guidance for the site.

Update for April 13, 2021 Planning Commission Meeting

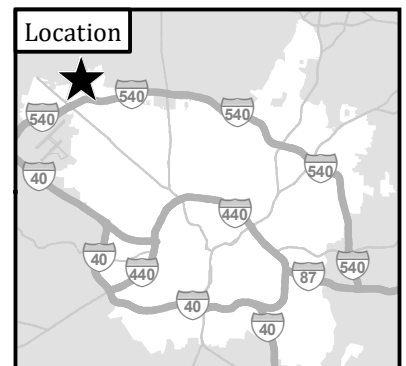
Since the March 23 Planning Commission meeting, two conditions were added to address sound attenuation for future development. One condition requires a notification statement that states the property is within the 60 DNL noise contour line. This statement would be included in restrictive covenants filed prior to any sale of the subject property or lot within the subject property. The other condition requires certification from an accredited acoustician, architect, or engineer that the noise levels within any residential dwelling does not exceed 42 decibels.

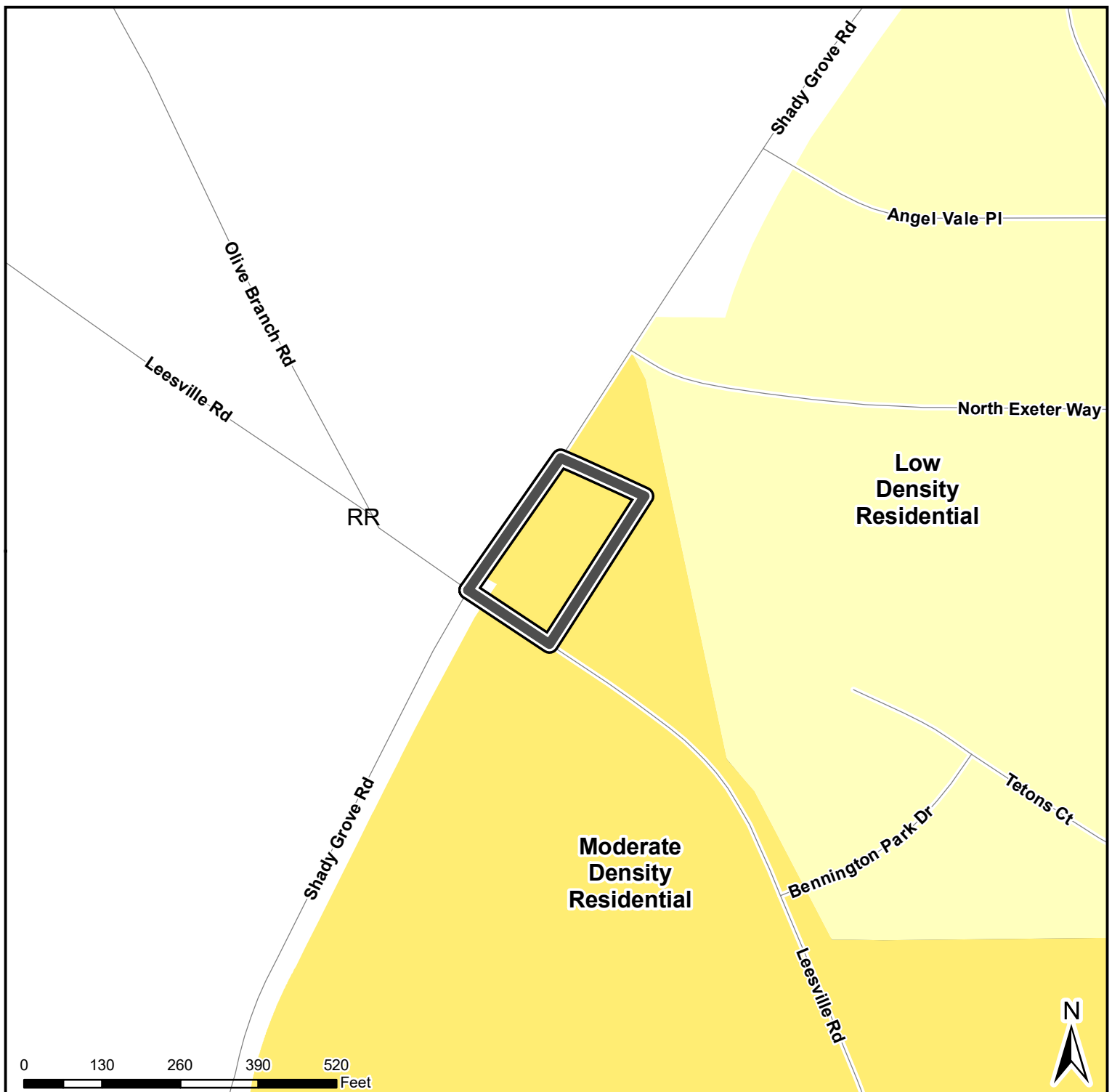
OUTSTANDING ISSUES

Outstanding Issues	1. None	Suggested Mitigation	1. n/a
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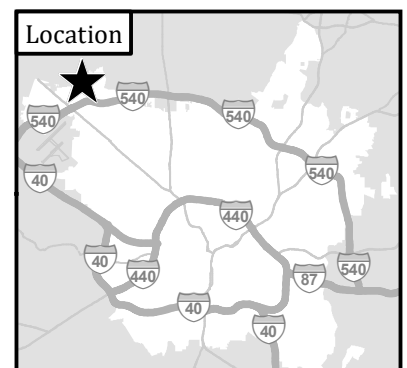


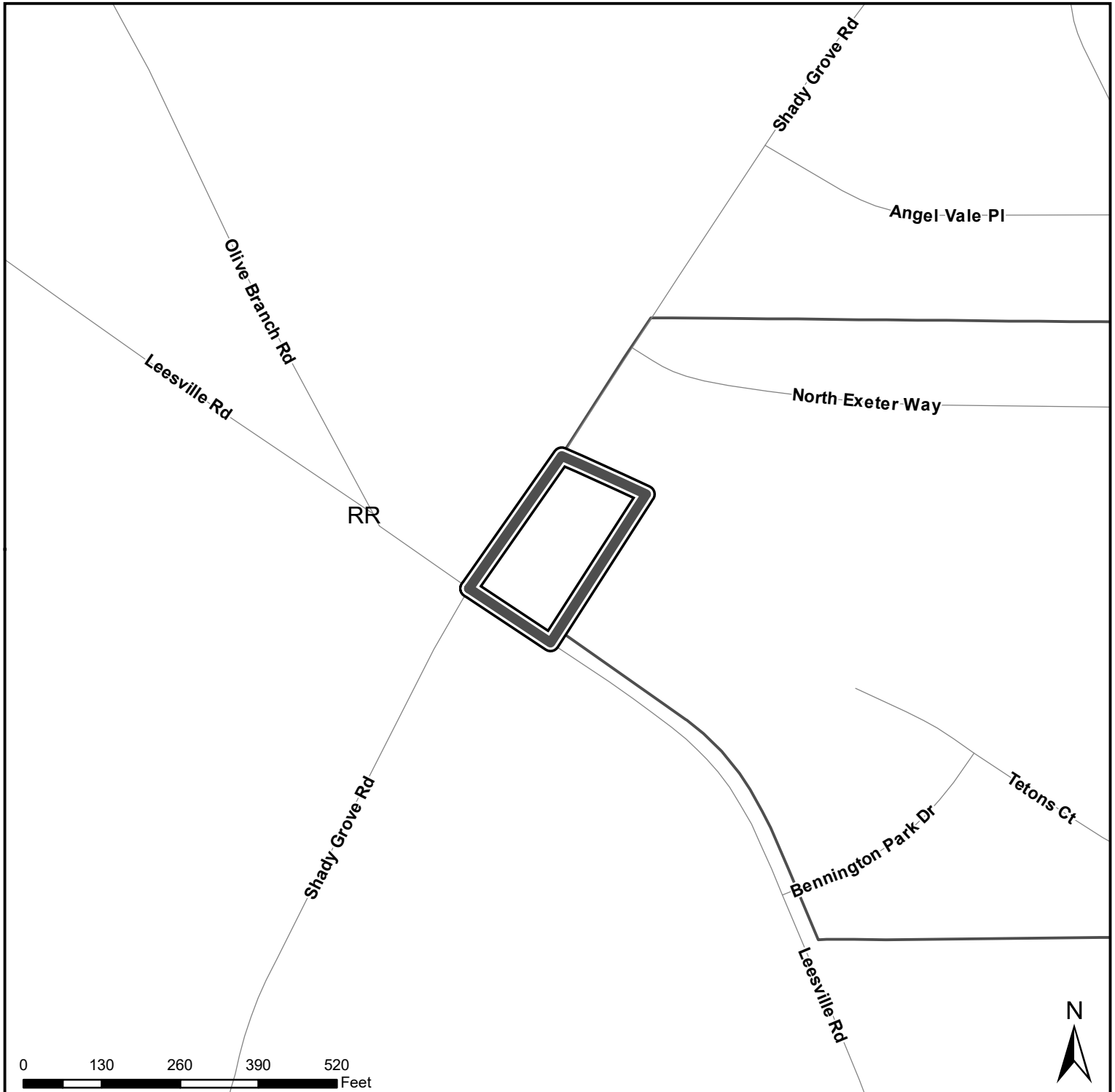
Property	7403 Leesville Rd
Size	0.71 acres
Existing Zoning	Durham RR
Requested Zoning	R-10-CU



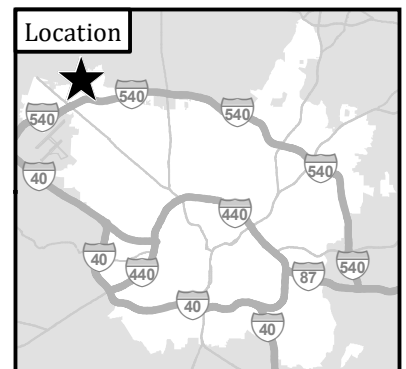


Property	7403 Leesville Rd
Size	0.71 acres
Existing Zoning	Durham RR
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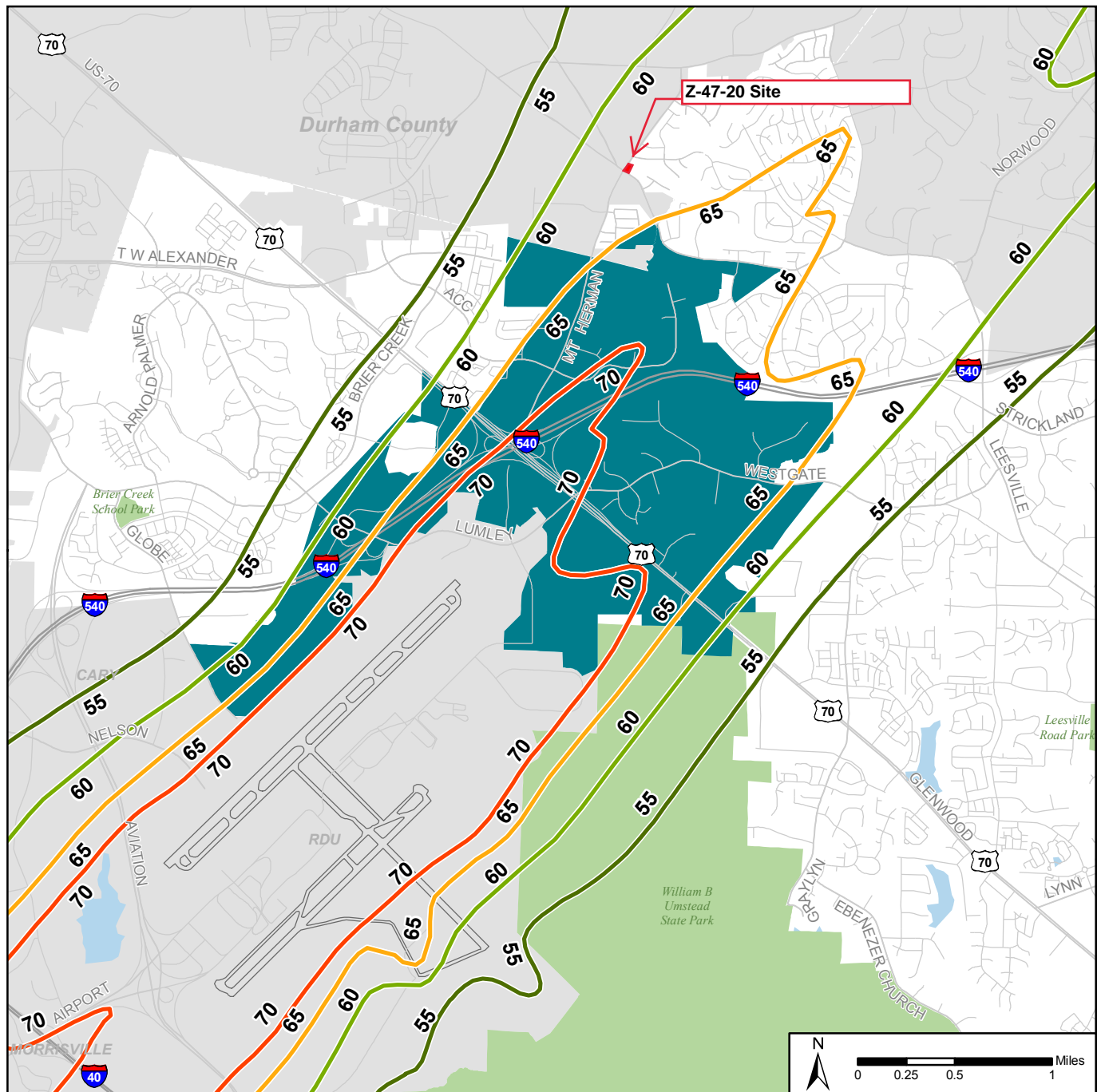




Property	7403 Leesville Rd
Size	0.71 acres
Existing Zoning	Durham RR
Requested Zoning	R-10-CU



Map EP-2: Airport Overlay District and Noise Contours



- Airport Overlay District
- Airport Noise Contours**
- 55 Average Daily Decibels
- 60 Average Daily Decibels
- 65 Average Daily Decibels
- 70 Average Daily Decibels

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?

Yes, the proposal is consistent with the **Expanding Housing Choices** vision theme which recommends increasing housing opportunities for all segments of the population in all areas of the city. The request will increase the number of units and variety of housing types available at this location.

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

Yes. The site is designated as Moderate Density Residential on the Future Land Use Map, which recommends a density of up to 14 units per acre. The requested zoning allows up to 10 units per acre which is in the recommended range for this designation.

- 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?

Community facilities including water and sewer service, and streets appear to be sufficient to serve the proposed use.

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 recommends maximum of 14 dwelling units per acre, including townhouses and apartments. This request limits residential density to 10 units per acre, which is below the amount envisioned by the FLUM category.

Urban Form

Urban Form designation: No Urban Form designation.

The rezoning request is

- ☐ **Consistent** with the Urban Form Map.
- ☐ **Inconsistent**
- ☒ **Other** (no Urban Form designation)

Compatibility

The proposed rezoning is

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

Overall, the request is compatible with the property and the surrounding area and can be established without adversely impacting neighboring properties. The site is surrounded by multiple neighborhoods of detached houses developed between 1 and 6 units per acre, and a townhouse subdivision at 8 units per acre. However, residential uses are generally not considered to be compatible with the airport at this particular and other similar locations without noise attenuation measures for the interior of dwelling units.

Public Benefits of the Proposed Rezoning

- The request will facilitate infill development utilizing public utilities that is compatible with the surrounding development pattern of adjacent neighborhoods.

Detriments of the Proposed Rezoning

- The request would allow residential development between the 60 and 65 decibel level airport noise contours, creating a lower quality of life for new residents than in parts of the city more distant from the airport.

Policy Guidance

*The rezoning request is **consistent** 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.

Policy LU 3.1 Zoning of Annexed Lands

The zoning designation for newly annexed land into the City of Raleigh shall be consistent with the Future Land Use Map. In those cases where the annexed lands are within a special study area (as shown on the Future Land Use Map), a special study will need to be completed prior to zoning and development of the property.

- The request is consistent with the Future Land Use Map designation of Moderate Density Residential, which envisions densities of 6 to 14 units per acre. The request for an R-10 district is closely corresponding to this FLUM category.

Policy LU 3.4 Infrastructure Concurrency

The City of Raleigh should only approve development within newly annexed areas of Raleigh's ETJ when the appropriate transportation, water, stormwater, and wastewater infrastructure is programmed to be in place concurrent with the development.

- The site is located within Durham County. However, because of the annexation agreement, the site is not eligible to receive utilities from the City of Durham. City of Raleigh public water and sewer are adjacent to the site. The property owner will be responsible for any extensions and improvements required to serve future development.

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 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.

- The request would allow a greater number of units and greater variety of housing types that add to the housing supply while being compatible with the existing development pattern.

Policy EP 8.10—Airport Noise Protection for Residential Uses

Rezoning of properties within the defined 65 decibel level of Raleigh Durham Airport Authority composite noise contour line and outside the Airport Overlay District, that propose to increase residential density or create new residential zoning is strongly discouraged. Exceptions to such rezoning may occur through a conditional use rezoning that adopts Raleigh Durham Airport Authority recommended noise mitigation measures.

- The request includes conditions that provide sound attenuation for any future residential development. Condition 2 provides notification of the site's location within the 60 db noise contour line for any future buyer of the subject property or lots within the subject property. Condition 3 requires certification from an accredited acoustician, architect, or engineer that the noise levels inside a residential dwelling will not exceed 42 decibels.

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

Policy LU 3.2 Location of Growth

The development of vacant properties should occur first within the city's limits, then within the city's planning jurisdiction, and lastly within the city's USAs to provide for more compact and orderly growth, including provision of conservation areas.

- The subject site is not within Raleigh's corporate limits or Extraterritorial Planning Jurisdiction (ETJ). The request would encourage development at the edge of the city's planning jurisdiction.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	0	There is no transit service to the site.
Walk Score	30	1	The surrounding area is largely rural, which means little to no pedestrian infrastructure.

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

Summary: The site does not have access to transit service and is in a largely rural area that is transitioning to residential uses, which leads to the low transit and walk scores.

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	Yes
Larger Apartment	34.0	Yes

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

Summary: The requested zoning would allow housing types that are associated with lower carbon emission.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The requested zoning would allow an increase in possible units from 2 to 8 units.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The requested zoning would allow a variety of housing types.
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	The requested zoning would allow lots as small as 4,000 square feet for detached houses which is less than half of Raleigh's average detached house lot.
Is it within walking distance of transit?	No	There is currently no transit service within walking distance to the site.

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

Summary: The request would allow a greater number of units which adds to the total housing supply. The request also would allow housing types that are generally more affordable than detached units.

IMPACT ANALYSIS

Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic District 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. The 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 (3.6 miles) and Leesville Park (5.0 miles).
3. Nearest existing greenway trail access is provided by Hare Snipe Creek Greenway Trail (5.8 miles).
4. Current park access level of service in this area is graded a F letter grade. Development of Erinsbrook Park (1 mile) will improve future park access level of service.

Impact Identified: none

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	250	1,750
Waste Water	0	250	1,750

Impact Identified:

1. The proposed rezoning would add approximately 1,750 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
3. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy

4. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developed

Stormwater

Floodplain	None
Drainage Basin	Sycamore
Stormwater Management	UDO 9.2
Overlay District	None

Impact Identified: none

Transit

There is not existing transit near the site. None is planned in the Wake Transit Plan.

Impact Identified: none

Transportation

Site Location and Context

Location

The Z-47-20 site is located in northwest Raleigh at the northeast corner of the intersection of Leesville Road and Shady Grove Road.

Area Plans

The Z-47-20 site not located within an adopted area plan.

Other Projects in the Area

The Z-47-20 site is not located in proximity to any existing transportation projects.

Existing and Planned Infrastructure

Streets

The site is located on the northeast corner of Leesville Rd. and Shady Grove Rd. Both roads are not designated in the Street Plan (Map T-1 in the Comprehensive Plan) and are therefore local streets. Both roads are outside of the City's extraterritorial jurisdiction and maintained by NCDOT. East of the site, Leesville Rd. is designated as a four-lane divided avenue in Map T-1 of the Comprehensive Plan. Shady Grove is designated as an undivided two-lane avenue south of Leesville Rd. and a four-lane divided avenue north of Leesville Rd. The

street plan includes a realignment of Leesville Rd. to Shady Grove Rd.; much of the right-of-way to complete the realignment has been dedicated by previous development.

The maximum block perimeter for an R-10 zoning district is 2,500 feet. The existing block perimeter is over 15,000 feet. If the realignment of Leesville Rd. to Shady Grove Rd. were completed, the block perimeter of this site would be approximately 1,400 feet.

Pedestrian Facilities

There are no existing sidewalks along this portion of Leesville Rd. or Shady Grove Rd.

Bicycle Facilities

There no existing bikeways within a mile of the site. Both Shady Grove Rd. and the portion of Leesville Rd. east of Shady Gove Rd. are designated for a bike lane in the Long-Term Bike Plan.

Transit

This site is not proximal to existing or planned transit service.

Access

Access to the subject property may be via Leesville Rd. or Shady Grove Ave.

TIA Determination

Based on the Envision results, approval of case Z-47-20 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from RR to R-10-CU is projected to generate 4 new trips in the AM peak hour and 6 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-47-20 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-47-20 Current Zoning Entitlements	Daily	AM	PM
Rural Residential	9	1	1
Z-47-20 Proposed Zoning Maximums	Daily	AM	PM
Residential	66	5	7
Z-47-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	57	4	6

Impact Identified: none

Urban Forestry

Proposed rezoning does not impact Urban Forestry requirements

Impact Identified: none

Impacts Summary

Conditions were included in the request to address noise impacts from the Raleigh-Durham International airport.

Mitigation of Impacts

Mitigation has been provided through conditions that provide sound attenuation measures.

CONCLUSION

The request seeks to rezone one 0.71-acre parcel from Durham County Rural Residential (RR) to Residential-10 (R-10). The request includes a condition that limits uses to single-unit living, two-unit living, multi-unit living, cottage court, and compact development. Two additional conditions were included that provide notification of the site's location within the 60 db noise contour line and require sound attenuation

The request is **Consistent** with the Future Land Use Map and Comprehensive Plan Overall. The request is consistent with Comprehensive Plan policies regarding Future Land Use Map consistency for newly annexed property, infrastructure concurrency and zoning for housing, while being inconsistent with policies regarding growth at the fringes of Raleigh's jurisdiction and residential uses near the airport.

The request would support the *Expanding Housing Choices* vision theme which recommends increasing housing opportunities for all segments of the population in all areas of the city.

CASE TIMELINE

Date	Action	Notes
8/14/20	Pre-Application Conference	
9/14/20	Neighborhood Meeting	3 attendees
11/6/20	Rezoning application submitted	
12/3/20	Initial review provided	Application incomplete
1/27/21	Application complete	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	Durham RR	R-6-CU	Durham RR	R-6-CU	Durham RR
Additional Overlay	A-60	n/a	A-60	A-60	n/a
Future Land Use	Moderate Density Residential	Moderate Density Residential/Low Density Residential	Moderate Density Residential	Low Density Residential (4 du/acre or less), Suburban (Durham FLU)	Moderate Density Residential
Current Land Use	Vacant	Vacant	Detached Residential	Detached Residential	Detached Residential
Urban Form	n/a	n/a	n/a	n/a	n/a

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	Durham RR	R-10-CU
Total Acreage	0.71	0.71
Setbacks:		
Front	50'	10'
Side	12'	5'
Rear	25'	20'
Residential Density:	1.41 u/a	9.9 u/a
Max. # of Residential Units	1	7
Max. Gross Building SF	2,000	7,350
Max. Gross Office SF	not permitted	not permitted
Max. Gross Retail SF	not permitted	not permitted
Max. Gross Industrial SF	not permitted	not permitted
Potential F.A.R	0.06	0.24

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



Michael J. Landguth, A.A.E.
President & CEO

Raleigh-Durham Airport Authority

1000 Trade Drive • P.O. Box 80001 • RDU Airport, NC 27623
tel: (919) 840-7700 • fax: (919) 840-0715 • www.rdu.com

February 19, 2021

Mr. Mansolf
1 Exchange Plaza
Raleigh, NC 27601

Via Electronic Mail

Thank you for providing the Raleigh-Durham Airport Authority the opportunity to comment on City of Raleigh Zoning Case Z-47-20 regarding a parcel at 7403 Leesville Road. It appears from its location in Durham County that the parcel was zoned Rural Residential (RR) and subject to its Airport Overlay District A-60 requirements. Durham's RR zoning allowed residential uses while its A-60 AOD zoning requires sound attenuation measures for new residential construction. The posted information for the Zoning Case indicates the parcel is within the City of Raleigh annexation area, and the applicant has requested the City of Raleigh to rezone the parcel to R-6-CU to allow development of single family detached housing.

We request that should the City of Raleigh decide to approve the re-zoning, the City condition the rezoning upon the builder's agreement to provide sound attenuation for the structure on the parcel, consistent with Durham County's A-60 AOD requirements. Sound attenuation measures includes construction techniques such as masonry walls, acoustic windows and either concrete roof or attic insulation at levels greater than code. These sound attenuation techniques will significantly reduce penetration of noise caused by aircraft overflights that will frequently occur in this area.

As additional information, in 2018 Congress asked the Federal Aviation Administration (FAA) to re-evaluate the national noise standard. We are very concerned that the FAA will significantly alter that standard and lower the noise levels at which residential uses are considered incompatible. If the FAA moves in that direction we may be faced with a situation where hundreds if not thousands of homes could be located in areas subjected to what FAA considers "significant levels of aircraft noise" (see the attachment for an illustration of growth in residential development around RDU since the early 1980s). We all have a vested interest in good long-term planning that promotes compatible uses in areas close to RDU, which is crucial to protect the health and economic viability of our entire community. We

Raleigh-Durham Airport Authority Board Members

WAKE COUNTY

David Kushner
Ellis Hankins

DURHAM COUNTY

Patrick Hannah, Esq., Acting Chair
David Morgan

CITY OF RALEIGH

Sepideh Saidi, Secretary
Dickie Thompson

CITY OF DURHAM

Robert D. Teer, Jr., Treasurer
Napoleon Wallace



Michael J. Landguth, A.A.E.
President & CEO

Raleigh-Durham Airport Authority

1000 Trade Drive • P.O. Box 80001 • RDU Airport, NC 27623
tel: (919) 840-7700 • fax: (919) 840-0715 • www.rdu.com

have reached out to the City's Director of Planning and Development with a more formal meeting request.

Please feel free to contact me if you have questions.

Respectfully,

A handwritten signature in blue ink that reads "Ellis Cayton".

Ellis Cayton
Vice President of Planning, Sustainability, and Program Support
Raleigh-Durham Airport Authority
919-840-7744

Raleigh-Durham Airport Authority Board Members

WAKE COUNTY

David Kushner
Ellis Hankins

DURHAM COUNTY

Patrick Hannah, Esq., Acting Chair
David Morgan

CITY OF RALEIGH

Sepideh Saidi, Secretary
Dickie Thompson

CITY OF DURHAM

Robert D. Teer, Jr., Treasurer
Napoleon Wallace

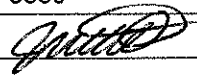
Rezoning Application and Checklist

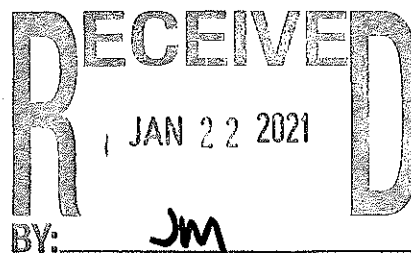
Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). 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.

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:	RR	Height:	Frontage:
Proposed zoning base district:	R-10-CU	Height:	Frontage:
Overlay(s):			Overlay(s):
Helpful Tip: View the Zoning Map 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: n/a			

General Information		
Date: 8/24/2020	Date amended (1): 1/5/2021	Date amended (2):
Property address: 7403 Leesville Road		
Property PIN: 0779-02-8028		
Deed reference (book/page): DB9157 PG723		
Nearest intersection: Leesville Rd. and Shady Grove Rd.		Property size (acres): 0.71
For planned development applications only:	Total units: n/a	Total square footage: n/a
	Total parcels: n/a	Total buildings: n/a
Property owner name and address: MEJM Properties, LLC 7403 Leesville Road Durham, NC 27703		
Property owner email: jmt.rtp@gmail.com		
Property owner phone: 919-219-4312		
Applicant name and address: TMTLA Associates 5011 Southpark Drive, Ste. 200 Durham NC 27713		
Applicant email: pam@tmtla.com		
Applicant phone: 919-484-8880		
Applicant signature(s): 		
Additional email(s):		



CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number Z-47-20	OFFICE USE ONLY Rezoning Case #	
Date Submitted 8-24-2020, rev. 4-15-2021		
Existing Zoning RR Proposed Zoning R-10-CU		
Narrative of Zoning Conditions Offered		
<p>1. Only the following uses shall be permitted on the property as listed in 6.1.4 of the Raleigh UDO under Residential: single unit living, two-unit living, multi-unit living, cottage court, and compact development. All other uses shall be prohibited.</p> <p>2. Prior to the sale of the rezoned property or any lot within the rezoned property, whichever event first occurs, the owner shall record with the local register of deeds in the county where the property is located an aircraft noise notification statement reading as follows:</p> <p>“This property lies within the Raleigh Durham International Airport composite 60 DNL noise contour projected in the long range facility plans of the airport. This statement shall not be removed without the prior written consent of the Raleigh Planning and Development Director.”</p> <p>This statement shall be included in restrictive covenants running with the land that are recorded prior to the sale of the property or any lot within the property, whichever event first occurs. Within three days following recording of this statement, a recorded copy shall be provided to Planning and Development Department.</p> <p>3. Any new residential dwelling[s] on the subject property shall be constructed with material and in a manner sufficient to assure a 25 dB reduction of A-weighted aircraft sound levels reaching the interior of the dwelling resulting in interior sound levels not exceeding 42 dB. A sealed letter from an architectural acoustician accredited by the Acoustical Society of America, or state Licensed Engineer or Architect to the Director of the Planning and Development Department shall be deemed to satisfy this condition.</p>		

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

Property Owner(s) Signature

DocuSigned by:

Joe Mitchell

AA7A4CDAD9AC43A...

Joe Mitchell

Print Name

RECEIVED

By JP Mansolf at 3:24 pm, Apr 15, 2021

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.	
<ol style="list-style-type: none"> 1. The Future Land Use Map designates this property as moderate density residential (6-14 units per acre. We are consistent with the Future Land Use Map as our proposed zoning district is has a maximum allowed density of 10 units per acre. 2. There is no urban form designation for this property. This property is not located along a Main Street or Transit Emphasis corridor. 3. Policy LU 1.2 - Future Land Use Map and Zoning Consistency: we are consistent with both. 4. Policy LU 5.1 - Reinforcing the Urban Pattern: we are proposing a rezoning that would allow for residential development that is consistent with the zoning and development pattern of the surrounding area. 5. Policy LU 5.4 - Density Transitions: this rezoning will serve as a transition between the OX zoning to the south and the R-6 zoning to the north. 	
PUBLIC BENEFITS	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
<ol style="list-style-type: none"> 1. The rezoning request provides a public benefit by ensuring the property is developed in a matter that is consistent with the surrounding area, which is mostly residential, and reinforcing the development pattern in this area. 2. The rezoning request provides a public benefit by being consistent with both the Future Land Use Map and Comprehensive Plan. 	

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.	
<p>There are no historic resources or landmarks located on the property to be rezoned.</p>	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
<p>No mitigation is proposed as there are no historic resources or landmarks located on the property to be rezoned.</p>	

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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: N/A</p>

13.	<i>New public spaces should provide seating opportunities.</i> Response: N/A
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response: N/A
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> Response: N/A
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> Response: N/A
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> Response: N/A
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> Response: N/A
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> Response: N/A

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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: 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>Response: N/A</p>

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

Pre-Application Conference

Planning and Development Department


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



This form must be provided at the time of submittal.

PROCESS TYPE	
<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Streetscape Plan
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Subdivision
<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Subdivision (exempt)
<input type="checkbox"/> Site Review (optional conference)	<input type="checkbox"/> Text Change

GENERAL INFORMATION	
Date submitted: 8/5/2020	Applicant name: Pamela Porter
Applicant mailing address: 5011 Southpark Drive, Ste. 200 Durham, NC 27713	
Phone: 919-484-8880	Email: pam@tmtla.com
Property PIN #: 0779-02-8028	
Site address/location: 7403 Leesville Road in Durham	
Current zoning: RR (Durham zoning but this site falls on Raleigh side for annexation agreement)	
Additional information (if needed): Looking to annex into Raleigh city limits and rezone to R-6-CU to allow for the development of single family detached.	

OFFICE USE ONLY	
Case #:	Pre-app conference date:
Staff signature: 	



Pre-Application Conference

Meeting Record

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

Meeting Date: 8/14/20	
Attendees: JP Mansolf, Matt Klem, John Anagnost, Pam Porter, Joe Mitchell	
Site Address/PIN: 7403 Leesville Rd	
Current Zoning/Designation: Durham RR	
Proposed Zoning/Designation: R-6	
City Council District: E (David.knight@raleighnc.gov)	
Notes: The site is in Durham County and on the Raleigh side of the annexation agreement between Raleigh and Durham. Applicant requested information about how property becomes part of City of Raleigh. Durham is notified during the annexation process. No additional action from Durham is required. The site is almost one acre. The applicant would like to request an R-6-CU district with the intent to subdivide four lots. Sewer is available at the site. Applicant is not sure if water is available. A water line is available in Shady Grove Road. Applicant asked about whether townhouses would be allowed. Townhouses are not allowed in R-6. Applicant would need to request R-10 to allow townhouse development. The Future Land Use Map designation for the site is Moderate Density Residential, so R-6 is consistent with that designation. There is no Urban Form guidance. The Street Plan Map shows a proposed street crossing the northeast corner of the site that could lead to right-of-way dedication and fee-in-lieu during a development plan. Rezoning will require annexation at the same time. Staff will work with the applicant to ensure that the rezoning and annexation have public hearings scheduled together. Staff noted the Future Land Use Map would also support an R-10 request. The applicant is concerned about driveway access for front-loading townhouses. Applicant remarked that they might consider requesting R-10-CU restricted to townhouse and detached. Applicant asked how wide the right-of-way will be for the realigned Leesville Road. Applicant asked when the new street alignment will be constructed. Staff will follow up on that question. Staff described the rezoning process.	
Department & Staff	Notes
Transportation <input type="checkbox"/> Jason Myers Jason.Myers@raleighnc.gov 919-996-2166	

<p>Historic Preservation</p> <p><input type="checkbox"/> Collette Kinane Collette.Kinane@raleighnc.gov 919-996-2649</p>	
<p>Parks, Recreation, & Cultural Resources</p> <p><input type="checkbox"/> TJ McCourt Thomas.McCourt@raleighnc.gov 919-996-6079</p> <p><input type="checkbox"/> Emma Liles Emma.Liles@raleighnc.gov 919-996-4871</p>	
<p>Public Utilities</p> <p><input type="checkbox"/> John Sorrell John.Sorrell@raleighnc.gov 919-996-3485</p> <p><input type="checkbox"/> Lorea Sample Lorea.Sample@raleighnc.gov 919-996-3484</p>	
<p>Stormwater</p> <p><input type="checkbox"/> Gary Morton Gary.Morton@raleighnc.gov 919-996-3517</p> <p><input type="checkbox"/> Charles Webb Charles.Webb@raleighnc.gov 919-996-3519</p>	
<p>Development Services</p> <p><input type="checkbox"/> Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665</p> <p><input type="checkbox"/> Mike Walters Michael.Walters@raleighnc.gov 919-996-2636</p>	

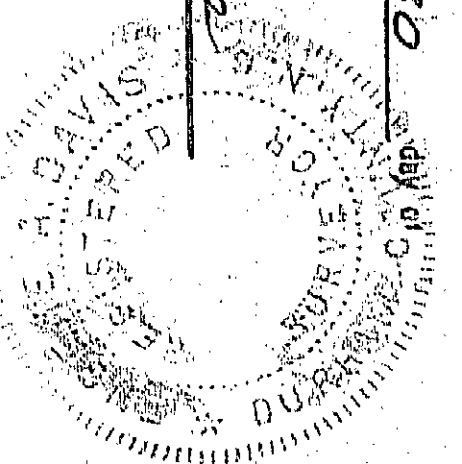
61-97

THIS PLAT HAS BEEN CERTIFIED
FOR RECORDATION BY THE DURHAM
COUNTY PLANNING DEPARTMENT
BY: Charles M. Langworth
DATE: September 2, 1970
APPROVAL VOID 60 DAYS FROM SAID
DATE

NORTH CAROLINA - DURHAM COUNTY
The foregoing certificate of
Surveying Public, of Edward L. Sorrell, attested
by the Notarial Seal is Certified to be correct. Let this
Instrument with all exhibits be registered.
WITNESS my hand this 30 day of July, 1970.
Eugene A. Davis
Register of Deeds

Sanitation
Durham County Health Department
Date 9-1-70
I hereby approved for a Well and Septic Tank System
Eugene A. Davis
Surgeon

I, Eugene A. Davis, certify that this map was drawn
from (an actual survey made by me) (based description recorded in Book 134
Page 454, Book _____, Page _____, etc.) (other); that the error
of closure as calculated by latitudes and departures is 1: _____; that the
boundaries not surveyed are shown as broken lines plotted from information found in
Book _____, Page _____; that this map was prepared in accordance with
G. S. 47-30 as amended. Witness my hand and Seal this 30 day of July,
A. D., 1970.



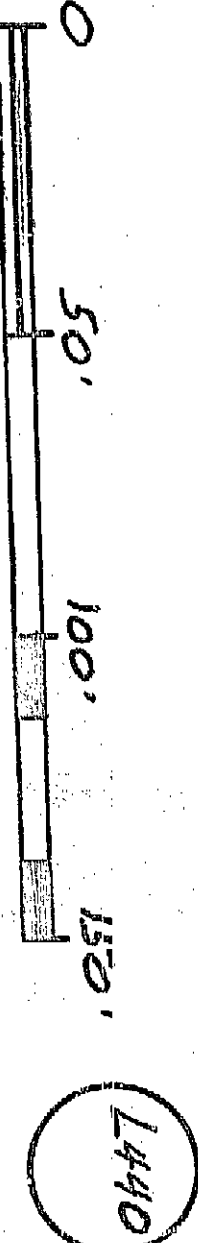
with witnesses
Durham County.
I, Eugene A. Davis, being duly sworn, depose and say, that the foregoing plat is
correct to the best of my knowledge and belief, having been made from an
actual survey made by me in/on July, 1970.

Eugene A. Davis
Registered Surveyor

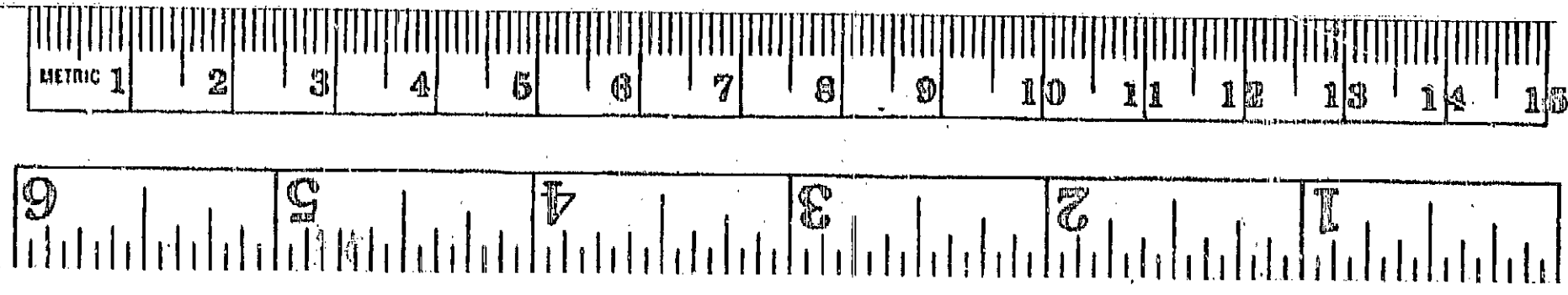
Subscribed and sworn to before me this 30 day of July,
1970. Let the plat with this affidavit be registered.

Notary Public.
My Commission expires 5-7-75
Edmond
Clark, Superior Court

PROPERTY OF EDWARD L. SORRELL'S
ESTATE LOCATED IN CART T.M.P.
DURHAM CO. N.C. SURVEYED & PLOTTED JULY
1970 SCALE 1" = 50'. Eugene A. Davis Reg. Surveyor



61-97



97

PG

61

BK



September 1, 2020

Re: 7403 Leesville Road

Dear Neighboring Property Owners:

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

You are invited to attend a neighborhood meeting on Monday, September 14th. This meeting will be held virtually from 6pm-8pm and you can call in anytime in that two-hour window. To participate, visit:

<https://join.freeconferencecall.com/pam6093>

(you will be asked to input your name and email address before joining the call)

Or call:

(978) 990-5111

Access Code: 2550763

The purpose of this meeting is to discuss a rezoning of the property located at 7403 Leesville Road. The property is located near the intersection of Leesville Road and Shady Grove Road. This site is currently zoned RR and is located in Durham County. Our proposal is to rezone the site to R-10. The purpose of the new zoning designation will allow the site to be developed into one or more of the following: single-unit living, two-unit living, and multi-unit living (i.e. townhomes and apartments). We also need to annex the property into the City of Raleigh to allow for future utility connection. Only the property shown as outlined in red on the map is being annexed. The site is on the Raleigh side of the Durham County/City of Raleigh annexation agreement.

If you have concerns or questions, or are unable to attend the meeting, I can be reached at:

919-484-8880

pam@tmtla.com

For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at:

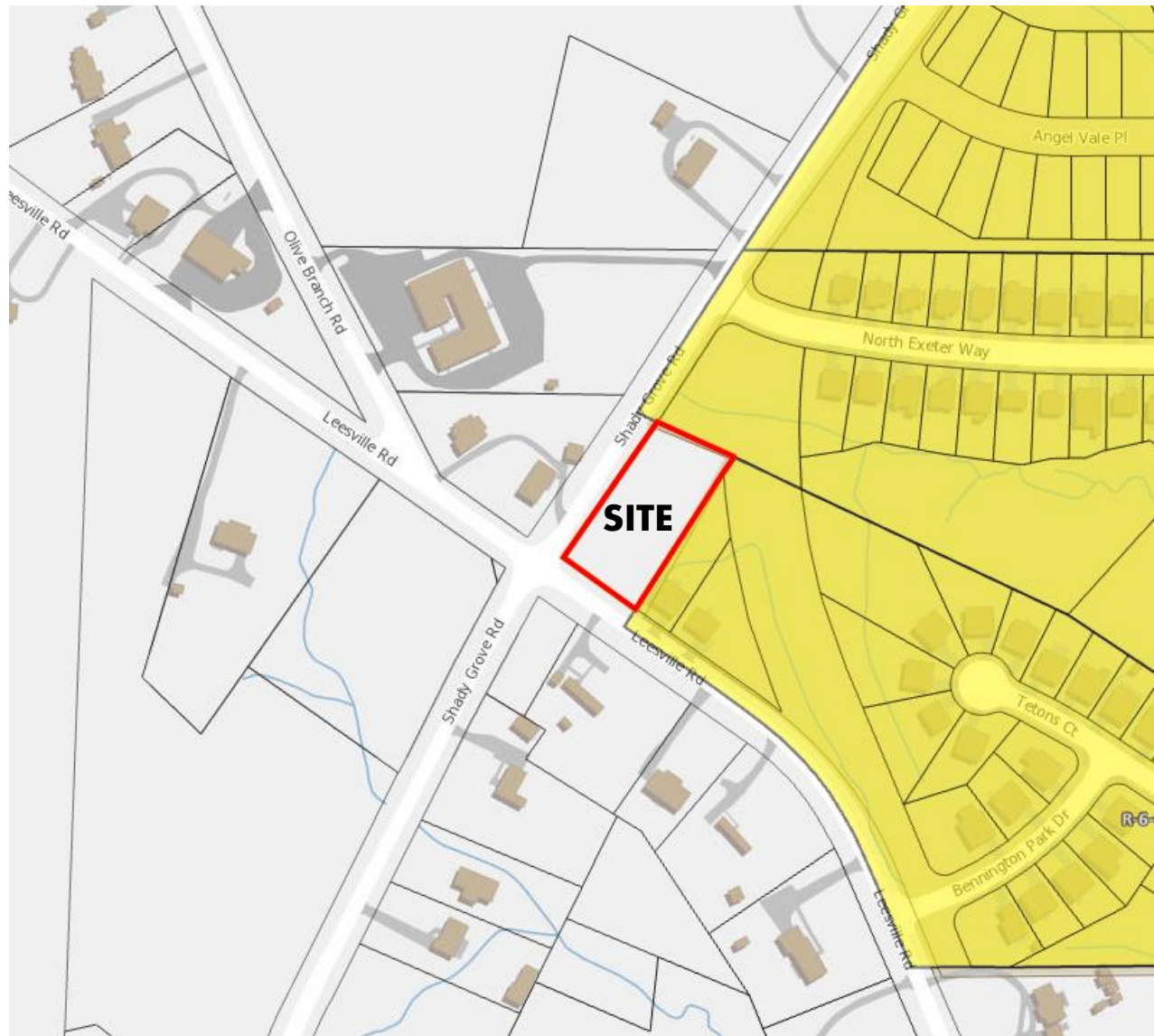
(919) 996-2180

JP.Mansolf@raleighnc.gov

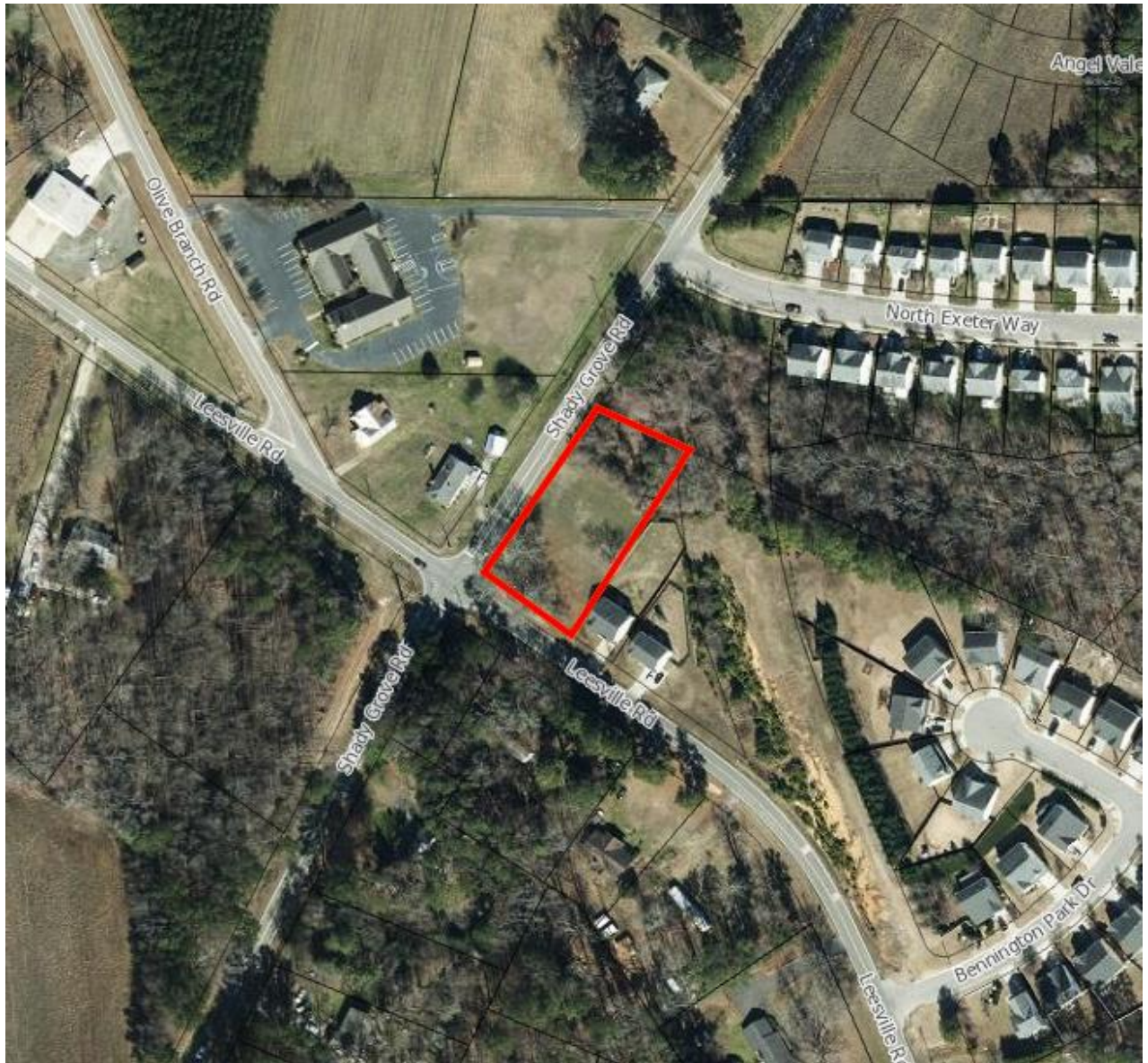
We look forward to speaking with you on September 14th.

Thank you,
Pamela Porter, PLA, LEED AP
TMTLA Associates

**Current Zoning Map Showing Property to be Rezoned
(outlined in red)**



**Aerial Photograph Showing Property to be Rezoned
(outlined in red)**



Rezoning Application




RALEIGH
DEPARTMENT OF
CITY PLANNING



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

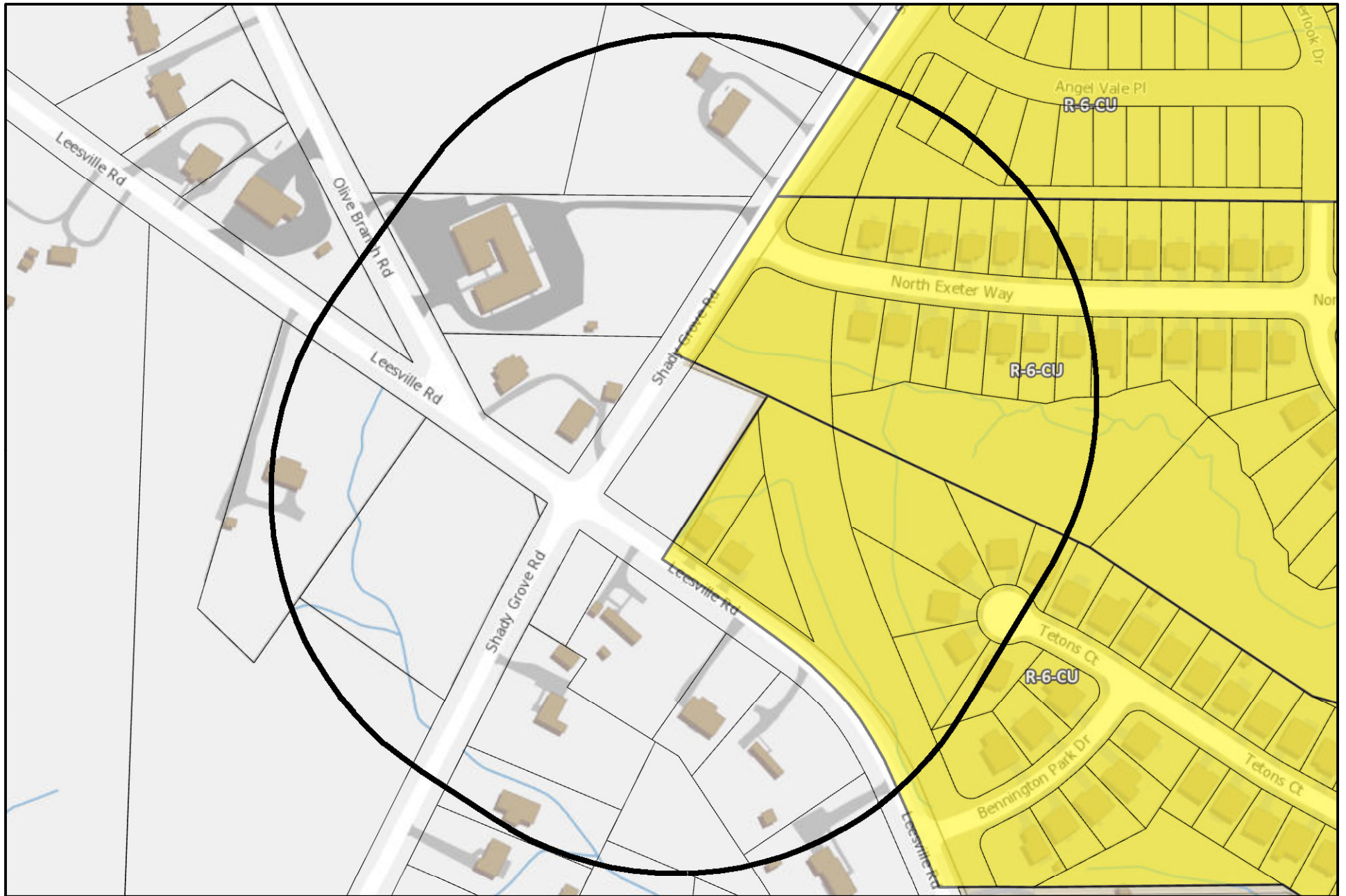
REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan *this is Durham County zoning but within the boundary for the Raleigh annexation agreement			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District RR* Height Frontage Overlay(s) _____			
Proposed Zoning Base District R-10-CU Height Frontage Overlay(s)			
Click here to view the Zoning Map. 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: N/A			
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Property PIN 0779-02-8028		Deed Reference (book/page) DB2018-E PG205	
Nearest Intersection Leesville Road and Shady Grove Road			
Property Size (acres) 0.71 acres	For Planned Development Applications Only: N/A	Total Units Total Parcels	Total Square Footage Total Buildings
Property Owner Name/Address James Daniel Page 6220 Mount Herman Road Raleigh, NC 27617		Phone	Fax
		Email	
Applicant Name/Address Pamela Porter w/TMTLA Associates 5011 Southpark Drive, Ste. 200 Durham, NC 27713		Phone 919-484-8880	Fax
		Email pam@tmtla.com	
Applicant* Signature(s)		Email	

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

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<p>1. Only the following uses shall be permitted on the property as listed in 6.1.4 of the Raleigh UDO under Residential: single-unit living, two-unit living, multi-unit living, cottage court, and compact development. All other uses shall be prohibited.</p> <div style="text-align: center; margin-top: 100px;">  </div>		

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

Property Owner(s) Signature _____ Print Name _____



Neighborhood Meeting Notification



0 105 210 420 ft
1 inch = 200 feet

Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Owner	Mail Address 1	Mail Address 2
SWL INVESTMENT PROPERTIES LLC	102 ARVIND OAKS CIR	CARY NC 27519
LYNNS CROSSROADS CEMETERY ATTN GEORGIE KOVALESKI	10804 LESLIE DR	RALEIGH NC 27614
BEAL AMANDA ELIZABETH	12411 TETONS CT	DURHAM NC 27703-8904
NOEL FRANKI L	12412 TETONS CT	DURHAM NC 27703
RYMARCSUK ZACHARY GITLIS JACLYN	12415 TETONS CT	DURHAM NC 27703
LUKE WILLIAM LUKE CHRISTINE	12416 TETONS CT	DURHAM NC 27703
BAKER AUDRA LAUREN MITCHELL WARREN CHRISTOPHER	12419 TETONS CT	DURHAM NC 27703
STARLING JAMIE B HUTSELL-STARLING JULIE H	12420 TETONE CT	RALEIGH NC 27703
GRAHAM WANDA L	12421 N EXETER WAY	DURHAM NC 27703-8533
DEMBY CLAUDE Z	12424 NORTH EXTER WY	DURHAM NC 27703
RIVAS SAUL ERNESTO CONTRERAS MIRNA ABIGAIL O	12425 N EXETER WAY	DURHAM NC 27703
BATTLE JESSIE BATTLE SHARON M	12428 NORTH EXETER WAY	DURHAM NC 27703
DAVIDSON CALLYN P DAVIDSON MATTHEW B	12429 ANGEL VALE PL	DURHAM NC 27703
LANGTON FAMILY TRUST THE	12432 N EXETER WAY	DURHAM NC 27703-8532
SONG JIN HYUN YI OK KUN	12433 ANGEL VALE PLACE	DURHAM NC 27703
HOWELL THEADORA FOTIU HOWELL NEAL E	12433 NORTH EXETER WAY	DURHAM NC 27703
BROWN KIMBERLY	12436 N EXETER WAY	DURHAM NC 27703
MORGAN CAREY THOMAS MULLINS ERIN	12440 N EXETER WY	DURHAM NC 27703
HIRSCH RICHARD MARCEL ALANIS-HIRSCH KELLY LYNN	12441 N EXETER WY	DURHAM NC 27703
OH KYUNG YONG	12444 NORTH EXETER WAY	DURHAM NC 27703
PARKER AUSTIN	12445 N EXETER WAY	DURHAM NC 27703
SCALES SHELBY M	12448 NORTH EXETER WY	DURHAM NC 27703
MONTGOMERY ALAN J MONTGOMERY KATHERINE A	12449 NORTH EXETER WAY	DURHAM NC 27703
AA 2020 LLC	1914 E US 70 HWY	DURHAM NC 27703
COUNTY OF DURHAM ATTN JANE KOREST	200 E MAIN ST	DURHAM NC 27701-3649
COOKE MARIE R COOKE ROGER L	2509 TORBAY CT	RALEIGH NC 27613
DELAMAR WILLIAM CHRISTOPHER	2910 SHADY GROVE RD	DURHAM NC 27703
MT HERMAN BAPTIST CHURCH	2919 OLIVE BRANCH RD	DURHAM NC 27703
TRAWICK JEAN C	337-A PECAN LN	GARNER NC 27529
LYNN W E JR LYNN REBECCA D	356 WHITAKER RD	SHELBY NC 28152
CLEMENTS TIMOTHY RANDALL	3608 MANDY LN	MOREHEAD CITY NC 28557
BROWN EDWARD TAYLOR III	42 CARDINAL DR	WHISPERING PINES NC 28327
RLS HOLDINGS LLC	4212 HOPE VALLEY RD	DURHAM NC 27707
FRYE NEAL	503 BISHOP DR	HAMSTEAD NC 28443
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SILVERS RICHARD SILVERS JASON	5520 BENNINGTON PARK DR	DURHAM NC 27703
EASTMAN DEVELOPMENT COMPANIES INC	5533 ROAN MOUNTAIN PL	RALEIGH NC 27613
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PAGE JAMES DANIEL	6220 MOUNT HERMAN RD	RALEIGH NC 27617
PAGE JUSTIN PAGE JAMES D & BONNIE C PAGE	6220 MOUNT HERMAN RD	RALEIGH NC 27617
ANDREWS CHARLES L	7310 LEESVILLE RD	DURHAM NC 27703
OCHOA WALTER G RUBIO CLAUDIA NADINA	7325 LEESVILLE RD	DURHAM NC 27703
RIVER OF LIFE CHURCH	7326 LEESVILLE RD	DURHAM NC 27703
LEMKE JASON T LEMKE KATHARINE MAUREEN	7407 LEESVILLE RD	DURHAM NC 27703
FRYE FRED MICHAEL	7408 LEESVILLE RD	DURHAM NC 27703
GEBRE AZEB WOLDETSADIK FASIKA	7411 LEESVILLE RD	DURHAM NC 27703
RREF II-FH NC SIERRA LLC	790 NW 107TH AVE 4TH FLOOR	MIAMI FL 33172
AV HOMES OF RALEIGH LLC	8025 CREEDMOOR RD STE 100	RALEIGH NC 27613
AV HOMES OF RALEIGH LLC	8025 CREEDMOOR RD STE 100	RALEIGH NC 27613
HARRINGTON PINES COMMUNITY ASSOCIATION INC	C/O COMMUNITY ASSOC MGMNT PO BOX 79032	CHARLOTTE NC 28271
HUNTLEY HOMEOWNERS ASSOCIATION INC	PPM INC 11010 RAVEN RIDGE RD	RALEIGH NC 27614

duplicate addresses deleted from mailing

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DURHAM NC 27703



7403 Leesville Road Rezoning
Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the 1st day of September, 2020.

I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

Signature of Applicant/Applicant Representative

9/1/2020

Date

SUMMARY OF ISSUES

A neighborhood meeting was held on _____(date) to discuss a potential rezoning located at _____(property address).
The neighborhood meeting was held at _____(location).
There were approximately _____(number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Traffic concerns- both of future residents of the subject site, the Leesville Rd realignment, congestion at the intersection of Shady Grove and Leesville Rd. It was noted the timeline for construction is unknown at this time.
Housing type - what type of units are being proposed. We explained the intent is to have either single family detached or townhomes. We are conditioning out non-residential uses that are normally allowed in the R-10 zoning district.
Timing for rezoning and future public hearings. We explained that the rezoning will take about 6-8 months to get approved and notices will be sent out to those in the notification boundary ahead of the public hearings.
Notification Boundary. We explained to the callers that the notification boundary for the neighborhood meeting letters is 500' from the property being rezoned. It was noted that often an HOA will get a notice but not all residents in the neighborhood will get a notice if they are outside of the 500' boundary.

ATTENDANCE ROSTER

[illegible]