

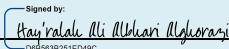


# Rezoning Application and Checklist

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

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

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

General Information		
Date: 12/17/2024	Date amended (1):	Date amended (2):
Property address: 5420 Louisburg Rd, Raleigh, NC 27616, Formerly 5428, 5426, 5424, 5422, 5420, 5418, 5416, 5414, 5412, and 5410 Louisburg Rd, Raleigh, NC 27616		
Property PIN: 1736048816, Formerly 1736055075; 1736056033; 1736046942; 1736047911; 1736047869; 1736048815; 1736048873; 1736049729; 1736049766; and 1736140712		
Deed reference (book/page): BM2024/02392, Formerly 019431/02753-55, 019431/02756-66, 019431/02767-69, 019431/02770-73, 019431/02774-76, 019431/02777-92, 019432/00001-16, 019432/00017-20, 019432/00021-24, 019432/00025-28		
Nearest intersection: Razan St/ Yusur St	Property size (acres): 3.652 Acres	
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Art Builders LLC and Construction Masters, LLC		
Property owner email: office@conzalpm.com		
Property owner phone: (919) 995-5876		
Applicant name and address: Triangle Legal, 2500 Regency Pkwy, Cary NC 27518		
Applicant email: hayralah@triangle.legal		
Applicant phone: (919) 590-3647		
Applicant signature(s): 		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted: 12/17/2024	<b>OFFICE USE ONLY</b> Rezoning case #
Existing zoning: R-1	Proposed zoning: R-10-CU	

**Narrative of Zoning Conditions Offered**

The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the R-10 district shall be prohibited: (i) Boardinghouse; (ii) Congregate care; (iii) Continuing care retirement community; (iv) Rest home; (v) School, public or private (K-12); (vi) Day care center; (vii) Golf course; and (viii) Outdoor sports or entertainment facility.

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

Property Owner(s) Signature: 
DocuSigned by:
Mohamed Elfadaly
DocuSigned by:
Waleed Elhentaty

Printed Name: Waleed Elhentaty, on behalf of ART BUILDERS LLC and Mohamed Elfadaly, on behalf of CONSTRUCTION MASTERS, LLC

Rezoning Application Addendum #1	
Comprehensive Plan Analysis	<b>OFFICE USE ONLY</b> Rezoning case # <hr style="width: 20%; margin: 10px auto;"/>
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.	
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.	
<p>This rezoning request from R-1 to R-10 is consistent with the city’s plan. Under the 2030 Comprehensive plan, this area is designated as Moderate Scale Residential. R-10 is one of the corresponding Zoning districts.</p> <p>Under the Urban Form map, the proposed area is near a Parkway Corridor. It is not, however, adjacent to the street. As such, any building would already be set back from the street.</p>	
Public Benefits	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
<p>The city of Raleigh is still experiencing massive growth. We need moderately dense housing to help make room for this growth, which is estimated to carry on well into the future.</p> <p>This rezoning would match that of the nearest residential zone, and there roadwork is already set to physically expand and connect to the existing residential community.</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:

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

<b>1</b>	<p>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</p> <p><b>Response:</b></p>
<b>2</b>	<p>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</p> <p><b>Response:</b></p>
<b>3</b>	<p>A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial.</p> <p><b>Response:</b></p>
<b>4</b>	<p>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</p> <p><b>Response:</b></p>
<b>5</b>	<p>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</p> <p><b>Response:</b></p>
<b>6</b>	<p>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</p> <p><b>Response:</b></p>

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

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

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



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

Master Plan (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – Master Plan	Yes	N/A	Yes	No	N/A
1. I have referenced this <b>Master Plan Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh.					
2. Total number of units and square feet					
3. 12 sets of plans					
4. Completed application; submitted through Permit & Development Portal					
5. Vicinity Map					
6. Existing Conditions Map					
7. Street and Block Layout Plan					
8. General Layout Map/Height and Frontage Map					
9. Description of Modification to Standards, 12 sets					
10. Development Plan (location of building types)					
11. Pedestrian Circulation Plan					
12. Parking Plan					
13. Open Space Plan					
14. Tree Conservation Plan (if site is 2 acres or more)					
15. Major Utilities Plan/Utilities Service Plan					
16. Generalized Stormwater Plan					
17. Phasing Plan					
18. Three-Dimensional Model/renderings					
19. Common Signage Plan					

## Who Can Initiate a Zoning Request?

If requesting to down-zone property, the rezoning application must be signed by all the property owners whose property is subject to the downzoning. Downzoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

1. the property owner;
2. an attorney acting on behalf of the property owner with an executed power of attorney; or
3. a person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purpose of initiating the request, by property owners or third-party applicants.

# triangle . legal

2500 Regency Parkway, Suite 229, Cary, NC 27518  
hayralah@triangle.legal  
919-590-3647

Date: October 15, 2024

Re: Potential rezoning at 5428, 5426, 5422, 5420, 5418, 5416, 5414, 5412, and 0 Louisburg Rd, Parcels 1736055075; 1736056033; 1736046942; 1736047911; 1736047869; 1736048815; 1736048873; 1736049729; 1736049766; and 1736140712.

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on November 6, 2024 at 6:00 pm. The meeting will be held at Marsh Creek Community Center located at 3050 N New Hope Rd, Raleigh, NC 27604 and will begin at 6 p.m.

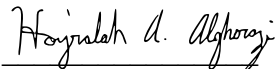
The purpose of this meeting is to discuss a potential rezoning of the property located near Louisburg Rd and Razan St. The enclosed maps show the location and current base zoning of the Property and surrounding parcels. This site is currently zoned R1 and is proposed to be rezoned to R10.

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners and tenants within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online; visit [www.raleighnc.gov](http://www.raleighnc.gov) and search for "Rezoning Process." If you have further questions about the rezoning process, please contact Metra Sheshbaradaran at Raleigh Planning & Development at 919-996-2638 or [metra.sheshbaradaran@raleighnc.gov](mailto:metra.sheshbaradaran@raleighnc.gov).

If you have any concerns or questions about this potential rezoning I can be reached at: Hay'ralah Alghorazi, 919-590-3647, [hayralah@triangle.legal](mailto:hayralah@triangle.legal).

Sincerely,



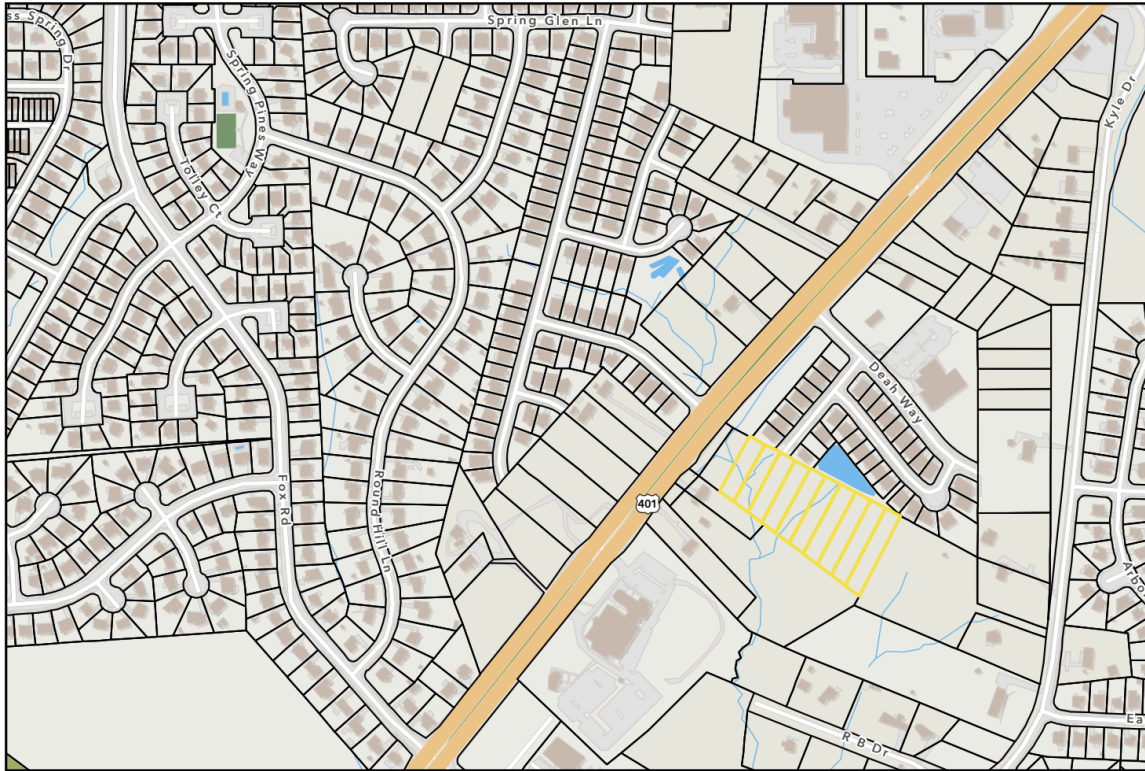
Hay'ralah Alghorazi

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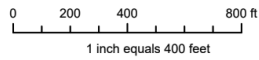
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hayralah@triangle.legal

919-590-3647



Attachment to Rezoning letter 1



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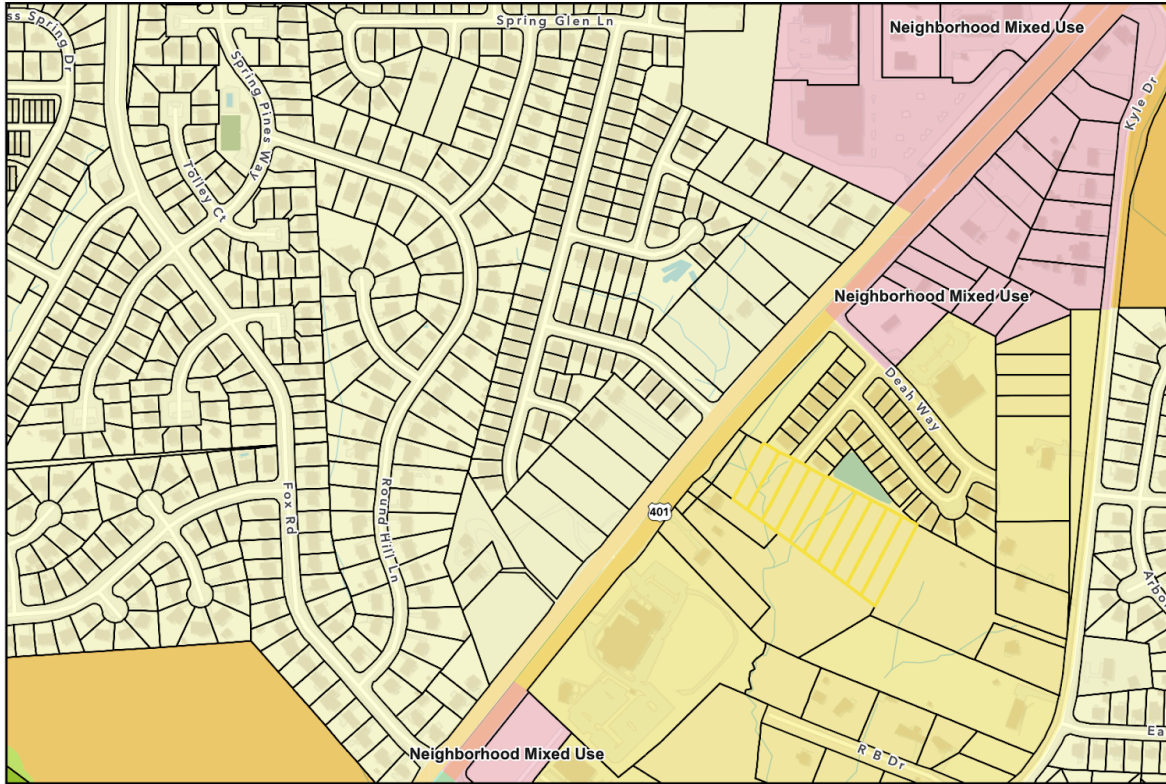


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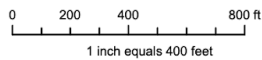
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hayralah@triangle.legal

919-590-3647



Attachment to Rezoning letter 3



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ATTESTATION TEMPLATE

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 22nd, day of October, 2024. 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.

*Fajrallah Ali Alkharzi Alkharzi*

12/17/2024

Signature of Applicant/Applicant Representative

Date



### SUMMARY OF ISSUES

A neighborhood meeting was held on November 6, 2024 (date) to discuss a potential rezoning

located at 5420 Louisburg Rd, Raleigh, NC 27616 (property address). The

neighborhood meeting was held at Marsh Creek Community Center- 3050 N New Hope Rd, Raleigh, NC 27604 (location).

There were approximately 12 (number) neighbors in attendance. The general issues discussed were:

#### Summary of Issues:

Neighbors living nearby are concerned about:  1) Their privacy near the construction site; 2) The safety of residents near the construction site;
3) Issues of parking due to limited space; 4) Issues of Traffic buildup on select hours and days to get onto Louisburg Rd, desire for a traffic light to access Lousiburg Rd.;
5) Safety of children with Construction and increased traffic onto the nearby neighborhood, neighbors would like speed humps;
6) Concerns of access of large vehicles and parking due to narrow roads; and 7) Desire for a construction timeline for noise and safety reasons.

