

Date: February 8, 2022

Re: Property Located at 121 S. Boylan Ave.; 131 S. Boylan Ave.

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on **Tuesday, February 22, 2022, from 6pm to 7pm**. The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 6pm and will be followed by an opportunity for questions and answers. Depending on attendance, the programmed portion of the meeting is likely to end between 6pm and 6:30pm. The additional time is intended to allow for a late start in the event of any technical issues related to the virtual meeting, and your flexibility is appreciated. Once the meeting has been successfully completed, the online meeting, including the telephone dial-in option, will remain open until 7pm, and we will be happy to review the proposal or answer additional questions during this time.

The purpose of this meeting is to discuss a potential rezoning of properties located at 121 S. Boylan Ave and 131 S. Boylan Ave. The current zoning designations for these two properties are Downtown Mixed Use up to seven stories with an Urban Limited frontage (DX-7-UL). The proposed rezoning designation is DX-20-UL for both properties, affording more flexibility in building height to construct a mixed use retail and residential building. Our goal is to gather comments through your participation in this virtual neighborhood meeting or, alternatively, through your written comments to the City of Raleigh Planning Department. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed.

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners and tenants within 500 feet of the area requested for rezoning.

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:

Carmen Kuan
Raleigh Planning & Development
(919) 996-2235
Carmen.Kuan@raleighnc.gov

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

Molly Stuart
Morningstar Law Group
(919) 890-3318
mstuart@morningstarlawgroup.com

Sincerely,



Neighborhood Meeting Agenda

- I. Introductions
- II. The rezoning process
- III. The project
- IV. Question and answer period

Aerial Photo



Zoning



How to Participate in the February 22, 2022 Neighborhood Meeting
Re: 121-131 S. Boylan Ave.

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to morningstarlaw.group/02222022mtg to register for the meeting.
(Registration is necessary as we are required by the City of Raleigh to have a record of attendance.)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 312 626 6799
 - +1 929 436 2866
 - +1 301 715 8592
 - +1 346 248 7799
 - +1 669 900 6833
 - +1 253 215 8782
 - Enter Webinar ID: 826 3034 6706
 - Enter password: 150991
 - *For attendance purposes as required by the City of Raleigh, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

If you have difficulty connecting or have technical difficulties during the meeting, you can email us at meetings@mstarlaw.com or call 919-590-0366.

You are encouraged to join the meeting via your computer or smartphone so that you will have access to Zoom Webinar's interactive features including Raise Hand and Chat.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Question & Answer (Q&A) feature. Questions/comments submitted via this feature will be taken in the order submitted.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at meetings@mstarlaw.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.

Rezoning Application and Checklist

Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



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

Rezoning Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan
	<input type="checkbox"/> Text change to zoning conditions		
Existing zoning base district: DX			Height: 7
Proposed zoning base district: DX			Height: 20
Frontage: UL			Overlay(s):
Frontage: UL			Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 121 S Boylan Ave; 131 S Boylan Ave		
Property PIN: 1703481666; 1703481557		
Deed reference (book/page): 009358/01405; 009358/01409		
Nearest intersection: S Boylan Ave and W Hargett St		Property size (acres): .33; .36
For planned development applications only:	Total units:	Total square footage: .
	Total parcels:	Total buildings:
Property owner name and address: Raleigh-Florence St. MMM, L.L.C., 115 S. Saint Mary's St., Raleigh NC 27603		
Property owner email: eddie@nearicoleman.com		
Property owner phone: 919-828-4808		
Applicant name and address: Raleigh-Florence St. MMM, L.L.C., 115 S. Saint Mary's St., Raleigh NC 27603		
Applicant email: mstuart@morningstarlawgroup.com		
Applicant phone: 919-890-3318		
Applicant signature(s):		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #
Existing zoning: DX-7-UL	Proposed zoning: DX-20-UL	

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 DX- district shall be prohibited: (i) Dormitory, fraternity, sorority; (ii) Adult establishment; (iii) Pawnshop; (iv) Vehicle Fuel Sales; and (v) Detention center, jail, prison.

2. Public facades of structured parking:

a. Any public facades of the parking structure shall have openings screened to prevent views into the structure except for perpendicular vehicular ingress and egress openings at a maximum width of 30 feet and pedestrian access openings at a maximum width of eight feet.

b. Screening elements shall be designed in a structurally sound manner and have a gap of no more than 18 inches from the frame of the screening element to the wall opening. Alternative decorative elements which provide an equivalent level of screening may be allowed in an accessory parking structure where such elements are employed to match the architectural character of the main building. Mesh or decorative panels, louvers, green walls, tinted or sandblasted opaque spandrel glass, or similar screening elements shall be used. Where mesh or other materials containing openings is used in conjunction with the screening frame, no individual opening shall exceed four square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.

c. On all levels where parking is provided adjacent to an exterior wall, all facades shall have exterior opaque walls a minimum height of 42 inches above any finished grade and any finished floor.

4. Lighting within structured parking: Lighting shall be designed to reduce light spillage outside the parking structure according to the following:

a. Internal illumination shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to prevent such visibility.

b. Internal illumination shall conform to the standards of UDO Section 7.4.7. Vehicular Canopies

c. Rooftop lighting shall be located at an elevation height less than the top of the nearest exterior perimeter rooftop wall; or shall be setback a minimum of 15 feet from the exterior perimeter of the rooftop wall at a maximum mounted height of 12 feet above finished floor with cutoff light fixtures that have a maximum 90 degree illumination.

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: _____