

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Matthew Burns, CZO, Senior Planner
Department	Planning and Development
Date	June 19, 2025
Subject	City Council agenda item for July 1, 2025 – Z-43-24

On June 3, 2025, City Council opened the public hearing for the following item and received a full staff presentation on the rezoning request. At that meeting, City Council deferred action to their July 1, 2025, meeting to allow time for the applicant to revise the request. The applicant submitted unsigned revisions on June 19, 2025, adding three new conditions which would require a minimum 20-foot side yard setback, fencing, and tree and shrub plantings between the site and two abutting properties to the east; limit the maximum number of units to 30; and limit the maximum building height to 45 feet. The other condition remains unchanged. Provided signatures are received by June 27, 2025, City Council may consider these revisions when making their determination at public hearing:

**Z-43-24 Athens Drive**, approximately 2.62 acres located at 1321 & 1405 Athens Drive ([iMaps](#)).

Signed zoning conditions dated April 3, 2025, would prohibit the following uses: eating establishment, cemetery, outdoor sports facility, and retail store.

**Current Zoning:** Residential-4 with Special Residential Parking Overlay District (R-4 w/ SRPOD)

**Requested Zoning:** Residential Mixed Use-3 stories-Conditional Use with SRPOD (RX-3-CU w/ SRPOD)

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

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

The Planning Commission recommends approval of the request (5-3), with an additional recommendation that City Council consider the applicant add additional setbacks. In terms of opposed votes, Commissioner Peeler said he was supportive of increased density near schools, but noted the request was inconsistent with the Future Land Use Map and upzoning the property would not set a good precedent. Commissioner Omokaiye said she appreciated that the site was near transit, but was concerned about

parking and traffic impacts and inconsistency with the FLUM. Commissioner Burnett did not specify a reason for his vote.

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

Conditional Use District Zoning Conditions		
Zoning case #: Z-43-24	Date submitted: 6/19/2025	OFFICE USE ONLY Rezoning case #
Existing zoning: R-4 w/ SRPOD	Proposed zoning: RX-3-CU w/ SRPOD	

Narrative of Zoning Conditions Offered
<p>1. The following uses would be prohibited under this zoning:</p> <ul style="list-style-type: none"> <li>- Retail stores</li> <li>- Eating establishment</li> <li>- Cemetery</li> <li>- Outdoor sports facility</li> </ul> <p>2. Any structures on the property adjacent to the east side of 1405 Athens Dr: Lots 24 and 29 on subdivision plat recorded in Book of Maps 2001, page 1592, Wake County Registry, shall have a minimum 20-foot side yard setback (as applicable). In addition, this property line will have a fence/wall between 6.5 – 9 feet in height, as well as four shade trees per 100 lineal feet, three under-story trees per 100 lineal feet and 40 shrubs per 100 lineal feet.</p> <p>3. Residential development shall not exceed 30 Dwelling Units.</p> <p>4. The maximum building height shall be forty-five (45) feet.</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.

Property Owner(s) Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_





Raleigh

# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR#13401

## CASE INFORMATION: Z-43-24 – 1321 & 1405 ATHENS DRIVE.

<b>Location</b>	West Raleigh, at the intersection of Athens Drive and Athena Woods Lane/Jaguar Park Drive  Address: 1321 & 1405 Athens Drive  PIN: 0783554709, 0783555672  <a href="#">Link to iMaps</a>
<b>Current Zoning</b>	R-4 w/ SRPOD
<b>Requested Zoning</b>	RX-3-CU w/ SRPOD
<b>Area of Request</b>	2.62 acres
<b>Corporate Limits</b>	Raleigh city limits
<b>Property Owner</b>	1321 Athens Drive: 1321 Athens Drive LLC c/o Arthur Gordon and Anya Gordon 1405 Athens Drive: J. Arthur Gordon, Trustee, and Anya E Gordon, Trustee
<b>Applicant</b>	Arthur Gordon and Anya Gordon
<b>Council District</b>	D
<b>PC Recommendation Deadline</b>	May 10, 2025

## SUMMARY OF PROPOSED CONDITIONS

1. The following uses are prohibited: eating establishment, cemetery, outdoor sports facility, convenience stores.

## COMPREHENSIVE PLAN GUIDANCE

<b>Future Land Use</b>	Low Scale Residential
<b>Urban Form</b>	N/A
<b>Consistent Policies</b> <i>Key policies are marked with a dot (●)</i>  <i>Area Specific Guidance policies are marked with a square (□)</i>	● LU 2.2 Compact Development
	LU 5.2 Managing Commercial Development Impacts
	● LU 8.1 Housing Variety
	LU 8.3 Conserving, Enhancing, & Revitalizing Neighborhoods
	LU 8.5 Neighborhood-scale Housing
	● H 1.8 Zoning for Housing
<b>Inconsistent Policies</b> ● Key Policy □ Area Specific Guidance	● LU 1.2 Future Land Use Map and Zoning Consistency
	CS 4.4 Response Time Standards

## 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
7/16/2024 18 attendees	1/15/2025 16 attendees	3/11/2025 4/08/2025	TBD

## REZONING ENGAGEMENT PORTAL RESULTS

Views	Participants	Responses	Comments
36	2	6	3

Summary of Comments: Concerns about stormwater impacts, surface runoff, and drainage; traffic impacts and congestion; development density and height; lack of conditions; and uncertainty about the future of the site, after rezoning.

## PLANNING COMMISSION RECOMMENDATION

The rezoning case is **Inconsistent** with the Future Land Use Map and **Consistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

<p><b>Reasonableness and Public Interest</b></p>	<p>The request would allow for increased land use intensity in an area with good access to employment options and below average transportation costs. Compared to existing zoning, it would allow for greater residential entitlement across a wider variety of building types. It would also allow for limited commercial uses, such as retail and office, which could serve surrounding neighborhoods.</p> <p>It would also add to the housing supply and allow for development of a wider variety of building types, including “missing middle” types such as apartments and multi-family townhomes.</p>
<p><b>Change(s) in Circumstances</b></p>	<p>The increased need for housing, especially “missing middle” housing types, in southwest Raleigh.</p>
<p><b>Amendments to the Comprehensive Plan</b></p>	<p>If approved, the Future Land Use Map will be amended as to the subject parcel(s) only from Low Scale Residential to Medium Scale Residential.</p>
<p><b>Recommendation</b></p>	<p>Approval, with an additional recommendation that City Council consider the applicant provide additional setbacks.</p>
<p><b>Motion and Vote</b></p>	<p>Motion: Fox            Second: Otwell            In Favor: Fox, Otwell, Miller, Cochran            Opposed: O’Haver, Peeler, Omokaiye, Burnett  <b>This motion was a tie (4-4).</b></p>
<p><b>Amended Motion and Vote</b></p>	<p>Motion: Fox            Second: O’Haver            In Favor: Cochran, Fox, Miller, O’Haver and Otwell            Opposed: Burnett, Omokaiye and Peeler</p>
<p><b>Reason for Opposed Vote(s)</b></p>	<p>Commissioner Peeler said he was supportive of increased density near schools, and appreciated the applicant’s vision; however, he noted that the request was inconsistent with the</p>

Future Land Use Map and that upzoning the property would not set a good precedent.

Commissioner Omokaiye said she appreciated that the site was near transit, but was concerned about parking and traffic impacts and inconsistency with the FLUM. She also noted that there were no guarantees that the site would be developed based on the applicant's vision if the property were sold after rezoning.

Commissioner Burnett did not specify a reason for his vote.

## ATTACHMENTS

1. Staff report
2. Comprehensive Plan amendment analysis
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.



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Bynum Walter  
Planning and Development Assistant Director

Date: 4/8/2025

Staff Coordinator: Matthew Burns: (919) 996-4641; [matthew.burns@raleighnc.gov](mailto:matthew.burns@raleighnc.gov)



# REZONING STAFF REPORT – Z-43-24

## Conditional Use District

### OVERVIEW

The request is to rezone two parcels totaling 2.62 acres from Residential-4 with Special Residential Parking Overlay District (R-4 w/ SRPOD) to Residential Mixed Use-3 stories maintaining the parking overlay (RX-3 w/ SRPOD). The request is for a general use district and no zoning conditions are proposed.

The site is located in West Raleigh at the intersection of Athena Woods Lane and Athens Drive. It has approximately 320 feet of frontage along Athens Drive and 98 feet of frontage on Athena Woods Lane. The easternmost property, 1405 Athens Drive, features a single-family home constructed in 1932. The westernmost property, 1321 Athens Drive, features a single-family home dating to 1957 and is the site of the Well Fed Community Garden. The community garden use is associated with a special use permit approved conditionally by the Board of Adjustment on October 14, 2013 (case number A-80-2013).

To the west, north, and east, uses are residential (R-4) associated with the Indian Hills and Athens Wood subdivision. Both feature single-family detached houses. Uses to the west and southwest across Athens Drive are also residential (R-6) featuring a mix of single-family detached and garden apartment building types. The site is directly north of Athens Drive High School located at the intersection of Jaguar Park Drive and Athens Drive (R-10). The rezoning site is approximately 1/3 of a mile east of the Thomas G. Crowder Woodland Center which has access to Lake Johnson Park.

The site is directly served by GoRaleigh Route 11L (Buck Jones Connector) with a stop on its Athens Drive frontage. Route 11L connects North Carolina State University (Pullen Road near Cates Avenue) to the Plaza West shopping center near the intersection of Western Boulevard and Jones Franklin Road. It has hourly service frequency on weekdays and weekends.

RX is a mixed residential district which permits a variety of building types and development patterns at densities exceeding 10 units per acre. It permits limited commercial uses, including office and retail, subject to limited use standards which reduce size and scale. Within RX, office and/or retail uses must be located on the first floor of an apartment building located at the intersection of two public streets; cannot exceed 4,000 square feet individually or in combination with any other allowed Limited Commercial use; and are limited to operating between 6:00 AM and 11:00 PM (UDO Sec. [6.4.4.B.](#) & [6.4.11.D.](#)).

Beyond commercial uses, the requested district would permit development of the apartment building type and multifamily townhomes. The existing R-4 zoning permits two-unit townhomes and does not permit apartments.

The site is within the boundary of the [Avent West small area plan](#) (2005) and subject to area-specific guidance.

The request is consistent overall with the Comprehensive Plan. Compared to existing zoning, the request would add to the housing supply and allow more intensive residential development across a wider variety of building types, including apartments and multi-family townhomes. It would also permit smaller scale neighborhood-serving commercial uses subject to limited use standards.

The request is inconsistent with the Future Land Use Map which designates this area as Low Scale Residential. This designation recommends R-2, R-4, and R-6 as primary corresponding zoning districts, with additional flexibility for RX-3 in areas identified as Core Transit on the Urban Form Map. The site does not feature Urban Form guidance; the applicant has not proposed a frontage. Although the applicant is requesting a general use district, conditions which address building massing, restrict height, and/or limit residential density could reduce inconsistency.

The area of request does not meet National Fire Protection Association (NFPA) standards for the deployment of an initial full alarm assignment (8 minutes or less travel time) at a fire suppression incident. Please refer to the Trade Reviews section below for the full fire service table.

Stormwater staff has noted three documented cases of structural flooding and multiple complaints related to yard flooding and/or channel erosion near the site. Stormwater staff reported that site area to be rezoned is under 5% of the drainage area associated with those cases. Additional runoff control requirements may be required upon subdivision and/or site plan submittal. Please see the Trade Reviews section below for the full Stormwater table.

**Update for April 8, 2025:**

This case last appeared as New Business on the March 11, 2025, Planning Commission agenda. At that meeting, the applicant requested the Commission defer action to their April 8, 2025, meeting to allow time to consider revisions to the case from General Use to Conditional Use. The applicant submitted draft conditions on March 26, 2025, which would prohibit several uses otherwise permitted in RX. The staff report has been updated to reflect the change from a General Use to a Conditional Use rezoning.

**CURRENT VS. PROPOSED ZONING ENTITLEMENT\***

	EXISTING ZONING	PROPOSED ZONING
Zoning	R-4 w/ SRPOD	RX-3-CU w/ SRPOD
Total Acreage	2.62	
Maximum Height	3 stories/40'	3 stories/50'
Setbacks:	Townhouse	Apartment
Front	20'	0
Side	20'	0' or 6'
Rear	30'	0' or 6'
Max. # of Residential Units	18	67

<b>Max. Gross Office SF</b>	-	4,000 <sup>(1)</sup>
<b>Max. Gross Retail SF</b>	-	4,000 <sup>(2)</sup>
<b>Max. Gross Industrial SF</b>	-	-

\*These are estimates presented to provide context for analysis.

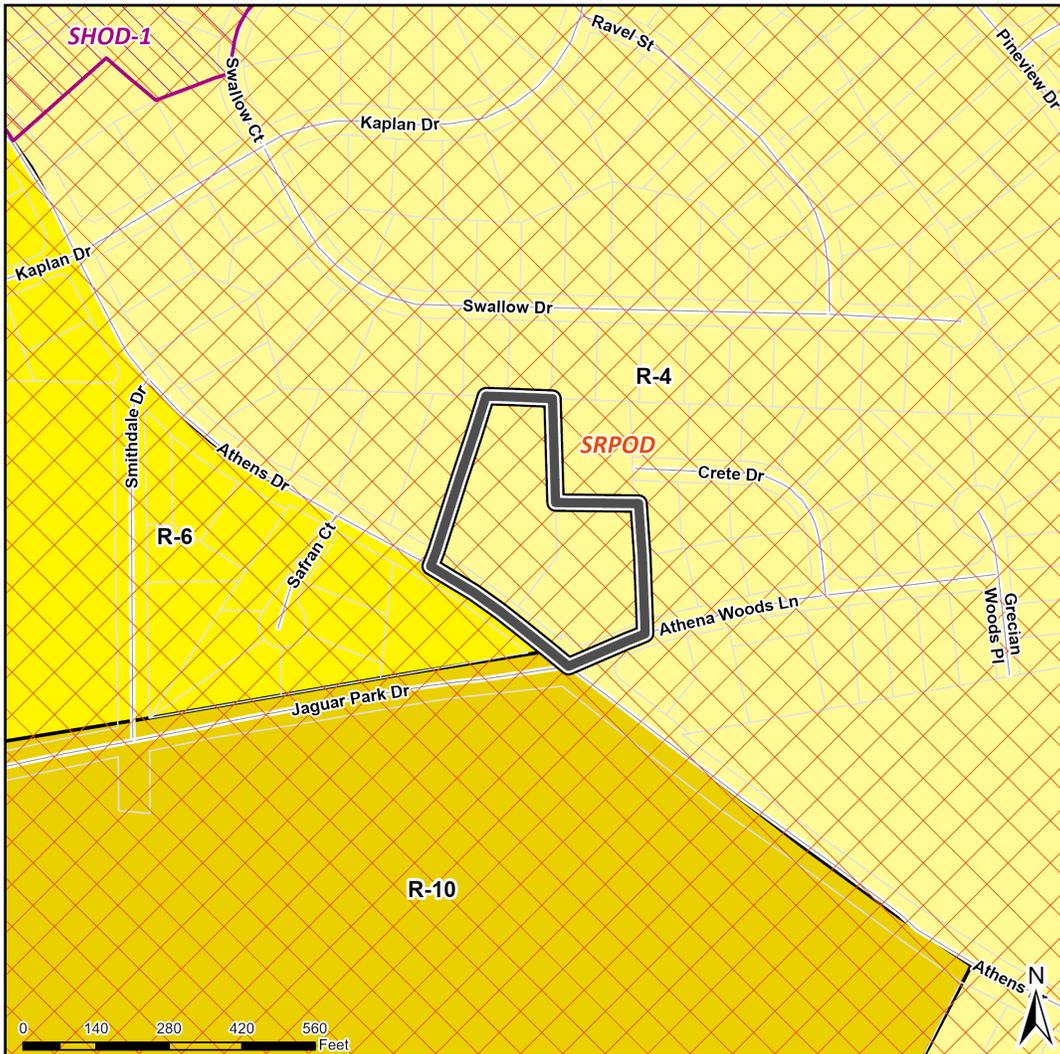
1. In the RX district, office uses cannot exceed 4,000 square feet individually or cumulatively in combination with any other allowed Limited Commercial use per lot ([UDO Sec. 6.4.4.B.](#)).
2. In the RX district, retail sales uses cannot exceed 4,000 square feet individually or cumulatively in combination with any other allowed Limited Commercial use per lot ([UDO Sec. 6.4.11.D.1.](#)).

## **OUTSTANDING ISSUES**

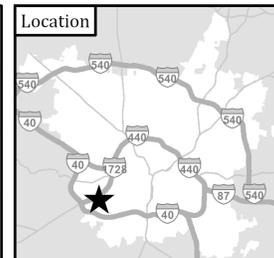
<b>Outstanding Issues</b>	1. Additional materials required to change case from General Use to Conditional Use.	<b>Suggested Mitigation</b>	1. Coordinate with staff to update the case.
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# Existing Zoning

# Z-43-2024



<b>Property</b>	1321 & 1405 Athens Dr
<b>Size</b>	2.62 acres
<b>Existing Zoning</b>	R-4 w/ SRPOD
<b>Requested Zoning</b>	RX-3 w/ SRPOD



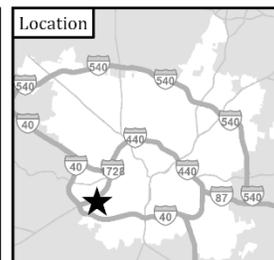
Map by Raleigh Department of Planning and Development (mcgregorm); 10/31/2024

# Future Land Use

# Z-43-2024



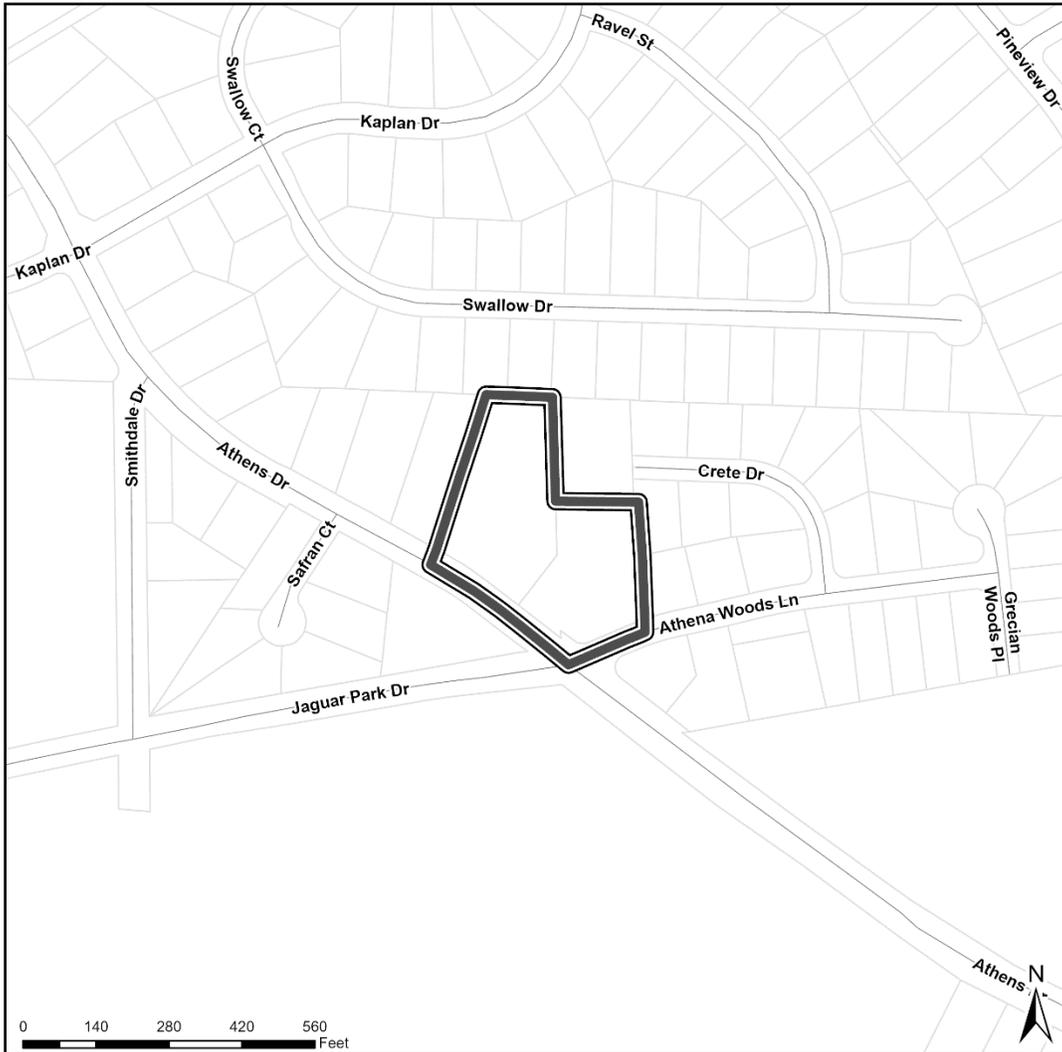
<b>Property</b>	1321 & 1405 Athens Dr
<b>Size</b>	2.62 acres
<b>Existing Zoning</b>	R-4 w/ SRPOD
<b>Requested Zoning</b>	RX-3 w/ SRPOD



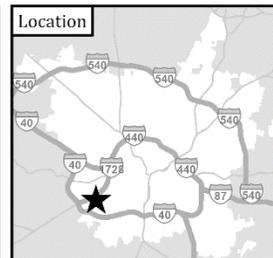
Map by Raleigh Department of Planning and Development (mcgrogorm); 10/31/2024

# Urban Form

# Z-43-2024



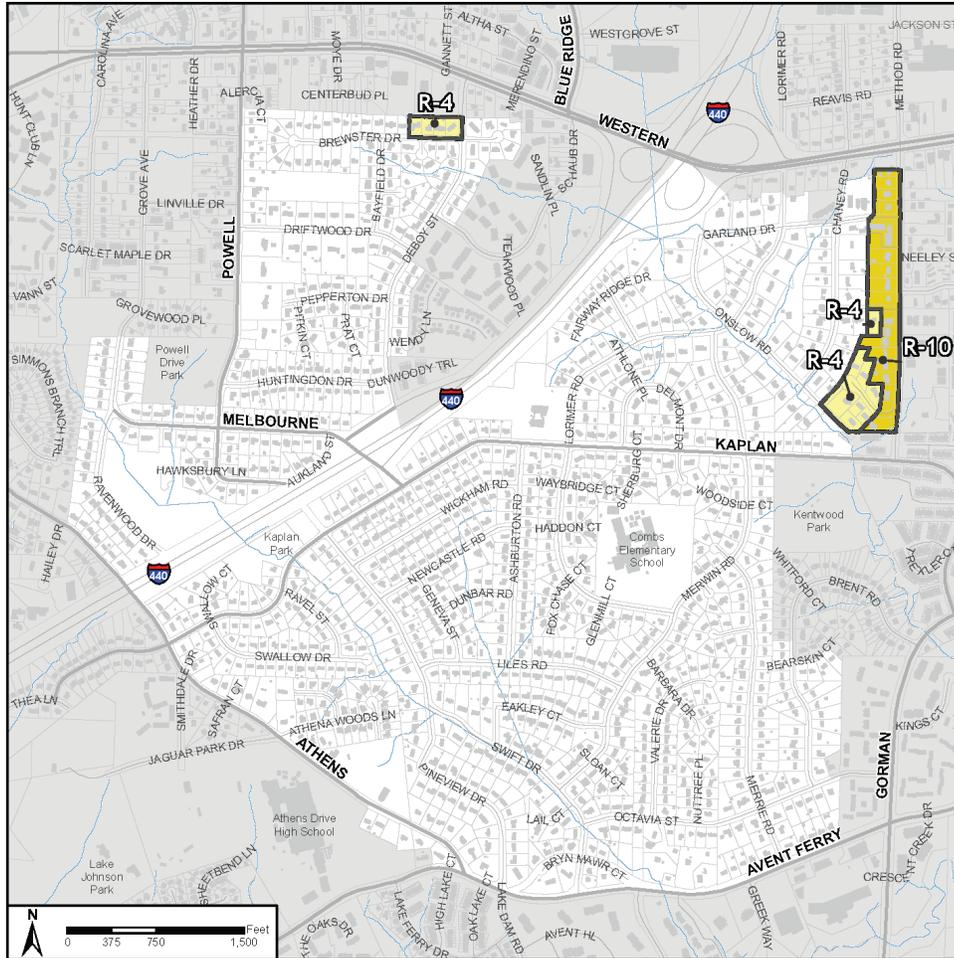
<b>Property</b>	1321 & 1405 Athens Dr
<b>Size</b>	2.62 acres
<b>Existing Zoning</b>	R-4 w/ SRPOD
<b>Requested Zoning</b>	RX-3 w/ SRPOD



Map by Raleigh Department of Planning and Development (mcgrogorm); 10/31/2024

### Map AP-AW1: Avent West

Adopted: 3/15/2005



#### Zoning Policy Guidance

 Residential-4 (R-4)

 Residential-10 (R-10)

Map created 8/7/2018 by the Raleigh Department of City Planning

AW-3

# 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.

The request is consistent overall with the Comprehensive Plan. Compared to existing zoning, the request would add to the housing supply and allow more intensive residential development across a wider variety of building types, including apartments and multi-family townhomes. It would also permit smaller scale neighborhood-serving commercial uses subject to limited use standards.

## Vision Themes

The request is:

Consistency	Vision Theme	Analysis
Consistent	Expanding Housing Choices	This vision theme recommends that Raleigh expand its supply of affordable and workforce housing as well as providing housing opportunities for all residents. The request would increase residential entitlement and allow for development of a wider variety of building types, including multi-family townhomes and apartments, on smaller lot sizes. It would increase the housing supply and variety of housing that could be built. The request is for a general use district and no conditions are proposed; the request does not address affordability.

## Future Land Use

**Future Land Use designation:** Low-Scale Residential

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

If inconsistent, would the benefits of the proposed use outweigh the detriments, and would the new zoning adversely alter the recommended land use and character of the area?

The request is inconsistent with the Future Land Use Map which designates this area as Low Scale Residential. This designation recommends R-2, R-4, and R-6 as primary corresponding zoning districts, with additional flexibility for RX-3 in areas

identified as Core Transit on the Urban Form Map. The site does not feature Urban Form guidance.

The request is for a General Use district and no zoning conditions are proposed. However, conditions which address building massing, restrict height, and/or limit residential density could reduce inconsistency and bring the request closer to the levels of development intensity associated with the Low Scale Residential category.

## Infrastructure

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

Nearby streets appear able to serve the proposed use. The site is in Raleigh's city limits and has access to water and sewer utilities along Athena Woods Lane and Athens Drive.

### Fire Service:

There are existing fire service inadequacies in the area of request. The area of request does not meet National Fire Protection Association (NFPA) standards for the deployment of an initial full alarm assignment (8 minutes or less travel time) at a fire suppression incident.

The site is located within Raleigh Fire Response Districts S08 and S20. The nearest Raleigh Fire stations are:

- Fire Station #8 (5001 Western Boulevard), 1 mile north
- Fire Station #20 (1721 Trailwood Drive), 1.5 miles southeast

Because the site is already within Raleigh's city limits, the request would not expand the area of service concern. The topic of service delivery will be evaluated through the Raleigh Fire Master Plan which is currently ongoing. Please see the Trade Reviews section below for the full Fire service table.

### Stormwater:

Stormwater staff has noted three documented cases of structural flooding and multiple complaints related to yard flooding and/or channel erosion near the site. Stormwater staff reported that site area to be rezoned is under 5% of the drainage area associated with those cases. Additional runoff control requirements may be required upon subdivision and/or site plan submittal. Please see the Trade Reviews section below for the full Stormwater table.

## Urban Form

**Urban Form designation:** N/A

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

**Other** (no Urban Form designation OR no Urban Form designation, but zoning frontage requested)

There is no Urban Form guidance on the site.

## Public Benefits of the Proposed Rezoning

- The request would allow for increased land use intensity in an area with good access to employment options and below average transportation costs. Compared to existing zoning, it would allow for greater residential entitlement across a wider variety of building types. It would also allow for limited commercial uses, such as retail and office, which could serve surrounding neighborhoods.
- The request would add to the housing supply and allow for development of a wider variety of building types. This includes “missing middle” types such as small apartments and multi-family townhomes.

## Detriments of the Proposed Rezoning

- The request would permit development at greater heights and overall scale which may contrast with the built environment of nearby neighborhoods.

## Policy Guidance

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

<b>Consistent Policies</b> <i>Key policies are marked with a dot (●)</i>  <i>Area Specific Guidance policies are marked with a square (□)</i>	●	LU 2.2 Compact Development
		LU 5.2 Managing Commercial Development Impacts
	●	LU 8.1 Housing Variety
		LU 8.3 Conserving, Enhancing, & Revitalizing Neighborhoods
		LU 8.5 Neighborhood-scale Housing
	●	H 1.8 Zoning for Housing

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 (□).

### ● Policy LU 1.2 Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

- The request is inconsistent with the Future Land Use Map which designates this area as Low Scale Residential. This designation recommends R-2, R-4, and R-6 as primary corresponding zoning districts, with additional flexibility for RX-3 in areas identified as Core Transit on the Urban Form Map. The site does not feature Urban Form guidance. The request is for a General Use district and no zoning conditions are proposed; however, conditions which address building massing, restrict height, and/or limit residential density could reduce inconsistency and bring the request closer to the levels of development intensity associated with the Low Scale Residential category.

### Policy CS 4.4 Response Time Standards

Maintain standards in response time/coverage for fire calls and emergency medical response calls as outlined in the National Fire Protection Association 1710 (standard for the organization and deployment of fire suppression operations, emergency medical operations, and special operations): one minute from 911 call to wheels rolling and four minutes total response time.

- The site does not meet the National Fire Protection Association (NFPA) standards for the deployment of an initial full alarm assignment (8 minutes) at a fire suppression incident. The site is located within Raleigh Fire Response Districts S08 and S20; the nearest Raleigh Fire station is Fire Station #8 located one mile north of the site along Western Boulevard. Because the site is already within Raleigh’s city limits, the request would not expand the area of service concern. The topic of service delivery will be evaluated through the Raleigh Fire Master Plan which is currently ongoing.

# EQUITY AND CLIMATE CHANGE ANALYSIS

## Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	31	29	“Car-Dependent: most errands require a car.” The walk score for this area is lower than the citywide average. Athens Drive features sidewalks along the site frontage; it is designated as a 2-lane, undivided avenue per the street plan (Map T-1 in the Comprehensive Plan). Athena Woods Lane features sidewalks on its southern right-of-way, but not the site’s frontage; it is undesignated on the street plan. There are no pedestrian crossings near the site.
Transit Score	30	27	“Some Transit: a few nearby public transportation options.” The transit score for this area is lower than the citywide average. The site is served by GoRaleigh Route 11L (Buck Jones Connector) with a stop on its Athens Drive frontage.
Bike Score	41	59	“Bikeable: some bike infrastructure.” The bike score for this area is higher than the citywide average. Per the BikeRaleigh map, there is an existing sidepath along Jaguar Park Drive across from the site at its intersection with Athens Drive/Athena Woods Lane. Athens Drive features sharrows/mixed facilities along the site frontage.
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	71	Transportation costs are below average.
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	66	This area has above average access to jobs.

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	Requested zoning could accommodate up to 67 residential units.
Is naturally occurring affordable housing present on the site?	Possibly	Both parcels that make up the rezoning site feature single-family homes.
Does it include any subsidized units?	No	The request is for a general use district and no zoning conditions are proposed.
Does it permit a variety of housing types beyond detached houses?	Yes	Compared to existing zoning, the request would permit a wider variety of housing types, including apartments and multi-family townhomes, to be built on-site.
If not a mixed-use district, does it permit smaller lots than the average? *	N/A	
Is it within walking distance of transit?	Yes	The site is served by GoRaleigh Route 11L (Buck Jones Connector) with a stop along its frontage on Athens Drive.

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

## Demographic Indicators from EJSCREEN\*

Indicator	Site Area	Raleigh
Demographic Index** (%)	31.5	37
People of Color Population (%)	28	46
Low Income Population (%)	35	29
Linguistically Isolated Population (%)	11	3
Population with Less Than High School Education (%)	5	8
Population under Age 5 (%)	4	6
Population over Age 64 (%)	15	11
% change in median gross rent since 2016	31.74	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*?	84.3 years	The life expectancy in this census tract is higher than the city and county averages.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	Nearby zoning is residential and nearby uses are residential and institutional.
Are there hazardous waste facilities are located within one kilometer?	No	
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	None identified on-site. Stormwater staff noted multiple complaints related to yard flooding and/or channel erosion near the area of request. Please refer to the Trade Reviews section for the full Stormwater table.
Is this area considered a food desert by the USDA?	No	The nearest grocery stores are: <ul style="list-style-type: none"> <li>- Food Lion (Avent Ferry Shopping Center, 1 mile east)</li> <li>- Harris Teeter (Plaza West Shopping Center, 1 mile northwest)</li> </ul>

\*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?*	Yes	The site was annexed into the city of Raleigh in 1960, before the Fair Housing Acts of 1964 and 1968.
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	There are several nearby neighborhoods and/or subdivisions developed with restrictive covenants, including Pineview Hills (1955; BK 01204, PG 00308), Cardinal Hills (1956; BK 01255, PG 00083), and Indian Hills (1973; BK 02141, PG 00424). While the specific covenants vary, they generally restrict development to residential-only;

establish minimum dimensional standards; apply setback requirements; prohibit temporary structures; and prohibit “noxious or offensive activity.”

*\*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?

*Yes. The request would allow for increased land use intensity on-site including greater overall building height (up to 3 stories/50 feet) and more housing units (up to 67). It would permit a wider variety of housing types, including apartments and multi-family townhomes, to be built in an area with convenient access to transit. It would also provide for neighborhood-serving commercial uses, including office and retail, subject to limited use standards which restrict their size and scale.*

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?

*Yes. Housing costs in this area have increased at a faster rate than the citywide average. The site is located in a census tract where residents are less likely to be racial minorities (28%) than the city average (46%) and more likely to be low income (35%) than the city average (29%).*

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

*Housing costs in this area have increased at a faster rate than the citywide average. Per available ACS data, the estimated median gross rent in 2016 was \$1,049 and the estimated median gross rent in 2022 was \$1,382, indicating a 32% increase. The citywide average is a 26% increase for the same period.*

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?

*No documentation of racial or ethnic discrimination has been found specific to this site. The site was annexed into Raleigh city limits in 1960, before the Fair Housing Acts of 1964 and 1968.*

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?

*The life expectancy for this census tract is higher than the city and county averages. While staff did not identify significant environmental hazards on-site, Stormwater staff have noted multiple complaints related to yard flooding and/or channel erosion in nearby neighborhoods. The request is unlikely to improve these conditions.*

# 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

Z-43-24 – 1321 & 1405 Athens Drive. 2.62 acres	YES/NO	NOTES
Floodzone	No	
Structural Flooding Downstream	Yes	Three affected properties
Other Drainage Complaints Downstream	Yes	Multiple complaints related to yard flooding or channel erosion
Stormwater Conditions	No	
Neuse Buffers Onsite	No	
Existing Impervious	Yes	Single-family dwellings and other accessory buildings and surfaces
Subject to Impervious Limits in UDO 9.2.2.A	No	
Changes to UDO Max Impervious Area (9.2.2.A)	N/A	N/A
Subject to 9.2.2.B to H	Yes	
Watershed Overlay	No	
Drainage Basin	Simmons	

## Raleigh Fire

<b>1<sup>st</sup> Alarm Fire Response Units</b>	<b>Time (min)</b>	<b>Distance (mi)</b>
Engine 8 (5001 Western Blvd)	4	2.0
Engine 20 (1721 Trailwoods Dr)	5	2.3
Ladder 20 (1721 Trailwoods Dr)	5	2.3
Squad 14 (3500 Harden Rd)	8	4.5
Ladder 14 (3500 Harden Rd)	8	4.5
Engine 2 (263 Pecan St)	9	5.3
<b>Mutual Aid Unit</b>		
Swift Creek (5825 Tryon Rd)	7	3.4
<b>NFPA Standard Impact</b>		
NOT MET: NFPA 1710 4.1.2.1 Sec 5 - For other than high-rise, 480 seconds (8 min) or less travel time for deployment of an initial full alarm assignment at a fire suppression incident		
<b>Hydrant Distance</b>		
Nearest hydrant approximately 300 ft away on Athens Dr.		
<b>Additional Comments</b>		

## Transportation & Transit Review

### **Site and Location Context**

#### *Location*

The site is located in west Raleigh, just over a quarter of a mile southeast of I-440.

#### *Area Plans*

The site lies within the [Avent West Area Plan](#). The Avent West Area Plan emphasizes the preservation of and improvement of the Avent West neighborhood, particularly along Avent Ferry Road and Western Boulevard.

#### *Other Projects in the Area*

There are currently no planned City of Raleigh or NCDOT projects near the site.

## Existing and Planned Infrastructure

### *Streets*

Athens Drive is a city-maintained street and is designated as an undivided 2-lane avenue in the Raleigh Street Plan. Athena Woods Lane is also a city-maintained street but does not have a designated street plan typology.

### *Pedestrian Facilities*

There is currently sidewalk along the site's Athens Drive frontage but not on the site Athena Woods Lane frontage. Development of the site through a tier three site plan ([UDO 10.2.8](#)) or subdivision ([UDO 10.2.5](#)) would require 6' sidewalks along the site's Athena Woods Lane frontage.

### *Bicycle Facilities*

There are currently "sharrow" pavement markings along Athens Drive. Along the site's Athens Drive frontage, development of the site through a tier three site plan ([UDO 10.2.8](#)) or subdivision ([UDO 10.2.5](#)) would require 5' bike lanes behind the curb ([UDO 8.5.5.A](#)). A separated bicycle lane would provide a safer facility for cyclists and is supported by Comprehensive Plan policies such as T2.1 Integration of Travel Modes and T5.3 Bicycle and Pedestrian Mobility.

### *Transit*

The site is directly served by GoRaleigh Route 11L Buck Jones Connector with a bus stop on the site's frontage. GoRaleigh Route 11L connects NCSU to Western Boulevard via Avent Ferry Road and Buck Jones Road. The route runs once an hour from 6AM to 10PM.

Appropriate bus stop amenities, such as a paved ADA landing pad or bench, at the 11L bus stop on the site's frontage would provide a public benefit and is supported by Comprehensive Plan policies such as T4.8 Bus Waiting Areas, T4.12 Special Needs, and T4.15 Enhanced Rider Amenities.

## Traffic Impact Analysis (TIA)

### *Determination*

Based on the Envision results, approval of case Z-43-24 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from R-4 w/ SRPOD to RX-3 w/ SRPOD is projected to generate 15 new trips in the AM peak hour and 20 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-43-24 Existing Land Use	Daily	AM	PM
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Single-Family Detached	27	3	3
Z-43-24 Current Zoning Entitlements Low Scale Residential	Daily 132	AM 8	PM 10
Z-43-24 Proposed Zoning Maximums Residential Mixed Use	Daily 363	AM 23	PM 30
Z-43-24 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily <b>232</b>	AM <b>15</b>	PM <b>20</b>



# COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-43-24

## OVERVIEW

Approval of this request would result in an amendment to the Future Land Use Map to a designation that recommends the range of land uses and building heights permitted in the requested district. The Future Land Use Map identifies this site as Low Scale Residential. If approved, the Future Land Use Map would be updated to Medium Scale Residential on the area of request. Of the Medium Scale Residential designation, the 2030 Comprehensive Plan states:

*This category applies to garden apartments, townhomes, condominiums, and suburban style apartment complexes. It would also apply to older neighborhoods with a mix of single-family and multifamily housing. RX zoning with a three- or four-story height limit is appropriate for these areas. In some instances, small-scale commercial uses allowed in RX districts may be appropriate. Comprehensive Plan Land Use Section policies should be consulted for additional guidance.*

## LIST OF AMENDMENTS

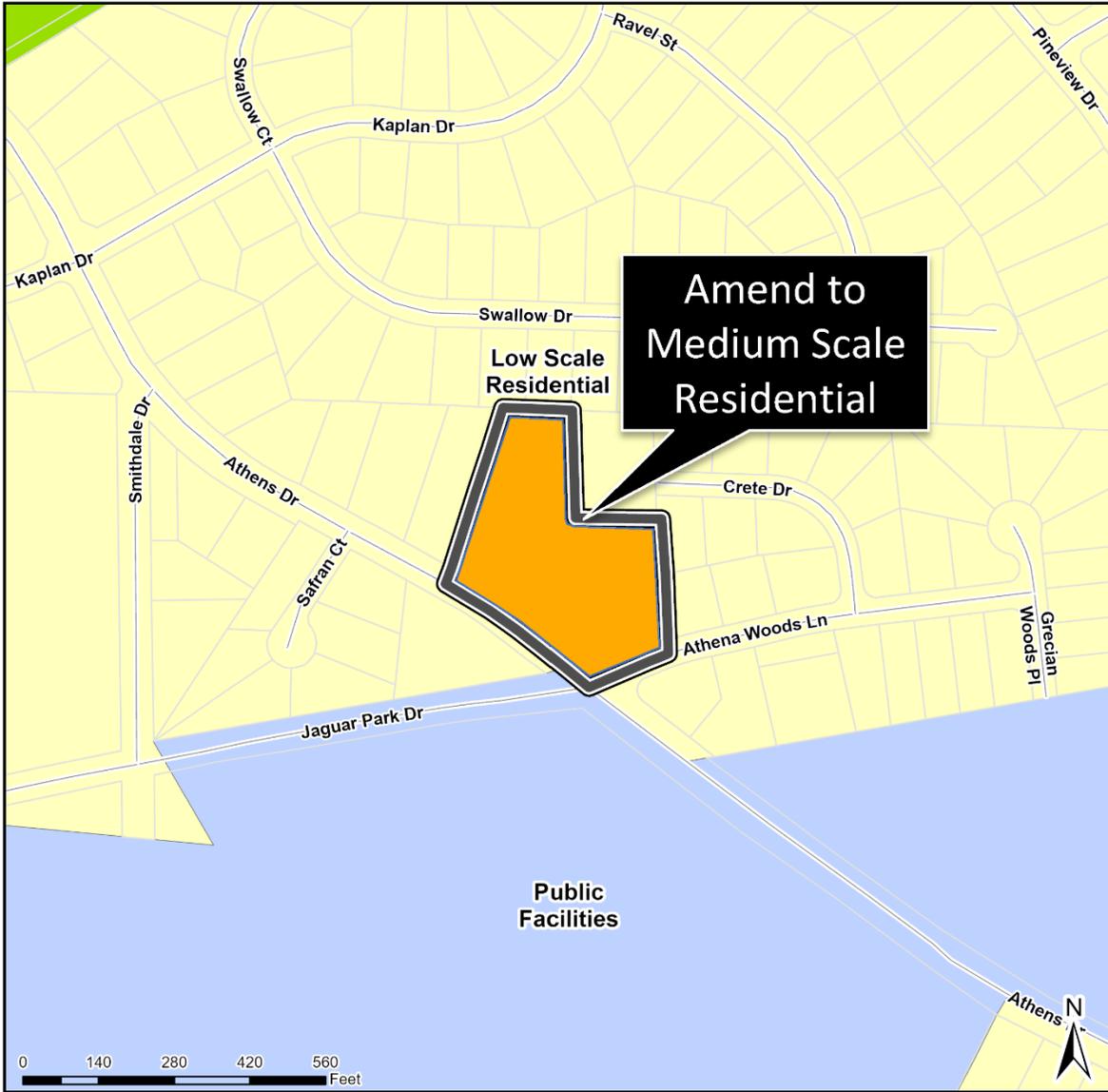
- |  |
|--|
| 1. Amend the Future Land Use Map in this area to Medium Scale Residential. |
|--|

## IMPACT ANALYSIS

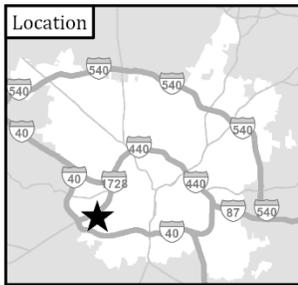
The Medium Scale Residential FLUM designation corresponds to the apartment and townhouse developments as well as older neighborhoods with a mix of single- and multifamily housing. It recommends RX-3 and RX-4 as corresponding zoning districts and supports small-scale commercial uses. The request is for RX-3 and approval would permit up to 4,000 square feet of commercial space subject to UDO limited use standards.

AMENDED MAPS

**Future Land Use** **Z-43-2024**



<b>Property</b>	1321 & 1405 Athens Dr
<b>Size</b>	2.62 acres
<b>Existing Zoning</b>	R-4 w/ SRPOD
<b>Requested Zoning</b>	RX-3 w/ SRPOD



Map by Raleigh Department of Planning and Development (mcrnashorn) 10/31/2024

# Rezoning Application and Checklist



Planning and Development Customer Service Center - One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-999-2500

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

Rezoning Request				
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district:	R-4	Height: 1	Frontage:	Overlay(s): SRPOD
Proposed zoning base district:	RX-3	Height: 3	Frontage:	Overlay(s): SRPOD
<b>Helpful Tip:</b> 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:				

General Information		
Date: March 23/25	Date amended (1):	Date amended (2):
Property address: 1321 Athens Dr. + 1405 Athens Dr.		
Property PIN: 0783 554709	0783 55 5694 00	
Deed reference (book/page): 2012	2023	
Nearest intersection: Jugger Rd	Property size (acres): 1.55 + 1.07 = 2.62	
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address:	1321 Athens Dr. LLC + Arthur + Anne Gordon	
Property owner email:	anya@wellfedgarden.org	
Property owner phone:	919-523-3484	
Applicant name and address:	Anne + Arthur Gordon, 428 Emerson Dr. Raleigh, 27609	
Applicant email:	anya@wellfedgarden.org	
Applicant phone:	919-523-3484	
Applicant signature(s):	[Signatures]	
Additional email(s):	JAG5612@gmail.com	

**RECEIVED**  
By Matthew Burns at 12:16 pm, Apr 03, 2025

Conditional Use District Zoning Conditions

Zoning case #: Z-43-24

Date submitted: 03/03/25

OFFICE USE ONLY  
Rezoning case #

Existing zoning: R4

Proposed zoning: RX-3

Narrative of Zoning Conditions Offered

1. The following uses would be prohibited under this zoning
- retail stores
  - eating establishment
  - cemetery
  - outdoor sports 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: [Signature] [Signature]

Printed Name: J. Arthur Gordon Anne E Gordon



# Rezoning Application and Checklist

Planning and Development Customer Service Center - One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-999-2500



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	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district:	R-4	Height: 1	Frontage:	Overlay(s): SRPOD
Proposed zoning base district:	RX-3	Height: 3	Frontage:	Overlay(s): SRPOD
<b>Helpful Tip:</b> 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:				

General Information		
Date: March 23/25	Date amended (1):	Date amended (2):
Property address: 1321 Athens Dr. + 1405 Athens Dr.		
Property PIN: 0783554709	0783555694 00	
Deed reference (book/page): 2012	2023	
Nearest intersection: Jugger Rd	Property size (acres): 1.55 + 1.07 = 2.62	
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address:	1321 Athens Dr. LLC + Arthur + Anne Gordon	
Property owner email:	anya@wellfedgarden.org	
Property owner phone:	919-523-3484	
Applicant name and address:	Anne + Arthur Gordon, 428 Emerson Dr.	
Applicant email:	anya@wellfedgarden.org Raleigh, 27609	
Applicant phone:	919-523-3484	
Applicant signature(s):	[Signatures]	
Additional email(s):	JAG5612@gmail.com	

**RECEIVED**  
By Matthew Burns at 2:54 pm, Mar 26, 2025

Conditional Use District Zoning Conditions

Zoning case #: Z-43-24

Date submitted: 03/26/25

OFFICE USE ONLY  
Rezoning case #

Existing zoning: R4

Proposed zoning: RX-3

Narrative of Zoning Conditions Offered

1. The following uses would be prohibited under this zoning
- convenience stores
  - eating establishment
  - cemetery
  - outdoor sports 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: [Handwritten Signatures]

Printed Name: J. Arthur Gordon Anne E GORDON

**RECEIVED**  
By Matthew Burns at 2:54 pm, Mar 26, 2025

# 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 checked="" type="checkbox"/> General use	<input type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district:	R-4	Height:	Frontage:	Overlay(s): SRPOD
Proposed zoning base district:	RX-1	Height: 3	Frontage:	Overlay(s): SRPOD
<b>Helpful Tip:</b> 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:				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address:	1321 Athens Drive + 1405 Athens Drive	
Property PIN:	0783554709      078355569400	
Deed reference (book/page):	19322 pg 557, 019370 pg 02535	
Nearest intersection:	Jaguar Park Dr	Property size (acres): 2.62 acres
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings: GORDON
Property owner name and address:	1321 Athens Dr LLC + J Arthur + Anne Gordon	
Property owner email:	anya@wellfedgarden.org	
Property owner phone:	919-523-3484	
Applicant name and address:	A+A Gordon, 428 Emerson Dr, Raleigh NC	
Applicant email:	anya@wellfedgarden.org	
Applicant phone:	919-523-3484	
Applicant signature(s):	J Arthur + Anne Gordon	
Additional email(s):		

**RECEIVED**  
 OCT 21 2024  
 BY: Matt AA

Conditional Use District Zoning Conditions

Zoning case #:	Date submitted: 10/21/24	OFFICE USE ONLY Rezoning case #
Existing zoning: R-4-SRPOD	Proposed zoning: RX-3-SRPOD	

Narrative of Zoning Conditions Offered

[Empty box for narrative of zoning conditions offered]

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: [Signatures]  
Printed Name: Anne E Gordon J. Arthur Gordon

RECEIVED  
OCT 21 2024  
BY: Matt MA

**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.

To build affordable housing units around an urban farm (garden)  
This is a long term goal - non-profits and foundations are not yet involved.

**Public Benefits**

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

**Rezoning Application Addendum #2**

**Impact on Historic Resources**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

**OFFICE USE ONLY**  
Rezoning case #

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**Inventory of Historic Resources**

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

**Proposed Mitigation**

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

### 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.

1	<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> N/A</p>
2	<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> N/A</p>
3	<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> N/A</p>
4	<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> N/A</p>
5	<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> N/A</p>
6	<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> N/A</p>

7	<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> N/A</p>
8	<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> N/A</p>
9	<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> N/A</p>
10	<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> N/A</p>
11	<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> N/A</p>
12	<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> N/A</p>
13	<p>New public spaces should provide seating opportunities.</p> <p><b>Response:</b> N/A</p>

14	<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> N/A</p>
15	<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> N/A</p>
16	<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> N/A</p>
17	<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> N/A</p>
18	<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> N/A</p>
19	<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> N/A</p>
20	<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> N/A</p>

21	<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> N/A</p>
22	<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> N/A</p>
23	<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> N/A</p>
24	<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> N/A</p>
25	<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> N/A</p>
26	<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> N/A</p>

**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 <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	<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 <a href="#">Fee Guide</a> 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 checked="" type="checkbox"/>	<input 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"/>
<b>For properties requesting a Conditional Use District:</b>					
11. Completed zoning conditions, signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If applicable, see page 11:</b>					
12. Proof of Power of Attorney or Owner Affidavit.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>For properties requesting a Planned Development or Campus District:</b>					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>For properties requesting a text change to zoning conditions:</b>					
14. Redline copy of zoning conditions with proposed changes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Master Plan (Submittal Requirements)**

General Requirements – Master Plan	To be completed by Applicant		To be completed by staff		
	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 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.

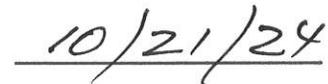
ATTESTATION TEMPLATE

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 21, 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.



Signature of Applicant/Applicant Representative



Date

Date: June 29<sup>th</sup>, 2024

**Re: REZONING of 1321 & 1405 Athens Drive – The Well Fed Community Garden**

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on **Tuesday, July 16, 7:30 – 8:30 pm**. The meeting will be held at **Pullen Community Center Room 126, 408 Ashe Avenue, Raleigh, North Carolina 27606**.

The purpose of this meeting is to discuss a potential rezoning of the property located at 1321 & 1405 Athens Drive – the location of the urban farm The Well Fed Community Garden. This site is currently zoned R-4 and is proposed to be rezoned to either R-10 or RX-3. We are considering developing the 1405 portion for affordable housing around the urban farm.

Prior to review by the Planning Commission, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 500 feet of the area requested for rezoning. After the meeting a report will be submitted to the Raleigh Planning and Development Department. Any other person attending the meeting can submit written comments about the meeting or the request in general, but to be included in the Planning Commission agenda packet written comments must be received at least 10 days prior to the date of the Planning Commission meeting where the case is being considered.

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, or would like to submit written comments after the meeting please contact:

Intake Planner: Matt McGregor,  
Raleigh Planning & Development  
(919) 996-4637  
[matthew.mcgregor@raleighnc.gov](mailto:matthew.mcgregor@raleighnc.gov)

If you have any concerns or questions about this potential rezoning, we can be reached at:

[anya@wellfedgarden.org](mailto:anya@wellfedgarden.org)  
**919-523-3484**

Sincerely,

Arthur & Anya Gordon

Name Address phone.

6171 M. Hill 1401 Grecian Woods Pl 919  
Raleigh NC 649588.  
27606

Doug Sander 1400 Green Woods Place dsander69@ncrr.com

Janet & Larry Ballard 5408 Athena Woods Ln / 06 jpegram@neswed  
Larry Miller 510 Glenwood Ave larrymiller0223@gmail  
Colin MacNaire 536 Youngs Rd. Colin@colinmacna  
Va. 55, NC 28394 .com

Eric Isakson 1405 Crete Dr. eric.david.isakson  
@gmail.com

Julie Haigler Cubeta 1401 Crete Dr. jhcubeta@  
hotmail.com

Marc A. Cubeta 1401 Crete Drive marcubeta@gmail.com

Brooke Alhanti 1404 Crete Dr brooke.alhanti@gmail.com

Michael Bourke 1400 Crete Dr Bourkemick@gmail.com

Ken & Patricia Webb 5313 Athena Woods kenwebb@proinbox.com

Jeff Engel & Susan Ehrlich 2206 Orford Rd psanchezwebb@gmail.com

Drake Swigart Raine Cont. 5412 Athena Woods Lane Drake.Swigart@gmail.com

Daniel Lagese 5314 Athena woods lane Daniel.Lagese@gmail.com

Notes from First Public Meeting  
Rezoning for 1321 & 1405 Athens Drive  
Tuesday, July 16, 7:30 – 8:30 pm  
at the Pullen Park Community Center  
408 Ashe Avenue, Raleigh, 27606

Anya and Arthur Gordon, owners of 1405 and majority owners/manager of the 1321 Athens Drive LLC welcomed 15 neighbors, Larry Miller a volunteer from the City, and Susan Ehrlich & Jeff Engel who are shareholders of the 1321 Athens Drive LLC.

Attached is the Agenda of the meeting.

All the neighbors in attendance lived in the neighboring subdivision Athena Woods. No neighbors from behind these two properties on Swallow Drive nor neighbors on Athens Drive.

Concerns of our neighbors are as follows:

- Traffic congestion with a possible increased number of people living on these properties if the R-10 or RX-3 zoning was allowed. There were several requests for a traffic light where Athena Woods Lane enters Athens Drive.
- The survival of the large Oak Tree on the 1405 Athens Drive property
- Increased noise coming from more people living on the property.
- If these properties are rezoned to R-10 or RX-3, then the neighbors in Athena Woods would not have a say of what kind of development would be built there
- Discussion about previous real estate developments that were well intentioned offering assistance to citizens who may need financial and social assistance that have gone bad – that were not well planned and created communities that were ‘blighted’.
- Storm water run off a new development on the two properties would aggravate the run off concerns that the Athena Woods community already has to deal with. The neighbors expressed concern that there would be more impermeable surfaces which would increase runoff into their neighborhood.
- Neighbors are concerned that when the developer of the property (who is not yet set) plans for the site development, that they, the neighbors, would not have an opportunity to make public comment on the development that would be then designed. They fear that they may not want what the new developers would build.
- Neighbors stated their preference that ‘conditions’ be attached to any rezoning, for example that a Community Garden be part of any development, that the apartments/homes have a maximum height,
- Colin MacNair, a neighbor who has lived in this neighborhood since he was born, opposed any changes to zoning. He stated that Athens Drive was serving as a demarcation line between residential properties and denser R-10 development. He also expressed concern about the possible demographics of the new population that would inhabit the future development at the 1321 & 1405 site.
- The neighbors complained that the new housing built at the corner of Avent Ferry Road, Pineview Drive and Athens Drive was supposed to be affordable housing – but in fact these homes have been sold for \$700,000 + .

**July 16<sup>th</sup>, 2024, 7 pm Rezoning Meeting.** Proposed re-zoning site: 1321 and 1405 Athens Drive

**Neighborhood Meeting Agenda**

- Introductions by Anya Gordon, owner and 1321 Athens Drive LLC Manager
- Purpose of the Meeting – Presenting the possibility of rezoning two R-4 properties to RX-3
- Rezoning Process



• **Description of Property**

- Well Fed Community Garden – history
- Urban Agriculture Benefits
- Urban Ag improves real estate values Forbes Magazine 09/12/2019 reported that the Urban Land Institute wrote “By building agrihoods (described as a new vision for American neighborhoods) real estate decision-makers—including developers, investors, owners and property managers—can leverage a focus on food production in development to create value, promote equitable economic development, enhance environmental sustainability and improve public health.”

• **Introduces Arthur Gordon – 45 year record running Irregardless Cafe & Catering.**

**1. Current Zoning – R-4 – *Comprehensive Plan 2030 (page 47-48) as ‘Low Scale Residential’***

+This category encompasses most of the city’s neighborhoods that are primarily made up of detached houses on lots of roughly one-sixth of an acre or larger, although duplexes or small apartments may also exist. This category envisions a range of housing types, including duplexes, triplexes, fourplexes and other small apartment buildings, and townhouses, but at a scale that generally follows the precedent set by existing detached houses, missing middle types, or townhouses in these areas. It includes the R-2, R-4, and R-6 zoning districts.

+It also identifies vacant or agricultural lands—in the city and in the county—where residential use at a similar scale is planned over the next 20 years. As defined in the zoning regulations, manufactured home parks could also be appropriate in this land use category. In areas within the **Core Transit Area** on the Urban Form Map, RX-3 is appropriate. Portions of a development may be developed more intensively in exchange for an open space set aside, as with a Conservation Development.

+ Page 52-53 – determining how many stories buildings may have. As of now, we are open and flexible on this, and will comply with the Comprehensive Plan. “Core Transit areas refer to areas located within the core of a mixed-use center of about 30 acres or more or fronting along a corridor programmed for high-capacity, frequent bus transit. In employment areas, taller buildings may also be contemplated on large sites with adequate buffers from low-scale areas, such as Highwoods.”

## 2. Our Vision – purpose of rezoning

+ We are speaking with Foundations and Non-Profits about the possibility of their leadership in developing these two properties into a multi-generational affordable housing community around the urban farm – the Well Fed Community Garden.

3. Vision matches City’s goals: *Page 46 of the Comprehensive Plan 2030 April 2024 update:* Raleigh’s Vision for 2030 is structured to address land use issues through six vision themes or citywide goals. By concentrating growth into mixed-use centers and creating more accessible communities citywide, Raleigh will help meet its goal for Economic Prosperity and Equity. Through a broader range of housing-related land use policies and programs, Raleigh plans to meet its goal for Expanding Housing Choices. Through more compact forms of development and new rural and open space policies, Raleigh will meet its overarching goal of Managing Our Growth.

...Through citywide policies and programs for green building, green infrastructure, and resource conservation and preservation, Raleigh will become a national leader with its Greenprint Raleigh paradigm.... The vision themes are:

- Economic Prosperity and Equity
- Expanding Housing Choices
- Managing Our Growth
- Coordinating Land Use and Transportation
- Greenprint Raleigh
- Growing Successful Neighborhoods and Communities

- Proposed Zoning - Notes from Pre-Application Conference with City Planners:  
“Based on the [Comprehensive Plan](#) upzoning to R-10 or RX-3 would not be supported but it would be possible to add zoning conditions it could make your case more compelling and appropriate.

There are neighborhood transitions that apply for development on the site and would require separations between you and your neighbors. Parking does not count as a buffer.

In terms of right away and street improvements, [UDO section 10.2.8](#) lays out when right of way and street improvements are required. The road as of now is wide enough but it could require improvements depending on the development level.

If you are looking for a partner to assist in development, determine the partner first before providing conditions.”

- Future Meetings – Refer back to chart of Rezoning steps
- Questions / Comments

## Benefits of Urban Agriculture

### Food Supply

- **Growing food in urban areas** promotes food security.
- **Locally grown food is full of flavor.** When grown locally, produce can be sold within 24 hours of harvest
- **Local food has more nutrients.** The fresher the produce, the greater the nutrient value.
- **Local foods promote a safer food supply.** The more steps there are between the consumer and the food's source the more chances there are for contamination.
- **Biodiversity** Local farmers grow thousands of varieties of produce. In contrast, industrial agribusiness cultivates high-yield hybrids bred for fast maturation and thick skins to withstand mechanical harvest and transport.

### Health

- **Changing people's behavior.** When people cultivate vegetables and fruits, and witness the growing cycle, data proves that these individuals will change their eating habits and will eat and enjoy many more portions of vegetables and fruits each day. The USDA's *My Plate* recommends a diet of 50 percent vegetables and fruits.
- **Increases food security** offering people fresh, nutritious food from local gardens, produce can always be available.
- **Gardening encourages exercise.** By tending crops and turning compost piles, exercise is an important component of healthy living. Physical activity is shown to reduce obesity levels.
- **Mental Health.** Data proves that being in nature and cultivating gardens prevent illness and induce healing.
- **Potentially Heals Asthma** - Vegetative biodiversity reduces childhood asthma. A study of nearly 50,000 children in New Zealand has found that those who live in greener neighborhoods are less likely to develop asthma.

### Community

- Urban Agriculture **reduces the rates of vandalism**
- Urban Agriculture **increases the property values** of neighboring homes and businesses
- Social Ties - Community gardening **builds social interaction** including community engagement and education. Gardens are also known to be a method of rehabilitating at-risk youth, those suffering from trauma, and many other social concerns. Above all, gardening brings together people from across different socioeconomic backgrounds and age groups.

### Environmental Benefits of Urban Agriculture

- **Local Foods Save Energy.** Transporting food long distances uses tremendous energy: it takes 435 fossil-fuel calories to fly a 5 calorie strawberry from California to New York."
- Urban agriculture presents a **unique opportunity to utilize vacant or idle land** and rooftops throughout cities for the production of healthy, pesticide-free food.
- **Urban Agriculture Reduces Carbon Emissions:** With over 80 percent of the American population living in metropolitan centers, the globalization of food has dramatically increased the amount of carbon emissions in our meals. Food related emissions in the U.S. currently accounts for 21 percent of total emissions,
- Urban agriculture adds green spaces to urban areas, which **moderate the heat and cold** of urban environments, erosion and improves the ecological sustainability in cities.

### Economic Benefits of Urban Agriculture

- **Local food supports the local economy.** The money that is spent with local farmers and growers stays in the community and is reinvested with businesses and services in the same community. Agriculture close to urban centers add jobs and economic benefit to communities.
- **A strategy for business development,** job creation and training for youth and adults, business incubation, community development, agriculture and health education, democratic process, sustainable planning, and more.
- **Ensures reliable food access.** Depending on Florida and California for food, leaves communities vulnerable! Climate changes (California droughts, fires, mud-slides...), transportation disruptions, grid break downs, food born pathogens and more – this vulnerability is not necessary.

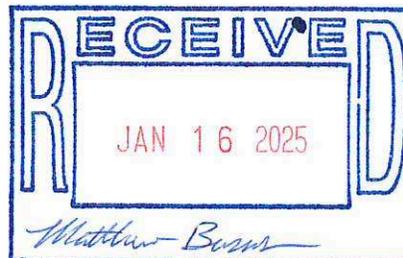
Notes from First Public Meeting  
Rezoning for 1321 & 1405 Athens Drive  
Wednesday, Jan 15, 7:30 – 8:30 pm  
at the Carolina Pines Community Center  
2305 Lake Wheeler Road, Raleigh, 27603

Anya and Arthur Gordon, owners of 1405 and majority owners/manager of the 1321 Athens Drive LLC welcomed 20 neighbors to air their concerns about a change of zoning for these two properties. Jeff Engel, a shareholder of the 1321 Athens Drive LLC also attended, as did Matthew Burns, Senior Planner at the City of Raleigh. The list of attendees is attached.

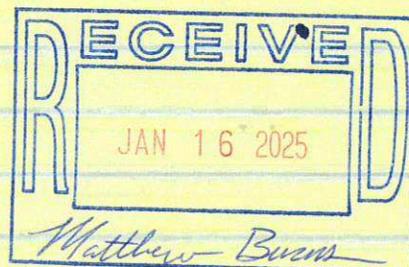
Attached is the Agenda of the meeting.

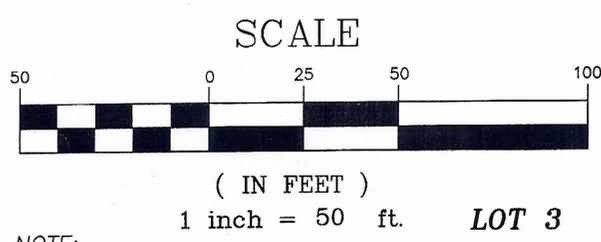
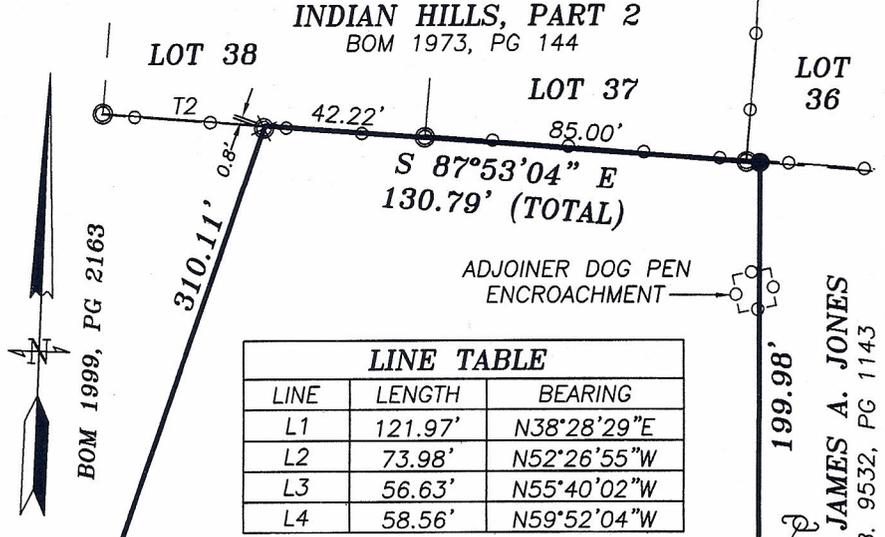
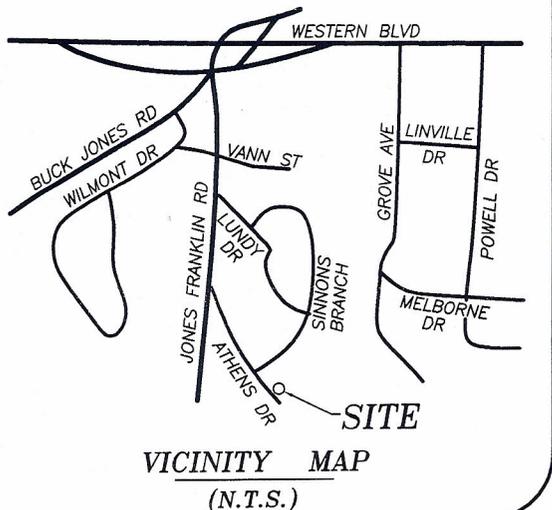
Concerns of our neighbors are as follows:

- Storm water run off from any new development on the two properties may aggravate the run off concerns that the Athena Woods community already has to deal with. The neighbors expressed concern that there would be more impermeable surfaces which would increase runoff into their neighborhood.
- Traffic congestion with a possible increased number of people living on these properties if the RX-3 zoning was allowed. There were several requests for a traffic light and a cross walk where Athena Woods Lane enters Athens Drive.
- If these properties are rezoned to RX-3 with the stated intention of the current owners – the Gordons, afterwards the neighbors in Athena Woods would not have a say of what kind of development would be built there.
- Neighbors are concerned that when the developer of the property (who is not yet set) plans for the site development, that they, the neighbors, would not have an opportunity to make public comment on the development that would be then designed. They fear that they may not want what the new developers would build.
- Neighbors stated their preference that ‘conditions’ be attached to any rezoning, for example that a Community Garden be part of any development, that the apartments/homes have a maximum height.



Name	Address
Larry Shetter	5301 Athens Woods Ln.
Tim McCoy	1405 Grecian Woods
Joe H. Cannon / Eric Colwell	9909 Athens Woods Lane
Bill Mitchell	1401 Grecian Woods Pl
Andrew Morton	1416 CRETE DR
GRANT / LINDA BRYAN	1209 Swallow Ct
Larry + Jan Ballard	5408 Athens Woods Lane
Kelly Burleson	1425 Grecian Woods Pl
Brooks Burleson	"
Julie Haigler Cubeta	1401 Crete Dr.
John + Linda Mackenzie	5313 Kaplan Drive
Eric Isakson	1405 Crete Drive
Brooke Alhanti	1404 Crete Pr.
MATTHEW BURNS	City of Raleigh
David Logue	5314 Athens woods Lane
Emily Bourke	1400 crete drive
Adam Cotton	1420 crete Dr





NOTE:  
THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.  
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.  
UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION  
ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM 1966, PG 038

T2 N 87°53'04" W 42.78'  
T1 S 87°51'24" E 150.00'

**LEGEND**  
○ EXISTING IRON PIPE  
● NEW IRON PIPE  
× COMPUTED CORNER

**FLOOD CERTIFICATION**  
THIS WILL CERTIFY THAT THE SUBJECT PROPERTY ( ) IS or ( X ) IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 0783 J  
COMMUNITY # PANEL SUFFIX

*Jeffrey H. Davis, PLS*  
PROFESSIONAL LAND SURVEYOR

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is 1/10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book - ; Page - ; that this map was prepared in accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this 20TH day of MARCH 2012.  
Signed *Jeffrey H. Davis*



C.N. = 17910	J. ARTHUR GORDON ANYA GORDON	
	GREATER PORTION OF LOT 4 MISS HESTER JONES PROPERTY 1321 ATHENS DRIVE RALEIGH NORTH CAROLINA	
B.O.M. 1966	DATE: 03-20-2012	DWG. NO. A-14705
PAGE 038	SCALE: 1" = 50'	
WAKE CO. REG.		

**TURNING POINT SURVEYING PLLC**

4113 JOHN S. RABOTEAU WYND  
RALEIGH, NORTH CAROLINA 27612  
FAX (800)948-0213 PH (919)781-0234  
License No: P-0121

**From:** [Eggleston, Sean](#)  
**To:** [Burns, Matthew](#)  
**Cc:** [Hoyt, Sally](#)  
**Subject:** RE: 1321 & 1405 Athens Dr drainage  
**Date:** Tuesday, December 31, 2024 12:59:48 PM

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Matthew,

This map's not what we'd be looking for, since it only shows a survey of the subject properties and their existing contours. I do acknowledge that they got the ball rolling on this survey during a time when I was out sick and not able to provide better guidance in a timely manner to them, though.

The survey does give me the ability to identify the portion of the lots that drains toward the nearest downstream location of documented structural flooding – about 0.58 acres of the 1321 Athens Drive lot. Doing a rough measurement on GIS, it looks like the drainage area to the location of the structural flooding is about 22.38 acres, and the portion of the site to be rezoned is well under 5% of that. **I think we're okay to proceed for the purposes of the rezoning**, but we may need to revisit in more detail at the time a development plan is submitted for these lots. (The UDO also requires those additional runoff control requirements to be addressed with subdivisions or site plans.)

There's also at least two other documented downstream structural flooding cases, but they're for lots further downstream along Simmons Branch, so it's clear this property would be well under 5% of the total drainage area to any of them.

Please let me know if you've got any questions about this case or if you want to discuss further.

## **Sean Eggleston**

Senior Plan Reviewer

### **City of Raleigh**

#### **Engineering Services Department**

#### **Stormwater Management**

One Exchange Plaza | Raleigh, NC 27601

(p) 919-996-3518

(m) 984-265-9787

[sean.eggleston@raleighnc.gov](mailto:sean.eggleston@raleighnc.gov)

[raleighnc.gov](http://raleighnc.gov)

Please note that email sent to/from this address is subject to public records laws and may be disclosed to third parties.

**New Stormwater Design Manual becomes effective 11/2/2024:**

<https://raleighnc.gov/stormwater/services/stormwater-design-manual>

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**From:** Burns, Matthew <matthew.burns@raleighnc.gov>

**Sent:** Monday, December 30, 2024 4:42 PM

**To:** Eggleston, Sean <Sean.Eggleston@raleighnc.gov>

**Subject:** FW: 1321 & 1405 Athens Dr drainage

Good afternoon Sean—here is the drainage info provided by the applicant for Z-43-24.

Let me know if they need to make changes.

--Matthew

---

**From:** [anya@wellfedgarden.org](mailto:anya@wellfedgarden.org) <[anya@wellfedgarden.org](mailto:anya@wellfedgarden.org)>

**Sent:** Monday, December 30, 2024 4:38 PM

**To:** Burns, Matthew <[matthew.burns@raleighnc.gov](mailto:matthew.burns@raleighnc.gov)>

**Subject:** 1321 & 1405 Athens Dr drainage

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you verify that the attachment and content are safe. If you believe this email is suspicious, please click the 'Phish Alert' button in the banner to report this message.

Hi Matthew -We just received these documents from our surveyor - for your drainage requirements. He reports: "1321 Athens sits at the high point of your property and it drains in all directions from there. I feel certain the City will be able to see that and give you direction." We do hope that the attached meets with the City's requirements. We're mailing the letters for our public meeting tomorrow - Dec 31st. Happy New Year. Please be in touch. Anya and Arthur. 919-523-3484  
Barry L. Scott Land Surveying  
Office: (919) 859-0464  
Cell: (919) 455-4636  
Email: [bls3156@gmail.com](mailto:bls3156@gmail.com)  
PO Box 12493  
Raleigh, NC 27605

# 1321 & 1405 Athens Dr. (Z-43-24)

## Project Engagement

VIEWS

36

PARTICIPANTS

2

RESPONSES

6

COMMENTS

3

What is your full name?

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Jan Pegram Ballard

one month ago

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What is your ZIP code?

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27606

one month ago

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Do you have any comments about this rezoning case? If, so leave them in the comments box below.  
Please note that your comments are public, can be seen by others, and will be presented to the  
Planning Commission.

As a resident of the Athens Wood neighborhood that directly adjoins the lots for proposed rezoning, we have numerous concerns about how the zoning change would affect storm drainage and Athens Drive traffic, among other things. These questions were discussed thoroughly at the neighborhood meeting. However, our primary concern centers around the fact that the Gordons have approached a couple of potential developers with their affordable housing vision for the property, and the developers will not agree to anything until the rezoning is approved. Thus, there is no assurance that the Gordons' vision for "affordable housing" would be realized, as it is our understanding that they will be selling the property once rezoning were to be approved. Our neighborhood is afraid that if rezoning is approved, it would open the door to denser development, and even mixed use, in the future that would not be congruent with the residential character of the neighborhood and would be detrimental to our property values. In fact, even the three-story, 50-foot high apartment building envisioned by the Gordons would "stick out like a sore thumb" among the other single family houses at the entrance to our neighborhood, which is the highest point of the neighborhood, at the intersection of Athens Drive and Athena Woods Lane. Other people in our neighborhood have more technical knowledge of the drainage issues than I do, however, our current storm drainage is minimally adequate for a typical rainfall but less than adequate for a deluge. At the end of 2023, all houses in our neighborhood paid an assessment for repair and improvement of the storm drainage system put in place by the builder 20 years ago. Our fear is that any changing of the grading or reduction of impervious surface at the top of the hill (the lots for proposed rezoning) would upset the current delicate balance of adequate storm drainage. In conclusion, my husband and I are not in favor of the rezoning request. Thank you.

one month ago

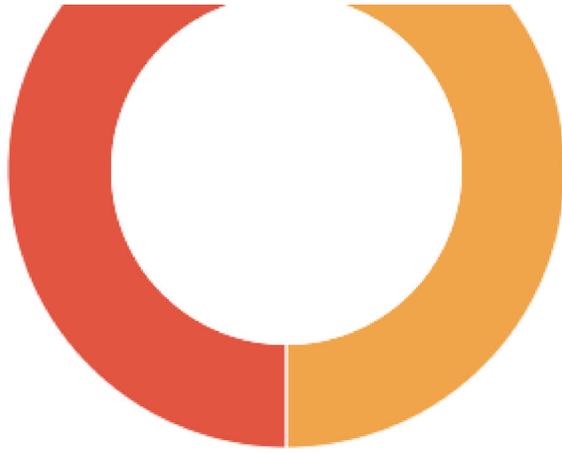
### What is your age?



2 respondents

### What is your gender?

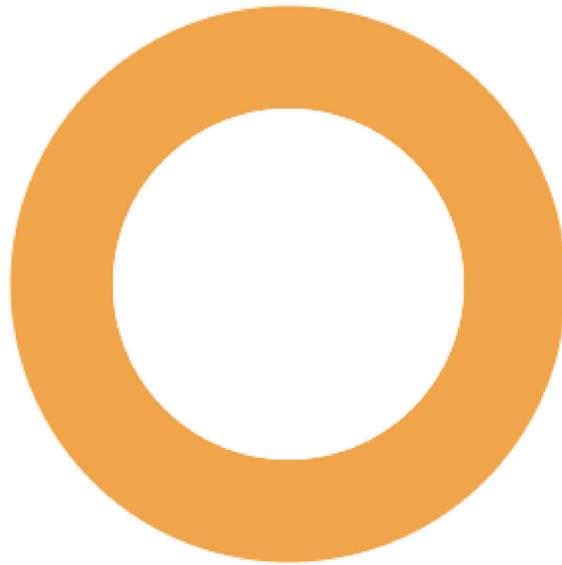




0% Others

2 respondents

What is your race/ethnicity?



100% White  
0% Others

2 respondents

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