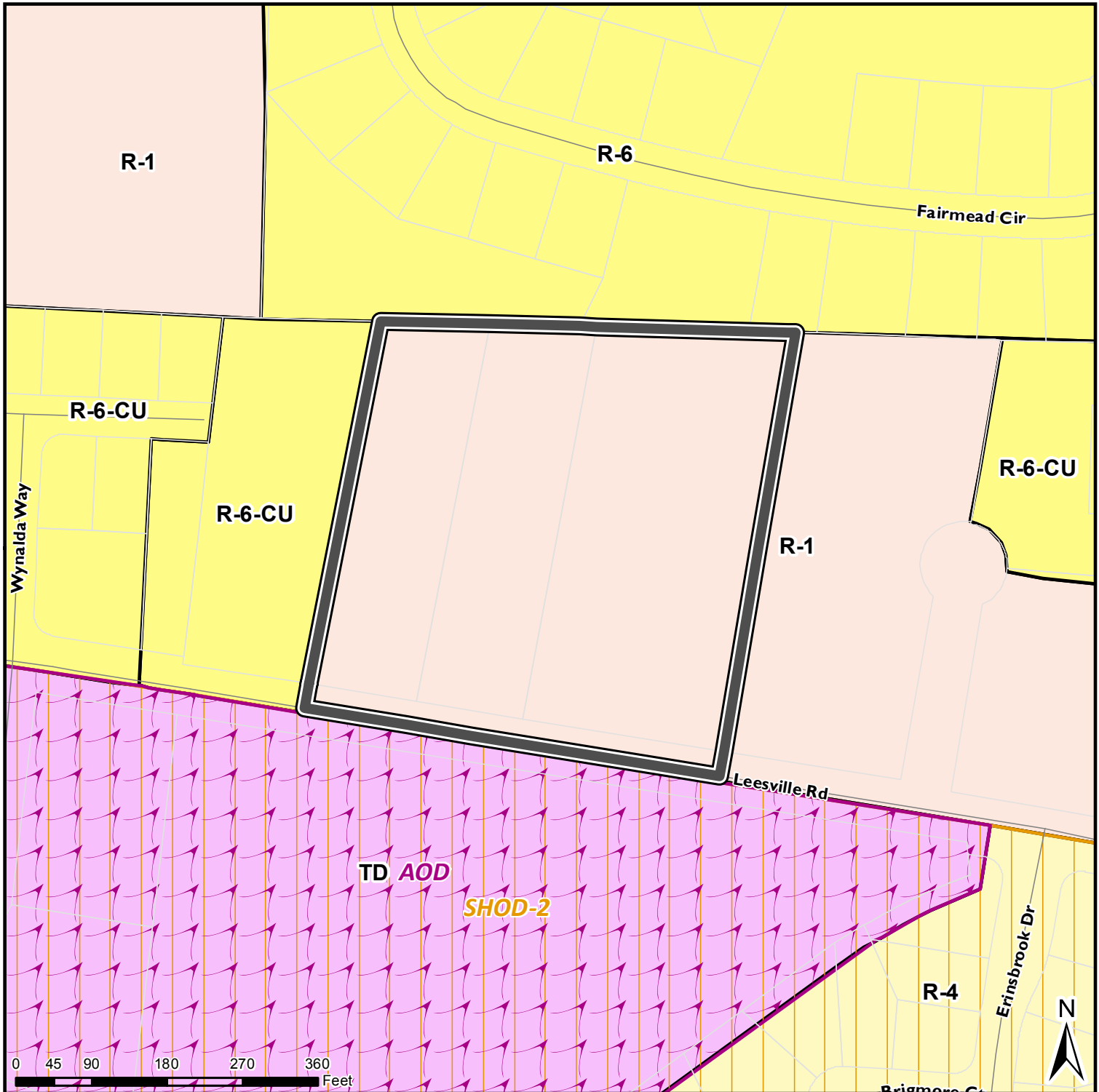


# Existing Zoning Map

# Z-3-2015



**Submittal  
Date**

1/30/2015

**Request:**

**5.4 acres from  
R-1  
to R-6**

VICINITY MAP





## Certified Recommendation

Raleigh Planning Commission

CR# 11621

### Case Information: Z-3-15 - Leesville Road

<i>Location</i>	Leesville Road, north side, east of its intersection with Wynalda Way Addresses: 11904, 12000 & 12004 Leesville Rd PINs: 0778492720, 0778493659, 0778495638
<i>Request</i>	Rezone property from R-1 to R-6 (General Use)
<i>Area of Request</i>	5.4 acres
<i>Property Owner</i>	Leland E. & Shirley Lee Batten/ 11904 Leesville Road/ Raleigh, NC 27613
<i>Applicant</i>	Lance Williams/ 10612 Winding Wood Trail/ Raleigh, NC 27613 (919) 255-0002; <a href="mailto:LanceWilliamsrdu@gmail.com">LanceWilliamsrdu@gmail.com</a>
<i>Citizens Advisory Council (CAC)</i>	Northwest-- Jay Gudeman, Chair: (919) 789-9884; <a href="mailto:jay@kilpatrickguteman.com">jay@kilpatrickguteman.com</a>
<i>PC Recommendation Deadline</i>	June 22, 2015

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Low Density Residential (1 to 6 units/ acre)
<b><i>URBAN FORM</i></b>	Center: <i>None designated</i> Corridor: <i>None designated</i>
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 - Future Land Use Map and Zoning Consistency Policy LU 4.5 - Connectivity Policy LU 8.10 - Infill Development Policy LU 8.12 - Infill Compatibility Policy UD 5.1 - Contextual Design
<b><i>INCONSISTENT Policies</i></b>	(None.)

### Summary of Proposed Conditions

(None – General Use)

## Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
1/4/15	3/10/15; 4/14/15: Y- 15, N- 0	3/24/15 (recommended approval)	4/7/15	5/5/15

☐ **Valid Statutory Protest Petition**

### Attachments

1. Staff report
2. Traffic Study Worksheet

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approve.</b> City Council may now schedule this proposal for Public Hearing or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Future Land Use Map, Urban Form Map, and pertinent policies of the Comprehensive Plan.</li> <li>2. The proposed rezoning is reasonable and in the public interest. The proposal will provide opportunity to bring increased activity to the site, while potentially linking existing street stubouts. Existing and planned public services support the requested density.</li> <li>3. The proposal is compatible with the surrounding area. Site uses and urban form would mirror those of properties adjacent and nearby.</li> </ol>
<i>Motion and Vote</i>	Motion: Braun Second: Lyle In Favor: Braun, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando and Whitsett

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.

Planning Director \_\_\_\_\_ Date \_\_\_\_\_ Planning Commission Chairperson \_\_\_\_\_ 3/28/15  
 Date

Staff Coordinator: Doug Hill: (919) 996- 2622; [Doug.Hill@RaleighNC.gov](mailto:Doug.Hill@RaleighNC.gov)



## Zoning Staff Report – Case Z-3-15

### General Use District

## Case Summary

### Overview

The proposal seeks to rezone the subject properties to permit an increase in residential density. The current zoning, R-1, allows one dwelling per acre; that requested, R-6, would allow up to six units per acre.

Existing zoning and build-out reflects the continuing transition of immediate area from a predominantly rural to suburban environment. The site is bordered on the north and west by R-6 zoning districts; the former includes the Harrington Grove subdivision. There are two R-1 properties immediately east, but just past them, the zoning is R-6. The largest area of R-1 zoning is the Leesville Forest subdivision, 1,000 feet to the west of the subject site.

The three parcels of the subject site contain a single house, associated accessory buildings and a gravel driveway, which transverses much of the site. The R-6 lot to west, which encompasses 1.57 acre, also contains one single-family residence. Just west of that parcel, however, is the 19-lot Leesville Ridge subdivision, from which McBride Drive, which parallels Leesville Road, stubs out at the single-family tract. An intended outcome of the rezoning, as expressed by the applicant, would be to extend McBride eastward across the intervening parcel to the subject site, recombining and redeveloping all four properties similarly to the pattern set by the Leesville Ridge neighborhood. Additional opportunities for connectivity exist to the east, where, past the two R-1 lots, the Old Oak Commons subdivision presents two stubouts on its western edge (from Friendship Oak Trail and Venture Oak Way, respectively). The two R-1 lots on the east currently each contain a single-family residence, but are platted with an undeveloped street/ cul-de-sac between them, running perpendicularly from Leesville Road--a possible access point for future residential development--to provide a grid of new streets north of Leesville Road.

Most of the subject site and the R-1 lots to the east are wooded. So is the area immediately across Leesville Road, where the city is planning to establish a future park on the "Erinsbrook Drive Property," which extends westward toward Englehardt Drive. West of Englehardt stands Fire Station 29, now nearing completion. At present, sections of Leesville Road, including that in front of the site, are undergoing improvements.

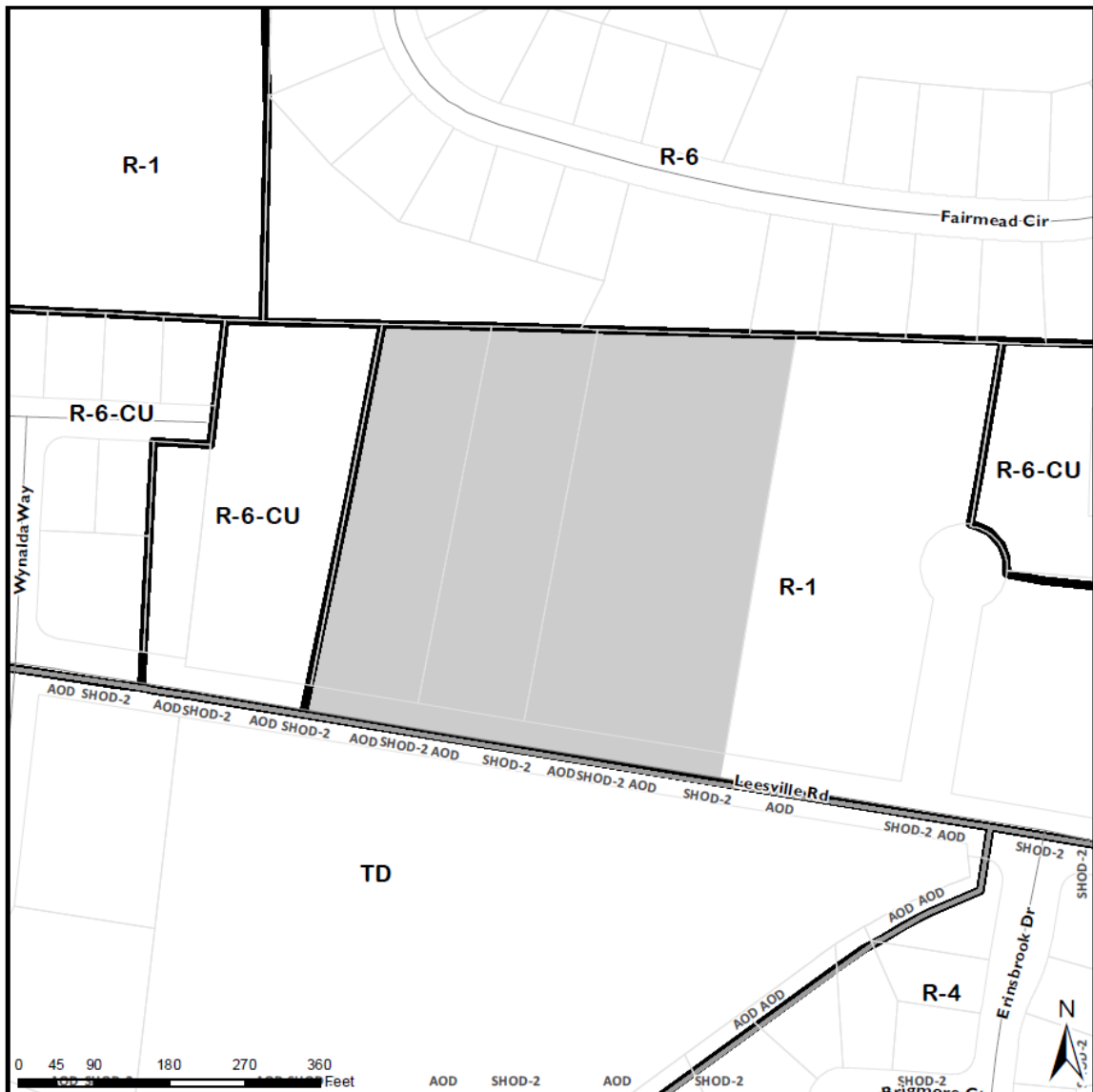
Properties on the south side of Leesville Road are zoned Thoroughfare District, and are also within the Airport Overlay District adjoining Raleigh-Durham International Airport. Noise contour mapping shows the subject site to be within the airport's 65 Day/Night Average Sound Level contour (65 DNL). The Raleigh-Durham Airport Authority has been informed of the proposal.

### Outstanding Issues

<i>Outstanding Issues</i>	<i>Suggested Mitigation</i>
1. Sewer and fire flow matters may need to be addressed upon development.	1. Address sewer and fire flow capacities at the site plan stage.

# Existing Zoning Map

**Z-3-2015**



**Submittal  
Date**

1/30/2015

**Request:**

**5.4 acres from  
R-1  
to R-6**

**VICINITY MAP**



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	Residential-1	Residential-6	Thoroughfare District	Residential-1	Residential-6 Conditional Use
<i>Additional Overlay</i>	(None)	(None)	Airport ; Special Highway-1	(None)	(None)
<i>Future Land Use</i>	Low Density Residential	Low Density Residential	Public Parks & Open Space	Low Density Residential	Low Density Residential
<i>Current Land Use</i>	Single Unit Living	Single Unit Living	Vacant (Future City Park)	Single Unit Living	Single Unit Living
<i>Urban Form (if applicable)</i>	n/a	n/a	City Growth Center	n/a	n/a

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	1 DU/ acre (5 DUs max.)	6 DUs/ acre (32 DUs max.)
<i>Setbacks:</i>		
<i>Front:</i>	20 feet	10 feet
<i>Side:</i>	10 feet	5 feet
<i>Rear:</i>	30 feet	20 feet
<i>Retail Intensity Permitted:</i>	(not permitted)	(not permitted)
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted)

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Total Acreage</i>	5.4	5.4
<i>Zoning</i>	R-1	R-6
<i>Max. Gross Building SF (if applicable)</i>	n/a	n/a
<i>Max. # of Residential Units</i>	5	32
<i>Max. Gross Office SF</i>	(not permitted)	(not permitted)
<i>Max. Gross Retail SF</i>	(not permitted)	(not permitted)
<i>Max. Gross Industrial SF</i>	(not permitted)	(not permitted)
<i>Potential F.A.R</i>	n/a	n/a

The proposed rezoning is:

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

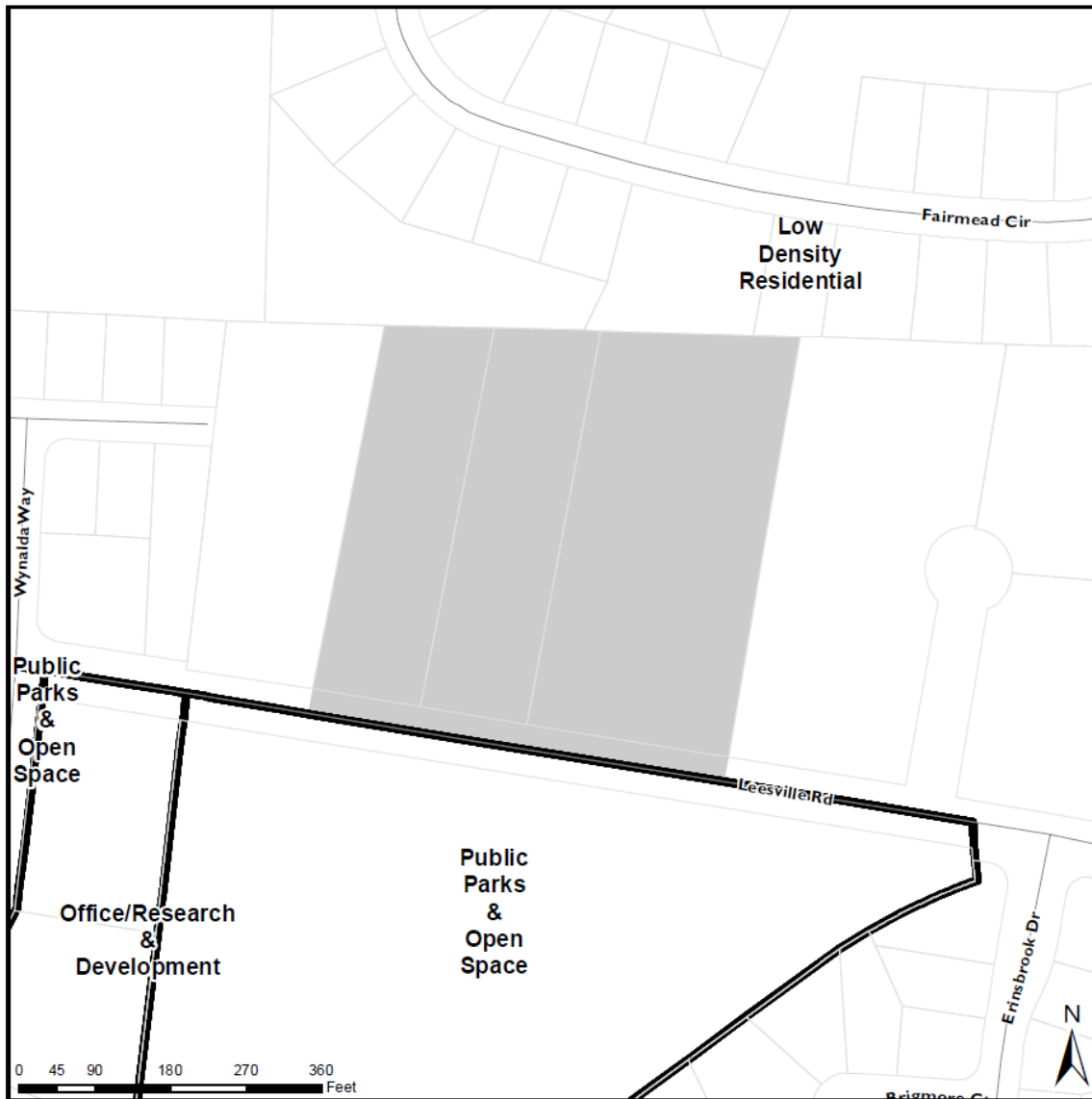
☐ **Incompatible.**

Analysis of Incompatibility:

(N/ A)

# Future Land Use Map

**Z-3-2015**



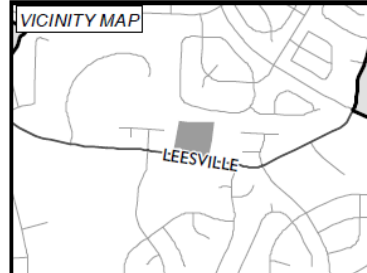
**Submittal  
Date**

1/30/2015

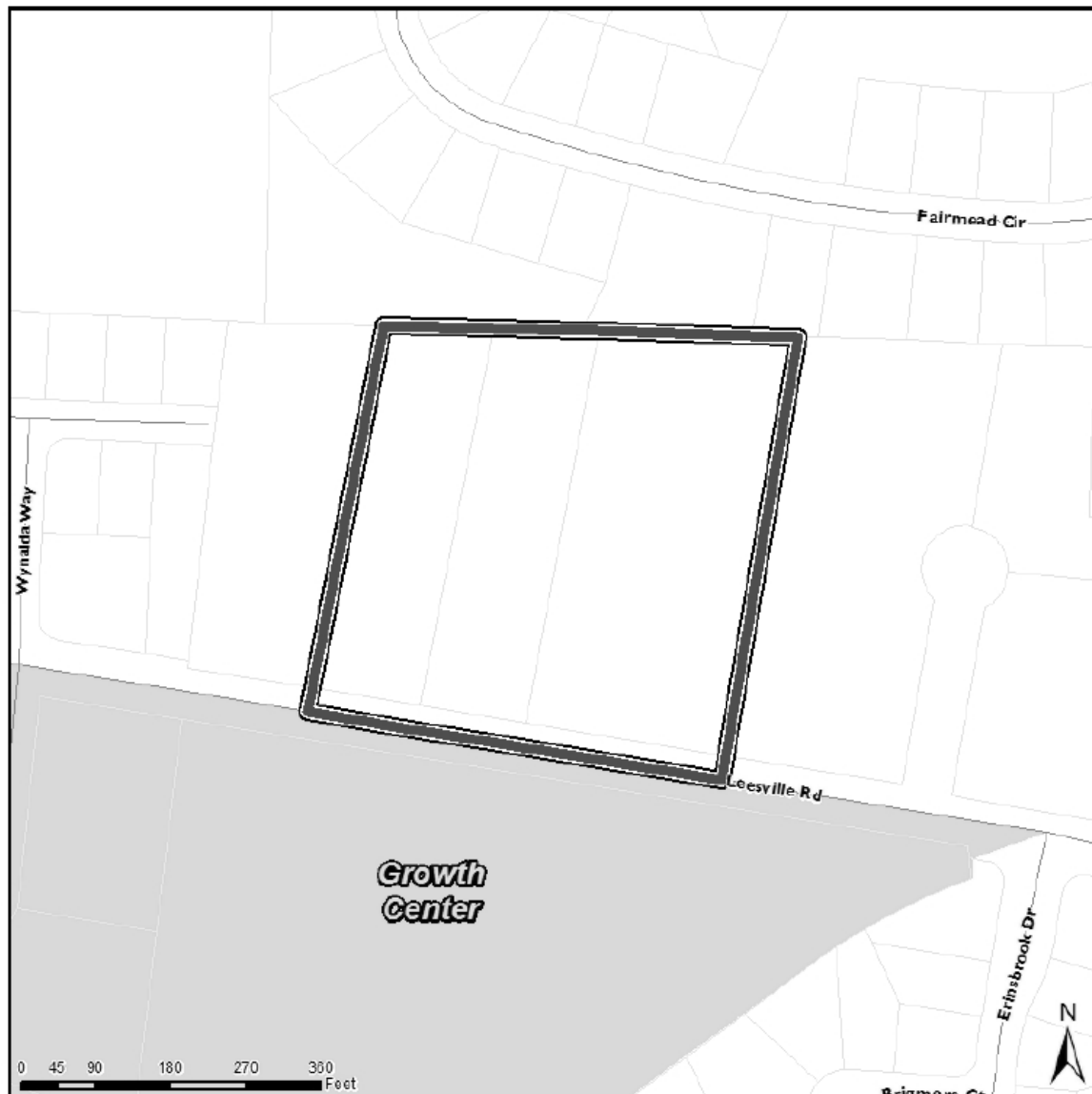
## Request:

**5.4 acres from  
R-1  
to R-6**

### VICINITY MAP







**Submittal  
Date**

1/30/2015

## Request:

5.4 acres from  
R-1  
to R-6

VICINITY MAP



## 2. Comprehensive Plan Consistency Analysis

### 2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal is consistent with the vision, themes, and policies of the Comprehensive Plan and the Future Land Use designation for the property. Permitted site uses and built form are commensurate with existing build-out and anticipated future development and land uses nearby.

The Future Land Use map places the site within a Low Density Residential area, which supports density of up to 6 dwellings per acre, the density requested in the rezoning proposal.

Existing community facilities and streets appear sufficient to accommodate redevelopment possible under the proposed rezoning.

### 2.2 Future Land Use

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

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

### 2.3 Urban Form

**Urban Form designation:** n/a

☒ **Not applicable** (no Urban Form designation)

**The rezoning request is:**

☐ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

## **2.4 Policy Guidance**

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

(None.)

## **2.5 Area Plan Policy Guidance**

The rezoning request is not within a portion of the City subject to an Area Plan.

# **3. Public Benefit and Reasonableness Analysis**

## **3.1 Public Benefits of the Proposed Rezoning**

- Development will be consistent with Comprehensive Plan, and existing development west and north.
- City park and fire protection will be in close proximity.

## **3.2 Detriments of the Proposed Rezoning**

(None identified.)

# **4. Impact Analysis**

## **4.1 Transportation**

The site is located on the north side of Leesville Road approximately 2,500 feet west of its intersection with Hickory Grove Church Road. This segment of Leesville Road currently exists as a two-lane, ribbon-paved road without sidewalks or curbs. In accordance with Section 4.4.2 of the Raleigh Street Design Manual, the ultimate cross section width for Leesville Road is a right-of-way width 104' and curb to curb width of 76' with sidewalks on both sides. There are no City of Raleigh or NCDOT projects slated for this segment of Leesville Road.

The expected volume of trips entering and exiting the site in the PM peak period is 38 vehicles per hour. At present, access to this site is solely from Leesville Road. Adjacent properties to the west have been developed with a street stub (McBride Drive) that will eventually be extended into the Z-3-2015 subject parcels.

Since site access comes solely from a major street, rezoning case Z-3-2015 technically meets the City's requirements for a traffic study. However, Transportation Planning staff waives the need for a traffic study due to the low volume of trips entering and exiting the site.

**Impact Identified:** None.

#### **4.2 Transit**

There is currently no transit service in this area. Neither the City of Raleigh Short Range Transit Plan nor the Wake County 2040 Transit Study identifies this area for future service.

**Impact Identified:** None.

#### **4.3 Hydrology**

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Sycamore
<i>Stormwater Management</i>	Article 9.2 of UDO
<i>Overlay District</i>	None

Neuse River Buffers present on site (north lot lines).

**Impact Identified:** None.

#### **4.4 Public Utilities**

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	3,375 gpd	8,000 gpd
<i>Waste Water</i>	3,375 gpd	8,000 gpd

**Impact Identified:** The proposed rezoning would add approximately 4,625 gpd to the wastewater collection and water distribution systems of the City. There are existing water mains adjacent to the properties. The petitioner/ developer will be required to extend the sanitary sewer collection system to the property and any sanitary sewer or water mains required to serve the properties internally.

**Impact Identified:** The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

#### **4.5 Parks and Recreation**

Site is not adjacent to existing or proposed greenway corridor, connector, or trail. Nearest trail is Hare Snipe Trail (4.8 miles). Park services are available via Strickland Road Park (2.7miles) and proposed Erinsbrook Drive Property site (directly across Leesville Road).

**Impact Identified:** None.

#### **4.6 Urban Forestry**

UDO Article 9.1 Tree Conservation effects land parcels 2.0 acres and larger. Two of the parcels to be rezoned are less than 2.0 acres and are not subject to Article 9.1; parcel PIN# 0778495638 with 5.7 acres will be subject to this code section. However, if the parcels are recombined before developing then the entire property will be subject to UDO 9.1.

**Impact Identified:** None.

#### ***4.7 Designated Historic Resources***

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

**Impact Identified:** None.

#### ***4.8 Community Development***

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

#### ***4.9 Impacts Summary***

Sewer and fire flow matters may need to be addressed upon development.

#### ***4.10 Mitigation of Impacts***

Address sewer and fire flow capacities at the site plan stage.

## **5. Conclusions**

The requested rezoning would allow the subject parcels to redevelop in a fashion supported by the Comprehensive Plan, and consistent with existing and planned area development. The presence of existing street stubouts presents opportunity for internal access and circulation, away from Leesville Road. New and planned infrastructure improvements (e.g., Leesville Road widening, Fire Station 29, Erinsbrook Property park) further support the proposed density.



# Planning & Development

**Development Services  
Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification <u>R-1</u>	
Proposed Zoning Classification Base District <u>R-6</u> Height      Frontage <u>(Residential-6)</u>	
If the property has been previously rezoned, provide the rezoning case number.	<u>2-3-15</u>
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences.	<u>414298</u>
<u>Transaction # 414298</u>	

GENERAL INFORMATION		
Property Address <u>11904, 12000, + 12004 Leersville Road</u>	Date <u>1/30/2015</u>	
Property PIN <u>0778493659, 0778492720, 0778495638</u>	Deed Reference (Book/Page) <u>Book 2054 page 564,</u> <u>[REDACTED] 2W</u>	
Nearest Intersection <u>Leersville Road and Englehardt Dr.</u>	Property size (in acres) <u>5.4</u>	
Property Owner/Address <u>Leland E. Batten and Shirley Lee Batten</u> <u>11904 Leersville Road</u> <u>Raleigh, NC 27613-8308</u>	Phone <u>919-560-0660</u>	Fax <u>None-use email</u>
	Email <u>jbatten@dcnc.gov</u>	
Project Contact Person/Address <u>Lance Williams</u> <u>10612 Winding Wood Trail</u> <u>Raleigh, NC 27613</u>	Phone <u>919-255-0002</u>	Fax <u>None-use email</u>
	Email <u>Lancewilliamsrdn@gmail.com</u>	
Owner/Agent Signature <u>Lance Williams</u>	Email <u>Lancewilliamsrdn@gmail.com</u>	

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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### 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 Future Land Use map denotes this area for "Low Density Residential"; this request brings the property into conformity with this designation (page 32)
2.	The area is designated as Future Annexation area, Map 2 U-4 (pg. 42+43)
3.	Development "fills in the gap" consistent with policy LU 8.10 (pg. 54)
4.	

### PUBLIC BENEFITS

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

1.	Annexing the parcels will increase City of Raleigh tax base.
2.	Developing into lots consistent to plan will increase tax base. Even higher when houses are built.
3.	Civil improvements increase connectivity, assist with potential development of bordering properties, & increased revenues from existing water & sewer main lines
4.	Building near new fire station & park is "smart growth" and makes good economic sense.

### URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	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.
2.	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.
3.	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.

**Neighborhood Meeting Notice and Report:**

The letters were sent out through the Planning Department and the meeting was held accordingly.

The letters generated 3 phone calls although no one chose to attend the meeting.

Two of the phone calls were from Board of Director Members of the Harrington Grove HOA and one was from neighbor who is a realtor.

The discussions with the Harrington Grove HOA board were to clarify the addresses and parcel number for the re-zoning. Also, another board member called and said he thought the project was really helped by the buffer provided by the property owned by the HOA along much of our northern border.

The other neighbor who is a professional realtor who wanted to make sure he would be kept in the loop when housing product design was finalized (after re-zoning).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lance S. Williams". The signature is fluid and cursive, with the first name "Lance" being more prominent.

Lance S. Williams