

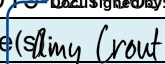
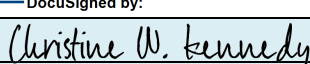


Rezoning Application and Checklist

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 type="checkbox"/> Conditional use	OFFICE USE ONLY Rezoning case #
	<input checked="" type="checkbox"/> Text change to zoning conditions		
Existing zoning base district: NX	Height: 3	Frontage:	Overlay(s):
Proposed zoning base district: NX	Height: 3	Frontage:	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: Z-87-2000			

General Information		
Date: 12/17/2024	Date amended (1):	Date amended (2):
Property address: 9308 Fairbanks Drive		
Property PIN: 0788026472		
Deed reference (book/page): DB 13265, PG 2560		
Nearest intersection: Fairbanks Dr & Pinecrest Rd		Property size (acres): 2.67
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Fairbanks Enterprises Inc., 9308 Fairbanks Drive, Raleigh		
Property owner email:		
Property owner phone:		
Applicant name and address: Amy C. Crout, on behalf of Concept 8, LLC		
Applicant email: acrout@smithlaw.com		
Applicant phone: 919-821-6694		
Applicant signature: 		DocuSigned by: 
Additional email(s): 17B47E3DCB1641C...		820BA20C55E0404...

RECEIVED

By Metra Sheshbaradaran at 4:19 pm, Jan 07, 2025

Conditional Use District Zoning Conditions		
Zoning case #: Z-51-24	Date submitted: 3/18/2025	OFFICE USE ONLY Rezoning case #
Existing zoning: NX-3-CU	Proposed zoning: NX-3-CU	

Narrative of Zoning Conditions Offered
<p>1. Reimbursement for future right-of-way dedication for Fairbanks Road shall be based on R-4 values.</p> <p>2. The following Principal Uses listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the NX-District shall be prohibited: (1) school, public or private (K-12); (2) telecommunication tower (<250ft); (3) telecommunication tower (≥250ft); (4) outdoor sports or entertainment facility (≤250 seats); (5) outdoor sports or entertainment facility (>250 seats); (6) vehicle fuel sales (including gasoline, diesel, and EV charging); (7) vehicle sales/rental; (8) detention center, jail, prison; and (9) vehicle repair (minor).</p> <p>3. There shall be no more than 60 primary dwelling units on the Property.</p> <p>4. Office uses and Retail uses on the Property shall be limited to 65,000 square feet for each category.</p>

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

DocuSigned by:
 Property Owner(s) Signature: Christine W. Kennedy
 Printed Name: Christine W. Kennedy

See attached "Exhibit A" for a redline copy of zoning conditions with proposed changes.

REVIEWED

By Metra Sheshbaradaran at 10:24 am, Mar 24, 2025

EXHIBIT A

~~Ordinance 875 ZC 487~~
~~Effective 10/3/00~~

~~Z-87-00 Fairbanks Drive, north side, south of Westgate Road and west of Leesville Road, being Wake County PIN 0788.17 02 6472. Approximately 2.67 acres rezoned to Office & Institution-1 Conditional Use.~~

~~Conditions: (09/27/00)~~

~~1. Upon development, the developer will comply with CR 7107 regarding stormwater run-off controls.~~

~~2. All structures to be limited to two (2) stories with a maximum building height of 28' as defined in the Raleigh City Code.~~

~~3. Any and all site lighting will be cut-off type fixtures that are designed and located in such a way that the light source will not be visible from neighboring properties.~~

~~4.1. Reimbursement for future right-of-way dedication for Fairbanks Road shall be based on R-4 values.~~

~~5. A natural protective yard of 20 feet shall be provided along the common property line of the lot to the north and northwest with PIN number 0788.13 02 8717.~~

~~6. All heating, ventilating and mechanical equipment shall be fully screened from public view and from the adjacent properties.~~

~~7. The existing mature 18" willow oak off the west corner of the house will be actively preserved, using the Landscape Ordinance's standards for protecting the tree's root system.~~

~~2. The following Principal Uses listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the NX-District shall be prohibited: (1) school, public or private (K-12); (2) telecommunication tower (<250ft); (3) telecommunication tower (≥250ft); (4) outdoor sports or entertainment facility (≤250 seats); (5) outdoor sports or entertainment facility (>250 seats); (6) vehicle fuel sales (including gasoline, diesel, and EV charging); (7) vehicle sales/rental; (8) detention center, jail, prison; and (9) vehicle repair (minor).~~

~~3. There shall be no more than 60 primary dwelling units on the Property.~~

~~4. Office uses and Retail uses on the Property shall be limited to 65,000 square feet for each category.~~

REVIEWED

By Metra Sheshbaradaran at 10:24 am, Mar 24, 2025

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.

1. The Property is designated Neighborhood Mixed Use on the Future Land Use Map. This request maintains the NX-3 zoning designation, which is the most appropriate zoning district and height limit under Comprehensive Plan. The request further limits more of the intense uses allowed in the NX district to keep development of the property in harmony with the surrounding areas.

2. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.2 (Future Land Use Map and Zoning Consistency); LU 1.3 (Conditional Use District Consistency); LU 2.2 (Compact Development); LU 5.4 (Density Transitions); LU 5.5 (Transitional and Buffer Zone Districts); LU 8.1 (Housing Variety); LU 8.17 (Zoning for Housing Opportunity and Choice); and H 1.8 (Zoning for Housing).

Public Benefits

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

Many of the original zoning conditions adopted in 2000 (Z-87-2000) have been superseded by the provisions of the current Unified Development Ordinance (e.g., stormwater, lighting, and screening regulations). This request modernizes the conditions on the Property, while still remaining consistent with the surrounding area.

Rezoning Application Addendum #2	
Impact on Historic Resources	<div>OFFICE USE ONLY</div> <div>Rezoning case #</div> <div></div>
<p>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.</p>	
Inventory of Historic Resources	
<p>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>	
<div>N/A</div>	
Proposed Mitigation	
<p>Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.</p>	
<div>N/A</div>	

Rezoning Checklist (Submittal Requirements)

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

SUMMARY OF ISSUES

A neighborhood meeting was held on November 12, 2024 (date) to discuss a potential rezoning located at 9308 Fairbanks Drive (property address). The neighborhood meeting was held at Brier Creek Community Center, 10810 Globe Road, Raleigh (location). There were approximately 3 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Type of development anticipated and concerns about particular commercial uses (e.g., gas station)
Tree preservation on the Property, especially along Fairbanks Drive
Potential impact of any new development's lighting
Types of conditions being proposed (e.g., use restrictions)

[illegible]

**SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L.L.P.**

LAWYERS

OFFICES

Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

AMY C. CROUT

DIRECT DIAL: (919) 821-6694
E-Mail: acrout@smithlaw.com

MAILING ADDRESS

P.O. Box 2611
Raleigh, North Carolina
27602-2611

November 1, 2024

TELEPHONE: (919) 821-1220

FACSIMILE: (919) 821-6800

Re: Notice of neighborhood meeting to discuss a proposed text change to zoning conditions of lands located at 9308 Fairbanks Road (PIN: 0788026472)

Dear Neighbors:

We are writing to invite you to a Neighborhood Meeting to discuss a proposed text change to zoning conditions for the lands located at 9308 Fairbanks Road, Raleigh, North Carolina (PIN: 0788026472) (the "Property").

The neighborhood meeting will be held on November 12, 2024, from 6:30 p.m. to 7:30 p.m. in the Brier Creek Community Center located at 10810 Globe Road, Raleigh, North Carolina 27617.

The Property is currently zoned NX-3-CU and the applicant is proposing to update the zoning conditions previously adopted in Z-87-00 (enclosed). The enclosed maps show the location of the Property and the current zoning of the neighborhood.

At the Neighborhood Meeting, we will discuss the proposed text change, including the potential zoning conditions for the development of the Property.

Prior to submitting the application, the City of Raleigh requires that a neighborhood meeting be held for all property owners, residents, or tenants within 500 feet of the property requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

Metra Sheshbaradaran
Raleigh Planning & Development
919-996-2638
metra.sheshbaradaran@raleighnc.gov

If you have any concerns or questions about this potential rezoning, please do not hesitate to contact me. I can be reached via my office phone at 919-821-6694 or via email at acrout@smithlaw.com.

Sincerely,



Amy C. Crout

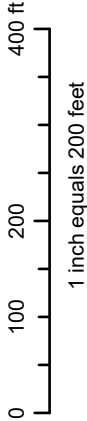
enclosures

Ordinance 875 ZC 487
Effective 10/3/00

Z-87-00 Fairbanks Drive, north side, south of Westgate Road and west of Leesville Road, being Wake County PIN 0788.17 02 6472. Approximately 2.67 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: (09/27/00)

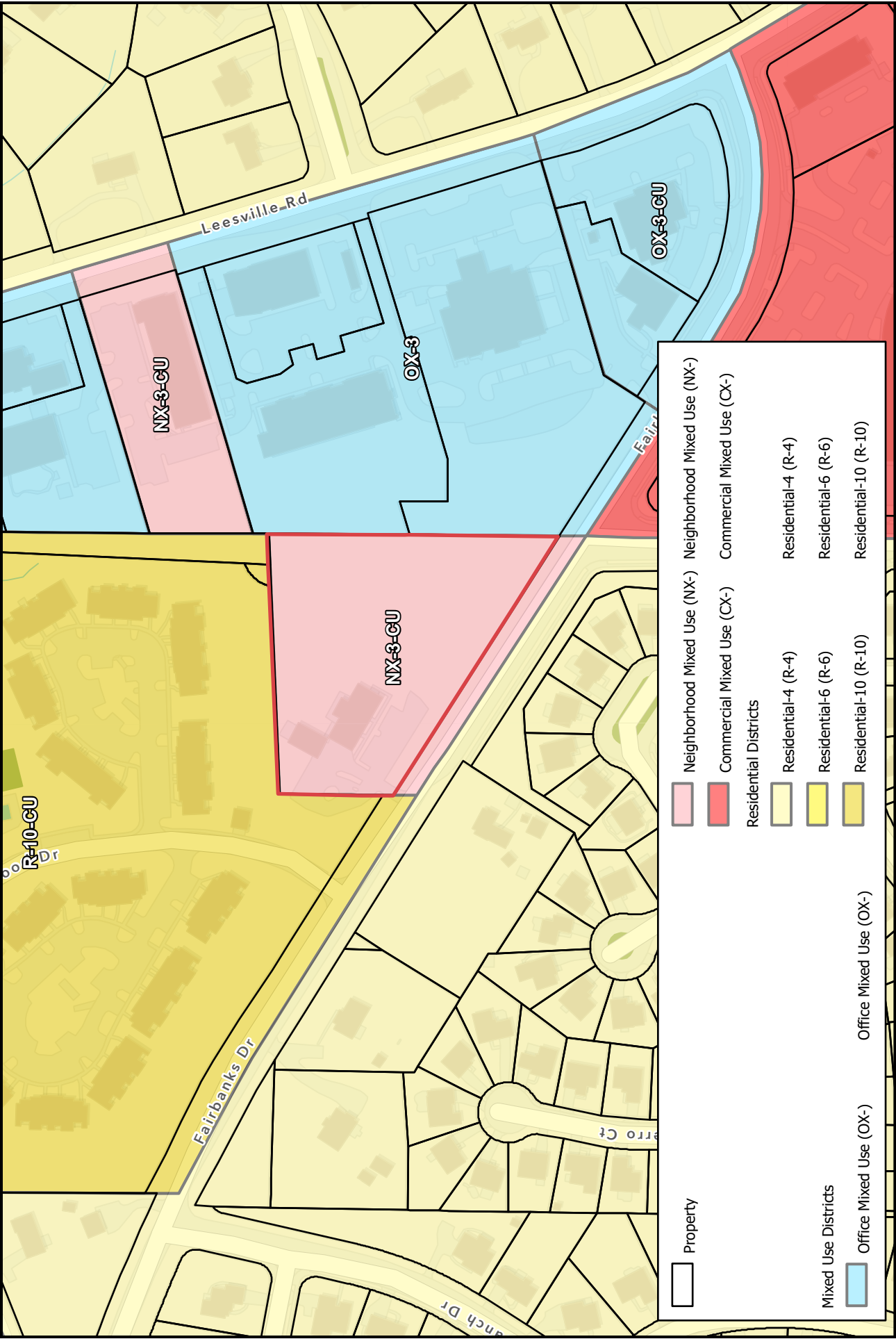
1. Upon development, the developer will comply with CR 7107 regarding stormwater run-off controls.
2. All structures to be limited to two (2) stories with a maximum building height of 28' as defined in the Raleigh City Code.
3. Any and all site lighting will be cut-off type fixtures that are designed and located in such a way that the light source will not be visible from neighboring properties.
4. Reimbursement for future right-of-way dedication for Fairbanks Road shall be based on R-4 values.
5. A natural protective yard of 20 feet shall be provided along the common property line of the lot to the north and northwest with PIN number 0788.13-02-8717.
6. All heating, ventilating and mechanical equipment shall be fully screened from public view and from the adjacent properties.
7. The existing mature 18" willow oak off the west corner of the house will be actively preserved, using the Landscape Ordinance's standards for protecting the tree's root system.



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.

9308 Fairbanks Drive

Property



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.

9308 Fairbanks Drive- Zoning Overlay