



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13407

CASE INFORMATION: TCZ-51-24 FAIRBANKS ROAD

Location	Just west of the intersection of Fairbanks Drive and Leesville Road. Address: 9308 Fairbanks Drive PIN: 0788026472 Link to iMaps
Current Zoning	NX-3-CU
Requested Zoning	NX-3-CU
Area of Request	2.67 acres
Corporate Limits	This site is within the City's corporate limits.
Property Owner	Fairbanks Enterprises, Inc.
Applicant	Amy C. Crout, Concept 8, LLC
Council District	E
PC Recommendation Deadline	July 14, 2025

SUMMARY OF PROPOSED CONDITIONS

Proposes to amend the conditions associated with case Z-87-00:

- ~~1. Upon development, the developer will comply with CR 7107 regarding stormwater runoff 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.~~
1. 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 <250 ft); (3) telecommunication tower ≥250 ft); (4) outdoor sports or entertainment facility (≤250 seats); (5) outdoor sports or

<p><u>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).</u></p> <p>2. <u>There shall be no more than 60 primary dwelling units on the Property.</u></p> <p>3. <u>Office uses and Retail uses on the Property shall be limited to 65,000 square feet for each category.</u></p>
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COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Neighborhood Mixed Use	
Urban Form	There is no urban form designation for this site.	
Consistent Policies <i>Key policies are marked with a dot (●)</i> <i>Area Specific Guidance policies are marked with a square (□)</i>	●	LU 1.2 – Future Land Use Map & Zoning Consistency
	●	LU 1.3 – Conditional Use District Consistency
	●	LU 2.2 – Compact Development
	●	EP 1.1 – Greenhouse Gas Reduction
	●	LU 8.1 – Housing Variety
	●	H 1.8 – Zoning for Housing
		LU 5.2 – Managing Commercial Development Impacts
Inconsistent Policies ● Key Policy □ Area Specific Guidance	●	LU 2.5 – Healthy Communities
	●	LU 4.5 – Connectivity
	●	LU 7.6 – Pedestrian-Friendly Development
		T 1.3 – Multimodal Transportation Design
		T 3.2 – Integrating Multiple Users

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
11/12/2024 3 attendees	Not required.		

REZONING ENGAGEMENT PORTAL RESULTS

Views	Participants	Responses	Comments
18	0	0	0
Summary of Comments: N/A			

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 **Deferral** is reasonable and in the public interest because:

Reasonableness and Public Interest	
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	N/A
Recommendation	Request for a 45-day time extension.
Motion and Vote	Motion: Fox; Second: Bennett; In favor: Bennett, Cochrane, Fox, Miller, O'Haver, Otwell, and Shelburne
Reason for Opposed Vote(s)	

ATTACHMENTS

1. Staff report
2. Zoning conditions
3. Rezoning application

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.



Bynum Walter
Planning and Development Assistant Director

Date: 6/24/2025

Staff Coordinator: Erin Klinger, erin.klinger@raleighnc.gov



REZONING STAFF REPORT – Z-51-24

Text Change Rezoning

OVERVIEW

This request is to amend the zoning conditions associated with case Z-87-2000. The zoning district for the property (NX-3-CU) would not change.

The proposal would remove all seven conditions from the original rezoning and would add conditions prohibiting several uses on the subject property, such as schools, telecommunication towers, and outdoor sports or entertainment facilities; limiting the maximum number of dwelling units on the property; and limiting the maximum amount of square footage for office and retail uses. The conditions that are being removed relate to lighting, stormwater, and screening, as well as a two-story height limit.

The site is a single parcel of land on the north side of Fairbanks Drive between Leesville Road and Westgate Road. It is adjacent to a mixed-use area to the east and moderate-scale residential neighborhood to the west. There is currently a small office building and parking lot on site. Presently, height is limited to 28' or two stories; however, since the proposed conditions would remove this height limitation, the maximum height would increase to 50' and three stories.

Overall, the request is consistent with both the Comprehensive Plan and Future Land Use Map. The Future Land Use Map for this site calls for Neighborhood Mixed Use and designates Neighborhood Mixed Use (NX) as the most appropriate zoning district for this category. The Comprehensive Plan states that this area applies to "neighborhood shopping centers and pedestrian-oriented retail districts" and that appropriate uses for the area include "corner stores or convenience stores, restaurants, bakeries, supermarkets, drug stores, dry cleaners, small professional offices, retail banking, and similar uses". The uses prohibited by the proposed zoning conditions are not included in the aforementioned appropriate uses. The request is consistent with the Comprehensive Plan overall as it aligns with several of the plan's vision themes as well as with policies concerning housing variety and scale of commercial uses. However, there is some concern from Transportation staff about the lack of suitable pedestrian infrastructure in the area. Please see the Trade Reviews section for the full Transportation report.

CURRENT VS. PROPOSED ZONING ENTITLEMENT*

EXISTING ZONING		PROPOSED ZONING
Zoning	NX-3-CU	NX-3-CU
Total Acreage	2.67	
Maximum Height	2 stories/28"	3 stories/50'
Setbacks:	Townhouse	Townhouse
Front	10'	10'
Side Site Boundary Line	10'	10'
Rear Site Boundary Line	20'	20'
Max. # of Residential Units	112	60
Max. Gross Office SF	93,274	65,000
Max. Gross Retail SF	51,454	65,000
Max. Gross Industrial SF	N/A	N/A

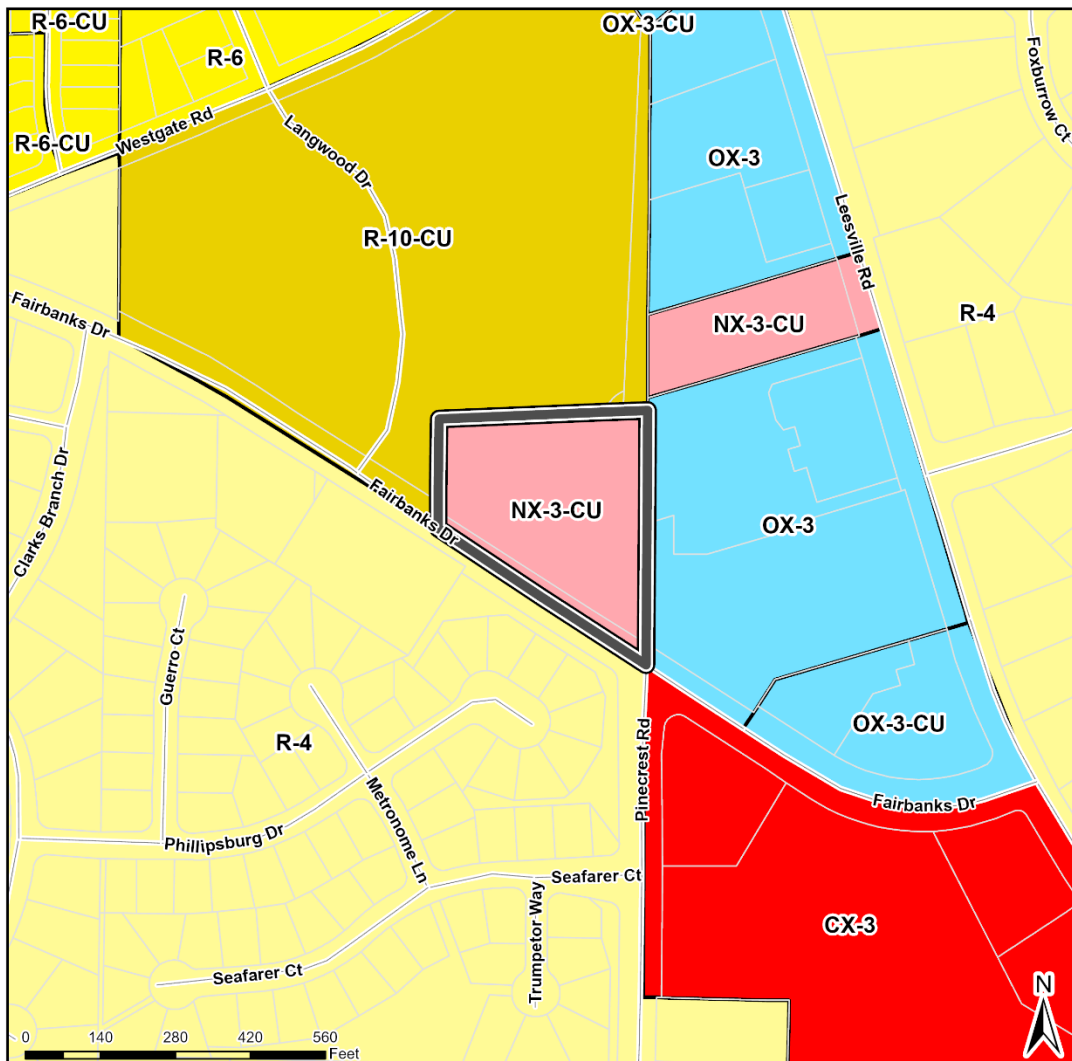
*These are estimates presented to provide context for analysis.

OUTSTANDING ISSUES

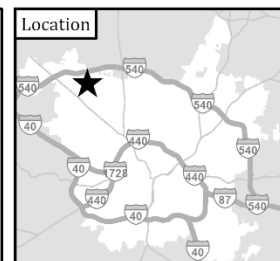
Outstanding Issues	1. None.	Suggested Mitigation	1. N/A
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Existing Zoning

Z-51-2024



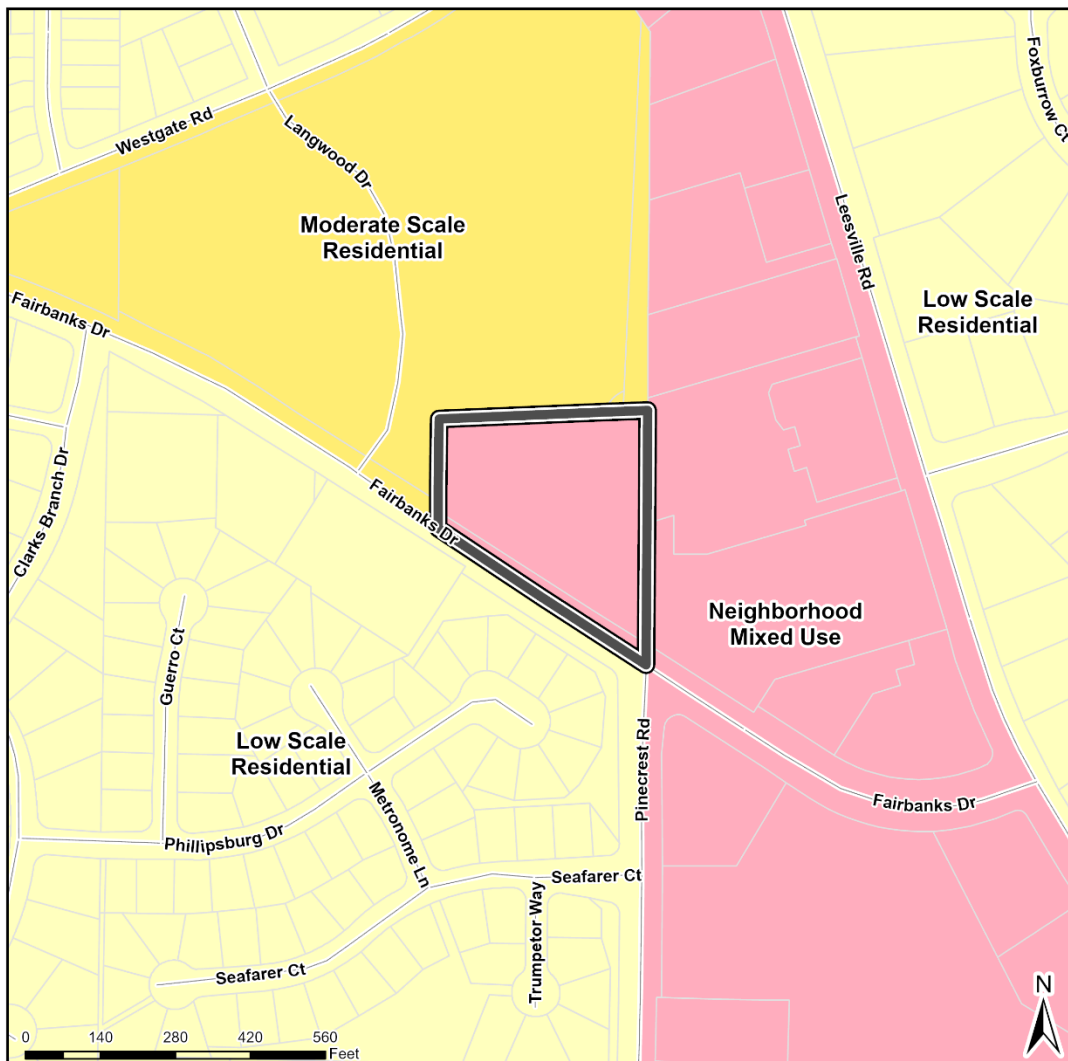
Property	9308 Fairbanks Dr
Size	2.67 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU (Amend Zoning Conditions)



Map by Raleigh Department of Planning and Development (mcgregorm); 1/27/2025

Future Land Use

Z-51-2024



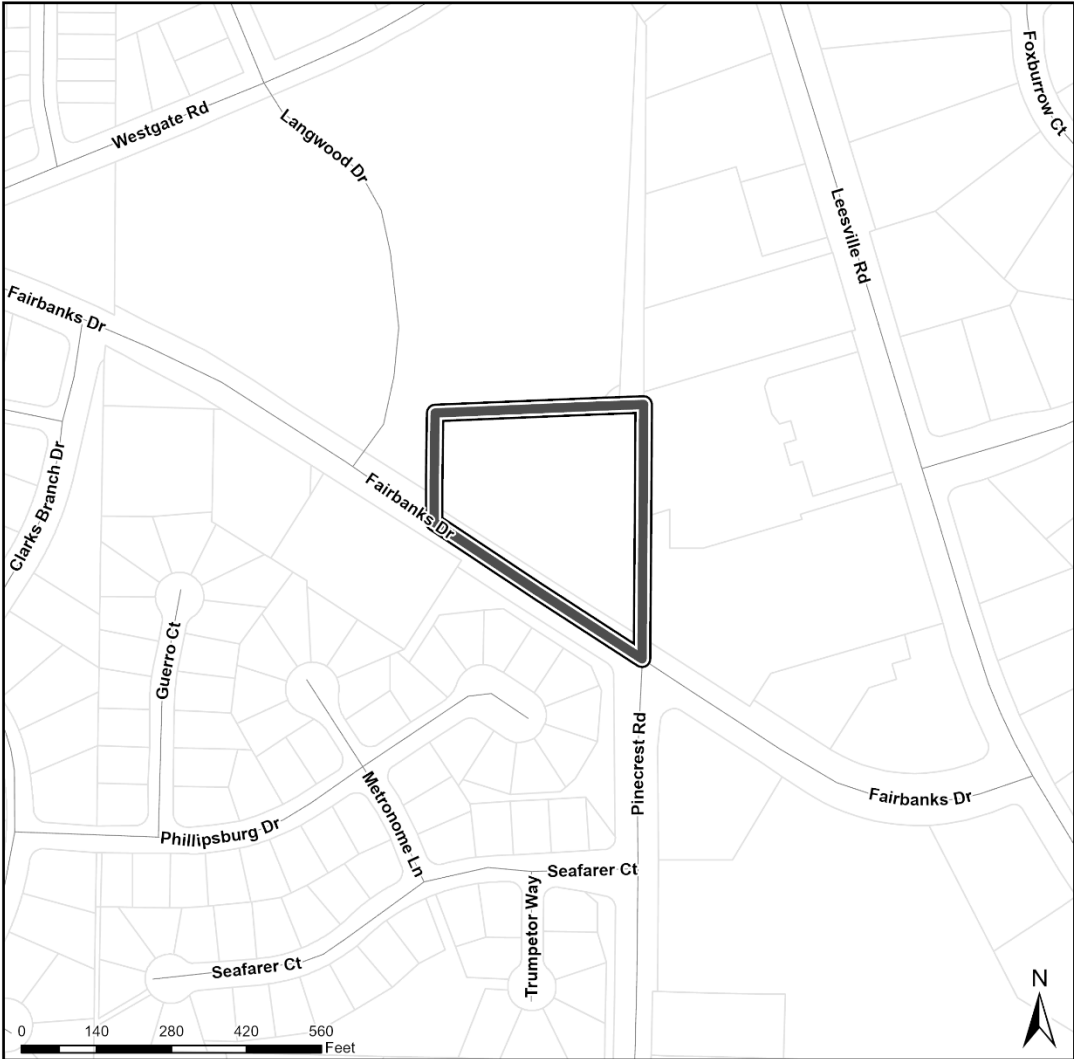
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Map by Raleigh Department of Planning and Development (mcgregorm); 1/27/2025

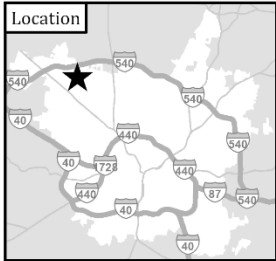
Urban Form

Z-51-2024



Property	9308 Fairbanks Dr
Size	2.67 acres
Existing Zoning	NX-3-CU
Requested Zoning	NX-3-CU (Amend Zoning Conditions)

Map by Raleigh Department of Planning and Development (mcgregorm); 1/27/2025



COMPREHENSIVE PLAN ANALYSIS

Section 3: Land Use in the Comprehensive Plan describes how zoning proposals should be evaluated.
Determination of the consistency with the Comprehensive Plan includes consideration of the following topics.

Comprehensive Plan Consistency

The request is: ☒ **Consistent** ☐ **Inconsistent** with the 2030 Comprehensive Plan.

This request is consistent with the Comprehensive Plan overall as it aligns with several of the plan's vision themes as well as with policies concerning housing variety and scale of commercial uses.

Vision Themes

The request is:

Consistency	Vision Theme	Analysis
Inconsistent	Expanding Housing Choices	This vision theme has several components: affordable housing, housing variety, and housing supply. While the types of housing permitted by this request may be more affordable than single-unit detached houses, the request proposes to limit the number of units allowed on site to 60, which is just over half of what is allowed currently. The request also would not allow any additional housing types beyond what is currently allowed.
Consistent	Managing Our Growth	This theme encourages quality growth, in part through integrated land uses. The request would allow for a variety of uses in addition to residential uses.
Consistent	Coordinating Land Use and Transportation	The request would allow housing and a mix of uses in an area with access to Interstate 540 and other transportation corridors.

Future Land Use

Future Land Use designation: Neighborhood Mixed Use

The request is: ☒ **Consistent** ☐ **Inconsistent** with the Future Land Use Map.

The request is consistent with the Future Land Use Map designation of Neighborhood Mixed Use. The corresponding zoning district is NX (Neighborhood Mixed Use). The request would allow for a variety of residential and commercial uses as envisioned by the Future Land Use Map.

Infrastructure

Will community facilities and streets be available at City standards to serve the use proposed for the property? ☒ **Yes** ☐ **No**

There have been no identified drainage or stormwater infrastructure issues and fire response times for this site would be adequate.

Urban Form

Urban Form designation: There is no Urban Form designation for this site.

The request is: ☐ **Consistent** ☐ **Inconsistent** with the Urban Form Map.

☒ **Other** (no Urban Form designation)

Public Benefits of the Proposed Rezoning

- The request continues to allow a variety of housing types, including those that tend to be more affordable than detached houses.
- The request continues to allow for some commercial uses on site.

Detriments of the Proposed Rezoning

- None found.

Policy Guidance

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

Consistent Policies <i>Key policies are marked with a dot (●)</i> <i>Area Specific Guidance policies are marked with a square (□)</i>	●	LU 1.2 – Future Land Use Map & Zoning Consistency
	●	LU 1.3 – Conditional Use District Consistency
	●	LU 2.2 – Compact Development
	●	LU 8.1 – Housing Variety
	●	EP 1.1 – Greenhouse Gas Reduction
	●	H 1.8 – Zoning for Housing
		LU 5.2 – Managing Commercial Development Impacts

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

Key policies are directly related to changes in zoning and are used to evaluate rezoning request consistency. They are marked with an orange dot (●). Area Specific Guidance policies are marked with a square (□).

None found.

EQUITY AND CLIMATE CHANGE ANALYSIS

Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	31	52	This site is somewhat walkable, with a Walk Score that's higher than the citywide average. Some errands can be accomplished on foot.
Transit Score	30	0	This is significantly less than the city average. The closest bus stop is 1.6 miles away from the site.
Bike Score	41	43	Somewhat bikeable. This is slightly higher than the citywide average and indicates minimal bike infrastructure for the site.
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	72	The site has lower transportation costs than 72 percent of the area.
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	43	The site has higher access to jobs than 43 percent of the area.

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. HUD index scores are percentiles indicating how well the subject tract performs compared to all other census tracts in the United States. A higher percentile for Low Transportation Cost or Jobs Proximity indicates a lower the cost of transportation and higher access to jobs in the nearby area, respectively.

Housing Energy Analysis

Housing Type	Average Annual Energy Use (million BTU)	Permitted in requested district?
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.

Housing Supply and Affordability

Does the proposal add or subtract from the housing supply?	Adds	However, the proposed conditions would limit the number of units on site to 60, while without the proposed condition, the proposal would allow for a maximum of 160 units.
Is naturally occurring affordable housing present on the site?	No	There is currently a hair salon and interior design studio on the site.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The zoning for the property is not changing and already permits a variety of housing types.
If not a mixed-use district, does it permit smaller lots than the average? *	N/A	N/A
Is it within walking distance of transit?	No	The closest bus stop is approximately 1.6 miles away.

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

Demographic Indicators from EJSCREEN*

Indicator	Site Area	Raleigh
Demographic Index** (%)	27.2	37
People of Color Population (%)	44.7	46
Low Income Population (%)	9.6	29
Linguistically Isolated Population (%)	1.9	3
Population with Less Than High School Education (%)	4.8	8
Population under Age 5 (%)	6.3	6
Population over Age 64 (%)	7.5	11
% change in median gross rent since 2016	33.1	25.5

*Environmental Justice Screening and Mapping Tool from the Environmental Protection Agency (<https://www.epa.gov/ejscreen>)

**The Demographic Index represents the average of the percentage of people who are low income and the percentage of people who are minorities

Health and Environmental Analysis

What is the life expectancy in this census tract? Is it higher or lower than the city average*?	-	Data was not available for this census tract; however, the address falls on the southwest border of the tract which has a life expectancy of 79.6 – 81.6, which is similar to the citywide average.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	
Are there hazardous waste facilities located within one kilometer?	No	The closest hazardous waste facility is about 2 kilometers to the north of the subject property.
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	
Is this area considered a food desert by the USDA?	No	There is a Harris-Teeter grocery store approximately 1.2 miles to the north of the subject property.

*Raleigh average = 79.9; Wake County average = 80.3

Land Use History

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	No	The property was annexed into the City in 2004.
Has the area around the site ever been the subject of an urban renewal program?*	No	
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	No	None found.
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	Yes	The subdivision across Fairbanks Drive from the subject property prohibits detached accessory dwelling units (ADUs).

*The response to this question is not exhaustive, and additional information may be produced by further research. Absence of information in this report is not conclusive evidence that no such information exists.

Analysis Questions

1. Does the rezoning increase the site's potential to provide more equitable access to housing, employment, and transportation options? Does the rezoning retain or increase options for housing and transportation choices that reduce carbon emissions?

Response: The requested amendment to the zoning conditions would decrease the number of residential units allowed on site. No change would be made to transportation choices.

2. Is the rezoning in an area where existing residents would benefit from access to lower cost housing, greater access to employment opportunities, and/or a wider variety of transportation modes? Do those benefits include reductions in energy costs or carbon emissions?

Response: Yes, residents in this area could benefit from lower cost housing and greater access to employment opportunities.

3. Have housing costs in this area increased in the last few years? If so, are housing costs increasing faster than the city average?

Response: Yes, housing costs in this area are increasing at a rate that is greater than the city average.

4. Are there historical incidences of racial or ethnic discrimination specific to this area that have deprived Black, Indigenous, and People of Color (BIPOC) of access to economic opportunity, public services, or housing? If so, does the rezoning request improve any current conditions that were caused, associated with, or exacerbated by historical discrimination?

Response: No, there have been no incidences of discrimination specific to this area.

5. Do residents of the area have disproportionately low life expectancy, low access to healthy lifestyle choices, or high exposure to environmental hazards and/or toxins? If so, does the rezoning create any opportunities to improve these conditions?

Response: Life expectancy data is not available for this site. There are no known industrial uses or hazardous waste facilities nearby.

TRADE REVIEWS

Staff from various departments review every rezoning case when it is submitted. If a reviewer has identified a potential negative impact that might result from the proposed rezoning, it is noted here.

Review Summary

The following reviewers identified no potential negative impacts specific to this request:

- ☒ Current Planning ☒ Raleigh Fire ☒ Raleigh Water ☐ Transportation
☒ Historic Resources ☒ Raleigh Parks ☒ Stormwater ☒ Urban Forestry

Stormwater Information

1. Existing zoning condition related to CR 7107, proposed to be removed, has been superseded by current stormwater ordinance.

TCZ-51-24 Fairbanks Road	YES/NO	NOTES
Floodzone	No	
Structural Flooding Downstream	No	
Other Drainage Complaints Downstream	No	
Stormwater Conditions	No	
Neuse Buffers Onsite	Possible	NRCS Soil Survey
Existing Impervious	Yes	Small office building and parking lot
Subject to Impervious Limits in UDO 9.2.2.A	No	
Changes to UDO Max Impervious Area (9.2.2.A)	N/A	
Subject to 9.2.2.B to H	Yes	
Watershed Overlay	No	
Drainage Basin	Hare Snipe	

Transportation & Transit Review

1. Development of the site through a tier three site plan or subdivision would require right-of-way dedication, road widening, and other street improvements to meet the designated street cross-section for Fairbanks Drive ([Sec. 8.5.5.B](#)). Transportation staff will review the first zoning condition (reimbursement for right-of-way dedication) to ensure it aligns with current city policies.
2. The UDO's spacing standards for driveways serving more than two dwelling units or nonresidential uses requires at least 200 feet of separation ([Sec. 8.3.5.C.3.C](#)).
3. On the northern side of Fairbanks Drive, there is no existing sidewalk to connect residents to nearby uses. Beyond the site's frontage, where sidewalk will be required, there is a 200' gap between the site and existing sidewalk. In addition, there is no

pedestrian crossing infrastructure at the intersection of Fairbanks and Pinecrest. The closest crosswalk is 750' northwest of this intersection. Sidewalk connections to surrounding uses and safe crossings can help improve access to nearby services and destinations, advancing Comprehensive Plan policies such as T1.3 Multimodal Transportation Design, T3.2 Integrating Multiple Users, and T5.1 Enhancing Bike/Pedestrian Circulation.

4. Based on the Envision results, approval of case Z-51-24 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed text change is projected to generate 83 new trips in the AM peak hour and 154 new trips in the PM peak hour. These values trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-51-24 Existing Land Use Retail: Interior Design and Salon	Daily	AM	PM
	48	6	6
Z-51-24 Current Zoning Entitlements Neighborhood Mixed Use	Daily	AM	PM
	1,422	114	164
Z-51-24 Proposed Zoning Maximums Neighborhood Mixed Use	Daily	AM	PM
	2,842	197	317
Z-51-24 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,421	73	154



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.

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.~~

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Certificate Of Completion

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Signatures: 1

Envelope Originator:

Certificate Pages: 5

Initials: 0

Amy Crout

AutoNav: Enabled

PO Box 2611

Envelopeld Stamping: Enabled

Raleigh, NC 27602

Time Zone: (UTC-05:00) Eastern Time (US & Canada)

acrout@smithlaw.com

IP Address: 4.42.105.221

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Status: Original

Holder: Amy Crout

Location: DocuSign

3/18/2025 12:31:59 PM

acrout@smithlaw.com

Signer Events

Christine W. Kennedy

christinewkennedy1@gmail.com

Security Level: Email, Account Authentication
(None)

Signature

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Signature Adoption: Pre-selected Style

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

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Carbon Copy Events	Status	Timestamp
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Maggie Sparling maggie@chappellres.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 3/18/2025 12:35:29 PM Viewed: 3/18/2025 1:03:12 PM
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/18/2025 12:35:30 PM
Certified Delivered	Security Checked	3/18/2025 1:13:15 PM
Signing Complete	Security Checked	3/18/2025 1:13:28 PM
Completed	Security Checked	3/18/2025 1:13:28 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

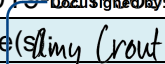
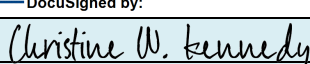


Rezoning Application and Checklist

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	<input type="checkbox"/> Master plan
	<input checked="" type="checkbox"/> Text change to zoning conditions		
			OFFICE USE ONLY Rezoning case # _____
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...

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted: 12/17/2024	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>

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

820BA20C55E0404...

Printed Name: Christine W. Kennedy

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

~~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).~~

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)

**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

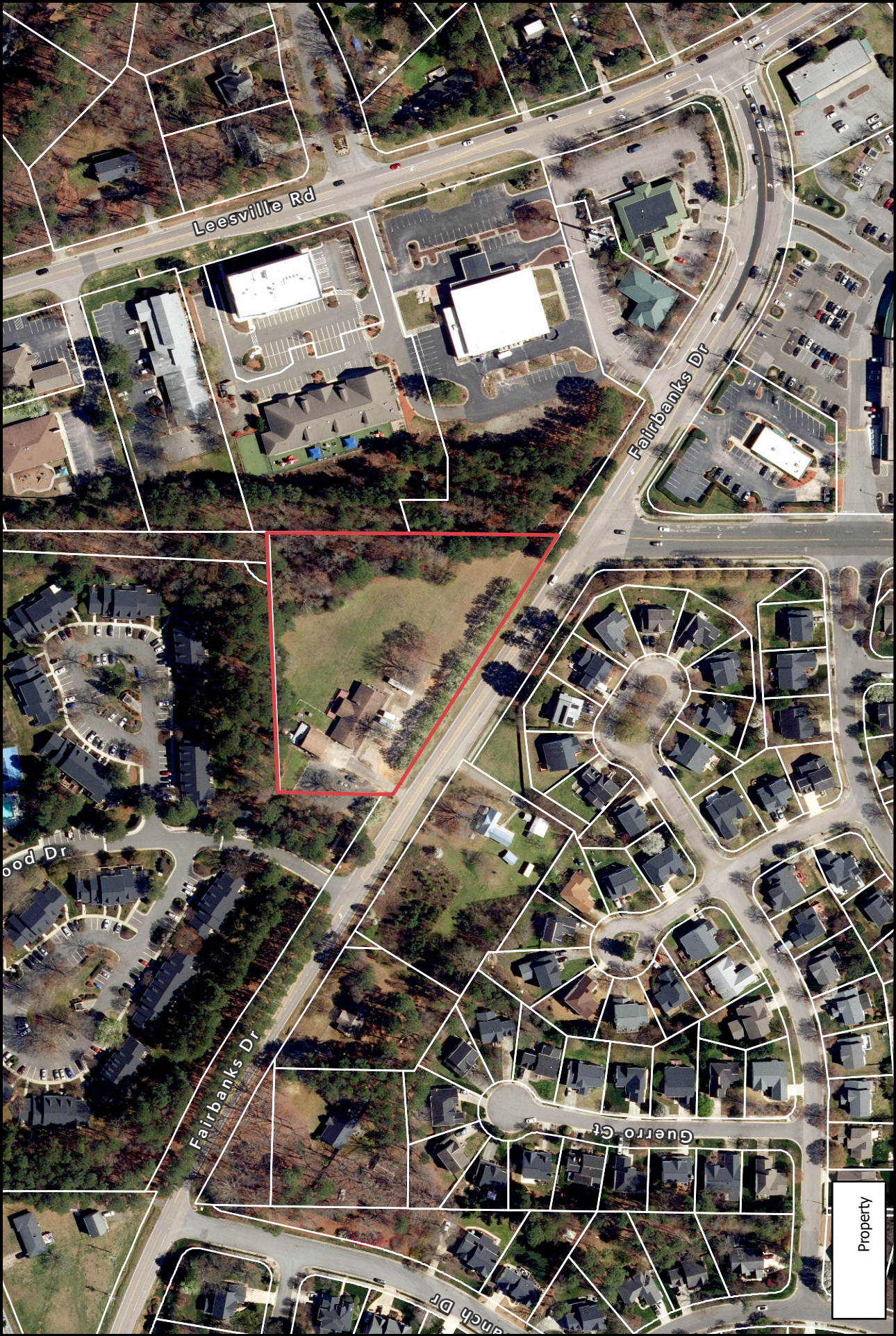
enclosures

Ordinance 875 ZC 487
Effective 10/3/00

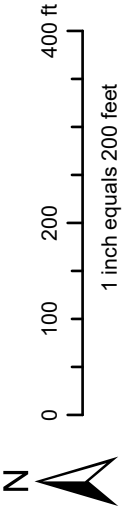
Z-87-00 Fairbanks Drive, north side, south of Westgate Road and west of Leesville Road, being Wake County PIN 0788.17 02 6472. Approximately 2.67 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: (09/27/00)

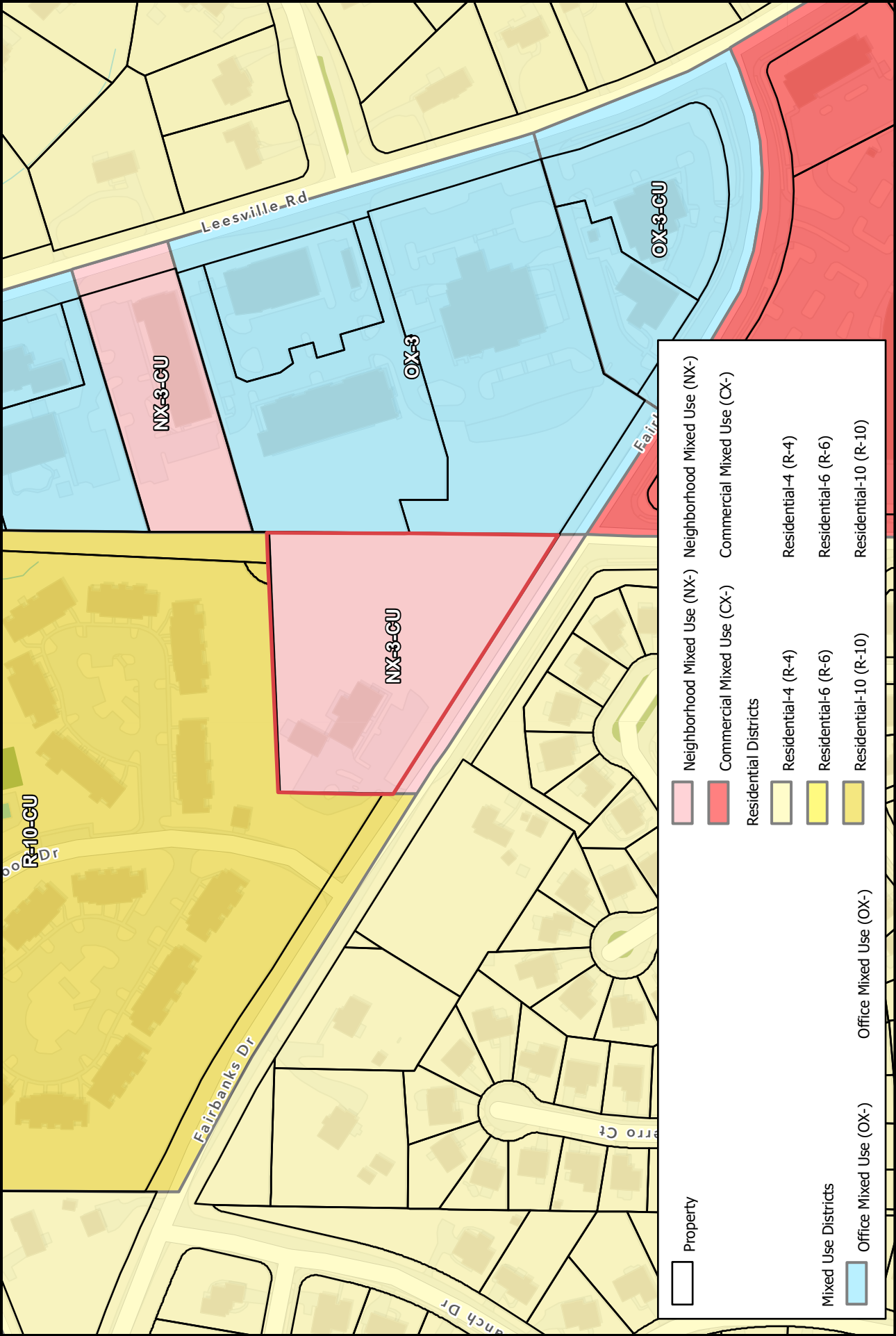
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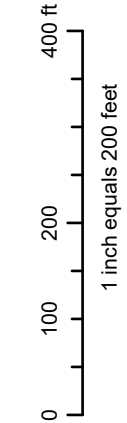
Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



9308 Fairbanks Drive



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9308 Fairbanks Drive- Zoning Overlay

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Planning and Development
One Exchange Plaza
219 Fayetteville St, Suite 300
Raleigh, NC 27601

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10/31/2024 IMI
US POSTAGE \$000.97⁰
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011E11686204

9201 LEESVILLE OFFICE
CONDOMINIUM
PO BOX 90427
RALEIGH NC 27675-0427
17174.18

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219 Fayetteville St, Suite 300
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AVESTA PROPERTIES LLC
7720 HARPS MILL RD
RALEIGH NC 27615-5427
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STOP GO PROPERTIES LLC
9201 LEESVILLE RD STE 220
RALEIGH NC 27613-7540
17174.18

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JANET P KOVACIK
9304 LEESVILLE RD
RALEIGH NC 27613-7514
17174.18

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Raleigh, NC 27601

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MARSHA WILCOX
5412 PHILLIPSBURG DR
RALEIGH NC 27613-8202
17174.18

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NATHAN BURNETT
5500 PHILLIPSBURG DR
RALEIGH NC 27613-8208
17174.18

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RES SOUTHERN PROPERTIES LLC
1909 BRIDGEPORT DR
RALEIGH NC 27615-4411
17174.18

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EAGLES MANAGEMENT CORP
9201 201 LEESVILLE RD
RALEIGH NC 27617
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INDEPENDENT ORDER OF GRAND
LODGE OF NORTH CAROLINA
SIR WALTER RALEIGH LODGE #411
9309 FAIRBANKS DR
RALEIGH NC 27613-5248

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SRINIVAS SARASWATULA TRUSTEE
APARNA TRUSTEE UNDRAKONDA
7812 PANTHER BRANCH DR
RALEIGH NC 27612-7367

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MARIZA GOMES VASCONCELOS
MARCIO RODRIGO RIBEIRO
8516 METRONOME LN
RALEIGH NC 27613-4144

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LUIHN VANTEDGE PARTNERS LLC
2950 GATEWAY CENTRE BLVD
MORRISVILLE NC 27560-9615

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GARY J CAIOLA
YVETTE M CAIOLA
8917 WOODVINE CT
RALEIGH NC 27613-1132
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WALTER J RAIF
DEBORAH J RAIF
8404 METRONOME LN
RALEIGH NC 27613-4140
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SANDRA M GOODWIN
ROBERT O GOODWIN
9405 FAIRBANKS DR
RALEIGH NC 27613-5251
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LEESVILLE INVESTMENTS LLC
REE SOUTHEAST INC
1732 CROOKS RD
TROY MI 48084-5501
17174.18

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5412 SEAFARER CT
RALEIGH NC 27613 17174.18

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"CURRENT RESIDENT OR TENANT"
9201 LEESVILLE RD 120
RALEIGH NC 27613
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"CURRENT RESIDENT OR TENANT"
8512 METRONOME LN
RALEIGH NC 27613
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"CURRENT RESIDENT OR TENANT"
8504 METRONOME LN
RALEIGH NC 27613
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"CURRENT RESIDENT OR TENANT"
8514 GUERRO CT
RALEIGH NC 27613
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DELORES M ENNIS
JERRY W ENNIS
9401 FAIRBANKS DR
RALEIGH NC 27613-5251
17174.18

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FAIRGATE PROPERTIES LLC
POER CRE-ATLANTA
PO BOX 250509
ATLANTA GA 30325-1509
17174.18

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"CURRENT RESIDENT OR TENANT"
8515 METRONOME LN
RALEIGH NC 27613
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6421 WESTGATE REALTY LLC
6421 OLD WESTGATE RD
RALEIGH NC 27617-4630
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IJAZ A CHUGHTAI
8504 METRONOME LN
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MICHAEL S GOODIN JR
MEREDITH GOODIN
8512 METRONOME LN
RALEIGH NC 27613-4144
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NBTB PROPERTIES LLC
2108 CHERRYWOOD DR
CLEMMONS NC 27012-9388
17174.18

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KEVIN M HEDEEN
8518 GUERRO CT
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JONATHAN WARNER BAILEY
BRITTANY EVANGELINE BROCK
5412 SEAFARER CT
RALEIGH NC 27613-4584
17174.18

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CHAD M SOKOL
STACEY SOKOL
5421 PHILLIPSBURG DR
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DANIEL P KOSTER
8526 GUERRO CT
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JOSEPH A WILLIAMS
EVELYN R WILLIAMS
8514 GUERRO CT
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ANDREW RALPH FELLER
JENNIFER BARRE FELLER
8400 METRONOME LN
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LEESVILLE PROPERTIES LLC
9317 LEESVILLE RD
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MIDLAND PINECREST LLC
MIDLAND ATLANTIC
8044 MONTGOMERY RD STE 710
CINCINNATI OH 45236-1248

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FAIRGATE PROPERTIES LLC
1625 OBERLIN RD
RALEIGH NC 27608-2039

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9305 LEESVILLE RD
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8316 TRUMPETOR WAY
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CRISTIN HANSEN
8316 TRUMPETOR WAY
RALEIGH NC 27613-4583
17174.18

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9201 LEESVILLE RD 101
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5408 SEAFARER CT
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WASHINGTON DELFONO CORNELIUS
YUMIKO WASHINGTON
5404 SEAFARER CT
RALEIGH NC 27613-4584

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ANNE CUTLER MUELLER
5404 PHILLIPSBURG DR
RALEIGH NC 27613-8202

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DEAL TEAM SIX LEESVILLE LLC
9305 LEESVILLE RD
RALEIGH NC 27613-7603

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CHARLENE A RAFFERTY
5411 PHILLIPSBURG DR
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9201 LEESVILLE RD 201
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9201 LEESVILLE RD 160
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ANTHONY C WU and SUSAN H WU
TRIANGLE INVESTMENT
REALTY114 STANSBURY CT
CARY NC 27518-9097
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9308 FAIRBANKS DR
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"CURRENT RESIDENT OR TENANT"
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9225 LEESVILLE RD
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8408 METRONOME LN
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9304 LEESVILLE RD
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9201 LEESVILLE RD 140
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9201 LEESVILLE RD 260
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GA YE KIM
MATTHEW YANG
9301 SPRINGDALE DR
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RICHARD J ADRIAN
DEBRA M ADRIAN
8500 METRONOME LN
RALEIGH NC 27613-4144
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ANNE MUELLER
KRAIG MUELLER
8530 GUERRO CT
RALEIGH NC 27613-1038

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JASON ALAN REED
LORI LYNNETTE REED
1336 TURNER FARMS RD
GARNER NC 27529-9330

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LEESVILLE ENTERPRISES LLC
2106 COLEY FOREST PL
RALEIGH NC 27607-3122

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KRAIG MUELLER
ANNE MUELLER
7705 KELMSCOT WAY
RALEIGH NC 27615-5715

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STACY RENEE JOINES
8505 METRONOME LN
RALEIGH NC 27613-4145
17174.18

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US POSTAGE \$000.97⁰
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DENNIS JOHN CAREY JR
EILEEN W CAREY
5424 PHILLIPSBURG DR
RALEIGH NC 27613-8202
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MARK R LAWRENCE
LISA S LAWRENCE
8515 METRONOME LN
RALEIGH NC 27613-4145
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One Exchange Plaza
219 Fayetteville St, Suite 300
Raleigh, NC 27601

Hasler FIRST-CLASS MAIL
10/31/2024 IMI
US POSTAGE \$000.97⁰
 ZIP 27601
011E11686204

MARK A BORNHEIMER
PATRICIA A BORNHEIMER
8509 METRONOME LN
RALEIGH NC 27613-4145
17174.18

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FAIRBANKS ENTERPRISES INC
9308 FAIRBANKS DR
RALEIGH NC 27613-5247
17174.18

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BINITA SHAH
5416 PHILLIPSBURG DR
RALEIGH NC 27613-8202
17174.18

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TERRY R PEGRAM JR
LESLIE C PEGRAM
5400 PHILLIPSBURG DR
RALEIGH NC 27613-8202
17174.18

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LA PETITE ACADEMY INC
LEARNING CARE GROUP
21333 HAGGERTY RD STE 300
NOVI MI 48375-5537
17174.18

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Planning and Development
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219 Fayetteville St, Suite 300
Raleigh, NC 27601

SHAWN P SUBASIC
CHRISTINE A SUBASIC
10504 WINDING WOOD TRL
RALEIGH NC 27613-6350
17174.18

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EASTWINDS AT PINECREST
HOMEOWNER'S ASSOCIATION INC
ASSOCIA HRW INC
4700 HOMEWOOD CT STE 380
RALEIGH NC 27609-5732
17174.18

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HOMEOWNERS ASSOCIATION INC
ASSOCIA HRW INC
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RALEIGH NC 27609-5732
17174.18

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LEESVILLE ANIMAL HOSPITAL
9309 LEESVILLE RD
RALEIGH NC 27613-7515
17174.18

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leigh
and Development
nge Plaza
eville St, Suite 300
C 27601

JOHN E HUGHES JR
MARILYN J HUGHES
8408 METRONOME LN
RALEIGH NC 27613-4140

17174.18

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US POSTAGE \$000.97⁰



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and Development
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ville St, Suite 300
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FAIRBANKS PROPERTIES LLC
PO BOX 90427
RALEIGH NC 27675-0427

17174.18

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ZIP 27601
011E11686204

9308 Fairbanks Rd (Z-51-24)

Project Engagement

VIEWS	PARTICIPANTS	RESPONSES	COMMENTS
18	0	0	0

What is your ZIP code?

No data to display...

What is your age?

No data to display...

What is your gender identity?

No data to display...

What is your ethnic identification?

No data to display...

What is your racial identity? (Please select all that apply.)

No data to display...

What is your marital status?

No data to display...

Do you identify as person with a disability?

No data to display...

What is your highest formal education level?

No data to display...

What is your current employment status? Please select all that apply.

No data to display...

What is your approximate household income?

No data to display...

Do you rent or own your home?

No data to display...

I speak English as my first language.

No data to display...

Loading more report objects...