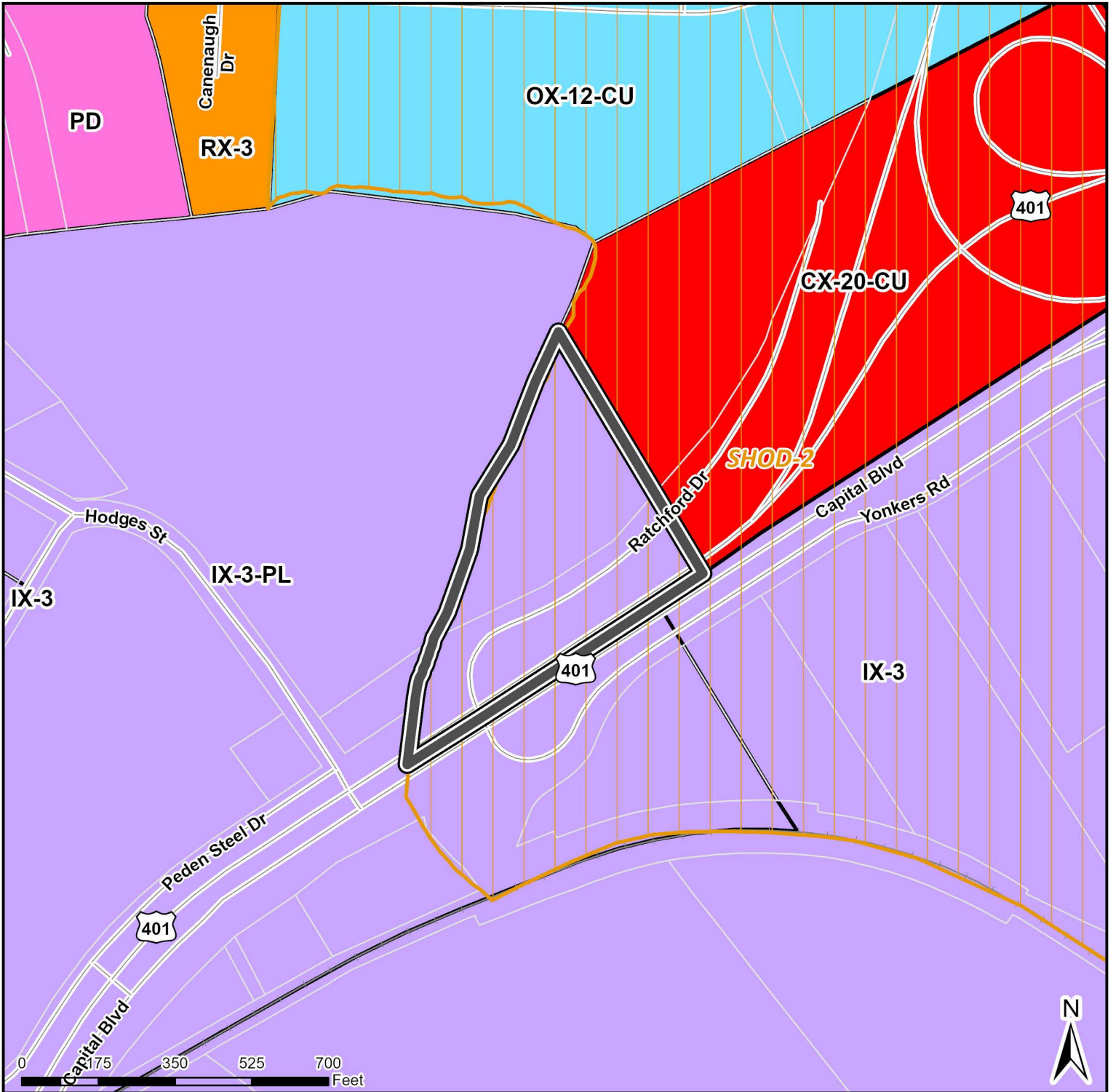
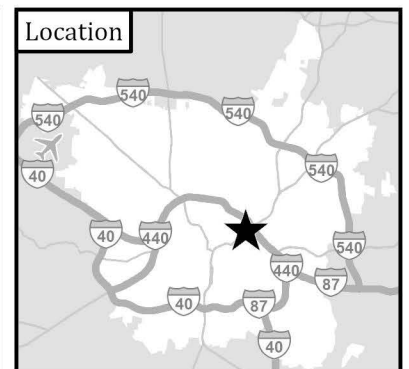


Existing Zoning

Z-8-2023



Property	2499 Ratchford Dr
Size	3.49 acres
Existing Zoning	IX-3 w/SHOD-2
Requested Zoning	CX-20-CU



Rezoning Application and Checklist

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Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 18 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	General Use	Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: IX	Height: 3	Frontage: None	Overlay(s): SHOD-2	
Proposed zoning base district: CX	Height: 20	Frontage: None	Overlay(s): None	
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 2499 Ratchford Drive		
Property PIN: 1715504986		
Deed reference (book/page): 19250/1660		
Nearest intersection: Ratchford Drive & Capital Boulevard		Property size (acres): 3.49 ac
For planned development applications only	Total units: N/A	Total square footage: N/A
	Total parcels: N/A	Total buildings: N/A
Property owner name and address: 2499 Ratchford Drive LP		
Property owner email:		
Property owner phone:		
Applicant name and address: Michael Birch, Longleaf Law Partners		
Applicant email: mbirch@longleaflp.com		
Applicant phone: 919-645-4317		
Applicant signature(s): <i>Michael Birch for Michael Birch</i>		
Additional email(s):		

RECEIVED
 MAR 23 2023
 BY: *[Signature]*

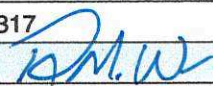



Rezoning Application and Checklist

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Rezoning Request				
Rezoning Type	General Use	Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: IX	Height: 3	Frontage: None		Overlay(s): SHOD-2
Proposed zoning base district: CX	Height: 20	Frontage: None		Overlay(s): None
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

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For planned development applications only	Total units: N/A		Total square footage: N/A
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Property owner name and address: 2499 Ratchford Drive LP			
Property owner email:			
Property owner phone:			
Applicant name and address: Michael Birch, Longleaf Law Partners			
Applicant email: mbirch@longleaflp.com			
Applicant phone: 919-645-4317			
Applicant signature(s): 			
Additional email(s):			

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MAR 23 2023
BY: 


Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	Office Use Only Rezoning case #
Existing zoning:	Proposed zoning:	

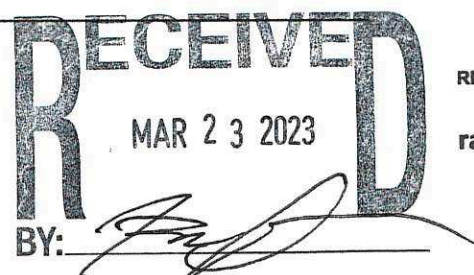
Narrative of Zoning Conditions Offered

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the CX district shall be prohibited: (i) Adult establishment; (ii) Detention center, jail, prison.
2. There shall be at least one outdoor amenity area on the property that is located contiguous to the right of way of Ratchford Drive, or the City greenway easement. This outdoor amenity area shall be at least 1,000 square feet in area. This area shall contain at least one of the following: benches, eating areas, active recreation areas, or public art.
3. For purposes of obtaining building permits, the property shall be restricted to and shall not exceed the total 423 AM Peak Hour and 423 PM Peak Hour trips, as determined by the ITE Trip Generation Manual, 11th Edition, that were allocated to 2501 Ratchford Drive (DB 18771/PG 2079) through Zoning Case No. Z-10-22. The property shall only be entitled to use that portion of total trips that are allocated to it by the owner of 2501 Ratchford Drive through a written Declaration of Trip Allocation, which shall be approved by the City, and which shall be recorded in the Wake County Registry.
4. The following conditions shall apply only to development qualifying as a Tier 3 site plan:
 - 4.A. There shall be a build-to range along Ratchford Drive, measuring zero feet (0') to fifty feet (50') from the right-of-way of Ratchford Drive. At least fifty percent (50%) of the lot width shall be occupied by building façade within this build-to range. The method of calculating the build-to and the permitted reductions of the build-to percentage set forth in UDO section 1.5.6.C. apply to the build-to standards in this condition.
 - 4.B. Except as provided in this condition, there shall be no surface parking within 50 feet of the Ratchford Drive right-of-way. Surface parking permitted within 50 feet of the Ratchford Drive right-of-way shall only be used for the following purposes: handicap, drop-off/pick-up, new resident parking, and ride share parking. The number of surface parking spaces permitted within 50 feet of the Ratchford Drive right-of-way shall be limited to a maximum of 20 spaces per occupied building.
 - 4.C. For each occupied building (not including parking structures) located within 100 feet of the Ratchford Drive right-of-way, at least one building entrance facing Ratchford Drive shall be provided. A building entrance that is located within 150 feet from the Ratchford Drive right-of-way and on a building facade that is oriented less than 90 degrees relative to the Ratchford Drive right-of-way shall be considered "street-facing" for the purpose of this condition.
 - 4.D. Each occupied building (not including parking structures) located within 100 feet of the Ratchford Drive right-of-way shall have at least one pedestrian connection between the building and the sidewalk within the right-of-way of Ratchford Drive that does not traverse a surface parking area or drive aisle.
5. If there is no bikeshare station located on 2501 Ratchford Drive (DB 18771/PG 2079) at the time 2499 Ratchford Drive applies for a building permit, then 2499 Ratchford Drive shall provide for a mutually acceptable location on the 2499 Ratchford Drive property and/or adjacent right-of-way to accommodate a City bikeshare station. The property owner shall provide a station of no fewer than 10 docks, electric-assist bikes to accommodate 1 bike per every 1.6 docks, and installation of all necessary equipment for a functional bikeshare station, prior to issuance of a certificate of occupancy for the building closest to the proposed bikeshare station. The "mutually acceptable location" for the bikeshare station shall be determined by the property owner and the City.

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

Property Owner(s) Signature: 

Printed Name(s): Roy M. Warren



Urban Design Guidelines Addendum

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Urban Design Guidelines	
<p>The Applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:</p> <ul style="list-style-type: none"> a) The property to be rezoned is within a "City Growth Center", "Mixed-Use Center", or "Transit Station Areas", OR; b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan. <p>Policy UD 7.3: The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.</p>	
<p>Urban Form Designation: Click here to view the Urban Form map.</p>	
1	<p>All mixed-use developments should generally provide retail (such as eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian-friendly form.</p> <p>Response:</p>
2	<p>Within all mixed-use areas, buildings that are adjacent to lower density neighborhoods should transition (height, design, distance, and/or landscaping) to the lower heights or be comparable in height and massing.</p> <p>Response:</p>
3	<p>A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major street. Preferred and discouraged street networks.</p> <p>Response:</p>
4	<p>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Street Plan. Streets should connect adjacent developments.</p> <p>Response:</p>

5	<p>New development should be composed of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</p> <p>Response:</p>
6	<p>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</p> <p>Response:</p>
7	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p>Response:</p>
8	<p>If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.</p> <p>Response:</p>
9	<p>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p>Response:</p>
10	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p>Response:</p>
11	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p>Response:</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor “room” that is comfortable to users.</p> <p>Response:</p>

13	<p>New public spaces should provide seating opportunities.</p> <p>Response:</p>
14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Response:</p>
15	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p>Response:</p>
16	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure, but, given their utilitarian elements, can have serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would. Care in the use of basic design elements can make a significant improvement.</p> <p>Response:</p>
17	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p>Response:</p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response:</p>
19	<p>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</p> <p>Response:</p>
20	<p>All development should incorporate high-quality, productive landscapes that serve multiple functions. Such functions include noise mitigation and absorption; capturing and cleaning of particulate matter; collection and filtering of stormwater; and reduction of the urban heat island effect. Strategies include green walls, trellises, carefully planted trees, green infrastructure, and green roofs.</p> <p>Response:</p>

21	<p>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the city and should be scaled for pedestrians.</p> <p>Response:</p>
22	<p>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and other areas where walkability is a focus should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising, and outdoor seating.</p> <p>Response:</p>
23	<p>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree canopy, which shadows both the street and sidewalk and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 ¼" caliper and should be consistent with the city's landscaping, lighting, and street sight distance requirements.</p> <p>Response:</p>
24	<p>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</p> <p>Response:</p>
25	<p>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.</p> <p>Response:</p>
26	<p>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows, entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</p> <p>Response:</p>
27	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response:</p>

Downtown Urban Design Guidelines

The Applicant must respond to the Downtown Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

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

1	<p>Fayetteville Street should be free of service elements, including loading docks, mechanical equipment, and driveways.</p> <p>Response:</p>
2	<p>Loading or service entrances should be embedded within the block where possible. If embedding the loading dock is not possible, the loading dock should be located to the side or rear of a building. The width should be minimized and doors or gates should shield the loading docks from view. Roll-down gates should be decorative if facing the public realm.</p> <p>Response:</p>
3	<p>Surface and structured parking should be landscaped, emphasizing interior tree canopies in surface lots, formal borders, and street trees to reinforce the streetwall.</p> <p>Response:</p>
4	<p>Mechanical equipment, satellite or microwave dishes, elevator penthouses, and other utilitarian equipment should be screened from view by a structure that complements the design of the building through the use of similar materials, colors, finishes, and architectural details. Views from buildings above should also be considered when designing rooftop mechanical equipment.</p> <p>Response:</p>
5	<p>The widths of all curb cuts at parking deck entrances should be minimized. Design techniques should be used (such as lane splits within the deck to encourage consolidated single exit or entrance lanes at the street side, and/or columns between lanes to reduce the perceived size of the openings), while maintaining adequate ingress and egress capacity to provide efficient operations and meet air quality conformity.</p> <p>Response:</p>
6	<p>Building entries should be emphasized with architectural features, changes in roofline, different massing, or unique materials.</p> <p>Response:</p>

7	<p>The primary pedestrian building entrances should be located along the store front. For buildings that front on three streets, the primary pedestrian entrances should be located on the axial street or the corner if the building is located at an intersection.</p> <p>Response:</p>
8	<p>Building entries should be at grade.</p> <p>Response:</p>
9	<p>The level of architectural detail should be most intense at street level, within view of pedestrians on the sidewalk.</p> <p>Response:</p>
10	<p>The use of solid roll-down security gates is discouraged.</p> <p>Response:</p>
11	<p>Façades should be broken into distinct 20-30 foot modules or bays from side to side to prevent a monolithic edge to the street.</p> <p>Response:</p>
12	<p>Large unarticulated walls are discouraged and should have a window or functional public access at least every 10 feet.</p> <p>Response:</p>
13	<p>The articulation of the façade should be designed to appear more vertical than horizontal.</p> <p>Response:</p>
14	<p>Entries that provide access to a building's upper floors should be located along a street to promote street life. They should be designed as separate entries and distinguished from ground level spaces with different architectural details, materials, colors, lighting, signage, and/or paving so that it is clear which entries are public and which are private.</p> <p>Response:</p>
15	<p>Recessed entries are encouraged. They should be no wider than one-third of the width of the storefront or 20 feet, whichever is less. Recessed entries should be a minimum of 4 feet deep, except where necessary to meet fire code.</p> <p>Response:</p>

16	<p>A minimum of 2/3 of the first story façade should be windows. Of the total amount of glass on the first-floor façade, a minimum of 85 percent must be transparent. Tinted or reflective glass is discouraged. First-story windows should be located a maximum of three (3) feet above the adjacent sidewalk.</p> <p>Response:</p>
17	<p>Windows should be used to display products and services and maximize visibility into storefronts. Windows should not be obscured with elements that prevent pedestrians from seeing inside.</p> <p>Response:</p>
18	<p>The first-story, floor-to-floor height of any new building on Fayetteville Street should be a minimum of twenty (20) feet.</p> <p>Response:</p>
19	<p>If ceilings must be lowered below the height of ground level windows, provide an interior, full-height, three (3) foot minimum deep space immediately adjacent to the window before the drop in the ceiling.</p> <p>Response:</p>
20	<p>The use of deep awnings and canopies on the first story is recommended to help mitigate wind, reduce glare, and shade ground level spaces.</p> <p>Response:</p>
21	<p>Arcades, colonnades, and galleries are discouraged within the public right-of-way.</p> <p>Response:</p>
22	<p>Stairs and stoops in the public right-of-way are discouraged along Fayetteville Street in order to make entries more accessible.</p> <p>Response:</p>
23	<p>An outdoor ground plane that abuts or is adjacent to the public right-of-way should be paved with terrazzo, concrete pavers, concrete, stone, brick, tile, or another high-quality hardscape material. Asphalt and loose paving materials such as gravel are discouraged. The paving design and materials should complement the building or storefront architecture.</p> <p>Response:</p>

24	<p>In larger courtyard style spaces visible from the public right-of-way, use groundcovers, shrubs, and flowers to accent and fill blank areas with interest. Minimize the use of bare mulch and rocks. Areas of bare earth are discouraged.</p> <p>Response:</p>
25	<p>Walls of buildings should parallel the orientation of the street grid.</p> <p>Response:</p>
26	<p>Towers or high-rise buildings should have three zones: a streetwall or base zone, a tower transition zone, and a tower top zone. Cornices should be considered to separate base zone from tower transition zone.</p> <p>Response:</p>
27	<p>Distance between towers on different blocks should be a minimum of 100 feet to ensure access to light and air.</p> <p>Response:</p>
28	<p>Public art, performance facilities, and/or civic monuments should be an integral part of any building plan.</p> <p>Response:</p>
29	<p>Fences, railings, and walls are discouraged except to screen surface parking lots and unimproved lots, to protect pedestrians from grade changes, and to delineate a private courtyard. Fences are preferred over walls except where designed to hold grade.</p> <p>Response:</p>
30	<p>Fences should be a minimum of 36 inches and a maximum of 42 inches tall and a minimum of 70 percent open. Railings should be 42 inches tall. Solid walls should be a minimum of 18 inches and a maximum of 32 inches tall.</p> <p>Response:</p>
31	<p>Fences, railings, and walls should be designed to complement the adjacent architecture through the use of similar materials, colors, finishes, and architectural details.</p> <p>Response:</p>

32	Designs should be contextual to adjacent buildings, including their cornice lines and horizontal banding.
	Response:
33	Innovative design and unusual lighting of the exterior of the building is important to emphasize the monumentality of government buildings.
	Response:
34	The principal building entrance should be easily identified by building features and landscape elements; additional public entrances should be provided at every street face.
	Response:
35	Building materials should be of stone, brick, or similar durable, high quality materials. Building form, articulation, and materials should respect and be sympathetic to the major governmental and institutional buildings in the area.
	Response:
36	Preferred materials (other than glass) include metal, brick, stone, concrete, plaster, and wood trim; discouraged materials include vinyl siding, pressed wood siding, and exterior insulated finishing systems (EIFS).
	Response:
37	Materials covering original architectural features of historic or architecturally significant buildings are discouraged.
	Response:
38	A minimum of 35 percent of each upper story should be windows.
	Response:
39	Building corners that face an intersection should strive for a distinctive form and high level of articulation.
	Response:
40	Buildings may step back further at intersections in order to articulate the corners.
	Response:

41	<p>Buildings downtown and in Pedestrian Business Overlays should have stepbacks and articulated facades to mitigate wind effects and increase light and air. Buildings should step back 10 to 15 feet at the 60-foot point above the ground on a wide street and 15 feet on a narrow street. A wide street is 75 feet in width or more.</p> <p>Response:</p>
42	<p>Flat roof buildings should have decorative parapets with elements, such as detailed cornices, corbeling, applied medallions, or other similar architectural treatments.</p> <p>Response:</p>
43	<p>Signage should be compatible in scale, style, and composition with the building or storefront design as a whole.</p> <p>Response:</p>
44	<p>Diverse graphic solutions are encouraged to help create the sense of uniqueness and discovery found in an urban, mixed-use environment.</p> <p>Response:</p>
45	<p>All mechanical and electrical mechanisms should be concealed.</p> <p>Response:</p>
46	<p>Signs should not obscure a building's important architectural features, particularly in the case of historic buildings.</p> <p>Response:</p>
47	<p>Signs should be constructed with durable materials and quality manufacturing.</p> <p>Response:</p>
48	<p>Sign bands above transom and on awnings are preferred signage locations.</p> <p>Response:</p>
49	<p>Only the business name, street address, building name, and logo should be on an awning or canopy. The lettering should not exceed 40 percent of the awning area.</p> <p>Response:</p>

50	<p>Illuminated signs should avoid the colors red, yellow, and green when adjacent to a signal controlled vehicular intersection.</p> <p>Response:</p>
51	<p>Allowed sign types: channel letter signs, silhouette signs (reverse channel), individualized letter signs, projecting signs, canopy/marquee signs, logo signs, awning signs, and interior window signs.</p> <p>Response:</p>
52	<p>Discouraged sign types: signs constructed of paper, cardboard, styrofoam-type materials, formed plastic, injected molded plastic, or other such materials that do not provide a sense of permanence or quality; signs attached with suction cups or tape; signs constructed of luminous vacuum-formed plastic letters; signs with smoke-emitting components. Changeable copy signs are prohibited.</p> <p>Response:</p>

Rezoning Application Addendum #1

Comprehensive Plan Analysis

**Office Use Only
Rezoning case #**

The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.

Statement of Consistency

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. The property is designated Higher Scale Residential on the Future Land Use Map, which encourages the apartment use. However, the property is currently zoned Industrial Mixed-Use and has been used for a vehicle sales use for nearly fifty years. The historical zoning and use of the property is more aligned with a Business & Commercial Services or Community Mixed Use designation, which are two classifications predominant in the surrounding area. Although the request for the CX district is partially inconsistent with the HSR guidance because the CX district permits non-residential principal uses, the CX district permits higher scale residential uses, is compatible with the zoning and uses on nearby property, and permits uses that are appropriate given the property's location in a City Growth Center, along a Transit Emphasis Corridor, and proximate to a planned BRT station, Downtown and an interchange.
2. The property is within a City Growth Center, along a Transit Emphasis Corridor, and just outside the one-half mile radius of a planned transit station. It is important to note that nearly 20% of the one-half mile area around the planned BRT station is within the floodplain and cannot be developed (this does not include any property already developed within the floodplain), so transit-supportive density and height is appropriate just outside the one-half mile radius. The City Growth Center designation encourages significant redevelopment, and the Transit Emphasis Corridor designation encourages higher density development given the frequent bus transit planned along Capital Boulevard. Additionally, these two designations recommend a hybrid approach to frontage, based on context and site constraints. The proposed conditions are consistent with this hybrid frontage guidance, and the height and density permitted by the rezoning request are consistent with the Urban Form Map guidance.
3. The property fronts along Ratchford Drive. As a result, the property does not front along Interstate-440, so the Parkway Corridor guidance is not applicable to the property. Additionally, the removal of the SHOD-2 is consistent with the applicable Urban Form Map policy guidance.
4. Based on the property's Higher Scale Residential classification and its location within a Core/Transit Area (within the core of a City Growth Center, along a route programmed for frequent bus transit), the recommended height in Table LU-2 is 12 stories. But, the property is located just outside the one-half mile radius of an Emerging Urban Center, and is suitable for transit-supportive density given its location outside of the floodplain (unlike much of the property within the transit radius) and the lack of nearby low or moderate residential uses. The site is separated from nearby development by environmental features (Crabtree Creek and a tributary) and significant transportation facilities (Capital Blvd & I-440), so any compatibility concerns or potential impacts of greater building height are mitigated. Even if the future BRT station is shifted to Atlantic Avenue, the property will have a bike/pedestrian connection to the station area via the Crabtree Creek Greenway. The Comprehensive Plan acknowledges that building height of up to 20 stories is appropriate in larger, commercially-oriented centers, and the property is located proximate to such a center. If the property were designated Community Mixed Use (with which the current zoning and use is more aligned, and which nearby properties are designated), and given the property's proximity and connectivity to an Emerging Urban Center (whether the BRT route is along Capital Boulevard or Atlantic Avenue), the request for 20 stories is consistent with the Comprehensive Plan's height guidance.
5. The property is located within the boundaries of the Capital Boulevard Area Plan, although the plan does not include any property-specific guidance. However, the rezoning request is consistent with the following area plan policies: AP-CB 2 and AP-CB 5.
6. The rezoning request is consistent with the following Comprehensive Plan policies: LU 2.2, LU 4.5, LU 4.7, LU 4.10, LU 5.1, LU 6.1, LU 6.2, LU 7.1, LU 7.4, LU 7.6, T 1.3, T 1.4, T 2.3, EP 4.2, ED 1.1, ED 1.2, ED 1.3, Map ED-1, and H 1.8.

Public Benefits

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

1. The request is reasonable and in the public interest because it will facilitate redevelopment of the property from an auto-oriented use to uses and densities that can take advantage of the site's access to transit and the greenway system.
2. The request is reasonable and in the public interest because it will facilitate redevelopment of property located at a prominent gateway into the City's urban core.
3. The request is reasonable and in the public interest because it promotes growth proximate to major transportation facilitates that can be accessed without impacting neighborhood streets.
4. The request is reasonable and in the public interest because it permits an increase in housing supply.

Rezoning Application Addendum #2

Impact on Historic Resources

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

Office Use Only
Rezoning case #

Inventory of Historic Resources

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

There are no historic resources located on the property.

Public Mitigation

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

Not applicable.

Design Guidelines

The Applicant must respond to the **Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center", "Mixed-Use Center", or "Transit Station Areas", OR;
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy UD 7.3:

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The Applicant must respond to the **Downtown Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

Please [click here](#) to download the Design Guidelines Addendum if required.

Urban Form Designation: City Growth Center and Frequent Transit Area | [Click here](#) to view the Urban Form map.

Please continue to the next page for the Rezoning Checklist Submittal Requirement.

Rezoning Checklist (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning:	Yes	N/A	Yes	No	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see Development Fee Guide for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design or downtown design guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:	Yes	N/A	Yes	No	N/A
11. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 18:	Yes	N/A	Yes	No	N/A
12. Proof of Power of Attorney or Owner Affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:	Yes	N/A	Yes	No	N/A
13. Master plan (see Master Plan submittal requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:	Yes	N/A	Yes	No	N/A
14. Redline copy of zoning conditions with proposed changes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please continue to the next page for the Master Plan Submittal Requirements checklist.

Master Plan (Submittal Requirements)

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

REZONING OF PROPERTY CONSISTING OF +/- 3.49 ACRES,
LOCATED NEAR THE INTERSECTION OF RATCHFORD DRIVE AND CAPITAL
BOULEVARD, JUST SOUTH OF THE CAPITAL BOULEVARD/INTERSTATE 440
INTERCHANGE, IN THE CITY OF RALEIGH

REPORT OF FIRST NEIGHBORHOOD MEETING WITH ADJACENT PROPERTY
OWNERS AND TENANTS ON
FEBRUARY 15, 2023

Pursuant to applicable provisions of the Unified Development Ordinance, a neighborhood meeting was held with respect to a potential rezoning with adjacent property owners and tenants on Wednesday, February 15, 2023, at 5:30 p.m. The property considered for this potential rezoning totals approximately 3.49 acres, and is located near the intersection of Ratchford Drive and Capital Boulevard, just south of the Capital Boulevard/Interstate 440 interchange, in the City of Raleigh, having Wake County Parcel Identification Number 1715-50-4986. This meeting was held in-person at Halifax Community Center, CC Multipurpose Room A, 1023 Halifax Street, Raleigh, NC 27604. All owners and tenants of property within 500 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A list of the individuals who attended the meeting is attached hereto as **Exhibit C**. A summary of the items discussed at the meeting is attached hereto as **Exhibit D**.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE



To: Neighboring Property Owners and Tenants
From: Jennifer Ashton
Date: February 03, 2023
Re: First Neighborhood Meeting for Rezoning of 2499 Ratchford Drive

You are invited to attend an informational meeting to discuss the proposed rezoning of the property located at 2499 Ratchford Drive, Raleigh, NC 27604. The meeting will be held on **Wednesday, February 15, 2023 from 5:30 PM until 6:30 PM**, at the following location:

**Halifax Community Center
CC Multipurpose Room
1023 Halifax Steet
Raleigh, NC 27604**

The purpose of this meeting is to discuss the proposed rezoning of 2499 Ratchford Drive, with property identification number 1715-50-4986. The property totals approximately 3.49 acres in size, and is on the north side of Ratchford Drive, near the intersection of Ratchford Drive and Capital Boulevard, just south of the Capital Boulevard/Interstate 440 interchange.

The property is currently zoned Industrial Mixed Use with a 3-story height limit, and with the Special Highway Overlay District-2 (IX-3 w/ SHOD-2). The proposed zoning designation is Commercial Mixed Use with a 20-story height limit and conditions, without an overlay district (CX-20-CU).

The City of Raleigh requires a second neighborhood meeting involving the owners and tenants of property within 500 feet of the subject property following the filing of a rezoning application with the City. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.780.5433 and jashton@longleaflp.com. Also, for more information about the rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planner Sarah Shaughnessy at 919.996.2234 or sarah.shaughnessy@raleighnc.gov. If you would like to submit written comments or questions after the neighborhood meeting, please participate in the applicable rezoning case at www.publicinput.com/rezoning.

Attached to this invitation are the following materials:

1. Subject Property Current Aerial Exhibit
2. Subject Property Current Zoning Exhibit

CURRENT PROPERTY MAP



CURRENT ZONING MAP



EXHIBIT B – NOTICE LIST

NORTH CAROLINA STATE OF
STATE PROPERTY OFFICE
116 W JONES ST
RALEIGH NC 27603-1335

YORK FAMILY PROPERTIES
C/O YORK PROPERTIES
2108 CLARK AVE
RALEIGH NC 27605-1606

BLD ONE LLC
PO BOX 26446
RALEIGH NC 27611-6446

LANDMARK PROPERTIES
5113 COTTON BOLL CT
GARNER NC 27529-7429

RS REALTY LLC
C/O ELECTRO SWITCH CORP
775 PLEASANT ST STE 1
WEYMOUTH MA 02189-2355

MURPHY PROPERTY GROUP LLC
PO BOX 17883
RALEIGH NC 27619-7883

DEVINCENZO, BRUCE DEVINCENZO, SONDR M
7912 RIVER RIDGE RD
WAKE FOREST NC 27587-9355

NOBLEWOOD NC PARTNERS LLC
3424 PEACHTREE RD NE
ATLANTA GA 30326-1118

LAZE PROPERTIES LLC
15 RAWLS RD
ANGIER NC 27501-6276

2501 RATCHFORD DRIVE LP LIMITED
PARTNERSHIP
3700 GLENWOOD AVE STE 430
RALEIGH NC 27612-5530

CURRENT RESIDENT
2233 CAPITAL BLVD
RALEIGH 27604

CURRENT RESIDENT
2305 CAPITAL BLVD
RALEIGH 27604

CURRENT RESIDENT
2010 YONKERS RD
RALEIGH 27604

CURRENT RESIDENT
2499 RATCHFORD DR
RALEIGH 27604

CURRENT RESIDENT
2310 CAPITAL BLVD
RALEIGH 27604

POSTED NOTICE REQUIRED - 2 SIGNS
2601 NOBLEWOOD CIR
RALEIGH 27604

CURRENT RESIDENT
2401 CAPITAL BLVD
RALEIGH 27604

CURRENT RESIDENT
2501 RATCHFORD DR
RALEIGH 27604

EXHIBIT C – MEETING ATTENDEES

1. Jennifer Ashton, Esq., Longleaf Law Partners
2. Anne Stoddard, Development Team
3. Donald Belk, City of Raleigh
4. Sean Stewart, City of Raleigh

EXHIBIT D – ITEMS DISCUSSED

1. Review of Property Information with City Planners

Who Can Initiate a Zoning Request?

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

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

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

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

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

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

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

Date:

Re: (SITE LOCATION)

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is current zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (Please also provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners and tenants within 500 feet of the area requested for rezoning.

If you have any concerns or questions I (we) can be reached at:

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact the Raleigh Planning and Development Department at:

(919) 996-2682 (option 2)
rezoning@raleighnc.gov

Thank you.

At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning and Development prior to the aforementioned 10-day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning and Development at time of application submittal.

Submitted Date: _____

SUMMARY OF ISSUES

A neighborhood meeting was held on _____ (date) to discuss a potential rezoning located at _____ (property address). The neighborhood Meeting was held at _____ (location). There were approximately _____ (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

