

PLANNING COMMISSION'S UDO REMAPPING WORK SESSION AGENDA

December 16, 2014 – 9:00 a.m.

City Council Chambers– Municipal Building

The following items will be discussed in the order in which they appear on this agenda, unless otherwise determined by the Chairman.

- A. Comments from the Public – New comments not already delivered during the public comment period that ended September 30 and not included on this agenda.
- B. UDO Remapping Public Comment – Change Requests
 - a. Requests are grouped by CAC and Change Request Map Number. Property address and PIN are included for reference.

Note: Pending zoning cases will not be discussed as part of this work session.

These items, originally scheduled for December 2, will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
Five Points	39	829 Washington St	1704331517	92
Mordecai	62	1301 Brookside Drive	1714153275	196
Hillsborough (Pullen Park Neighborhood)	78	Pullen Park Neighborhood	Various	112
	79	106 Wakefield Ave	1703195540	88
	80	216 Dexter Pl	1703099689	72
	83	212, 214, & 216 Cox Ave	1703095947, 1703095943, 1703095849	113

These new items will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
South	84	1440 Rock Quarry Rd	1713319493	16, 63
		2003 S State St	1713314042	
Southeast	85	1900 Poole Rd	1713572734	168
East	86	1111 & 1121 E Whitaker Mill Rd	1714299235, 1714390095	32
		1200 Wicker Dr	1714298779	
		1859 Capital Blvd	1714393386	
		2200 Atlantic Ave	1714297326	
	87	1053 E Whitaker Mill Rd	1714292486	177
	88	2004 Yonkers Rd	1715600424	188
	89	2021 N Raleigh Blvd	1714797820	189
90	2620 Yonkers Rd	1714887754	190	

CAC	Agenda Item	Address	PIN	Map No.
East	91	0, 2900, 3000 Yonkers Rd	1724063635	191
	92	3600 Yonkers Rd	1724147666	192
	93	2020 & 2400 Yonkers Rd	1715606648	126
South	94	3701 Generosity Ct	1721496010	62
		4001 & 4005 Jones Sausage Rd	1721498393, 1721497166	
	95	3511 Integrity Dr	1722501314	207
Southeast	96	4704 & 4708 Rhyne Ct	1734146159, 1734148254	3
	97	4709 & 4713 Rhyne Ct	1734148644, 1734149694	202
		1000 Freedom Dr	1734146666	
	98	705, 708, & 709 Freedom Dr	1734133389, 1734138262, 1734134151	203
99	3410 Middle Branch Rd	1723431198	206	
East	100	100 & 101 Poe Dr	1723290377	146
	101	1420 & 1500 Brookside Dr	1714155618, 1714154975	181
	102	1809 New Bern Ave	1713497184	170
South	103	0 Parrish Manor Dr	1722512570	60
		3507, 3509, 3511, & 3513 Rockhurst Dr	1722510333, 1722510256, 1722510280, 1722511113	
		3517 Jones Sausage Rd	1722511064	
		3631 Ardmore Dr	1722502933	
104	1960 Rock Quarry Rd	1712498642	165	
North Central **	105	106 N East St	1703992439	18
	106	200 E Edenton St	1703799324	54
South Central **	107	900 & 904 Coleman St	1713147688, 1713147692	26
	108	540 E Hargett St	1703985048	124
Central **	109	315 & 323 S Bloodworth St	1703878526, 1703878424	101
	110	302, 410, 414, 416 & 418 Dupont Cir	1703472505, 1703471498, 1703472301, 1703471358, 1703471260	118
	111	234 & 236 S Boylan Ave	1703377957, 1703377911	119
		301 & 303 Kinsey St	1703379838, 1703470813	
		706 Mountford St	1703375997	

CAC	Agenda Item	Address	PIN	Map No.
Central **	112	1115 & 1201 W Lenoir St	1703276298, 1703277484	93
	113	1115 & 1201 W Lenoir St	1703276298, 1703277484	120
		806 McCulloch St	1703279586	
	114	701 W Lenoir St	1703368467	121
	115	1014 Holmes St	1713041328	154
		512 Martin Luther King Blvd	1703949579	
116	206, 212, 222, 236 & 301 Martin Luther King Blvd	1703758035, 1703759005, 1703759085, 1703850067, 1703852231	184	
North Central **	117	105 Heck St	1713192448	9
	118	540 N Person St	1704815826	171
South Central **	119	103 & 107 Kirkman Ln	1713084462, 1713085510	27
		709, 711, & 715 E Hargett St	1713085377, 1713086312, 1713086443	
	120	909 Rock Quarry Rd	1713348719	74
	121	600 New Bern Ave	1713084852	149
		17 S Swain St	1713081714	
122	814 Rock Quarry Rd	1713340839	198	

**** Additional items in the North Central, South Central, and Central CAC areas will be included for discussion on a future work session agenda.**

Pending Items

These items related to Vehicle Fuel Sales and Parking Limited frontage were deferred from previous agendas and will be discussed at a future meeting:

CAC	Agenda Item	Address	PIN	Map No.
North	12	6601 Falls of Neuse Rd	1717127972	162
Northeast	18	2744 Capital Blvd	1715829585	161
Atlantic	34	2823 Capital Blvd	1715936330	159
	35	2929 Capital Blvd	1725031568	156
Midtown	36	4101 Wake Forest Rd	1715494776	163
	37	2837 Wake Forest Rd	1715133422	166
Five Points	48	1942 Wake Forest Rd	1714193080	169

These items have been deferred to the January 20, 2015 work session and will appear on that agenda for discussion:

CAC	Agenda Item	Address	PIN	Map No.		
Five Points (Glenwood-Brooklyn Neighborhood)	63	Glenwood-Brooklyn Neighborhood (SP R-30)	Various	180.1		
	64	940 N Boylan Ave	1704432648	180.2		
		806, 807, 813, 815, 817, & 819 Clay St	1704338053, 1704336154, 1704335178, 1704335220, 1704334262, 1704334212			
		601 Devereux St	1704424530			
		1117, 1205, 1207, & 1209 Filmore St	1704531912, 1704541232, 1704541247, 1704541352,			
		722 & 727 Gaston St	1704329607, 1704327853			
		810, 812, 814, 816, 818, 830, 832, 834, 836, & 838 Gaston Wood Ct	1704430153, 1704430110, 1704339068, 1704339048, 1704339018, 1704338195, 1704338069, 1704338130, 1704338101, 1704337172			
		704, 710, 712, 810, 900, 901, & 1020 Glenwood Ave	1704427350, 1704427474, 1704427581, 1704428921, 1704438032, 1704436115, 1704438657			
		1220 Pierce St	1704547412			
		510 Tilden St	1704439045			
		501, 600, 611, 615, & 625 Washington St	1704533419, 1704530884, 1704439684, 1704439634, 1704439504			
		614 Wills Forest St	1704435119			
		65	1110, 1114, 1218 Glenwood Ave; 607 Adams St		1704439925, 1704449012, 1704449358, 1704449080	180.3

CAC	Agenda Item	Address	PIN	Map No.
Five Points (Glenwood-Brooklyn Neighborhood)	66	806 Clay St	1704338053	180.4
		1117 & 1205 Filmore St	1704531912, 1704541232	
		810, 812, 814, 816, 818, 830, 832, 834, 836, & 838 Gaston Wood Ct	1704430153, 1704430110, 1704339068, 1704339048, 1704339018, 1704338195, 1704338069, 1704338130, 1704338101, 1704337172	
		710, 712, 810, 900, & 901 Glenwood Ave	1704427474, 1704427581, 1704428921, 1704438032, 1704436115	
		510 Tilden St	1704439045	
		611 & 615 Washington St	1704439684, 1704439634	
		614 Wills Forest St	1704435119	
	67	722 Gaston St	1704329607	180.5
	68	809 Brooklyn St	1704325892	180.6
	69	601 Devereux St	1704424530	180.7
	70	1220 Pierce St	1704547412	22
	71	1220 Pierce St	1704547412	23
	72	1315 Filmore St	1704541874	114 & 180.8
	73	1307 Filmore St	1704542749	115
	74	WITHDRAWN: 719 & 725 N Boylan Ave	1704421500, 1704420596	19
	75	502 & 504 Washington St	1704534811, 1704534891	31
	76	501 Washington St	1704533419	42
77	704 Glenwood Ave	1704427350	82	



Planning Commission December 16, 2014
Z-27-14 Citywide UDO Remapping
East, South and Southeast CAC Areas
Central, North Central and South Central CAC Areas

Review of the proposed citywide rezoning is organized around public comment change requests received between May and September 2014. To facilitate public participation, comments will be grouped by Citizens Advisory Council (CAC) area for review. Staff has identified each public comment change request as falling in one of these three categories:

- A. Staff agrees
- B. Staff requests additional discussion
- C. Staff disagrees

Each comment is numbered below and sorted by category. Staff has provided basic information related to the property which includes existing and proposed zoning, requested zoning and applicable Comprehensive Plan guidance. Each request contains a staff recommendation. Related correspondence included at the end of the report references the Comment ID field.

C. Staff disagrees with the following Public Comment Change Requests in the Five Points and Mordecai CAC areas:

39.	<i>Address:</i> 829 Washington St
	<i>PIN:</i> 1704331517
	<i>CAC:</i> Five Points
	<i>Change Request/Comment ID:</i> 92 / WEB-29762
	<i>Existing Zoning:</i> O&I-1
	<i>Current Use:</i> Park, recreation field
	<i>Proposed Zoning:</i> OX-3
	<i>Requested Zoning:</i> R-10
	<i>Future Land Use Designation:</i> Public Facilities
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

This item was deferred from the December 2 agenda. The commentor (not the property owner) requests R-10 for the property, which is located on the south side of Washington Street west of Glenwood Avenue. This parcel is one of several that make up Fletcher Park. Citywide, staff recommends residential zoning consistent with adjacent parcels for City-owned park properties that are not already zoned residential. Since the property is not owned by the City staff recommended the closest comparative district of OX-3 for this parcel. The property owner, the Wake County Public School System, requests the initial staff recommendation of OX-3 be upheld.

Recommendation: No change to the map.

62.	<i>Address:</i> 1301 Brookside Drive
	<i>PIN:</i> 1714153275
	<i>CAC:</i> Mordecai
	<i>Change Request/Comment ID:</i> 196 / GEN-0460, -0463
	<i>Existing Zoning:</i> R-20
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> RX-3
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> Low Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

RX is the closest comparative district to existing zoning. The citizen-requested zoning was not put forth by the property owner. The citizen feels that development should be prohibited on the site because of traffic and environmental concerns. Staff disagrees with the request.

Recommendation: No change to the map.

B. Staff requests discussion of the following Public Comment Change Requests in the Pullen Park Neighborhood (Hillsborough CAC):

Staff met with Pullen Park neighborhood representatives before and during the creation of the remapping recommendations. Staff suggested two options for SP R-30 rezoning: 1) rezone SP R-30 properties to Residential Mixed Use- 3 Stories (RX-3), directly translate the SP R-30 design standards to NCOD standards, and recommend applying the NCOD through the UDO remapping process, or 2) rezone properties to R-10 and rely upon the UDO infill design standards for residential districts. The neighborhood prefers neither of these options, and staff has proposed a combination of R-10 and RX-3 zoning.

Staff has received numerous comments and requests regarding zoning for the neighborhood. Some comments advocate residential zoning for the neighborhood, while some support RX-3 for the area. Included below are related requests for individual properties or groups of parcels within the Pullen Park neighborhood. Staff recommends further discussion on these items.

78.	<i>Address:</i> Pullen Park Neighborhood
	<i>PIN:</i> Various
	<i>CAC:</i> Hillsborough
	<i>Change Request/Comment ID:</i> 112 / GEN-0114
	<i>Existing Zoning:</i> SP R-30, R-20, R-30, O&I-2, IND-2
	<i>Current Use:</i> Single-, Two-, & Multi-Unit Living; Warehouse; Fraternity
	<i>Proposed Zoning:</i> R-10 & RX-3
	<i>Requested Zoning:</i> Various

<i>Future Land Use Designation:</i>	Moderate / Medium Density Residential
<i>Area Plan Guidance:</i>	Part in Downtown Plan Update (in progress)
<i>Urban Form Designation:</i>	Within Transit Stop Half-Mile Buffer

Recommendation: Further discussion.

79.	<i>Address:</i>	106 Wakefield Ave
	<i>PIN:</i>	1703195540
	<i>CAC:</i>	Hillsborough
	<i>Change Request/Comment ID:</i>	88 / WEB-21762
	<i>Existing Zoning:</i>	IND-2 w/SRPOD
	<i>Current Use:</i>	Warehouse
	<i>Proposed Zoning:</i>	RX-3 w/SRPOD
	<i>Requested Zoning:</i>	RX-2 (25ft height) w/SRPOD
	<i>Future Land Use Designation:</i>	Medium Density Residential
	<i>Area Plan Guidance:</i>	West Morgan Area Study Downtown Plan Update (in process)
	<i>Urban Form Designation:</i>	Downtown Within Transit Stop Half-Mile Buffer Part Frontage on Main Street

The commentor requests a 2 story (25 foot) height limit be placed on the zoning for the property at 106 Wakefield Ave to address concerns about the development of this parcel. Staff proposes RX-3 for the property, which is currently IND-2. The recommendation follows the Future Land Use designation, and is a downzoning from a more intensive district. The minimum height under the UDO is 3 stories. Any mixed use district, including RX-3, would require neighborhood transitions adjacent to R-10 zoning at the time of redevelopment. The SPROD would be retained from the existing zoning code.

Recommendation: Further Discussion.

C. Staff disagrees with the following Public Comment Change Requests in the Hillsborough CAC area:

80.	<i>Address:</i> 216 Dexter Pl
	<i>PIN:</i> 1703099689
	<i>CAC:</i> Hillsborough
	<i>Change Request/Comment ID:</i> 72 / WEB-9922
	<i>Existing Zoning:</i> SP R-30 w/SRPOD
	<i>Current Use:</i> Multi-Unit Living
	<i>Proposed Zoning:</i> R-10 w/SRPOD
	<i>Requested Zoning:</i> RX-3 w/SRPOD
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

The property owner requests RX-3 zoning instead of R-10. Current zoning is SP R-30. While the current use of the property is multi-unit living with a density in excess of 10 units per acre, Staff believes R-10 is a more appropriate district under the UDO. If the property were to be rezoned to RX-3 and its neighbors R-10, its small, non-conforming lot size and the neighborhood transition requirements would place limit redevelopment potential of the property for multifamily use. The current multi-unit living use of the property could continue as a legal nonconformity. As such, Staff disagrees with the request.

This item relates to Item 82 (below), which was discussed at the December 2 worksession.

Recommendation: No change to the map.

DISCUSSED ON 12/2/14	82.	<i>Address:</i> 206 Ashe Ave; 216 Dexter Pl; 207, 211, 213, & 219 Park Ave
		<i>PIN:</i> 1703191740, 1703099689, 1703190883, 1703190841, 1703099799, 1703098776
		<i>CAC:</i> Hillsborough
		<i>Change Request/Comment ID:</i> 79 & 116 / WEB-15366, -15367, -15368, -16322, -16323, -16338; GEN-0418, -0535
		<i>Existing Zoning:</i> SP R-30 w/SRPOD
		<i>Current Use:</i> Two-, & Multi-Unit Living
		<i>Proposed Zoning:</i> R-10 w/SRPOD
		<i>Requested Zoning:</i> RX-3 w/SRPOD
		<i>Future Land Use Designation:</i> Moderate Density Residential
		<i>Area Plan Guidance:</i> N/A
		<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

This item represents several requests for properties in the Pullen Park neighborhood in the block bounded by Ashe Avenue, Flint Place, Park Avenue, and Dexter Place. Commentors request RX-3 zoning. This item relates to item 76 as it deals with the issue of R-10 vs RX-3 for current SP R-30 properties. Staff generally based the proposal of R-10 on use (some are two-

unit living) and existing lot size relative to UDO requirements for minimum lot size for various development options under R-10 and RX-3. Staff recommends further discussion of the issue.

Recommendation: This item was discussed on December 2; the Commission recommended that 219 Park Avenue be zoned RX-3 and the remainder of these addresses be zoned R-10. This item is included on the agenda in reference to discussion of item 81 (216 Dexter Place).

83.	<i>Address:</i> 212, 214, & 216 Cox Ave
	<i>PIN:</i> 1703095947, 1703095943, 1703095849
	<i>CAC:</i> Hillsborough
	<i>Change Request/Comment ID:</i> 113 / GEN-0436, -0437, -0438
	<i>Existing Zoning:</i> SP R-30 w/SRPOD
	<i>Current Use:</i> Single- & Two-Unit Living
	<i>Proposed Zoning:</i> R-10 w/SRPOD
	<i>Requested Zoning:</i> RX-3 w/SRPOD
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

The commentor requests RX-3 zoning for the three properties. They are currently zoned SP R-30 and contain two single family homes and a duplex. Staff believes that R-10 provides the closest comparative district to the existing zoning and development pattern of the properties; existing development would conform to R-10 standards. If zoned RX-3, the individual properties would be limited to the same redevelopment opportunities, single or two-unit living, as R-10 zoning due to lot sizes and widths. This request was submitted by one of the three property owners. Staff disagrees with the request.

Recommendation: No change to the map.

A. Staff agrees with the following Public Comment Change Request in the South, Southeast, and East CAC areas:

84.	<i>Address:</i> 1440 Rock Quarry Rd & 2003 S State St
	<i>PIN:</i> 1713319493, 1713314042
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 16, 63 / GEN-0030, -0031, -0448, WEB-3843
	<i>Existing Zoning:</i> TD w/ SHOD-1
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> IX-3-PK
	<i>Requested Zoning:</i> IX-5
	<i>Future Land Use Designation:</i> Business & Commercial Services
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests IX-5 zoning for the properties in question. Five story height was requested since TD currently permits this much height and the 50-foot protective yard required by SHOD-1 limits developable site area. Staff does not agree with the request to remove the frontage designation. Depending on circumstance, a 90, 50, or 30 foot setback is required by TD zoning. The recommended PK frontage requires a standard 50 foot setback and is the best translation in the new code of the TD setback requirements.

Recommendation: Both properties should be zoned IX-5-PK with SHOD-1.

85.	<i>Address:</i> 1900 Poole Rd
	<i>PIN:</i> 1713572734
	<i>CAC:</i> Southeast
	<i>Change Request/Comment ID:</i> 168 / GEN-0550
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle repair
	<i>Proposed Zoning:</i> NX-3
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The property owner is requesting CX to preserve the currently allowed and active use of vehicle repair (major). NX zoning would make the current use nonconforming. Staff agrees with the request.

Recommendation: The property should be zoned CX-3.

86.	<i>Address:</i>	1111 & 1121 E Whitaker Mill Rd; 1200 Wicker Dr; 1859 Capital Blvd; 2200 Atlantic Ave
	<i>PIN:</i>	1714299235, 1714390095, 1714298779, 1714393386, 1714297326
	<i>CAC:</i>	East
	<i>Change Request/Comment ID:</i>	32 / CC6-0034; GEN-0246, -0247, -0248, -0249, -0250, -0318, -0319, -0320, -0321, -0322, -0528
	<i>Existing Zoning:</i>	IND-2
	<i>Current Use:</i>	Warehouse; Waste-Related Service
	<i>Proposed Zoning:</i>	IH, IX-3
	<i>Requested Zoning:</i>	CX-7-PL
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Capital Blvd Plan
	<i>Urban Form Designation:</i>	City Growth Center Within Transit Stop Half-Mile Buffer Frontage on Urban Thoroughfare (Atlantic)

The commentor requests CX-7-PL. Staff initially proposed IH and IX since they are the closest comparative districts and would not result in the creation of non-conforming uses. The property owner requests instead that the guidance of the Capital Boulevard Corridor Study be implemented. Staff agrees with the request.

Recommendation: The property should be zoned CX-7-PL.

87.	<i>Address:</i>	1053 E Whitaker Mill Rd
	<i>PIN:</i>	1714292486
	<i>CAC:</i>	East
	<i>Change Request/Comment ID:</i>	177 / GEN-0571
	<i>Existing Zoning:</i>	IND-2
	<i>Current Use:</i>	Warehouse & Distribution
	<i>Proposed Zoning:</i>	IX-3-PL
	<i>Requested Zoning:</i>	CX-5
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Capital Blvd Plan
	<i>Urban Form Designation:</i>	City Growth Center Within Transit Stop Half-Mile Buffer Frontage on Urban Thoroughfare (Atlantic)

The commentor requests CX-5 zoning. Staff initially proposed IH since it is the closest comparative district and would not result in the creation of non-conforming uses. The property owner requests instead that the guidance of the Capital Boulevard Corridor Study be implemented. Staff agrees with the request with the addition of Parking Limited frontage.

Recommendation: The property should be zoned CX-5-PL.

88.	<i>Address:</i> 3600 Yonkers Rd
	<i>PIN:</i> 1724147666
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 192 / WEB-39042
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Outdoor Recreation
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests zoning that would support current use as outdoor playing fields. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

96.	<i>Address:</i> 4704 & 4708 Rhyne Ct
	<i>PIN:</i> 1734146159, 1734148254
	<i>CAC:</i> Southeast
	<i>Change Request/Comment ID:</i> 3 / CC1-0063, -0064
	<i>Existing Zoning:</i> IND-1
	<i>Current Use:</i> Towing Yard
	<i>Proposed Zoning:</i> IX-3
	<i>Requested Zoning:</i> IH
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests IH. As a result of the request, staff has determined IH to be necessary to avoid the creation of a non-conformity. The property is currently used as a tow yard (current special use permit), a use allowed by special use permit only in IH. Staff agrees with the request.

Recommendation: The property should be zoned IH

B. Staff requests discussion of the following Public Comment Change Requests in the South, Southeast, and East CAC areas:

89.	<i>Address:</i> 2004 Yonkers Rd
	<i>PIN:</i> 1715600424
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 188 / WEB-37447
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Retail Sales
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center Near Frontage on Transit Emphasis Corridor

The commentor requests zoning that would support current partial use of property for office. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

90.	<i>Address:</i> 2021 N Raleigh Blvd
	<i>PIN:</i> 1714797820
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 189 / WEB-38084
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Retail Sales
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center Frontage on Urban Thoroughfare

The commentor requests zoning that would support current partial use of property for office. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

91.	<i>Address:</i> 2620 Yonkers Rd
	<i>PIN:</i> 1714887754
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 190 / WEB-38403
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Retail Sales
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center

The commentor requests zoning that would support current partial use of property for office. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

92.	<i>Address:</i> 0, 2900, 3000 Yonkers Rd
	<i>PIN:</i> 1724063635
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 191 / WEB-37763
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Office
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests zoning that would support current partial use of property for office. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

93.	<i>Address:</i> 2020 & 2400 Yonkers Rd
	<i>PIN:</i> 1715606648, 1715608461
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 126 / GEN-0490; WEB-38083
	<i>Existing Zoning:</i> IND-2 w/SHOD-2
	<i>Current Use:</i> Office
	<i>Proposed Zoning:</i> IH w/SHOD-2
	<i>Requested Zoning:</i> IX-3 (or Text Change)
	<i>Future Land Use Designation:</i> General Industrial
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center

The commentor requests zoning that would support current partial use of property for office. Staff initially proposed IH as a close comparative district that would advance implementation of the Future Land Use Map. This is one of the few areas designated General Industrial. Staff proposes to bring forward a text change that would incorporate office as an allowable use in the IH district.

Recommendation: Further discussion.

94.	<i>Address:</i> 3701 Generosity Ct; 4001 & 4005 Jones Sausage Rd
	<i>PIN:</i> 1721496010, 1721498393, 1721497166
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 62 / GEN-0451, -0452, -0453
	<i>Existing Zoning:</i> CUD IND-1 (part SHOD-2)
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> IX-3 w/SHOD-1 & IX-3-CU
	<i>Requested Zoning:</i> 5 stories
	<i>Future Land Use Designation:</i> Business & Commercial Services
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests a five story height designation. There is no specific policy guidance, nor is there existing context that would suggest height greater than 3 stories. Nearby properties have five-story height entitlement through zoning conditions, but have not developed to that height.

Recommendation: Further discussion.

95.	<i>Address:</i> 3511 Integrity Dr
	<i>PIN:</i> 1722501314
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 207 / PC-0014
	<i>Existing Zoning:</i> CUD IND-1 w/SHOD-2
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> IH-CU w/SHOD-2
	<i>Requested Zoning:</i> IX-3-CU w/SHOD-2
	<i>Future Land Use Designation:</i> Business & Commercial Services
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests IX-3-CU with SHOD-2. The property owner is requesting IX to preserve the currently allowed retail use that they believe to be the best use of the property, located at the northwest corner of Integrity Drive and Jones Sausage Road, given the corner location and proximity to other IX zoned properties at the intersection.

Recommendation: Further discussion.

97.	<i>Address:</i> 4709 & 4713 Rhyne Ct; 1000 Freedom Dr
	<i>PIN:</i> 1734148644, 1734149694, 1734146666
	<i>CAC:</i> Southeast
	<i>Change Request/Comment ID:</i> 202 / PC-0002,3,4
	<i>Existing Zoning:</i> IND-1
	<i>Current Use:</i> Warehouse; Vacant
	<i>Proposed Zoning:</i> IX-3
	<i>Requested Zoning:</i> IH
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests IH. The property owner is requesting IH to allow use as an outdoor storage yard for vehicles; a use that has not yet been established. Commentor is also concerned that proposed zoning will make current use of developed property non-conforming.

Recommendation: Further discussion.

98.	<i>Address:</i> 705, 708, & 709 Freedom Dr
	<i>PIN:</i> 1734133389, 1734138262, 1734134151
	<i>CAC:</i> Southeast
	<i>Change Request/Comment ID:</i> 203 / PC-0005,6,7
	<i>Existing Zoning:</i> IND-1
	<i>Current Use:</i> Warehouse; Outdoor equipment storage
	<i>Proposed Zoning:</i> IX-3
	<i>Requested Zoning:</i> IH
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

The commentor requests IH zoning. The property is currently used for outdoor storage of equipment and modular offices.

Recommendation: Further discussion.

C. Staff disagrees with the following Public Comment Change Requests in the Southeast, South, and East CAC areas:

99.	<i>Address:</i> 3410 Middle Branch Rd
	<i>PIN:</i> 1723431198
	<i>CAC:</i> Southeast
	<i>Change Request/Comment ID:</i> 206 / PC-0013
	<i>Existing Zoning:</i> CUD IND-1 w/SHOD-1
	<i>Current Use:</i> Self-Service Storage (Mini-warehouse)
	<i>Proposed Zoning:</i> IX-3-CU w/SHOD-1
	<i>Requested Zoning:</i> 5 Stories
	<i>Future Land Use Designation:</i> Office & Residential Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

There is no specific policy guidance, nor is there existing context that would suggest height greater than 3 stories. While the parcel may be rezoned in the future to allow for greater height, staff believes that decision should be made as part of the public process of a privately initiated rezoning. Staff disagrees with the request.

Recommendation: No change to the map.

100.	<i>Address:</i> 100 & 101 Poe Dr
	<i>PIN:</i> 1723290377
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 146 / GEN-0518
	<i>Existing Zoning:</i> CUD O&I-2
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> OX-5-CU
	<i>Requested Zoning:</i> CX-5-CU
	<i>Future Land Use Designation:</i> Office & Residential Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> City Growth Center Frontage on Urban Thoroughfare

OX is the closest comparative base district to the current zoning. Determination of whether or not the range of uses allowed by CX zoning would be appropriate for these parcels should be made as part of the public process of a privately initiated rezoning. Staff disagrees with the request.

Recommendation: No change to the map.

101.	<i>Address:</i> 1420 & 1500 Brookside Dr
	<i>PIN:</i> 1714155618, 1714154975
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 181 / WEB-32962, -32963
	<i>Existing Zoning:</i> IND-2
	<i>Current Use:</i> Office
	<i>Proposed Zoning:</i> IX-3-UL
	<i>Requested Zoning:</i> IX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Capital Blvd Plan
	<i>Urban Form Designation:</i> City Growth Center

Property owner is concerned that current development does not satisfy the development standards of the UL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance and will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Owner is also concerned that frontage designation would hinder redevelopment due to small size of property. Urban frontages such as UL bring parking reductions that could benefit this small site. Staff disagrees with the request.

Recommendation: No change to the map.

102.	<i>Address:</i> 1809 New Bern Ave
	<i>PIN:</i> 1713497184
	<i>CAC:</i> East
	<i>Change Request/Comment ID:</i> 170 / GEN-0552
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Service
	<i>Proposed Zoning:</i> NX-3-UL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> New Bern Corridor
	<i>Urban Form Designation:</i> Frontage on Transit Emphasis Corridor

NX is the closest comparative base district to existing zoning and the most consistent district with the Future Land Use Map designation of Neighborhood Mixed Use. Staff recommended UL frontage for this parcel because of its corner frontage on a Transit Emphasis Corridor (New Bern Avenue). Property owner is concerned that current development on the site does not satisfy the development standards of the UL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: No change to the map.

103.	<i>Address:</i> 0 Parrish Manor Dr; 3507, 3509, 3511, & 3513 Rockhurst Dr; 3517 Jones Sausage Rd; 3631 Ardmore Dr
	<i>PIN:</i> 1722512570, 1722510333, 1722510256, 1722510280, 1722511113, 1722511064, 1722502933
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 60 / GEN-0442, -0443
	<i>Existing Zoning:</i> CUD SC, SC
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> NX-3-CU, NX-3
	<i>Requested Zoning:</i> CX-3-CU, CX-3
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

NX is the closest comparative district to current conditional use zoning on the property with frontage on Jones Sausage Road. Staff recommended NX for the general use properties because they have frontage on a neighborhood street. Staff disagrees with the request.

Recommendation: No change to the map.

104.	<i>Address:</i> 1960 Rock Quarry Rd
	<i>PIN:</i> 1712498642
	<i>CAC:</i> South
	<i>Change Request/Comment ID:</i> 165 / GEN-0547
	<i>Existing Zoning:</i> SC
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> CX-3-PL
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Mixed-Use Center Dual Frontage on Urban Thoroughfares Frontage on Transit Emphasis Corridor

The property owner is concerned that current development on the site does not satisfy the development standards of the PL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage.

Recommendation: Deferral of item to allow review with other items related to Parking Limited frontage and vehicle fuel sales.

A. Staff agrees with the following Public Comment Change Requests in the North Central CAC area:

105.	<i>Address:</i> 106 N East St
	<i>PIN:</i> 1703992439
	<i>CAC:</i> North Central
	<i>Change Request/Comment ID:</i> 18 / GEN-0053
	<i>Existing Zoning:</i> O&I-1
	<i>Current Use:</i> Single-Unit Living
	<i>Proposed Zoning:</i> R-10
	<i>Requested Zoning:</i> OX-3
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

Staff initially recommended R-10 for this parcel based on the existing building use as a single family house. Commenter requested alternate zoning to perpetuate entitlements of O&I-1 zoning. In light of subsequent review and information provided by commenter, staff finds that OX-3 would be appropriate.

Recommendation: The property should be zoned OX-3.

106.	<i>Address:</i> 200 E Edenton St
	<i>PIN:</i> 1703799324
	<i>CAC:</i> North Central
	<i>Change Request/Comment ID:</i> 54 / GEN-0395
	<i>Existing Zoning:</i> O&I-2 w/DOD & HOD-G
	<i>Current Use:</i> Multi-Unit Living
	<i>Proposed Zoning:</i> DX-3-DE w/HOD-G
	<i>Requested Zoning:</i> DX-4-UG w/HOD-G
	<i>Future Land Use Designation:</i> Central Business District
	<i>Area Plan Guidance:</i> Downtown Plan Blount-Person Corridor Study
	<i>Urban Form Designation:</i> Downtown Frontage on Transit Emphasis Corridor

Staff initially recommended DX-3-DE for this parcel based on the existing building's elevation on Edenton Street and its location in an HOD. Commenter requested additional review based on 4-story elevation on Blount Street. In light of subsequent review and information provided by commenter, staff finds that DX-4-UG would be appropriate to avoid creation of height related non-conformity and to reflect current building setback and build to.

Recommendation: The property should be zoned DX-4-UG w/HOD-G

B. Staff requests discussion of the following Public Comment Change Requests in the South Central CAC area:

107.	<i>Address:</i> 900 & 904 Coleman St
	<i>PIN:</i> 1713147688, 1713147692
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 26 / GEN-0122,-0123,-0329,-0330,-0403,-0459; WEB-29442
	<i>Existing Zoning:</i> R-20
	<i>Current Use:</i> Single-Unit Living
	<i>Proposed Zoning:</i> R-10
	<i>Requested Zoning:</i> RX-3
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> Olde East Raleigh
	<i>Urban Form Designation:</i> N/A

The commentator requests RX-3 zoning. Staff considered both R-10 and RX zoning as potential base districts for these properties. Guidance of the Olde East Raleigh Area Plan designates Coleman Street as a "Single Family Zone" and the current development of the property is as a single family house.

Recommendation: Further discussion.

108.	<i>Address:</i> 540 E Hargett St
	<i>PIN:</i> 1703985048
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 124 / GEN-0484
	<i>Existing Zoning:</i> CUD O&I-2
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> RX-3-CU
	<i>Requested Zoning:</i> OX-3-CU
	<i>Future Land Use Designation:</i> High Density Residential
	<i>Area Plan Guidance:</i> Olde East Raleigh
	<i>Urban Form Designation:</i> N/A

The commentor requests OX-3 zoning to preserve greater range of allowed uses. Staff considered both OX and RX zoning as potential base districts for this property. RX zoning was recommended in response to residential development on the parcel adjacent to the west and to reflect guidance of Olde East Raleigh Area Plan that designates the site as a “Mixed Income Zone.”

Recommendation: Further discussion.

C. Staff disagrees with the following Public Comment Change Requests in the Central, North Central, and South Central CAC area:

109.	<i>Address:</i> 315 & 323 S Bloodworth St
	<i>PIN:</i> 1703878526, 1703878424
	<i>CAC:</i> Central
	<i>Change Request/Comment ID:</i> 101 / WEB-34882, -34930
	<i>Existing Zoning:</i> RB
	<i>Current Use:</i> Office; Commercial
	<i>Proposed Zoning:</i> NX-3-UL
	<i>Requested Zoning:</i> NX-3-DE
	<i>Future Land Use Designation:</i> Central Business District
	<i>Area Plan Guidance:</i> Downtown Plan
	<i>Urban Form Designation:</i> Downtown

The commentor requests DE frontage. Staff considered both DE and UL as potential frontages for these properties. UL was recommended in response to the existing development and for consistency with southern half of the block. As an urban frontage, UL offers parking reductions that may be beneficial to this site on the east side of the downtown area. Staff disagrees with the request.

Recommendation: No change to the map.

110.	<i>Address:</i>	302, 410, 414, 416 & 418 Dupont Cir
	<i>PIN:</i>	1703472505, 1703471498, 1703472301, 1703471358, 1703471260
	<i>CAC:</i>	Central
	<i>Change Request/Comment ID:</i>	118 / GEN-0468; WEB-37762, -39047
	<i>Existing Zoning:</i>	R-10
	<i>Current Use:</i>	Vehicle Service, Warehouse, Vacant
	<i>Proposed Zoning:</i>	IX-3-UL
	<i>Requested Zoning:</i>	R-10
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	Downtown West Downtown Plan
	<i>Urban Form Designation:</i>	Downtown Within Transit Stop Half-Mile Buffer

The commentor requests R-10 zoning. The current IND-2 zoning allows buildings to be constructed at the lot line and the R-10 area acts as a buffer to the single-family residential lots along Kinsey Street. IX is the closest comparative base district to the current zoning and requires a Neighborhood Transition to residential areas. Any site redevelopment must provide a minimum 50-foot setback from adjoining single-family lots-a distance closely approximating the depth of the R-10 areas on the split-zoned lots. The transition requirements for the IX zoning would offer a buffer comparable to the current zoning pattern.

Recommendation: No change to the map.

111.	<i>Address:</i>	234 & 236 S Boylan Ave; 301 & 303 Kinsey St; 706 Mountford St
	<i>PIN:</i>	1703377957, 1703377911, 1703379838, 1703470813, 1703375997
	<i>CAC:</i>	Central
	<i>Change Request/Comment ID:</i>	119 / GEN-0469
	<i>Existing Zoning:</i>	NB / IND-2
	<i>Current Use:</i>	Office, Warehouse, Vehicle Service
	<i>Proposed Zoning:</i>	DX-3
	<i>Requested Zoning:</i>	NX-3
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	Downtown West Downtown Plan
	<i>Urban Form Designation:</i>	Downtown Within Transit Stop Half-Mile Buffer

Staff considered a combination of IX and NX, as well as DX zoning for this area. Recommendation for DX zoning was made in response to guidance in the Downtown West Gateway Plan. This plan predates the Unified Development Ordinance and references a legacy district, Business, that was used primarily in combination with the Downtown Overlay District. The closest comparative district is DX. The comment was not submitted by the property owner. Staff disagrees with the request.

Recommendation: No change to the map.

112.	<i>Address:</i> 1115 & 1201 W Lenoir St
	<i>PIN:</i> 1703276298, 1703277484
	<i>CAC:</i> Central
	<i>Change Request/Comment ID:</i> 93 / WEB-31042
	<i>Existing Zoning:</i> IND-2 w/HOD-G
	<i>Current Use:</i> Office and Light Industrial
	<i>Proposed Zoning:</i> IX-3 w/HOD-G
	<i>Requested Zoning:</i> Less Height
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

The commentor requests zoning that would be more compatible with the neighborhood. IX is the closest comparative base district to the current zoning. The comment was not submitted by the property owner. Staff disagrees with the request.

Recommendation: No change to the map.

113.	<i>Address:</i> 1115 & 1201 W Lenoir St; 806 McCulloch St
	<i>PIN:</i> 1703276298, 1703277484, 1703279586
	<i>CAC:</i> Central
	<i>Change Request/Comment ID:</i> 120 / GEN-0470
	<i>Existing Zoning:</i> IND-2 w/HOD-G
	<i>Current Use:</i> Office and Light Industrial; Warehouse
	<i>Proposed Zoning:</i> IX-3 w/HOD-G
	<i>Requested Zoning:</i> R-10 or NX-3-UL w/HOD-G
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

The commentor requests zoning that would be more compatible with the neighborhood. IX is the closest comparative base district to the current zoning. The comment was not submitted by the property owner. Staff disagrees with the request.

Recommendation: No change to the map.

114.	<i>Address:</i> 701 W Lenoir St
	<i>PIN:</i> 1703368467
	<i>CAC:</i> Central
	<i>Change Request/Comment ID:</i> 121 / GEN-0471
	<i>Existing Zoning:</i> NB w/HOD-G
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> NX-3-UL w/HOD-G
	<i>Requested Zoning:</i> R-10 w/HOD-G
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Within Transit Stop Half-Mile Buffer

The commentor requests zoning that would be more compatible with the neighborhood. NX is the closest comparative base district to the current zoning. The comment was not submitted by the property owner. Staff disagrees with the request.

Recommendation: No change to the map.

115.	<i>Address:</i> 1014 Holmes St; 512 Martin Luther King Blvd
	<i>PIN:</i> 1713041328, 1703949579
	<i>CAC:</i> Central
	<i>Change Request/Comment ID:</i> 154 / GEN-0532, -0533; WEB-37766, -37451, -38092, -38725
	<i>Existing Zoning:</i> R-20
	<i>Current Use:</i> Vacant, Single-Unit Living
	<i>Proposed Zoning:</i> R-10
	<i>Requested Zoning:</i> Unclear
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

Staff considered RX and R-10 zoning for these properties. R-10 was recommended in response to guidance in the South Park Small Area Plan that calls for infill residential development to reflect the existing historic building types in the neighborhood – predominantly single family. This zoning is also consistent with the Future Land Use Map for the area. While the properties may be rezoned in the future to allow for more intense use, that decision should be made as part of the public process of a privately initiated rezoning.

Recommendation: No change to the map.

116.	<i>Address:</i>	206, 212, 222, 236 & 301 Martin Luther King Blvd
	<i>PIN:</i>	1703758035, 1703759005, 1703759085, 1703850067, 1703852231
	<i>CAC:</i>	Central
	<i>Change Request/Comment ID:</i>	184 / WEB-36802, -36818, -36803, -36821, -37138, -36807, -36822, -37124, -36823, -37139
	<i>Existing Zoning:</i>	R-20 w/NCOD
	<i>Current Use:</i>	Single- & Multi-Unit Living
	<i>Proposed Zoning:</i>	R-10 w/NCOD
	<i>Requested Zoning:</i>	NX-3 (or RX-3) w/NCOD
	<i>Future Land Use Designation:</i>	Moderate Density Residential
	<i>Area Plan Guidance:</i>	South Park Neighborhood Blount-Person Corridor Study
	<i>Urban Form Designation:</i>	N/A

Staff considered RX and R-10 zoning for these properties. R-10 was recommended in response to Neighborhood Conservation Overlay District and guidance in the South Park Small Area Plan that calls for infill residential development to reflect the existing historic building types in the neighborhood – predominantly single family. This zoning is also consistent with the Future Land Use Map for the area. While the properties may be rezoned in the future to allow for more intense use, that decision should be made as part of the public process of a privately initiated rezoning.

Recommendation: No change to the map.

117.	<i>Address:</i>	105 Heck St
	<i>PIN:</i>	1713192448
	<i>CAC:</i>	North Central
	<i>Change Request/Comment ID:</i>	9 / WEB-38091; CC3-0097
	<i>Existing Zoning:</i>	R-10 w/NCOD
	<i>Current Use:</i>	Multi-Unit Living
	<i>Proposed Zoning:</i>	R-10 w/NCOD
	<i>Requested Zoning:</i>	RX-3 w/NCOD
	<i>Future Land Use Designation:</i>	Medium Density Residential
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

Residential districts R-1, R-2, R-4, R-6, and R-10 are not proposed to be rezoned as part of the citywide remapping process. As of September 2013 these districts are regulated by the Unified Development Ordinance. Staff has advised property owners with similar requests to file a rezoning petition independent of the UDO remapping effort.

Recommendation: No change to the map.

118.	<i>Address:</i> 540 N Person St
	<i>PIN:</i> 1704815826
	<i>CAC:</i> North Central
	<i>Change Request/Comment ID:</i> 171 / GEN-0553
	<i>Existing Zoning:</i> NB
	<i>Current Use:</i> Vehicle Fuel Sales
	<i>Proposed Zoning:</i> NX-3-SH
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Blount-Person Corridor Study
	<i>Urban Form Designation:</i> Mixed-Use Center Dual Frontage on Main Streets

NX is the closest comparative district to the existing zoning. Frontage was applied given the property's location in a Mixed-Use Center and frontage on two main streets. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: No change to the map.

119.	<i>Address:</i> 103 & 107 Kirkman Ln; 709, 711, & 715 E Hargett St
	<i>PIN:</i> 1713084462, 1713085510, 1713085377, 1713086312, 1713086443
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 27 / GEN-0155, -0156, -0157, -0158
	<i>Existing Zoning:</i> R-20
	<i>Current Use:</i> Vacant, Single- & Two-Unit Living
	<i>Proposed Zoning:</i> R-10
	<i>Requested Zoning:</i> RX-3
	<i>Future Land Use Designation:</i> Moderate Density Residential
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> N/A

Residential districts R-1, R-2, R-4, R-6, and R-10 are not proposed to be rezoned as part of the citywide remapping process. As of September 2013 these districts are regulated by the Unified Development Ordinance. Staff has advised property owners with similar requests to file a rezoning petition independent of the UDO remapping effort.

Recommendation: No change to the map.

120.	<i>Address:</i> 909 Rock Quarry Rd
	<i>PIN:</i> 1713348719
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 74 / WEB-12162
	<i>Existing Zoning:</i> R-10
	<i>Current Use:</i> Office
	<i>Proposed Zoning:</i> R-10
	<i>Requested Zoning:</i> OX-3
	<i>Future Land Use Designation:</i> Office & Residential Mixed Use
	<i>Area Plan Guidance:</i> N/A
	<i>Urban Form Designation:</i> Frontage on Transit Emphasis Corridor

Residential districts R-1, R-2, R-4, R-6, and R-10 are not proposed to be rezoned as part of the citywide remapping process. As of September 2013 these districts are regulated by the Unified Development Ordinance. Staff has advised property owners with similar requests to file a rezoning petition independent of the UDO remapping effort.

Recommendation: No change to the map.

121.	<i>Address:</i> 600 New Bern Ave; 17 S Swain St
	<i>PIN:</i> 1713084852, 1713081714
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 149 / GEN-0425, -0521
	<i>Existing Zoning:</i> SC / O&I-2 w/NCOD
	<i>Current Use:</i> Vacant
	<i>Proposed Zoning:</i> NX/OX-3-GR, OX-3 (all w/NCOD)
	<i>Requested Zoning:</i> CX-7-GR (remove NCOD)
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> New Bern Avenue Corridor Study Olde East Raleigh
	<i>Urban Form Designation:</i> N/A

The commentor requests CX-7-GR. Staff considered CX and NX zoning for the portion of the property currently zoned SC. NX zoning was recommended in response to guidance in the New Bern Avenue Corridor Study and Olde East Raleigh Area Plan. OX is the closest comparative base district to the O&I-2 zoning on the balance of the property and is consistent with guidance in the New Bern Avenue Corridor Study. The recommended three story height limit reflects supports the height restriction of the NCOD. Staff disagrees with the request.

Recommendation: No change to the map.

122.	<i>Address:</i> 814 Rock Quarry Rd
	<i>PIN:</i> 1713340839
	<i>CAC:</i> South Central
	<i>Change Request/Comment ID:</i> 198 / GEN-0576
	<i>Existing Zoning:</i> NB & R-10
	<i>Current Use:</i> Vehicle Fuel Sales, Store w/Apartments (NB); Vacant (R-10)
	<i>Proposed Zoning:</i> NX-3-PL & R-10
	<i>Requested Zoning:</i> CX-3
	<i>Future Land Use Designation:</i> Neighborhood Mixed Use
	<i>Area Plan Guidance:</i> Olde East Raleigh
	<i>Urban Form Designation:</i> Frontage on Transit Emphasis Corridor

Residential districts R-1, R-2, R-4, R-6, and R-10 are not proposed to be rezoned as part of the citywide remapping process. As of September 2013 these districts are regulated by the Unified Development Ordinance. Staff has advised property owners with similar requests to file a rezoning petition independent of the UDO remapping effort.

Recommendation: No change to the map.

From: [Becker, Dan](#)
To: jflowe1@nc.rr.com
Subject: RE: ReZoning - 1301 Brookside Dr [GEN-0463]
Date: Tuesday, October 07, 2014 9:16:00 AM

Mr. Flowe—

The staff review team has evaluated your comments and requests regarding this property. If the City were to restrict all development on the property, it would be considered a taking of all property rights, and the City would be required to pay compensation to the property owner for the loss of development entitlements. That kind of property intervention is beyond the scope of the zoning remapping project, which at its most basic simply seeks to translate the old zoning districts into the most comparable new Unified Development Ordinance (UDO) zoning districts.

Accordingly, staff does not support the suggested change. However, your request will be forwarded to the Planning Commission for its consideration. As noted in my earlier email below, you can sign up for MyRaleigh subscriptions to receive notifications of Planning Commission UDO review agendas if you wish to track its consideration of this item.

Regards,
Dan

--

Dan Becker, Division Manager
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Ste 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2632 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

-----Original Message-----

From: Becker, Dan
Sent: Monday, September 29, 2014 3:58 PM
To: jflowe1@nc.rr.com; Baldwin, Mary-Ann; Bowers, Kenneth
Cc: Walter, Bynum
Subject: RE: ReZoning - 1301 Brookside Dr [GEN-0463]

Mr. Flowe—

This email will acknowledge your request to have the Planning Commission evaluate the proposed zoning on this parcel. We have logged your email exchange with Ken, and it will be forwarded to the Commission. At this stage, I cannot tell you exactly when it might be reviewed by the Commission.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "UDO - Unified Development Ordinance." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Regards,
Dan Becker

--

Dan Becker, Division Manager
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Ste 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2632 (v); 919-516-2684 (f)

<http://www.raleighnc.gov>

-----Original Message-----

From: jflowe1@nc.rr.com [<mailto:jflowe1@nc.rr.com>]

Sent: Sunday, September 28, 2014 10:19 PM

To: Baldwin, Mary-Ann; Bowers, Kenneth

Cc: Becker, Dan; Walter, Bynum

Subject: Re: ReZoning

Thanks Ken,

I appreciate your response.

My main interest is to not see the property developed. It is not a suitable property. Too close to schools and the traffic associated with schools. Too close to a creek that eventually flows into the Neuse River. So I ask the Planning Committee to consider my request to prevent any development on this very small piece of land.

John Flowe
615 Harding St
Raleigh

---- "Bowers wrote:

> Mr. Flowe,

>

> Your question was brought to my attention by Council Member Baldwin. I believe that this is the area you are referring to:

>

> [cid:19A60056-0775-4E22-9290-04AFFFOEEDE@nc.rr.com]

>

> The City is in the process of replacing zoning districts from its old development code with new districts from our recently-adopted Unified Development Ordinance. As a first step in the process, staff has drawn a draft map that by and large seeks to find a close match between the old zoning and the new zoning. The property in question was zoned R-20, which is a multifamily district, and is proposed to be zoned RX-3, which is the lowest-density mixed-use district in the new code.

>

> You are correct about the environmental constraints on the property. Any development would have to contend with floodplain issues and potentially Neuse Buffer Rules (frankly, I haven't researched this, but it seems likely). The proposed zoning does not replace or alter any other environmental regulations. Based on the specifics of the property, I find it unlikely that the new zoning will have a material impact on the ability of the property to be developed.

>

> Because the zoning is already multi-family, staff has recommended against down-zoning it. However, you may make such a request if you wish. If you do, please reply to everyone on this email by September 30. Staff will make sure your request is considered by the Planning Commission during their review of the draft map. Note that the property cannot be zoned such that no development is possible--that would be considered a taking.

>

> You can learn more by clicking this link:

>

> <http://www.raleighnc.gov/business/content/PlanDev/Articles/Zoning/ZoningRemapping.html>

>

> Thanks,

> Ken

>

> Ken A. Bowers, AICP

> Interim Director

> Planning & Development

> City of Raleigh

> One Exchange Plaza, Suite 304

> Raleigh, NC 27602-0590

>
> 919-996-2633
> fax 996-2684
> kenneth.bowers@raleighnc.gov<<mailto:kenneth.bowers@raleighnc.gov>>
>
> On Sep 27, 2014, at 9:36 AM, Baldwin, Mary-Ann <Mary-Ann.Baldwin@raleighnc.gov<<mailto:Mary-Ann.Baldwin@raleighnc.gov>>> wrote:
>
> Ken,
>
> Do you know what this is in reference to, and can you respond to Mr. Flowe?
>
> Thank you.
>
> M-A
>
> Sent from my iPad
>
> Begin forwarded message:
>
> From: <jflowe1@nc.rr.com<<mailto:jflowe1@nc.rr.com>>>
> Date: September 27, 2014 at 12:00:10 AM EDT
> To: "Baldwin, Mary-Ann" <Mary-Ann.Baldwin@raleighnc.gov<<mailto:Mary-Ann.Baldwin@raleighnc.gov>>>
> Subject: Re: ReZoning
>
> Thanks MA!
> ---- "Baldwin wrote:
> Hi John,
>
> Let me find out what is going on. Will be in touch, probably early next week. Hope you are doing well.
>
> M-A
>
> Sent from my iPad
>
> On Sep 26, 2014, at 5:20 PM, "jflowe1@nc.rr.com<<mailto:jflowe1@nc.rr.com>>" <jflowe1@nc.rr.com<<mailto:jflowe1@nc.rr.com>>> wrote:
>
> A few months ago I received notice from the city in regards to rezoning on a property that is near mine.
> It has been very difficult to find out exactly what is being proposed.
>
> The property in question is bordered by Brookside Dr, directly across from Emma Conn Magnet School, Frank St and Cemetary Creek.
> This is a very small property that is not suitable for any development of any kind.
>
> It is directly across from a elementary school.. Everyday, parents arrive on Frank St at the Brookside intersection to pick their children up, 2 times a day every day.
> Too much traffic and congestion now, do not need more apartments or homes in this immediate area.
>
> The land itself borders a creek, (Cemetary CreeK) that eventually flows into the Neuse River. I was under the impression that no development could occur within 50 feet of this creek. With that setback and a reasonable setback from Brookside Dr and Frank St., I see NO WAY anything could be built on this small piece of land.
>
> I need to know when I can voice my opinion on this issue.
>

> Sincerely
>
> John Flowe
> 615 Harding St.
> Raleigh NC 27604
>
> 919 334 8282
>
>

From: [Pettibone, Carter](#)
To: [Alice Harvey](#)
Cc: [Rezoning](#); [Hill, Doug](#)
Subject: RE: Blanket rezoning proposal [GEN-0114]
Date: Monday, July 07, 2014 3:15:30 PM

Ms. Harvey,

Thank you for your comments regarding the UDO remapping process. Dan asked me to follow up with you after bringing your comments forward to our review team.

The City is undergoing this remapping process as the final phase of implementing the recently adopted Unified Development Ordinance (UDO). It is a complete rewrite of the City's development regulations. The text of the ordinance went into effect in September, and at the same time approximately 70% of the City's jurisdiction (primarily single-family residential areas) was brought under the new UDO regulations. We are now in the process of bringing the remainder of the City under the UDO. In order to do that we need to rezone what we call "legacy districts", or those zoning districts which are part of the old zoning code but not the UDO, to a zoning district that is part of the UDO.

The draft zoning map released in May is the starting point for public input. It will be the first of several opportunities for comment during the process. Additional opportunities include Planning Commission review, the public hearing with City Council, and during City Council review. We want to make sure there is ample opportunity for the public to voice their concerns.

Typically, rezonings or other development proposals involve only one or a few properties at a time, and during those proceedings neighbors typically weigh in on the proposal like you mention in your email. This UDO remapping is city-wide, involving over 35,000 parcels. City Staff has had to develop a larger-scale mechanism for input for this rezoning process.

In developing the draft zoning map, Staff used a set of guiding principles and documents in selecting the proposed UDO zoning districts. Using this guidance Staff was charged with finding the closest or most appropriate match in the transition from old to new zoning districts. Properties such as yours, zoned Special Residential -30 (SP R-30), have presented Staff with a unique challenge for assigning proposed UDO zoning districts. The most appropriate choices in the UDO are Residential-10 units per acre (R-10) or Residential Mixed Use – 3 stories (RX-3). In addition to existing and permitted density, other factors in determining the proposed zoning include minimum lot size, neighborhood transitions, and existing context.

Due to the unique nature of the SP R-30 zoning, Staff reached out to neighborhoods zoned SP R-30 prior to the release of the draft UDO zoning map. In terms of the Ashe Avenue area, Staff met with members of the community multiple times. As there seemed to be no consensus from the neighbors on how to treat the overall neighborhood, Staff recommended that the neighborhood review the draft zoning map and make comments either as a whole or as individual property owners. To date, we have received over 10 comments related to the Ashe Avenue area.

You mentioned concerns about mixed use in the back streets of the area. Some of the properties in your neighborhood as well as properties immediately adjacent are proposed for Residential Mixed Use-3 stories (RX-3). While it is true that RX-3 allows some ground floor commercial uses, these commercial uses are limited in type and have restrictions for location, building type, and lot size. The limited commercial uses permitted in RX-3 would only be allowed on the first floor of an apartment type building at the intersection of two public streets. Apartment type buildings need to meet certain minimum requirements for lot size (10,000 square feet) and setbacks (5' front).

It is worth noting that two of the properties adjacent to the neighborhood are in fact proposed for downzoning from more intensive zoning districts. The property directly east of the neighborhood, on the west side of Wakefield Ave, is currently zoned to allow industrial uses (Industrial-2 district). The property to the south, immediately north of the train tracks, is in a district that allows a wide range of office and other non-residential uses (Office and Institutional-2). Staff proposes to rezone these properties to RX-3.

Staff will be taking comments on the proposed zoning map until September 30. A revised draft map, along with a summary of all the comments received, will be presented to the Planning Commission, which will begin its review October 14. Following review and recommendation by the Planning Commission, a further revised draft map will be submitted to City Council for a public hearing and review.

Due to the special nature of SP R-30 and the numerous comments we have received related to it, Staff plans to recommend that the Planning Commission devote dedicated time for additional review of the SP R-30 areas during the Commission's review period. We are not yet sure how and when this will occur, but we will let you know as soon as we have a better idea.

In the meantime, if neighborhood residents so choose, Staff would be happy to continue the dialogue and meet with the neighborhood as a group regarding R-10/RX-3 and potential character overlay districts.

Please feel free to contact me with any questions. If you haven't already, I encourage you to sign up to receive email updates on the UDO Mapping Process. You can sign up at www.raleighudo.us. Look on the right hand side for MyRaleigh Subscriptions. You can also visit www.raleighudo.us for more information on the remapping initiative, guidance documentation, common zoning district exchanges, and the review and approval process.

Thank you.

Carter

Carter Pettibone, AICP

Urban Planner

Raleigh Urban Design Center

An Office of the Planning & Development Department

220 Fayetteville Street, Suite 200, Raleigh, NC 27601

919.996.4643

carter.pettibone@raleighnc.gov
www.raleighnc.gov/urbandesign

From: Rezoning
Sent: Monday, June 30, 2014 4:37 PM
To: Alice Harvey
Cc: Rezoning
Subject: RE: Blanket rezoning proposal [GEN-0114]

Ms. Harvey—

Thank you for taking the time to comment on the proposed UDO rezoning maps.

Because your comments cover a broader area and issues than a single site, I am elevating your email to our review team to ensure a full discussion and thorough response.

The team next meets this coming Wednesday, July 2, and I will follow-up with you shortly thereafter.

Regards,

Dan

--

Dan Becker, Division Manager
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One Exchange Plaza, Ste 300 (27601)
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<http://www.raleighnc.gov>

From: Alice Harvey [<mailto:amharvey@ncsu.edu>]
Sent: Thursday, June 26, 2014 2:33 PM
To: Rezoning
Subject: Blanket rezoning proposal

I am a homeowner on Ashe Ave. I just heard a discussion about the redlining maps created for the FHA in the 1930s which favored white neighborhoods. The UDO rezoning maps come across in the same way except that they clearly favor developers, not the home owners and residents. I lived in Atlanta when it began it's expansion and all building and rezoning proposals were discussed with the communities the property was in, and the people that actually lived there determined what was appropriate. Each proposed project was voted on individually. It worked well.

This zoning designation based on a map and not the actual living community is upsetting to us. We will have no say, no defense. As in any other city, our neighborhood should have the right to vote on any proposed building and rezoning in

our area on an individual project basis. We own homes, maintain our properties and make the neighborhood attractive and our hope in doing so is to attract other long term homeowners, not more transient residents that have no respect for our efforts.

We want single family (2 story) homes that are in keeping with the restored 1930s homes typical in our neighborhood. We all want something like Dorothea Gardens which is sold out before they even build because it is what people want . There is plenty of rental space already, 927 Morgan still has many vacant apartments.

Mixed use is useless in our back streets. The much touted business spaces in the Morgan development have only attracted a hairdresser who does little business. There is 0 foot traffic on Wakefield, except for a few drunks from City Limits in the wee hours, so mixed use in that limited access hole where Wakefield meets Tryon Hill makes no sense.

Has anyone from the UDO ever actually walked through our neighborhood? Or lived there? Well, we have and we do every day, so please let us have the right to decide on the appropriateness of a proposed project.

Thank you.

Alice MacGregor Harvey
Medical Illustrator, BA, MA
Biomedical Communications
Educational Media & Design
College of Veterinary Medicine
919.513.6492

From: [Amy Witynski Holmes](#)
To: [Rezoning](#)
Subject: Re-mapping in Pullen Park Neighborhood
Date: Saturday, September 20, 2014 9:00:24 AM

Greetings,

I and my husband own and live at 216 Cox Avenue in Pullen Park, and want to inquire about our own house, as well as the single-family at 212 and duplex at 214 Cox, which are colored on the proposed remapping as R10. It seems to make sense that these properties would be rezoned RX. 218 Cox, the house directly south and next to ours, also a single family residence, is slated for RX.

We are wondering why the 'line' stopped at 218 with RX, and just the 2 properties, ours and those mentioned above, were parceled for R10.

We spoke with our neighbor at 212 Cox who concurs that RX seems to make more sense for our properties.

Thanks for any insights regarding the differences between those two zonings for our street.

Amy Witynski

From: [Amy Witynski Holmes](#)
To: [Pettibone, Carter](#)
Cc: [Rezoning](#)
Subject: Re: UDO Remapping Comments #GEN-0436, 0437, and 0438 - Cox Avenue
Date: Tuesday, October 07, 2014 6:11:52 PM

Thanks so much.

Of note: Our next-door neighbor Tiffany Ingersoll owns 218 Cox which is a single-family house and lot as well. The proposed zoning has her RX-3. I think if the recommendation is to remain R-10 for 212-216, then 218 ought to be included in that designation, as it falls under the criteria you mention above for 212-216.

Kindly,
Amy Witynski Holmes

On Tue, Oct 7, 2014 at 1:44 PM, Pettibone, Carter
<Carter.Pettibone@raleighnc.gov> wrote:

Amy,

I apologize for my delay in getting back to you. I brought forward your requests for 212-216 Cox Avenue to our Staff Review Team.

Staff does not support the requests to remap these properties to RX-3. Staff's guidance was to generally remap single-family and two-family properties in the existing SP R-30 districts to R-10. Other consideration is lot size. Under the UDO, the minimum lot size for apartment building types (the only building type allowing more than two units per building) is 10,000 square feet. From reviewing Wake County tax records, it appears none of the three lots would meet the minimum lot size requirement.

As I mentioned previously, we will forward your requests to the Planning Commission for its review and consideration. More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "UDO - Unified Development Ordinance." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have any questions.

Thank you.

Carter Pettibone, AICP

Urban Planner

Raleigh Urban Design Center
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220 Fayetteville Street, Suite 200, Raleigh, NC 27601

[919.996.4643](tel:919.996.4643)

carter.pettibone@raleighnc.gov

www.raleighnc.gov/urbandesign

From: Amy Witynski Holmes [mailto:alloutwit@gmail.com]
Sent: Thursday, September 25, 2014 9:53 AM
To: Pettibone, Carter
Subject: Re: UDO Remapping Comments #GEN-0436, 0437, and 0438 - Cox Avenue

Thanks so much for your detailed response. I just heard from my neighbor Paul Shannon at 212 Cox who concurs that 212-216 should be zoned RX3. I look forward to keeping in touch with you in the coming weeks as this process moves along...

Kindly,

Amy Witynski

On Wed, Sep 24, 2014 at 12:46 PM, Pettibone, Carter
<Carter.Pettibone@raleighnc.gov> wrote:

Ms. Witynski,

Thank you for your comments regarding the properties located at 212, 214, and 216 Cox Avenue. It appears you have a questions about the boundaries of the proposed zoning districts, and whether Staff would consider Residential Mixed Use – 3 stories (RX-3) zoning for the three properties.

218 Cox Avenue is currently zoned Residential-30 (R-30). The properties further south of 218 Cox Avenue, while currently zoned Special Residential-30 (SP R-30) contain apartment buildings that have densities above 10 units per acre. In

selecting proposed UDO zoning districts, two of the primary considerations were existing zoning and land use. In the case of 218-302 Cox Avenue, these pointed to RX-3 for zoning under the UDO.

Properties currently zoned Special Residential-30 (SP R-30), such as yours and your neighbors, present a unique challenge in selecting zoning categories under the (UDO). In general, Staff considered R-10 zoning for properties currently zoned SP R-30 which contained single-family homes or duplexes (since those uses are permitted in the R-10 district).

I will bring your request to consider RX-3 for 212-216 Cox Avenue forward to our Staff Review Team, which considers such requests. It meets tomorrow (Thursday), so I will follow up with you shortly thereafter. Regardless of the Staff's recommendation, we will forward your comment and request on to the City's Planning Commission, when it begins its review of the draft zoning map in October. We also anticipate that the Planning Commission will devote time to further study to the general issue of SP R-30 zoning during its review.

You can find more information regarding Staff's guidance on the UDO Remapping by visiting www.raleighudo.us and selecting documents from the right-hand side column under the section titled "Technical Remapping Guidance to Staff". You can also scroll down the page to the section titled "Common District Exchanges", click on it, then select the "R-15 R-20 R-30 to RX" document to learn more about the comparison of existing SP R-30 and R-30 districts to the RX District under the UDO.

Please let me know if you have any questions prior to me getting back with you.

Thanks.

Carter Pettibone, AICP

Urban Planner

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From: rezoning@raleighnc.gov
To: dane.wilson8@yahoo.com
Subject: City of Raleigh Response Ref #21762
Date: Thursday, August 07, 2014 4:15:17 PM

Thanks again for your feedback on the draft rezoning map. See the response to your feedback below.

Feedback Received August 1st 2014, 5:23 am

Reference #: 21762

Location: 106 WAKEFIELD AVE

Comment Type: General Comment

Comment: I have hopes the city of Raleigh will contribute to the efforts put forth by so many Raleigh citizens to protect the historic stature while improving this neighborhood. I believe the city, as well as the developer, should maintain commitments previously made - this being a true "transition" between single family homes and multi-unit dwellings. A 50 ft. max height for this parcel would immediately create yet another wall surrounding the neighborhood and impact ALL homes on Ashe Ave in which significant personal investments were / are made. We've lost our skyline view, we now continuously hear the buzz of parking garage fans, and now have 20+ units with views into the back of our homes. Please, let's get this right. I strongly believe a 2 story (25 ft) limit would serve as a compromised transition that should satisfy both homeowners and the developer. The single family portion of the neighborhood continues to shrink - let's take one of our last opportunities to grow the community.

City Response on August 7th 2014, 04:15 pm

The property in question is proposed to be rezoned to Residential Mixed Use with a 3 story height limit (RX-3). The property is currently zoned Industrial-2. It is worth noting that this property is in fact proposed for downzoning from a more intensive zoning district. RX-3 will allow residential uses and limited accessory retail, but will not allow industrial uses (the limited commercial uses permitted in RX-3 would only be allowed on the first floor of a corner unit in an apartment building type located at the intersection of two public streets, which this parcel cannot satisfy). 3 stories is the minimum height limit under the new zoning code. There are also neighborhood transition requirements when development on a property that is zoned mixed use is adjacent to vacant or residential properties zoned R-10.

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: [Walter, Bynum](#)
To: mcqueen.campbell@gmail.com
Cc: [Rezoning](#)
Subject: 1440 Rock Quarry Rd - 2 Parcels (WEB 3843)
Date: Friday, May 30, 2014 5:07:40 PM

Dear McQueen Campbell –

Thanks for your comments about the property at 1440 Rock Quarry Road and 2003 South State Street. I reviewed your comments with other members of the planning staff.

In light of current adjacent uses and zoning, as well as the recommendation of the Future Land Use Map that this area support Business and Commercial Services, Office Mixed Use (OX)–5–Parkway (PK) would be an alternative to the initial proposed rezoning to IX-3-PK. Office Mixed Use (OX) provides for a variety of office and employment uses while allowing for housing and ancillary retail. Limited retail and service-related options are allowed subject to use standards that restrict the size and scale of each use. The existing zoning of Thoroughfare District (TD) and SHOD-1 would allow development of up to 5 stories/75 feet.

Please let me know if you have further questions or need any additional information.

Sincerely,

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

From: Rezoning
Sent: Friday, May 30, 2014 10:04 AM
To: Walter, Bynum
Subject: FW: 1440 Rock Quarry Rd - 2 Parcels

From: McQueen Campbell [<mailto:mcqueen.campbell@gmail.com>]
Sent: Wednesday, May 28, 2014 4:54 PM
To: Rezoning
Subject: 1440 Rock Quarry Rd - 2 Parcels

I own the property at 1440 Rock Quarry Rd. It consists of 2 parcel totaling 15.06 acres currently zoned TD. It is proposed to be changed to IX-3-PK.

The height restriction is too restrictive especially given there is a SHOD overlay that prohibits me from cutting trees within the 50 ft buffer along I40. This buffer more than protects the City from

a 5-story building considering these trees are 50 ft high already and you can't see through them.

As I understand the IX-3-PK zoning, multi-family is only allowed on the upper units in a mixed use building, yet with the SHOD overlay I have unreasonable buffers along both roads my property fronts and no business in their right mind would locate on the lower floor when you can't even see their business from Rock Quarry Rd. Therefore, if you can't get a business on the lower floors, then how are you supposed to get residential on the upper floors? The SHOD overlay limitations should be considered as a part of what is fair and reasonable in the rezoning process. This proposed rezoning would essentially render my property unusable for anything but light industrial and manufacturing. Multi-family should be allowed as a use on this site.



D. McQueen Campbell, III

Owner/Broker

8310 Bandford Way

Raleigh, NC 27615

(919) 828-0092 Work

(919) 882-9523 Fax

Check out our listings: [http://maps.google.com/maps/ms?](http://maps.google.com/maps/ms?ie=UTF8&hl=en&msa=0&msid=102960476616230574398.00047e261c35220ba26ba&t=h&z=8)

[ie=UTF8&hl=en&msa=0&msid=102960476616230574398.00047e261c35220ba26ba&t=h&z=8](http://maps.google.com/maps/ms?ie=UTF8&hl=en&msa=0&msid=102960476616230574398.00047e261c35220ba26ba&t=h&z=8)

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 1900 Poole Road
PIN# 1713572734

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed base zoning is NX-3, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

Peden Family LLC
1859 Capital Boulevard
Raleigh, NC 27604
919-832-2081

City of Raleigh
Planning Department
Citywide Remapping Section

August 13, 2014

Reference: Former Peden Steel Property
(PIN No.'s 1714.29-8779; 1714.29-7326; 1714.29-9235; 1714.39-3386 & 1714.39-0095)

To Whom It May Concern:

We are the owners of the former Peden Steel property between Capital Boulevard and Atlantic Avenue at the end of Wicker Drive. The PIN No.'s for our property are listed above. The property is currently zoned Industrial-2 and our current use is consistent with that zoning.

During the 2030 Comprehensive Plan update and the more recently completed Capital Boulevard Corridor Plan we stayed engaged and worked with staff, our consultants and elected and appointed City officials to ensure that the City's plans for this area are consistent with our expectations and goals.

We've reviewed the City's proposed zoning designation under the UDO. The majority of our property is proposed to be zoned IH with a single parcel on the corner of Wicker Drive and Atlantic Avenue proposed to be zoned IX-3-PL. It appears to us that the Parking Limited designation was added after the citywide maps were rolled out at the beginning of June. We are concerned with the proposed zoning on several levels.

- First of all, there are differences between the current and proposed zoning as well as the differences between the proposed zoning and the vision in the Comprehensive Plan and the Corridor Plan. There are, for example, many uses that are allowed under the current zoning that would not be allowed under the proposed IH zoning designation. This includes office uses and most commercial uses such as general retail, banks and restaurants. The proposed remapping represents a downzoning on this level & we object to it on that level.
- The split zoning of our property and the adjacent properties create a buffer requirement that does not presently exist. This buffer would be a minimum of 20' wide. It appears this would apply between the IH pieces of our properties and IX-3 piece of our property and our immediate neighbors' properties. Our immediate neighbors currently share the same I-2 legacy zoning designation and are proposed to be zoned IX-3 under the citywide remapping; this would trigger the buffer requirement. The proposed remapping results makes the property non-conforming where, as it currently exists, the property meets all legacy zoning requirements.

As mentioned above, we worked diligently during the public input process of the Comprehensive Plan update and the Capital Boulevard Corridor Plan to ensure the City's

Peden Family LLC
1859 Capital Boulevard
Raleigh, NC 27604
919-832-2081

vision for the future of this property was consistent with our vision. This property has been in the Peden family for many generations. We believe the time is rapidly approaching where this area will redevelop. We want to ensure, to the best of our ability, that this transition happens in a smooth and harmonious fashion. With this in mind, we would make several points.

- The Future Land Use Map designates this area for Community Mixed Use type of development.
- The Capital Boulevard Corridor Plan notes that the area surrounding the Whitaker Mill light rail station is an “obvious” location for mixed-use development.
- The Growth Framework map indicates this area is in a Transit Oriented Development area

It's clear that the FLUM, the Capital Boulevard Corridor Plan and the Growth Framework map contemplate a broad range of mixed use commercial development in this area. The Corridor Plan points out the advantages of large tracts of land in the hands of single landowners in this area as well as the disadvantage of being “sandwiched between a busy highway and an active rail yard” and recommends taller buildings to compensate for the adjacent highway and rail traffic. Additionally, the City's guidance document recommends higher height limits in the TOD areas.

Designating this property as industrial, either IH or IX, does not encourage redevelopment of the type envisioned by the Comprehensive Plan, the Capital Boulevard Corridor Plan or the Future Growth map.

With these factors in mind, we ask that you remove the barrier to redevelopment an industrial zoning designation creates. We request a zoning designation of Commercial Mixed Use with a seven story height limit and Parking Limited frontage (CX-7-PL). We do understand and accept that this will make the current use an “existing non-conforming use”. We have reviewed the nonconformity section of the UDO, Article 10.3, and believe we can live with the implications of this decision. The CX-7-PL is consistent with the Comprehensive Plan, the Capital Boulevard Corridor Plan, The Growth Framework map and our vision for the future of our property.

Sincerely,


Jim Peden, Jr.


Steven B. Peden

From: [Walter, Bynum](#)
To: [Michael Birch](#)
Cc: [Meacci, Grant](#); [Rezoning](#)
Subject: RE: Remapping Comments re: Peden Family Properties (GEN-0528)
Date: Wednesday, October 08, 2014 8:20:11 PM

Dear Michael –

I wanted to follow up on my message of last week to add that staff agrees with this request in light of small area plan guidance for this area of the city. As I mentioned in my previous message, this request will be forwarded to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic “[UDO - Unified Development Ordinance](#).” You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have questions or need additional information – Bynum

From: Walter, Bynum
Sent: Tuesday, September 30, 2014 5:26 PM
To: Michael Birch
Cc: Meacci, Grant
Subject: Re: Remapping Comments re: Peden Family Properties

Thanks for your message, Michael. We will include the letter you reference below in the comments that are forwarded to the Planning Commission.

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
[919-996-2178](tel:919-996-2178) (v); [919-516-2684](tel:919-516-2684) (f)
<http://www.raleighnc.gov>

On Sep 30, 2014, at 4:36 PM, Michael Birch <mbirch@morningstarlawgroup.com> wrote:

Bynum,

Recall that you and Grant met with me, Ed Sconfienza, Steven Peden and Jim Peden on Wednesday, August 13 at the Urban Design Center to discuss comments on the City’s proposed remapping of the Peden Family LLC properties located off Atlantic Avenue, between Whitaker Mill Road and Wicker Drive. We provided you with a comment letter at that time, requesting that the City remap the properties more consistent with the Capital Boulevard Corridor Study guidance. We also stated that we would research the potential nonconformity issue. The purpose of this message is to let you know that we are still seeking a determination on the nonconformity issue, but to make clear that we would like the comment letter to be formally accepted by the City. We will update

our request, if needed, once we receive a determination on the nonconformity issue.

Please contact me at 919.208.9427 if you have any questions.

Thanks,

Michael

<image001.jpg>

R. Michael Birch, Jr.
Morningstar Law Group
630 Davis Drive, Suite 200
Morrisville, NC 27560
Office: (919) 590-0388
Mobile: (919) 208-9427
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

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ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 1053 E. Whitaker Mill Road
PIN# 1714292486

Dear Mr. Becker:

As counsel for 1053 E. Whitaker Mill Road, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is IX-3-PL, which does not provide the flexibility to permit the range of uses contemplated by the Comprehensive Plan and the Urban Form Map. The Future Land Use Map designates this property as Community Mixed Use which allows an intense mix of uses and the Urban Form Map designates this property as a City Growth Center. These designations suggest that maximum flexibility be given to allow for a mix of residential and commercial uses without the absolute requirement for vertical mixed use for residential development, as would be required in IX.

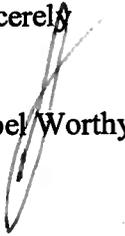
The frontage proposed for this site, Parking Limited, imposes additional challenges for redevelopment in terms of building size and placement. The subject property has a dimension of approximately 940 feet along Atlantic Avenue, which means that a new building would be required to be over 460 feet wide to satisfy the build-to requirement.

The build-to requirement and vertical mixed use requirement for residential are worthy aspirations but are not realistic for this area in the foreseeable future and therefore should not be mandatory. We request that you reconsider the proposed rezoning for this property and revise it to CX-5.

Mr. Dan Becker
October 1, 2014
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,


Isabel Worthy Mattox

cc: Gordon Grubb
Anne Stoddard
Thomas C. Worth, Jr.

From: [Sandeep, Dhanya](#)
To: fastonejr@gmail.com
Subject: GEN-0451
Date: Tuesday, September 30, 2014 2:25:54 PM

Hello,

Thank you for your interest in the zoning remapping project and the submitted comments. In follow-up to your comment relating to the height designation for property at 3701 Generosity Court, please note the following explanation:

The proposed IX-3 offers the most comparable and compatible zoning to the existing CUD IND-1 zoning on the property and to other similarly zoned properties located in the same block. The properties across the street on the other side of Jones Sausage Road have been designated as IX-5 CU because the existing conditions on those properties specify a height limit of 5 stories. So the proposed zoning on those properties simply attempts to retain the existing zoning parameters. However, in the case of 3701 Generosity Court, there are no zoning conditions or other applicable policy guidance available to consider a higher 5 story limit. It is not in a mixed use center to warrant mixed use zoning with greater than 3 stories.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
**Dhanya Purushothaman-Sandeep, AICP**  
**Urban Planner**  
**Raleigh Urban Design Center**  
**An Office of the Planning and Development Department**  
**220 Fayetteville Street, Suite 200**  
**Raleigh NC 27601**  
**Office: 919-996-2659**  
**E-mail: [dhanya.sandeep@raleighnc.gov](mailto:dhanya.sandeep@raleighnc.gov)**  
**Website: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning)**

**From:** [Fred Stone](#)  
**To:** [Rezoning](#)  
**Subject:** Comments on UDO Rezoning  
**Date:** Friday, September 26, 2014 3:03:17 PM

---

As a member of Stone & Stone Associates, LLC, I wish to oppose the new classification of our property at the below addresses:

1. 3701 Generosity Court
2. 4001 Jones Sausage Road
3. 4005 Jones Sausage Road

These properties are adjoining and are directly on Jones Sausage Road and have been classified as 1X-3-CU. The property directly across Jones Sausage Road from our property has been classified as 1X-5-CU. We strongly believe that our limited height allowance will affect the value and utilization of our property as compared to the property directly across the street. We believe our property should also be classified as 1X-5-CU. Thank you for your consideration of this request.

Fred Stone  
Stone & Stone Associates, LLC  
Mobile Phone 843-532-5630

--

Fred A. Stone, Jr.  
fastonejr@gmail.com  
843-532-5630

**From:** [Sandeep, Dhanya](#)  
**To:** [fastonejr@gmail.com](mailto:fastonejr@gmail.com)  
**Subject:** GEN-0452  
**Date:** Tuesday, September 30, 2014 2:31:41 PM

---

Hello,

Thank you for your interest in the zoning remapping project and the submitted comments. In follow-up to your comment relating to the height designation for property at 4001 Jones Sausage Road, please note the following explanation:

The proposed IX-3 CU offers the most comparable and compatible zoning to the existing CUD IND-1 zoning on the property and to other similarly zoned properties located in the same block. The properties across the street on the other side of Jones Sausage Road have been designated as IX-5 CU because the existing conditions on those properties specify a height limit of 5 stories. So the proposed zoning on those properties simply attempts to retain the existing zoning parameters. However, in the case of 4001 Jones Sausage Road, there are no zoning conditions or other applicable policy guidance available to consider a higher 5 story limit. It is not in a mixed use center to warrant mixed use zoning with greater than 3 stories.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
Dhanya Purushothaman-Sandeep, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning and Development Department
220 Fayetteville Street, Suite 200
Raleigh NC 27601
Office: 919-996-2659
E-mail: dhanya.sandeep@raleighnc.gov
Website: www.raleighnc.gov/planning

From: [Sandeep, Dhanya](#)
To: fastonejr@gmail.com
Subject: GEN-0453
Date: Tuesday, September 30, 2014 2:33:19 PM

Hello,

Thank you for your interest in the zoning remapping project and the submitted comments. In follow-up to your comment relating to the height designation for property at 4005 Jones Sausage Road, please note the following explanation:

The proposed IX-3 CU offers the most comparable and compatible zoning to the existing CUD IND-1 zoning on the property and to other similarly zoned properties located in the same block. The properties across the street on the other side of Jones Sausage Road have been designated as IX-5 CU because the existing conditions on those properties specify a height limit of 5 stories. So the proposed zoning on those properties simply attempts to retain the existing zoning parameters. However, in the case of 4005 Jones Sausage Road, there are no zoning conditions or other applicable policy guidance available to consider a higher 5 story limit. It is not in a mixed use center to warrant mixed use zoning with greater than 3 stories.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
**Dhanya Purushothaman-Sandeep, AICP**  
**Urban Planner**  
**Raleigh Urban Design Center**  
**An Office of the Planning and Development Department**  
**220 Fayetteville Street, Suite 200**  
**Raleigh NC 27601**  
**Office: 919-996-2659**  
**E-mail: [dhanya.sandeep@raleighnc.gov](mailto:dhanya.sandeep@raleighnc.gov)**  
**Website: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning)**

PC-0014

City of Raleigh Planning Commission  
PO Box 590  
Raleigh, NC 27603

CMCR-F Properties  
1027 Hwy 70 W Ste 106  
Garner, NC 27529

Re: Raleigh Remapping

November 18, 2014

Dear Commission and Planning Staff

CMCR-F Properties was unaware of the recent public comment phase of the Remapping procedures and did not successfully register their concerns for the upcoming rezoning. Planning staff and information provided on the web site advises the next step is to address the Commission in writing or in person.

We would like to request the following be considered before final action is taken.

1. Pin # 1722501314 3511; this lot is part of 40 East Business park and is currently vacant. The proposed rezoning from CUD IND 1 to IH would prohibit retail use on the property. We believe the community and the market in this area has proven that IX Industrial Mixed use would be more appropriate to serve the area. Multiple lots within the 40 East Business park have been developed as restaurants and a convenient store. While we understand restaurants would be allowed, we believe the market in this South East Raleigh area needs addition Retail options and the proposed rezoning should afford this option to its citizens.
2. ~~Pin #'s 1722501770 and 1722502696; these lots are left over from the infamous St Mary's Estates that was platted but never developed on Jones Sausage road. CMCR-F purchased the 2 adjoining lots which join the aforementioned parcel as a future possible expansion. The lots are currently zoned R-4 and are sandwiched between proposed NX and Industrial zoning. This remapping does not propose any change to the R-4 at this time. We would like to request the Remapping include these two parcels and be rezoning to match the adjoining proposal of IX Industrial Mixed use. We do not believe residential would ever be a practical option and would like to see the change be included in this Remapping.~~

Thank you for your consideration.

Sincerely,



Forrest Ball  
CMCR-F Properties

3511 INTEGRITY DR  
Presented to PC by Dong Ball 11.18.14

KJC Property Investments, LLC  
PO BOX 46325  
Raleigh, NC 27620

PC-0002  
0003  
0004

October 7, 2014

City of Raleigh Planning Commission

Remapping Raleigh

PO Box 590

Raleigh, NC 27620

cert# 7013-0600-0000-3605-3985

RE: Case # z-27-14/UDO Zoning Remapping

PIN# 1734148644 4709 Rhyne Court PC-0002

PIN# 1734146666 1000 Freedom Drive -0003

PIN# 1734149694 4713 Rhyne Court -0004

To whom it may concern

In reviewing the recommendation of rezoning the above listed parcels from heavy industrial to light industrial we find ourselves being taken advantage of. One of the above listed parcels (1734149694) has an aerial right of way across it. One of the allowed uses for heavy industrial is for a car storage lot or temporary parking lot. Rezoning this property to light industrial does not allow that particular usage. Our concern here is that we have a sale pending in which the new owner wants to install a temporary car storage lot. By rezoning this property this sale will not take place and we are doomed to own a piece of property that we shall pay taxes on and not be able to utilize in a fashion that will allow us to recover any of the expenses. When we purchased this property it was with the knowledge that the heavy industrial classification would allow us some flexibility for a wider range of tenants.

The other two parcels we own are currently being utilized by our tenant Infinity Fire Protection, LLC. They are an automatic fire sprinkler contractor and have the need to store materials and idle construction equipment on the property. The rezoning shall eliminate this use for them and result in us losing a tenant that has been in place for over ten years. It seems a waste of city resources to rezone property and then force viable businesses to relocate or even close.

In looking at all the property on this side of Freedom Drive the usage is heavy industrial for all the businesses. There are several contractors along this side of the road and with the new zoning their storage of materials and equipment will no longer be allowed either.

With the reasons stated above we ask that the planning commission reconsider this rezoning and keep the current heavy industrial zoning in place. This will allow the current tenants to stay in place and continue to operate without interruption.

Please notify us as soon as possible as to your intentions here.

Sincerely

A handwritten signature in black ink, appearing to read "Michael Coomer". The signature is fluid and cursive, with a large loop at the end of the last name.

Michael Coomer

Managing Member

O 919-255-6064

C919-369-9079

# Readilite & Barricade, Inc.

PC-0005  
-0006  
-0007

Office Trailers • Portable Toilets • Traffic Control

RALEIGH  
231-8309

DURHAM  
493-1175

CHAPEL HILL  
942-0889

TOLL FREE  
1-800-662-8839

October 16, 2014

Readilite & Barricade, Inc.  
P. O. Box 58280  
Raleigh, North Carolina 27658

Remapping Raleigh  
City of Raleigh Planning Commission  
P. O. Box 590  
Raleigh, North Carolina 27602

RE: Planning Commission Review Z-27-14

Dear Madams/Sirs:

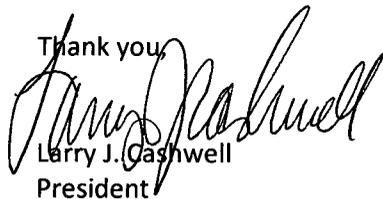
This letter is to request the following properties stay zoned IH and not be re-zoned IX as proposed:

705 Freedom Drive – Cashwell Real Estate, LLC  
708 Freedom Drive - Readilite & Barricade, Inc.  
709 Freedom Drive – Readilite & Barricade, Inc.

PC-0005 → parcel address in IMAPS returns  
-0006 O FREEDOM DR  
-0007

All properties are used by Readilite & Barricade, Inc. for the purpose of storage of equipment used on construction jobs and special events.

Thank you,



Larry J. Cashwell  
President

Raleigh  
(919) 231-8309

708 Freedom Road  
P.O. Box 58280  
Raleigh, North Carolina 27658

Toll Free  
1-800-662-8839

**From:** [Lizzy Kramer](#)  
**To:** [Rezoning](#)  
**Subject:** PC-0013-3410 Middle Branch Rd  
**Date:** Monday, October 27, 2014 3:28:41 PM

---

RE: **Z-27-14** [Property specific zoning change request for three Security Self Storage locations]

Dear Planning Commission:

This letter is to request property specific changes for the proposed zoning of our Security Self Storage Raleigh facilities at the following addresses:

**5115 Beryl Road, Raleigh, NC 27606**

**3628 Tryon Road, Raleigh, NC 27606**

**3410 Middle Branch Road, Raleigh, NC 27610**

The proposed zoning for these locations is IX-3, we are requesting it be changed to IX-5.

Security Self Storage is a locally owned self storage business that is competing directly with regional and national corporations that also offer storage facilities in Raleigh. Our future development plan includes multi-story building additions to our current facilities.

Restricting our zoning to IX-3 will not allow us to expand past 3 stories. Today's market trend for self storage construction is for multi-story facilities in metropolitan areas. We have anticipated this multi-story construction at all of our facilities and IX- 3 would restrict our ability to expand and utilize our sites for their intended use. Numerous multi-story facilities are going up in adjoining towns. Limiting our future expansion to only 3 stories will give our competitors a competitive advantage. Please consider our request.

Sincerely,

Lizzy Kramer

Controller, Security Self Storage

3628 Tryon Road, Ste. A

Raleigh, NC 27606

Lizzy.Kramer@SelfStorageNC.com

(919) 899-3870



Michael Birch | Attorney  
630 Davis Drive, Suite 200  
Morrisville, NC 27560

919-590-0388  
mbirch@morningstarlawgroup.com  
www.morningstarlawgroup.com

September 30, 2014

Bynum Walter  
Department of City Planning & Development  
One Exchange Plaza, Suite 304  
Raleigh, NC 27601

Re: 100 Poe Drive (1723-19-8549) and 101 Poe Drive (1723-29-0377) (the "Properties")

Dear Bynum:

On behalf of the owner of the Properties, we are submitting this letter in response to the City's proposed rezoning designation for the Properties.

The Properties are currently zoned Office & Institution-2 Conditional Use (Z-50-08). The City is proposing to rezone the Properties to OX-5-CU. The owner disagrees with this proposal because of the limitation of a hotel use in the OX district as applicable to the Properties.

The Properties are 1.06 and 2.39 acres in size. Under the OX district, UDO section 6.4.6.D. requires a minimum site size for a hotel is 2.50 acres. Because the Properties are both less than the minimum site size, the Properties cannot be developed for a hotel use. This limitation does not currently apply to the Properties under the Office & Institution-2 zoning.

It is important to note that one of the primary reasons for the 2008 rezoning to Office & Institution-2 was to permit a hotel on the Properties. In order to preserve hotel as a permitted use, the owner of the Properties is willing to consent to a zoning condition that limits the permitted uses on the Properties under the requested CX district to those uses permitted in the OX district and the hotel/motel/inn use.

Please feel free to call me should you have any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Birch", is written over the typed name.

Michael Birch

**From:** [Walter, Bynum](#)  
**To:** [Michael Birch](#)  
**Cc:** [Rezoning](#)  
**Subject:** RE: Remapping Comment re: Poe Drive Properties (GEN-0518)  
**Date:** Thursday, October 09, 2014 9:57:27 AM

---

Dear Michael –

Thanks for your comment about the proposed rezoning of 100 and 101 Poe Drive.

I've had a chance to discuss this request with other members of the planning staff. Determination of whether or not the range of uses allowed by CX zoning would be appropriate for these parcels should be made as part of the public process of a privately initiated rezoning. Staff continues to believe that OX is the appropriate base district for these properties in light of the current CUD O&I-2 zoning. Staff does not agree with your request, however it will be forwarded to the Planning Commission for consideration as part of their review of the citywide remapping.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have questions or need additional information – Bynum

---

**From:** Michael Birch [mailto:[mbirch@morningstarlawgroup.com](mailto:mbirch@morningstarlawgroup.com)]  
**Sent:** Tuesday, September 30, 2014 4:59 PM  
**To:** Walter, Bynum  
**Subject:** Remapping Comment re: Poe Drive Properties

Bynum,

Please see attached comment letter. Please contact me with any questions.

Thanks,

Michael



R. Michael Birch, Jr.  
Morningstar Law Group  
630 Davis Drive, Suite 200  
Morrisville, NC 27560  
Office: (919) 590-0388  
Mobile: (919) 208-9427  
[mbirch@morningstarlawgroup.com](mailto:mbirch@morningstarlawgroup.com)  
[www.morningstarlawgroup.com](http://www.morningstarlawgroup.com)

---

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written to be used, and cannot be used, for the purpose of (i) avoiding penalties imposed under the Internal Revenue Code or applicable state or local tax law or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

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**ISABEL WORTHY MATTOX**

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker  
Urban Design Center  
City of Raleigh  
Briggs Building, Suite 200  
220 Fayetteville Street  
Raleigh, NC 27601



Re: 1809 New Bern Avenue  
PIN# 1713497184

Dear Mr. Becker:

As counsel for Clark Brothers, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-UL, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a car service/oil change business with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Urban Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

Mr. Dan Becker  
September 29, 2014  
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely,

Isabel Worthy Mattox

cc: Mr. Haddon Clark



**ISABEL WORTHY MATTOX**  
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker  
Urban Design Center  
City of Raleigh  
Briggs Building, Suite 200  
220 Fayetteville Street  
Raleigh, NC 27601



Re: 1960 Rock Quarry Road  
PIN# 1712498642

Dear Mr. Becker:

As counsel for Clark Stores, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

This property is proposed to be rezoned to CX-3-PL. We object to the imposition of the Parking Limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it discourages vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark

**From:** [Julie Manly](#)  
**To:** [Rezoning](#)  
**Cc:** [Robert Byerly](#)  
**Subject:** 106 N. East Street  
**Date:** Friday, May 30, 2014 5:37:51 PM

---

The city's proposition includes rezoning my house to R-10.

I specifically purchased this house in 2007 because of it's zoning of O&1-1.

Please do not rezone my property. If you do so, it will have a negative impact on my current and future business plans and I will take the case further. I paid \$410,000 for this house and the property it rests which is zoned O&1-1.

Furthermore, the city's proposed rezoning of my property would have a negative impact on my property value.

If this message is not sufficient for the city to reverse its plans to rezone my property, I would like to meet with an official who governs or helps to govern this process.

Please acknowledge the receipt with a personalized, non automated email or phone call. I look forward to hearing back from you

Respectfully,

Julie Manly, M.D.  
106 N. East Street  
Raleigh, NC 27601  
208-869-8018

**From:** [Pettibone, Carter](#)  
**To:** ["julie.manly@gmail.com"](mailto:julie.manly@gmail.com)  
**Cc:** [Rezoning](#)  
**Subject:** RE: UDO Remapping Comment - 106 N. East Street - #GEN-0053  
**Date:** Friday, June 13, 2014 4:34:32 PM

---

Ms. Manly,

I wanted to follow up on your comments regarding the proposed UDO zoning for 106 N. East Street. I brought forth your comments to our review team. Staff has determined that Office Mixed Use-3 Stories (OX-3) would be an appropriate zoning district for the property. The Historic Overlay District for Oakwood would remain in place.

Staff will amend the draft zoning map to reflect this change. As an FYI, only one revised draft zoning map will be published prior to Planning Commission review. This will be in early October, after the public comment period ends on September 30. As such, the map viewer will not reflect this change until that time.

Let me know if you have any questions. Please confirm you received this email when you get a chance.

Thank you.

**Carter Pettibone, AICP**

Urban Planner  
Raleigh Urban Design Center  
An Office of the Planning & Development Department  
220 Fayetteville Street, Suite 200, Raleigh, NC 27601  
919.996.4643  
[carter.pettibone@raleighnc.gov](mailto:carter.pettibone@raleighnc.gov)  
[www.raleighnc.gov/urbandesign](http://www.raleighnc.gov/urbandesign)

---

**From:** Pettibone, Carter  
**Sent:** Tuesday, June 03, 2014 10:54 AM  
**To:** [julie.manly@gmail.com](mailto:julie.manly@gmail.com)  
**Cc:** Rezoning  
**Subject:** UDO Remapping Comment - 106 N. East Street - #GEN-0053

Ms. Manly,

Thank you for your comment regarding 106 N. East Street. I understand your concern for the proposed rezoning of your property.

I am happy to provide rationale for the Staff's proposed zoning district. One of the primary factors in choosing a district is the use of the property, in your case the current use is listed as single-family residential. We also looked at the property's designation on the Future Land Use Map of the 2030 Comprehensive Plan. Your property is shown as Moderate Density Residential. Another factor is the property's location in the Oakwood Historic District. One factor we are not able to account for are a

property owner's future plans for their property, unless they have submitted a development plan.

That said, another important factor is the current zoning of the property, which is Office and Institutional-1 (O&I-1). Typically the translation to the UDO for O&I-1 would be Office-Mixed Use. Would this be the district you would like the Planning and Development Staff to consider?

More information on the various districts within the UDO, as well as the rezoning process, can be found at

<http://www.raleighnc.gov/business/content/PlanDev/Articles/Zoning/ZoningRemapping.html>.

I am part of regular review meetings with Senior departmental staff to discuss comments and proposed changes to the draft map. I can bring your concern forward to them at our next meeting.

Staff will be taking comments on the draft Zoning Map until September 30. We will then submit a revised draft map to the Planning Commission for its October 14 meeting. This revised map will take into consideration and reflect proposed changes Staff deems appropriate. Along with the revised map, Staff will also submit to the Planning Commission a comprehensive list of all comments we've received during the comment period. So even if a proposed change does not have Staff support it will be presented to the Commission for them to consider.

Please feel free to contact me with any questions.

**Carter Pettibone, AICP**

Urban Planner

Raleigh Urban Design Center

An Office of the Planning & Development Department

220 Fayetteville Street, Suite 200, Raleigh, NC 27601

919.996.4643

[carter.pettibone@raleighnc.gov](mailto:carter.pettibone@raleighnc.gov)

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

**THOMAS C. WORTH, JR.**  
Attorney  
Certified Mediator  
Professional Building  
127 W. Hargett Street, Suite 500  
Post Office Box 1799  
Raleigh, North Carolina 27602  
Phone: (919) 831-1125 Fax: (919) 831-1205  
[curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)

August 27, 2014

Mr. Dan Becker, Manager  
Long Range Planning  
Raleigh Department of City Planning  
PO Box 590  
Raleigh, NC 27602

VIA US MAIL  
AND  
ELECTRONIC MAIL

Re: 200 East Edenton Street (PIN NO. 1703799324 000)

Dear Mr. Becker:

I am the Manager/Member of Edenton Street Associates LLC which owns the subject apartment building located at the southeast intersection of East Edenton Street and North Blount Street here in downtown Raleigh. In connection with the City of Raleigh's UDO Zoning Remapping process now underway I have reviewed the online information available concerning the rezoning proposed by the Planning Department for the subject property i.e. DX-3-DE.

Please accept this letter in behalf of our LLC as objecting to this proposed designation on at least two fronts as follows:

The height limitation of three stories/50 feet and  
The frontage designation of Detached.

Our building contains four occupied stories and although I have not yet had its height professionally measured from Blount Street to the peak of the building's roof I suspect it to be in excess of the 50' maximum height presently assigned by the UDO to a three story building. Furthermore as you are aware the North Carolina State Bar has recently occupied its new building directly across Edenton Street from our building and I am quite certain that this important addition to the built environment in this area exceeds 50' in height. In my opinion the height limitation should be five stories/75 feet.

As regards frontage proposed of Detached (DE) the UDO also assigns height limits of "three stories/50 feet". As indicated in the online description thereof it "accommodates neighborhood-scaled, low intensity commercial uses while maintaining the residential character of the street right-of-way." I do not believe that this description accurately depicts the area in which our building is located but at present do not know which frontage is more appropriate.

Please accept this letter as a request to meet next month with you or your designee for further discussion on this matter, hopefully well in advance of the comment deadline of September 30, 2014.

Sincerely,



Thomas C. Worth, Jr.

TCWjr/dsw

**From:** [Thomas C. Worth, Jr.](#)  
**To:** [Rezoning](#)  
**Subject:** RE: 200 East Edenton Street [GEN-0395]  
**Date:** Tuesday, September 02, 2014 12:27:35 PM

---

Dan ,  
Thanks for this review, consideration and follow-up.  
I will discuss with my fellow LLC member and be back with you after having done so.  
Best,  
Tom

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

---

**From:** Rezoning [mailto:Rezoning@raleighnc.gov]  
**Sent:** Friday, August 29, 2014 2:30 PM  
**To:** Thomas C. Worth, Jr.  
**Subject:** RE: 200 East Edenton Street [GEN-0395]

Tom—

The points raised in your letter of August 27 were discussed today by the internal staff review team.

Staff believes the points you raise have merit, and will be recommending to the Planning Commission that the subject parcel (PIN 1703799324) be rezoned to Downtown Mixed Use-four stories-Urban General frontage (DX-4-UG).

Let me know if you have further questions or concerns.

Regards,  
Dan

--

Dan Becker, Division Manager  
Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

---

**From:** Rezoning  
**Sent:** Thursday, August 28, 2014 2:57 PM  
**To:** 'Thomas C. Worth, Jr.'  
**Subject:** RE: 200 East Edenton Street [GEN-0395]

Tom—

Thanks for your interest in the remapping project. Requests for changes in the draft map are evaluated by a staff review team. The next team meeting is tomorrow afternoon. I will follow up with you after that, most likely on Tuesday.

Have a good holiday.

Dan

--

Dan Becker, Division Manager  
Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

---

**From:** Thomas C. Worth, Jr. [<mailto:curmudgtcw@earthlink.net>]  
**Sent:** Wednesday, August 27, 2014 5:09 PM  
**To:** Becker, Dan  
**Subject:** FW: 200 East Edenton Street

Dan :

For your information, review and reply I attach a copy of my letter of this date re my limited liability company's property at 200 East Edenton Street here in Raleigh regarding its proposed remapping.

Thanks,

Tom Worth

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

---

**From:** Thomas C. Worth, Jr. [<mailto:curmudgtcw@earthlink.net>]  
**Sent:** Wednesday, August 27, 2014 3:36 PM  
**To:** 'Tom Worth'  
**Subject:** 200 East Edenton Street

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**

**Fax: 919-831-1205**

**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

**From:** [Rezoning](#)  
**To:** [Tom Worth](#)  
**Subject:** RE: 200 East Edenton Street [GEN-0395]  
**Date:** Friday, August 29, 2014 10:00:51 AM

---

Tom—

Yes, the review team meetings are an internal discussion, but we are always glad to schedule an appointment upon request.

Regards,  
Dan

--

Dan Becker, Division Manager  
Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

---

**From:** Tom Worth [mailto:curmudgtcw@earthlink.net]  
**Sent:** Friday, August 29, 2014 9:05 AM  
**To:** Rezoning  
**Subject:** Re: 200 East Edenton Street [GEN-0395]

Dan,  
Thanks for your reply.  
For my future information are these meetings closed to non staff ?  
Have a good Labor Day Holiday,  
Tom

Thomas C. Worth Jr.

Sent from my iPad

On Aug 28, 2014, at 2:57 PM, Rezoning <[Rezoning@raleighnc.gov](mailto:Rezoning@raleighnc.gov)> wrote:

Tom—

Thanks for your interest in the remapping project. Requests for changes in the draft map are evaluated by a staff review team. The next team meeting is tomorrow afternoon. I will follow up with you after that, most likely on Tuesday.

Have a good holiday.

Dan  
--

Dan Becker, Division Manager

Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

---

**From:** Thomas C. Worth, Jr. [<mailto:curmudgtcw@earthlink.net>]  
**Sent:** Wednesday, August 27, 2014 5:09 PM  
**To:** Becker, Dan  
**Subject:** FW: 200 East Edenton Street

Dan :  
For your information, review and reply I attach a copy of my letter of this date re my limited liability company's property at 200 East Edenton Street here in Raleigh regarding its proposed remapping.  
Thanks,  
Tom Worth

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

---

**From:** Thomas C. Worth, Jr. [<mailto:curmudgtcw@earthlink.net>]  
**Sent:** Wednesday, August 27, 2014 3:36 PM  
**To:** 'Tom Worth'  
**Subject:** 200 East Edenton Street

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

“E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized City or Law Enforcement official.”

**From:** [Thomas C. Worth, Jr.](mailto:Thomas.C.Worth.Jr@earthlink.net)  
**To:** [Becker, Dan](mailto:Becker.Dan@earthlink.net)  
**Subject:** FW: 200 East Edenton Street  
**Date:** Wednesday, August 27, 2014 5:09:13 PM  
**Attachments:** [Becker, Dan letter 8-27-14.pdf](#)

---

Dan :

For your information, review and reply I attach a copy of my letter of this date re my limited liability company's property at 200 East Edenton Street here in Raleigh regarding its proposed remapping.

Thanks,

Tom Worth

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

---

**From:** Thomas C. Worth, Jr. [mailto:[curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)]  
**Sent:** Wednesday, August 27, 2014 3:36 PM  
**To:** 'Tom Worth'  
**Subject:** 200 East Edenton Street

**Thomas C. Worth, Jr.**  
**PO Box 1799 (27602)**  
**127 West Hargett Street, Suite 500**  
**Raleigh, NC 27601**  
**Phone: 919-831-1125**  
**Fax: 919-831-1205**  
**email: [curmudgtcw@earthlink.net](mailto:curmudgtcw@earthlink.net)**

**From:** [RONALD MCCRAY](#)  
**To:** [Rezoning; Brantley, James](#)  
**Subject:** Comments on Rezoning of 900 and 904 Coleman Street (from R20 to R10) and Also 113 Waldrop Street  
**Date:** Friday, September 26, 2014 3:36:27 PM

---

25 September 2014  
11930 Twinlakes Dr., Apt. 26  
Beltsville, MD 20705

Mr. Dan Becker  
Mr. James Brantley  
Raleigh Department of City Planning  
PO Box 590  
Raleigh, NC 27602-0590

Subject: Comments on Rezoning of 900 and 904 Coleman Street (from R20 to R10) and Also 113 Waldrop Street

Dear Sirs,

1. I'm reviewing the information you provided. I may not complete that review over the weekend. Therefore, I respectfully request flexible zoning for my three properties which would allow me or others to use them for residential and/or rental and/or business purposes at the same time or not as I determine. Some of my reasons include:
    - a. It would help survive economic downturns
    - b. My properties are located near a major boulevard, road or avenue
    - c. My properties appear to be near the end of zoning areas
    - d. Consideration should be given to the combined SF of my properties on Coleman Street. There is also a large 18-unit complex across the street which may have more flexible zoning.
    - e. My observation is that for many neighborhoods, this type of zoning would also help the financial survival for those with insufficient retirement resources and/or are unable to secure a job due to health, care of elderly family members and other reasons.
  2. I'm not familiar with zoning codes and definitions and would have to review them before I could indicate a specific code.
  3. Additionally, the proposed re-zoning from R20 to R10 will likely reduce sale-ability of my two adjacent properties on Coleman Street. This may occur since they are located next to MLK Jr. Boulevard and across the street from an 18 unit complex with more flexible zoning.
  4. I can be reached at 202-251-3896. Thanks for your responses and patience.
- V/R Ronald McCray

**From:** [Rezoning](#)  
**To:** [RONALD MCCRAY](#)  
**Cc:** [Brantley, James](#)  
**Subject:** RE: 900 Coleman [WEB-29442]  
**Date:** Friday, September 19, 2014 3:17:19 PM

---

Mr. McCray—

You posted the following questions in the remapping viewer. Responses are noted in red:

“1. I am developing my final comments. If I want to request a change in the proposed zoning for 900 and 904 Coleman Street, is there an application required? **No need for an application. Your inquiry is being referred to the Planning Commission along with all other comments received during the May-September comment period.**

“2. What does proposed height and proposed front footage mean in the comment type? V/R 14 Sep 2014” **Mixed use districts include up to three components: Use and base dimensions [Commercial Mixed Use (CX-), for example] (required), maximum height in stories (required), and frontage (optional). Frontage establishes a desired urban form development pattern along the street edge [for example, Shopfront (-SH) has buildings built right up to the edge of the sidewalk like a downtown; Green (-GR) sets the building back from the sidewalk with a landscaped area where parking is not allowed between the building and the sidewalk.] The comment types were provided so people commenting could indicate what component of the proposed zoning they were asking about.**

Dan

--

Dan Becker, Division Manager  
Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

**From:** [RONALD MCCRAY](#)  
**To:** [Rezoning](#)  
**Cc:** [Brantley, James](#)  
**Subject:** Re: 900 & 904 Coleman [GEN-0122, -0123, -0329, -0330]; 113 Waldrop [GEN-0124]  
**Date:** Sunday, September 14, 2014 3:40:34 PM

---

Mr. Decker,

Sir,

1. I just noticed your email.
2. To the best of my recollection, I discussed two things with Mr. Brantley.
  - a. Keeping the zoning of 900 and 904 Coleman Street as R20 since it will also reduce sale-ability.
  - b. Changing the zoning of 900 and 904 Coleman Street(s) to allow BOTH residential uses and business uses at the same time. Any application required for this? Do you see any negatives to having both; it will help residents survive economic downturns.

Also my properties are near a major boulevard and across the street from a large apartment .... 3. I'll also call you. Please send me a list of zoning codes and summary definitions. My PC is having probelms. I'll call you tomorrow.

V/R

Ron McCray

202-251-3896

**ISABEL WORTHY MATTOX**

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 25, 2014

Mr. Dan Becker  
Urban Design Center  
City of Raleigh  
Briggs Building, Suite 200  
220 Fayetteville Street  
Raleigh, NC 27601

Re: 540 E. Hargett St.  
PIN# 1703985048

Dear Mr. Becker:

As counsel for Gregory Crampton, Trustee in the Bankruptcy of the Young Women's Christian Association of the Greater Triangle, Incorporated, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

We object to the proposed RX-3-CU zoning for the property. The current O&I-2 would allow a greater variety of uses on this undeveloped land, an entitlement which we seek to retain. We believe that OX would be a more appropriate zoning for the subject property.

In addition, a number of the currently applicable zoning conditions are either confusing or obsolete as follows:

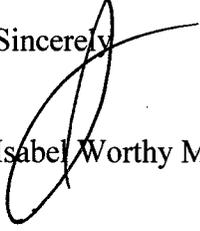
Condition #1 restricts density on what are 2 sites without allocating density as between the sites, which is confusing and should be removed.

Condition # 2 is unclear. Does this require the building to have only vinyl and a minimum amount of 10% brick? That would not seem to generate a high quality building as it would exclude such durable and high quality materials as wood, hardiplank, precast and stone. I doubt that was the intent of the condition. These percentages do not allow for windows; however, there is a window condition that follows which is unclear. The condition is ambiguous at best. What is double hung? Why cap the percentage of windows? How do you measure a 20 square foot window—do you include or exclude trim, muntins, etc.?

Mr. Dan Becker  
September 25, 2014  
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely



Isabel Worthy Mattox

cc: Mr. Gregory Crampton  
Ms. Carter Worthy

**From:** [Becker, Dan](#)  
**To:** [isabel@mattoxfirm.com](mailto:isabel@mattoxfirm.com)  
**Subject:** 540 E. Hargett St [GEN-0484]  
**Date:** Monday, September 29, 2014 4:57:41 PM  
**Attachments:** [Mattox-540 E Hargett \[GEN-0484\].pdf](#)

---

Dear Ms. Mattox—

Thank you for your interest in the zoning remapping project. This email acknowledges receipt of your USPS-delivered letter dated September 25, 2014 regarding the captioned property. I have attached a PDF scan for tracking purposes.

We are receiving a significant number of requests as the September 30 deadline for comments arrives. It will take some time for the staff team that is reviewing requests to work through the influx. You can expect to receive a follow-up contact with the staff response no later than October 10.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Regards,  
Dan Becker

--

Dan Becker, Division Manager  
Long Range Planning Division  
Raleigh Department of City Planning  
One Exchange Plaza, Ste 300 (27601)  
PO Box 590, Raleigh NC, 27602  
919-996-2632 (v); 919-516-2684 (f)  
<http://www.raleighnc.gov>

PS: I have not been collocated with the Raleigh Urban Design Center for some years. Mailing address is in the email signature above.

**From:** [sandrogisler@gmail.com](mailto:sandrogisler@gmail.com) on behalf of [Sandro Gisler](#)  
**To:** [Rezoning](#)  
**Cc:** [Council Staff](#)  
**Subject:** Feedback about UDO Zoning Remapping from Boylan Heights Neighborhood Association  
**Date:** Sunday, September 28, 2014 6:04:27 PM  
**Attachments:** [UDO Zoning Remapping comments to City of Raleigh.pdf](#)

---

To whom it may concern:

Please find attached a letter with comments and requests about the Remapping where it affects our neighborhood.

Feel free to contact me for clarifications or further discussions.

Respectfully,

Sandro Gisler  
President, Boylan Heights Association  
805 W Lenoir St.  
Raleigh NC 27603

To: City of Raleigh  
From: Boylan Heights Association of Raleigh NC  
RE: Comments on the City of Raleigh UDO Zoning Remapping Project

To whom it may concern:

The Boylan Heights Association has received input from concerned residents in regard to the proposed Zoning District Remapping Project and have endorsed the following comments:

1. We are generally agreeable to keeping the R-10 zoning (although this is not truly reflective of the current development patterns in this Historic District neighborhood).
2. We are generally agreeable to the rezoning of the adjacent IND-2 zoned property to IX-3-UL.
3. We are extremely concerned that an area between Dupont Circle and Kinsey Street (located behind the properties from 311 to 411 Kinsey Street) is proposed to be rezoned from R-10 to IX-3-UL. It was our understanding that existing zoning categories would generally be rezoned to the closest new zoning category. Since R-10 is included in the new zoning categories we feel this area should remain zoned R-10. We recognize that the current zoning splits several parcels and that a non-conformity exists on one of them but do not agree that an up-zoning is appropriate to resolve this non-conformity. In general, when two City regulations (or zoning categories) are in conflict, usually the more restrictive (in this case R-10 zoning) prevails. This is especially relevant where the existing zoning provides a buffer between an industrial zoning category and low density residential development that is part of a historic overlay district. It is our understanding that the area in question was originally part of the Boylan Heights development (perhaps an alley) and that is why it was zoned R-10 along with the rest of Boylan Heights. We are unsure how a portion of the existing business located at 414 Dupont Circle was allowed to be constructed in the R-10 zoning but it is very likely it was an error or oversight. As such, the proper way to correct such an error or oversight is to address it at the time of the next redevelopment request, not to change the zoning to a higher use.
4. We request that the properties on the south (Boylan Heights) side of the Boylan Avenue Bridge, currently zoned IND-2 and NB, be rezoned to NX-3 instead of the proposed DX-3. The reasoning behind this request is that the adjacent properties are all zoned R-10, that the railroad tracks provide an excellent physical divide between the commercial uses to the north and the residential uses to the south of the bridge, and that such a rezoning would be similar to the proposed rezoning of the properties on Lenoir and South from NB to NX.
5. We request that the properties to the north and west of the intersection of McCullough and Lenoir Streets currently zoned IND-2 be rezoned to R-10 instead of IX. The reasoning being that these properties are cut off from adjacent industrial zoning by the physical boundary of railroad tracks; these parcels are otherwise surrounded by R-10 zoning and single family uses; and these parcels are located within the historic district. In addition, the three-story height limit is incompatible with the surrounding single family residences. If the zoning category of R-10 is deemed unacceptable, we would respectfully request the parcel alternatively be rezoned to NX-3-UL or DX.
6. We would request that the vacant parcel located at 701 W Lenoir Street, currently zoned NX-3-UL, be rezoned to R-10 along with the rest of Boylan Heights. The reasoning being that this parcel is adjacent to R-10 zoning on 3 sides; it is located in the Boylan Heights Historic District; and R-10 would be more in line with the Future Land Use Plan for this location.

Thank you for your careful consideration of these comments and suggestions.

Boylan Heights Association of Raleigh NC  
Sandro Gisler, President

**From:** [Hill, Doug](#)  
**To:** [Sumpter, DeShele](#)  
**Subject:** FW: UDO Zoning Remapping  
**Date:** Thursday, October 09, 2014 9:26:08 AM

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This response covered GENs 0468 through 0471.

Doug Hill, AICP  
Department of City Planning  
One Exchange Plaza – Suite 204  
PO Box 590  
Raleigh, NC 27202-0590  
*Phone:* (919) 996-2622  
*Email:* [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)  
*Website:* [www.raleighnc.gov](http://www.raleighnc.gov)

---

**From:** Hill, Doug  
**Sent:** Tuesday, September 30, 2014 2:50 PM  
**To:** 'sandrogisler@gmail.com'  
**Subject:** UDO Zoning Remapping

Thank you for your comments on behalf of the Boylan Heights Association regarding the proposed UDO remapping.

As you note, a fundamental intent of the remapping is continuity, to insure that owners of remapped property retain the same land use and development entitlements they currently enjoy. In that light, the properties identified in items 3, 5, and 6 of your email have been proposed for the closest match between the existing zoning and UDO zoning (generally, IND-2 changed to IX). Change to R-10 could be problematic, in that it could render some currently-permitted property uses non-conforming.

Item 4 in your email addresses several contiguous commercial properties, currently zoned either NB or IND-1. The DX zoning has been proposed as a means of providing both continuity and uniformity across the properties, but your suggestion of NX is understood and acknowledged, and will be forwarded to the Planning Commission for specific consideration.

Again, thank you. If you would like to discuss any of these items further, please get in touch.

Doug Hill, AICP  
Department of City Planning  
One Exchange Plaza – Suite 204  
PO Box 590  
Raleigh, NC 27202-0590  
*Phone:* (919) 996-2622  
*Email:* [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)  
*Website:* [www.raleighnc.gov](http://www.raleighnc.gov)

**From:** [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov)  
**To:** [samuel\\_alcine@yahoo.com](mailto:samuel_alcine@yahoo.com)  
**Subject:** City of Raleigh Feedback Ref #36802  
**Date:** Monday, September 29, 2014 6:55:42 PM

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Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

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Feedback Received September 29th 2014, 06:55 pm

Reference #: 36802

Location: 301 MARTIN LUTHER KING JR BLVD

Comment Type: Comment about Proposed Zoning District

Comment: Proposed should be NX. This property is on one of the main through ways into the downtown core and across from a university on both sides. This should be more flexible zoning for this area that supports the 2030 plan for South Park that should start now. This home and most others on this main strip should be neighborhood mixed use to provide flexibility in land use and opportunity for economic development from the current land owners.

---

Thanks for your time,

**City of Raleigh Remapping Team**

Email: [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov)

Web: [www.RaleighUDO.us](http://www.RaleighUDO.us)

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

**From:** [Sandeep.Dhanya](mailto:Sandeep.Dhanya)  
**To:** [samuel\\_alcine@yahoo.com](mailto:samuel_alcine@yahoo.com)  
**Subject:** WEB-36802  
**Date:** Tuesday, September 30, 2014 4:05:27 PM

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Dear Samuel,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 301 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,  
Dhanya

~~~~~  
Dhanya Purushothaman-Sandeep, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning and Development Department
220 Fayetteville Street, Suite 200
Raleigh NC 27601
Office: 919-996-2659
E-mail: dhanya.sandeep@raleighnc.gov
Website: www.raleighnc.gov/planning

From: rezoning@raleighnc.gov
To: samuel_alcine@yahoo.com
Subject: City of Raleigh Feedback Ref #36803
Date: Monday, September 29, 2014 7:04:31 PM

Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

Feedback Received September 29th 2014, 07:04 pm
Reference #: 36803
Location: 236 MARTIN LUTHER KING JR BLVD
Comment Type: Comment about Proposed Zoning District
Comment: Proposed changes should be NX - or Residential Mixed Use to support growth in the 2030 plan.

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: [Sandeep, Dhanya](#)
To: samuel_alcine@yahoo.com
Subject: WEB-36803
Date: Tuesday, September 30, 2014 4:08:17 PM

Dear Samuel,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 236 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
**Dhanya Purushothaman-Sandeep, AICP**  
**Urban Planner**  
**Raleigh Urban Design Center**  
**An Office of the Planning and Development Department**  
**220 Fayetteville Street, Suite 200**  
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**Office: 919-996-2659**  
**E-mail: [dhanya.sandeep@raleighnc.gov](mailto:dhanya.sandeep@raleighnc.gov)**  
**Website: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning)**

**From:** [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov)  
**To:** [samuel\\_alcine@yahoo.com](mailto:samuel_alcine@yahoo.com)  
**Subject:** City of Raleigh Feedback Ref #36807  
**Date:** Monday, September 29, 2014 9:46:45 PM

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Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

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Feedback Received September 29th 2014, 09:46 pm

Reference #: 36807

Location: 222 MARTIN LUTHER KING JR BLVD

Comment Type: Comment about Proposed Zoning District

Comment: NX should be the considered zoning and not R10. More opportunities for this land should be made available, not less. R10 decreases the options. NX supports the 2030 goals for South Park.

---

Thanks for your time,

**City of Raleigh Remapping Team**

Email: [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov)

Web: [www.RaleighUDO.us](http://www.RaleighUDO.us)

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

**From:** [Sandeep.Dhanya](mailto:Sandeep.Dhanya)  
**To:** [samuel\\_alcine@yahoo.com](mailto:samuel_alcine@yahoo.com)  
**Subject:** WEB-36807  
**Date:** Tuesday, September 30, 2014 4:30:22 PM

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Dear Samuel,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 222 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,  
Dhanya

~~~~~  
Dhanya Purushothaman-Sandeep, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning and Development Department
220 Fayetteville Street, Suite 200
Raleigh NC 27601
Office: 919-996-2659
E-mail: dhanya.sandeep@raleighnc.gov
Website: www.raleighnc.gov/planning

From: rezoning@raleighnc.gov
To: veronica.alcine@shiftclinical.com
Subject: City of Raleigh Feedback Ref #36818
Date: Monday, September 29, 2014 6:57:46 PM

Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

Feedback Received September 29th 2014, 06:57 pm

Reference #: 36818

Location: 301 MARTIN LUTHER KING JR BLVD

Comment Type: Comment about Proposed Zoning District

Comment: The proposed zoning should not move from reducing the density option on the land but should move towards providing opportunities for growth. This should be neighborhood mixed use as it is very close to downtown and flanked by so many opportunities. NX is the recommendation.

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: [Sandeep, Dhanya](mailto:Sandeep.Dhanya)
To: veronica.alcine@shiftclinical.com
Subject: WEB-36818
Date: Tuesday, September 30, 2014 4:09:37 PM

Dear Veronica,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 301 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
**Dhanya Purushothaman-Sandeep, AICP**  
**Urban Planner**  
**Raleigh Urban Design Center**  
**An Office of the Planning and Development Department**  
**220 Fayetteville Street, Suite 200**  
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**Office: 919-996-2659**  
**E-mail: [dhanya.sandeep@raleighnc.gov](mailto:dhanya.sandeep@raleighnc.gov)**  
**Website: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning)**

**From:** [Sandeep, Dhanya](#)  
**To:** [samuel\\_alcine@yahoo.com](mailto:samuel_alcine@yahoo.com)  
**Subject:** WEB-36821  
**Date:** Tuesday, September 30, 2014 4:30:58 PM

---

Dear Samuel,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 236 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,

Dhanya

~~~~~  
Dhanya Purushothaman-Sandeep, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning and Development Department
220 Fayetteville Street, Suite 200
Raleigh NC 27601
Office: 919-996-2659
E-mail: dhanya.sandeep@raleighnc.gov
Website: www.raleighnc.gov/planning

From: rezoning@raleighnc.gov
To: samuel_alcine@yahoo.com
Subject: City of Raleigh Feedback Ref #37124
Date: Monday, September 29, 2014 9:50:01 PM

Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

Feedback Received September 29th 2014, 09:50 pm

Reference #: 37124

Location: 212 MARTIN LUTHER KING JR BLVD

Comment Type: Comment about Proposed Zoning District

Comment: We propose the base zoning be changed on this lot to NX. This is a vacant lot, allowing much opportunity for small development, locally and resident led!

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: Sandeep.Dhanya
To: samuel_alcine@yahoo.com
Subject: WEB-37124
Date: Tuesday, September 30, 2014 4:13:37 PM

Dear Samuel,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 212 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,
Dhanya

~~~~~  
**Dhanya Purushothaman-Sandeep, AICP**  
**Urban Planner**  
**Raleigh Urban Design Center**  
**An Office of the Planning and Development Department**  
**220 Fayetteville Street, Suite 200**  
**Raleigh NC 27601**  
**Office: 919-996-2659**  
**E-mail: [dhanya.sandeep@raleighnc.gov](mailto:dhanya.sandeep@raleighnc.gov)**  
**Website: [www.raleighnc.gov/planning](http://www.raleighnc.gov/planning)**

**From:** [Sandeep\\_Dhanya](mailto:Sandeep_Dhanya)  
**To:** [lauchlandp@yahoo.com](mailto:lauchlandp@yahoo.com)  
**Subject:** WEB-37139  
**Date:** Tuesday, September 30, 2014 4:16:27 PM

---

Mr. Peters,

Thank you for your interest in the zoning remapping project and the submitted comments. Please note the following clarification for your question relating to property at 206 Martin Luther King Junior Blvd:

The subject property is currently zoned R-20 with the South Park Neighborhood Conservation Overlay District (NCOD) and the proposed zoning retains the built residential character with the proposed R-10 zoning and NCOD. The existing zoning does not allow commercial uses and the proposed zoning retains that intent. The NX zoning that you suggest will allow for commercial uses which will not be compatible to the existing character of the area protected by the NCOD which is predominantly residential use. Moreover, the future land use designates this property for moderate density residential.

Given this evaluation, staff does not recommend any change to the proposed zoning of this property. However, we will forward your comments to the Planning Commission for their consideration.

More information on the remapping project as the Planning Commission begins its review is available at [www.RaleighUDO.us](http://www.RaleighUDO.us). Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

If you have further questions on this, please do not hesitate to contact me.

Thanks,  
Dhanya

~~~~~  
Dhanya Purushothaman-Sandeep, AICP
Urban Planner
Raleigh Urban Design Center
An Office of the Planning and Development Department
220 Fayetteville Street, Suite 200
Raleigh NC 27601
Office: 919-996-2659
E-mail: dhanya.sandeep@raleighnc.gov
Website: www.raleighnc.gov/planning

ISABEL WORTHY MATTOX
Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014



Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601

Re: 540 N. Person St.
PIN# 1704815826

Dear Mr. Becker:

As counsel for Sampson Bladen Oil Co., Inc., owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is NX-3-SH, which does not provide the flexibility to permit the range of uses allowed now. The current use of the property, which is a convenience store with gas sales, correlates much more closely to CX than NX, as CX allows the full range of vehicle service and carwash uses which are typically found in conjunction with fuel sales. Moreover, in view of the changes to NX currently being considered by the City Council, it is even more imperative that this property be zoned CX rather than NX.

We also object to the imposition of the Shopfront limited frontage on this property. Frontages are imposed to create a street edge and to encourage pedestrian oriented development. The current use of the subject property is a vehicle based use with gas sales. The Frontage designation is problematic for 2 reasons: (1) it precludes vehicular surface areas between the building and public street which are necessary for gas sales and part of the current entitlement; and (2) it requires that a high percentage of building be located within the build-to area, which is difficult, given the relatively small building sizes used for convenience stores/service stations.

We request that you reconsider the proposed zoning and revise it to CX-3.

Mr. Dan Becker
September 29, 2014
Page 2

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely

Isabel Worthy Mattox

cc: Mr. Haddon Clark



From: [Ashkan H](#)
To: [Rezoning](#)
Subject: Rezoning for Hargett St Properties
Date: Sunday, July 13, 2014 11:57:47 PM

Hello,

My name is Ashkan Hosseini and my father and I started buying an assemblage of lots off of Hargett St beginning when I was in college in 2007. Our plan was always to do a nice multifamily development on the property since the majority of the land area sits isolated with poor access as is. During many instances, we chose these opportunities over other scattered opportunities because we felt that we could put together a multifamily project that both created quality housing and made economic sense based on the R20 zoning. It has recently been brought to our attention that as part of the rezoning overhaul that the City of Raleigh is going through that the zoning is currently set to be changed to R10 which would cut our density in half. I would kindly request that your team consider changing our zoning to RX-3 which would allow us to develop the properties in accordance with our initial intentions when we starting buying the assemblage of properties back in 2007.

The addresses and pins of all of the properties are:

715 E Hargett St (PIN: 1713086443)
711 E Hargett St (PIN: 1713086312)
709 E Hargett St (PIN: 1713085377)
107 Kirkman Ln (PIN: 1713085510)
103 Kirkman Ln (PIN: 1713084462)

These properties are currently poorly situated and subdivided. On the parcel of 107 Kirkman Ln is a duplex that only has access from Kirkman Ln which is a grandfathered in public street that is barely wide enough for one vehicle (10-12' wide roughly) but definitely not wide enough for a fire truck or other emergency vehicles. There is also another grandfathered in, build-able lot at 103 Kirkman Ln that used to have a home on it which is also serviced by Kirkman Ln.

On the other side of assemblage is another grandfathered in, non conforming, build-able lot at 715 E Hargett St which is a very deep lot and only has a driveway with total road frontage on a public street (E Hargett St) of 20'.

Currently across Hargett st from our properties at 224 Camden St is a City of Raleigh multifamily development that is currently zoned R20 and will be rezoned to RX-3. On the north border of our properties at 600 New Bern Ave is a 7 plus acre site that is zoned O&I-2 and will be rezoned to OX-3-GR (I believe this will be the new site for Exploris Elementary School). Additionally, 2 blocks west of our properties at 540 E Hargett St. is an empty lot that is currently zoned CUD O&I-2 and will be rezoned to RX-3-CU. Our properties have the same challenges as 540 E Hargett St in terms of shape and road frontage which makes other uses like a single family subdivision non feasible.

We believe the highest and best use for our lots would a zoning of RX-3 which would allow for a higher density than R-10 since the current R-20 zoning is a legacy zoning that is being eliminated. An RX-3 zoning is the closest zoning to the R-20 zoning that we currently have and would allow us to build an apartment complex or townhouses that are economically feasible. The height max for RX-3 and R-20 are

both 3 stories which unlike many of the multifamily high rise and medium rise buildings such as the Lincoln Apartment Complex (currently under construction down the street), keeps our cost structure lower and allows us to provide more affordable housing for working professionals in the area. In addition, we have a pre development conference on July 29th with the City of Raleigh staff to begin the development process and identify the best way to develop our property for multifamily. Please consider changing our zoning to RX-3 and please give me a call to discuss this at your earliest convenience.

Thank you for your time and consideration.

Ashkan Hosseini
(919) 413-1005



Michael Birch | Attorney
630 Davis Drive, Suite 200
Morrisville, NC 27560

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

September 30, 2014

Bynum Walter
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: 600 New Bern Ave. (1713-08-4852) and 17 S. Swain Street (1713-08-1714) (the
"Properties")

Dear Bynum:

On behalf of the owner of the Properties, we are submitting this letter in response to the City's proposed rezoning designation for the Properties.

The Properties are currently zoned Shopping Center and Office & Institution-2 with a Neighborhood Conservation Overlay District (New Bern/Edenton). The City is proposing to rezone the Properties to NX-3-GR and OX-3-GR with the Neighborhood Conservation Overlay District. Based on the following reasons, the owner is requesting that the Properties be rezoned CX-7-GR:

1. The Properties are designated "Neighborhood Mixed Use" on the Future Land Use Map, which supports a mix of uses including residential, office and retail. The Properties are targeted for mixed-use development by the Old East Raleigh Area Plan. The request for CX is consistent with this guidance because the CX district permits those uses encouraged by the Future Land Use Map and Old East Raleigh Area Plan designations. Also, the CX district permits a hotel use, which is permitted on the Properties under current zoning.
2. The Properties front along New Bern Avenue, which is a corridor targeted for high frequency bus transit. The Comprehensive Plan supports building height in excess of three stories for properties designated Neighborhood Mixed Use and located within a core/transit area. This guidance, taken together with the current height permitted by the underlying zoning districts, supports up to seven stories in height on the Properties.
3. The Properties' underlying districts of SC and O&I-2 permits buildings to be constructed to any height with approval of a preliminary site plan by Planning Commission. Additionally, the Properties total nearly 7.75 acres and provide significant depth as measured from New Bern Avenue to the rear of the Properties, all of which allows the Properties to accommodate taller buildings that are compatible with the surrounding uses and structures.

4. The Properties front along New Bern Avenue, the major thoroughfare heading east out of downtown, connecting downtown and the major employment area around the WakeMed campus. These Properties represent a unique, high-visibility redevelopment opportunity that could serve as an anchor of activity in East Raleigh and promote reinvestment and the redevelopment of strip shopping centers east along New Bern Avenue.

Please feel free to call me should you have any questions or comments.

Sincerely,



Michael Birch

Z-10-88 Jones Sausage Road, at its southeast intersection with Auburn Church Road, being Parcel 4 and a portion of Parcel 3, Tax Map 659, rezoned to Industrial-I Conditional Use, according to map on file in the Planning Department.

Conditions:

1. Uses and/or maximum number of dwellings or rooming units to be allowed: N/A
2. Application will not be made to the Board of Adjustment in accordance with Section 10-2046(b)(1) for a storage yard for unlicensed, uninspected, wrecked, dismantled or partially dismantled automotive vehicles.
3. The reimbursement value of the additional R.O.W. along Jones Sausage Road and Auburn Church Road shall remain at values prior to rezoning.
4. There will be no billboards on subject property.

ORDINANCE (1997) 247 ZC 425
Effective: December 2, 1997

GEN-0451
PC Agenda Item 94

Z-116-97 Jones Sausage Road and Interstate-40, southeastern quadrant, extending through to Auburn Church Road, being Tax Maps 1721.07 58 7313 and 1721.10 47 1380. Approximately 91 acres rezoned to Industrial-1 Conditional Use and Special Highway Overlay District-2.

Conditions: 11/24/97

1. Application will not be made to the Board of Adjustment pursuant to section 10-2046 (b) (1) for a storage yard for unlicensed, uninspected, wrecked, dismantled or partially dismantled automotive vehicles.
2. Any development of the property will comply with the provisions of Certified Recommendation 7107 of the City of Raleigh Planning Commission.
3. The reimbursement value of the additional R.O.W. along Jones Sausage Road and Auburn Church Road shall remain at Residential-4 values.
4. Any development of the property will include a fifty (50') foot wide protective yard along I-40, which will be planted as a SHOD-I area.

Z-44-00 Jones Sausage Road, and I-440, northeast intersection, both sides of Integrity Drive, being several Wake County Tax maps (on file in the Planning Department). Approximately 21.44 acres rezoned to Industrial-1 Conditional Use and Special Highway Overlay District-2.

Conditions: (03/29/00)

1. Application will not be made to the Board of Adjustment in accordance with Section 10-2046 (b)(1) for a storage yard for unlicensed, uninspected, wrecked, dismantled or partially dismantled vehicles.
2. The storm drainage systems should be designed such that the post-development discharge is released at a rate (cfs) equal to or less than the rate expected if the site were zoned Residential-4 (1/2 acre lots). This guideline should be met for two and ten year frequency storms.
3. The maximum building height will be 5 stories.
4. The 50' SHOD yard and all the landscaping requirements will stay the same as in SHOD-1.
5. The reimbursement value of the additional right-of-way for the future widening of Jones Sausage Road shall remain at values prior to rezoning from R-4.

ORDINANCE (1997) 227 ZC 423
Effective: November 5, 1997

PC-0013
PC Agenda Item 99

Z-72-97 Sunnybrook Road and Middle Branch Road, southeast intersection, being Tax Map Parcel 1723.14 43 1297. Approximately 7.2 acres rezoned to Industrial-1 Conditional Use.

Conditions: (10-16-97)

A. Limitation uses disallowed:

1. automotive service and repair facility
2. bar, nightclub, tavern and lounge
3. bulk products
4. landfill
5. rifle range
6. billboards
7. emergency shelters A & B
8. adult establishments
9. outdoor storage of wrecked or dismantled automotive vehicles
10. right-of-way reimbursement values will remain at R-10 values
11. compliance with Planning Commission Certified Recommendation 7107 regarding stormwater runoff

Z-50-08 – Conditional Use, Falstaff Road – located on the southeast quadrant of the intersection of Falstaff Drive and Luther Road, extending south to Kidd Road being, various Wake County PIN(s). Approximately 18.46 acres to be rezoned to Office and Institution -2 Conditional Use District.

Conditions Dated: 01-28-08

Narrative of conditions being requested:

As used herein, the “Property” refers to all of those certain tracts or parcels of land containing an aggregate of approximately 18.46 acres located at the southeastern quadrant of the intersection of Luther Road and Falstaff Road, and having Wake County PINs 1723-19-4205 (lot 2 as shown in Book of Maps 1989, Page 728), 1723-19-6662 (lot 12, BM 1989, PG 728), 1723-19-8650 (lot 100, BM 1989, PG 728), 1723-19-7363 (lot 101, BM 1989, PG 728), 1723-18-9891 (lot 102, BM 1992, PG 34), 1723-29-0362 (lot 103, BM 1989, PG 728), 1723-29-0574 (lot 104, BM 1989, PG 728), 1723-19-5472 (lot 11, BM 1989, PG 728).

(a) The following uses shall be prohibited upon the Property:

- Cemetery
- Utility services and substation
- Airfield landing strip and heliport
- Manufacturing — specialized
- Fraternity house
- Sorority house
- Funeral parlor

(b) Reimbursement for any required right-of-way dedication for the three parcels fronting Luther Road, with Wake County PINs 1723-19-6662 (lot 12, BM 1989, PG 728), 1723-19-5472 (lot 11, BM 1989, PG 728), 1723-19-4205 (lot 2, BM 1989, PG 728), shall be at the current R-6 rate. Reimbursement for any required right-of-way dedication for the remaining five parcels, with Wake County PINs 1723-19-8650 (lot 100, BM 1989, PG 728), 1723-29-0574 (lot 104, BM 1989, PG 728), 1723-19-7363 (lot 101, BM 1989, PG 728), 1723-29-0362 (lot 103, BM 1989, PG 728), 1723-18-9891 (lot 102, BM 1992, PG 34), shall be at the current O&l-1 rate.

(c) Prior to subdivision approval or the issuance of any building permit, whichever shall first occur, the owner of the Property shall deed to the City two transit easements measuring twenty (20) feet long adjacent to the right-of-way by fifteen (15) feet wide to support bus stops for future bi-directional transit services in the area. The locations of the transit easements shall be approved by the Transit

Ordinance: 534 ZC 631
Effective: February 3, 2009

Division of the City, and the City Attorney or his Associate shall approve the transit easements deed prior to recordation.

(d) The maximum height for any building, including any parking structure, constructed upon the Property shall be the lesser of ninety-five (95) feet or five (5) stories in height, as determined pursuant to Section 10-2076 of the Raleigh City Code.

(e) The existing exterior of the Clarence Poe House shall be maintained using building materials that are compatible with the existing façade treatment, including but not limited to wood and masonry. In the event of the Clarence Poe House is damaged or partially destroyed as a result of: the exercise of eminent domain; man-made acts, such as riot, fire, accident, explosion; or flood, lightning, wind, or other calamity or natural act, the owner shall be obligated to rebuild and/or reconstruct the Clarence Poe House only in the event that the cost of rebuilding, reconstructing or restoring the house is less than fifty (50) per cent of the tax value of the house. No vinyl siding shall be used on the Clarence Poe House, or any addition attached thereto. Any addition attached to the Clarence Poe House shall use building materials that are compatible with the existing façade treatment, including but not limited to wood and masonry. Subject to the foregoing, the existing +/- 5,000 square foot Clarence Poe House shall not be torn down.

(f) Any freestanding addition, to be used in conjunction with the Clarence Poe House or with uses located within the Clarence Poe House, will be compatible in scale and mass, utilizing forms, materials, and fenestration patterns appropriate as part of the Poe House compound.

(g) Except for any freestanding addition to be used in conjunction with the Clarence Poe House or with uses located on the Property within the Clarence Poe House (as described in Condition (f)), there shall be no buildings located within thirty (30) feet of the Clarence Poe House.

(h) Any renovations, additions, or other physical changes to the exterior of the Clarence Poe House, as well as any removal of trees greater than 10 caliper inches and located within 35 feet of the Clarence Poe House shall be presented to the Raleigh Appearance Commission and Raleigh Historic Districts Commission for advisory comments. Further, any site plan or plot plan involving renovations, additions, or other physical changes to the exterior of the Clarence Poe House shall be presented to the Raleigh Planning Commission for approval, unless the City Code requires approval by the Raleigh City Council.

(i) Any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, with Wake County PINs 1723-19-6662 (lot 12, BM 1989, PG 728), 1723-19-5472 (lot 11, BM 1989, PG 728), 1723-19-4205 (lot 2, SM 1989, PG 728), shall have a minimum roof pitch of 4:12.

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(j) The exterior façade of any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, as described above in condition (h) shall be constructed using a minimum of eighty percent (80%) brick or masonry materials, excluding the area of windows and door openings. The combined area of front windows and doors shall represent no less than fifteen percent (15%) and no greater than sixty percent (60%) of the front façade of any building containing an office use constructed on the three (3) parcels of the Property with frontage along Luther Road, as described above in condition (i).

(k) There shall be a minimum building setback from the existing fifty (50) foot right-of-way of Luther Road of one hundred and twenty (120) feet. The maximum height for any building located within one hundred and fifty (150) feet of the existing fifty (50) foot right-of-way of Luther Road shall be the lesser of thirty-eight (38) feet or two (2) stories, as determined pursuant to Section 10-2076 of the Raleigh City Code.

(l) Any access to the Property from Luther Road shall be limited to serve structures located on the three (3) parcels of the Property with frontage along Luther Road, as described above in condition (i), and vehicular access to or from the balance of the Property shall be prohibited.

(m) Those portions of the Property abutting Luther Road shall exceed the opacity requirements of Section 10-2082.6(b) (1) (street yard vehicular surface plantings, density) by at least five percent (5%).

Z-61-01 Jones Sausage Road, west side, north side of Auburn Church Road, being Wake County PIN's 1722.19-51-0333, 1722.19-51-0256, 1722.19-51-1064, 1722.19-51-1113, 1722.19-51-0280 and a portion of 1722.19-51-1975. Approximately 7.31 acres rezoned Shopping Center Conditional Use.

Conditions dated: (11/06/01)

1. All development shall comply with C.R. 7107.
2. Reimbursement for future right-of-way dedications shall be based upon the pre-existing zoning - R-4 and MH.
3. The following uses, otherwise permitted, shall be prohibited in the SC district:
 - (i) Emergency Shelter Type A and Emergency Shelter Type B;
 - (ii) Cemetery;
 - (iii) Landfill (debris from on-site);
 - (iv) Adult establishment;
 - (v) Airfield, landing strip, heliport;
 - (vi) Riding stable;
 - (vii) Bar, nightclub, tavern, lounge;
 - (viii) Single-family detached dwelling unit; and
 - (ix) Group housing development, congregate care structure or congregate living structure, multi-family dwelling development, townhouse development, and any other dwelling and equivalent dwelling unit.
4. All refuse containers, mechanical/maintenance facilities and HVAC units shall be screened such that they are not visible from any public streets, rights-of-way or residential zoning districts.
5. Exterior lighting, including wall pack fixtures, shall be aimed downward and shielded so as to prevent direct view of the light source by neighboring properties zoned for residential use.
6. A 40 foot wide natural protective yard shall be maintained adjacent to residentially zoned property.
7. No more than one curb cut shall be permitted from this property onto Jones Sausage Road.
8. Prior to or concurrent with site plan approval or subdivision whichever shall first occur, the property owner shall coordinate with the Raleigh Department of Transportation to conduct a traffic study about the intersection of Auburn Church and Jones Sausage Roads. Property owner shall bear the full cost of the traffic study, or his pro rata share if the Department of Transportation decides to participate in the study.

9. If required, by the Raleigh Department of Transportation, the property owner shall reimburse the City the cost of upgrading the traffic signal at Auburn Church and Jones Sausage Roads to accommodate a four way intersection at the time of site plan approval.
10. A public street or private drive shall provide access into the site from Rockhurst Drive. Such public street or private drive shall have sidewalk on at least one side.
11. At the time of site plan approval or subdivision whichever shall first occur, unity of development criteria and unity of signage criteria shall be developed for this site. The unity of development criteria shall specify a consistent building material to be used on all four sides of a building.
12. Ground signs shall be limited to low profile designs.
13. At the time of site plan approval or subdivision whichever shall first occur, the property owner shall make available to the City an easement for a transit stop measuring 15 feet by 20 feet at a mutually agreeable location along Jones Sausage Road.
14. Cross-access will be provided between this site and property to the north owned by Parrish Manor, Inc. and known by Wake County PIN number 1722.19 51 1975 and Property to the south owned by Christopher Parrish and known by Wake County PIN number 1722.19 50 2933. Such cross-access shall be provided at site plan or subdivision approval, whichever shall first occur.
15. No drive-thru window or car wash shall be located within 150 of the property line of this tract when adjacent to property zoned for a residential use.

Z-45-90 Hargett Street, south side, between East Street and Swain Street beside the YWCA, being Parcels 16, 54-68, Tax Map 552, Zone Map B-1, Block B-2, rezoned to Office and Institution-2 Conditional Use.

Conditions:

The petitioner requests that:

- 1) There be no increase in the current density of R-30 permitted.
- 2) That NO MOTELS nor HOTELS be allowed under the new zoning request.
- 3) All buildings on the property shall be constructed with an exterior consisting of at least ten (10) percent brick and the remainder of vinyl. The roof of each building shall have a pitch of 4:12 or steeper. Windows will be double hung and consist of a minimum of fifteen (15) percent, and a maximum of thirty (30) percent of any elevation facing a street, with no window larger than 20 square feet.

*There will be no more than 40 units on this property"