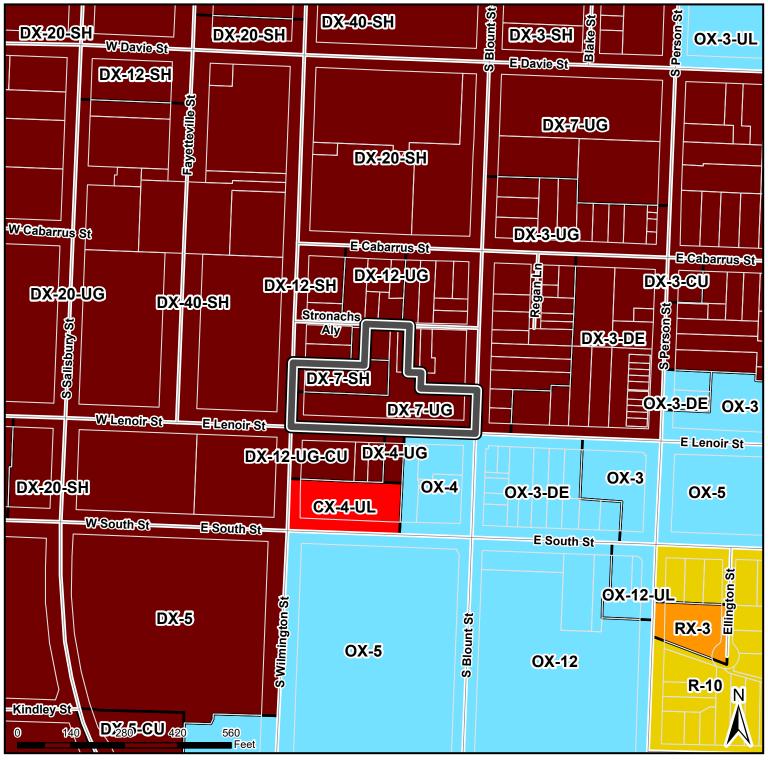
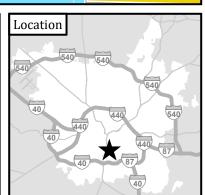
Existing Zoning

Z-1-2022



Property	108 & 112 Stronachs Aly; 521 & 529 S Wilmington St
Size	1.45 acres
Existing Zoning	DX-7-SH, DX-7-UG
Requested Zoning	DX-20-SH-CU



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 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	General	Use	Jse X Conditional Use		Master Plan	Office Use Only Rezoning case #
Туре	Text cha	nge to zoning conditions				
Existing zoning base district: DX		Heig	Height: 7 Fronta		ntage: UG & SH	Overlay(s):
Proposed zoning base district: DX		Height: 20 Frontage: SH		Overlay(s):		
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.					oning' and 'Overlay'	
If the property has been previously rezoned, provide the rezoning case number:						
General Information						

General Information				
Date:	Date amended (1):		Date amended (2):	
Property address: See Attachment	Α			
Property PIN: See Attachment A				
Deed reference (book/page): See	Attachment A			
Nearest intersection: See Attachme	ent A	Property size (ac	res): 1.45	
For planned development	Total units:		Total square footage:	
applications only	Total parcels:		Total buildings:	
Property owner name and addres	s: See Attachment A			
Property owner email: See Attachment A				
Property owner phone: See Attachment A				
Applicant name and address: Wilmington Owner LLC, a Delaware limited liability company, 520 West 27th Street, Suite 403, New York, NY 10011				
Applicant email: mpaul@morningstarlawgroup.com				
Applicant phone: 919-590-037/				
Applicant signature(s): Michael Walsdorf				
Additional email(s):				

RECEIVED

By Carmen Kuan at 3:16 pm, Jan 04, 2022

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Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case #
Existing zoning: DX-7-UG & DX-7-SH	Proposed zoning: DX-20-SH	

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: Parking structure facades adjacent to or facing any public park or plaza, public right-of-way, public sidewalk, or private street shall comply with the following: 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. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.
- 3.Lighting within structured parking: Lighting shall be designed to reduce light spillage outside the parking structure according to the following:
- a. Internal illumination of parking structures shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way or adjacent parcels. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to minimize such visibility.
- b. Internal illumination of parking structures shall conform to the standards of UDO Section 7.4.7. Vehicular Canopies.
- c. Lighting levels measured at the property line of privately-owned parcels adjacent to the structured parking deck shall not be greater than 0.5 footcandles.

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:	Michael Walsdorf
	6BECA6BE7DEA41E

Printed Name(s): ______walsdorf

Rezoning Application Addendum #1	
Comprehensive Plan Analysis	Office Use Only
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.	Rezoning case #

Statement of Consistency

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

- 1. The proposed rezoning is consistent with the Future Land Use Map designation for the properties of Central Business District (CBD). The CBD category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. CBD recognizes Downtown as the "heart of the city" with high-intensity office, retail, housing, institutional, cultural and visitor-serving uses. DX is the primary district for the CBD.
- 2. The properties are within the Urban Form Map, which supports the proposed urban frontage. Consequently, the rezoning will enhance the streets in this area, providing amenities for pedestrians and visitors. The proposed rezoning meets a number of Urban Design policies, including Policy UD 2.1 (Building Orientation), Policy UD 2.3 (Activating the Street) and Policy UD 3.4 (Enhanced Streetwalls). In particular, S. Wilmington and S. Blount St are priority pedestrian and green streets per Map DT-4.
- 3. The proposed height of 20 stories is consistent with policies contained in Table LU-2 as a core/transit area within the Central Business District. The site is in the core of the Urban Form Map UD-1 and consequently, the proposed height is appropriate.
- 4. The proposed rezoning is consistent with the following Comprehensive Plan policies: The site would facilitate the redevelopment of underutilized sites in downtown Policy DT 1.3 (Underutilized Sites in Downtown) and promoting Downtown as a residential neighborhood for singles, couples, and families Policy DT 4.5 (Promoting Downtown as a Neighborhood). Importantly, it meets several economic development policies, including Policy ED 2.4 (Attracting Investment to Emerging Neighborhoods) and Policy ED 3.14 (Corporate Headquarters) given the location of the site. This site is in the Priority Area for Economic Development Map ED-1 which identifies areas that demonstrate a need for economic development intervention and that also present opportunities for economic development.

Public Benefits

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

The rezoning request is reasonable and in the public interest because it provides greater zoning flexibility for a site that is ripe for development given its current underutilization and location.

The rezoning would bring additional height and intensity to Downtown Raleigh, the appropriate location for a 20 story height allowance.

The rezoning would facilitate the development of an old parking lot in Downtown Raleigh and create a tremendous asset that will allow more people to live and work in the core of the City, helping to advance the City's goals.

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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 rezo the proposed zoning would impact the resource.	ned. For each resource, indicate how
Public Mitigation	
Provide brief statements describing actions that will be taken to mitigate all neg	ative impacts listed above.
N/A	

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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: Downtown | Click here to view the Urban Form map.

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

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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.

perm	its, and planned development master plan applications in downtown.
Click	<u>here</u> to view the Urban Form map
	Fayetteville Street should be free of service elements, including loading docks, mechanical equipment, and driveways.
1	Response: N/A
2	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.
	Response: Based on the proposed Shopfront frontage, loading or service entrances will be minimized.
	Surface and structured parking should be landscaped, emphasizing interior tree canopies in surface lots, formal borders, and street trees to reinforce the streetwall.
3	Response: Based on the proposed Shopfront Footage, there shall be no surface parking between any building and the street.
4	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.
	Response: The owner's intent is to design the project so rooftop utilities do not detract from the views of the development.
5	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.
	Response: Based on the Shopfront Footage, curb cuts shall be minimized.
	Building entries should be emphasized with architectural features, changes in roofline, different massing, or unique materials.
6	Response: Based on the Shopfront Footage, buildings shall have street facing entrances. The owner intends to emphasize these elements.

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7	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.
/	Response:
	Based on the Shopfront Footage, the buildings shall have street facing entrances.
8	Building entries should be at grade.
	Response:
	Based on the Shopfront Footage, building entries shall be at grade.
	The level of architectural detail should be most intense at street level, within view of pedestrians on the sidewalk.
9	Response:
	The owner intends to emphasize the street level architectural details.
	The use of solid roll-down security gates is discouraged.
10	Response:
	There are no plans for solid roll-down security gates.
	Façades should be broken into distinct 20-30 foot modules or bays from side to side to prevent a monolithic edge to the street.
11	Response:
	Based on UDO building type requirements, facades shall be broken up and blank walls avoided.
	Large unarticulated walls are discouraged and should have a window or functional public access at least every 10 feet.
12	Response:
	Based on the UDO's, the building type requirements and UDO standards for tall buildings, the buildings shall have sufficient transparency and articulation.
	The articulation of the façade should be designed to appear more vertical than horizontal.
13	Response:
	Through the UDO standards for tall buildings, the buildings shall address vertical design.
14	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.
	Response:
	Based on the Shopfront Footage, buildings shall provide pedestrian accessible street facing entrances.
15	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.
15	Response:
	It is anticipated that entrances for tall commercial buildings will be recessed.

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16	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.
	Response:
	Based on UDO building type requirements, buildings shall have substantial transparency.
	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.
17	Response:
	Based on the UDO building type standards and proposed Shopfront Footage, windows will be used to display products and services.
	The first-story, floor-to-floor height of any new building on Fayetteville Street should be a minimum of twenty (20) feet.
18	Response:
	Based on UDO building type standards, first story, floor-to-floor height will be substantial.
	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.
19	Response:
	The owner has no intent to have ceilings below ground level height.
	The use of deep awnings and canopies on the first story is recommended to help mitigate wind, reduce glare, and shade ground level spaces.
20	Response:
	The owner intends to use deep awnings and canopies on the first story.
	Arcades, colonnades, and galleries are discouraged within the public right-of-way.
21	Response:
	The owner has no intent to have arcades, colonnades, or galleries within the public right-of-way.
	Stairs and stoops in the public right-of-way are discouraged along Fayetteville Street in order to make entries more accessible.
22	Response:
	The owner does not intend to have stairs and stoops in the public right-of-way.
23	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.
	Response:
	The owner intends to have outdoor ground plane of high-quality material that does not include asphalt or loose materials.

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24	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. Response:
	The owner intends to have courtyard spaces with groundcovers, shrubs, etc and avoid bare earth, bare mulch and rocks.
	Walls of buildings should parallel the orientation of the street grid.
25	Response:
	The owner intends for the walls of buildings to be parallel to the orientation of the street grid.
	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.
26	Response: The owner intends to have variable vertical articulation.
	Distance between towers on different blocks should be a minimum of 100 feet to ensure access to light and air.
27	Response:
	Based on UDO standards for tall buildings, there shall be adequate spacing for light and air.
	Public art, performance facilities, and/or civic monuments should be an integral part of any building plan.
28	Response:
	The owner will consider public art, performance facilities, and/or civic monuments in the buildings.
29	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.
23	Response:
	The owner does not intend to have fences, railings, or walls.
30	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.
	Response: The owner does not intend to have any fences or solid walls.
	Fences, railings, and walls should be designed to complement the adjacent architecture through the use of similar materials, colors, finishes, and architectural details.
31	Response:
	The owner intends to design any fences, railings, and walls to complement the adjacent architecture.

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32	Designs should be contextual to adjacent buildings, including their cornice lines and horizontal banding.
	Response:
	The owner intends for the design to be contextual to adjacent buildings.
33	Innovative design and unusual lighting of the exterior of the building is important to emphasize the monumentality of government buildings.
	Response: The owner intends to have innovative design.
	The principal building entrance should be easily identified by building features and landscape elements; additional public entrances should be provided at every street face.
34	Response: Based on the proposed Shopfront frontage, the building entrances shall be easily identified.
	based on the proposed Shophort horitage, the building entrances shall be easily identified.
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:
	The owner intends to use high quality materials that will respect major buildings in the area.
	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).
36	Response:
	The owner intends to use a mixture of one or more of the following: metal, brick, stone, concrete, plaster, and wood trim.
	Materials covering original architectural features of historic or architecturally significant buildings are discouraged.
37	Response:
	The owner does not intend to cover architectural features of historic or architecturally significant buildings.
	A minimum of 35 percent of each upper story should be windows.
38	Response:
	Based on UDO building types, upper stories shall have substantial transparency.
	Building corners that face an intersection should strive for a distinctive form and high level of articulation.
39	Response:
	The owner intends for corners that face an intersection to be distinctive and have high level articulation.
	Buildings may step back further at intersections in order to articulate the corners.
40	Response: The owner intends for buildings to acknowledge the intersections at the corners.

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41	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.				
	Response:				
	Based on UDO standards for tall buildings, stepbacks will be wide enough to mitigate wind and increase light and air.				
42	Flat roof buildings should have decorative parapets with elements, such as detailed cornices, corbeling, applied medallions, or other similar architectural treatments.				
	Response:				
	The owners intend for flat roof buildings to have decorative architectural treatments.				
43	Signage should be compatible in scale, style, and composition with the building or storefront design as a whole.				
	Response:				
	Based on signage requirement in the UDO, the signage shall be compatible with the building or storefront design as a whole.				
44	Diverse graphic solutions are encouraged to help create the sense of uniqueness and discovery found in an urban, mixed-use environment.				
	Response:				
	The owner intends to have diverse graphics, creating a sense of uniqueness and discovery.				
	All mechanical and electrical mechanisms should be concealed.				
45	Response:				
	The owner intends for all mechanical and electrical mechanisms to be concealed.				
	Signs should not obscure a building's important architectural features, particularly in the case of historic buildings.				
46	Response:				
	The owner intends for signs to not obscure the buildings architectural features.				
	Signs should be constructed with durable materials and quality manufacturing.				
47	Response:				
	The owner intends for signs to be constructed of durable materials and quality manufacturing.				
	Sign bands above transom and on awnings are preferred signage locations.				
48	Response:				
	The owner intends to utilize a signage plan in keeping with the high quality of the building design.				
	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.				
49	Response:				
	The owner intends to utilize a signage plan in keeping with the high quality of the building design.				

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50	Illuminated signs should avoid the colors red, yellow, and green when adjacent to a signal controlled vehicular intersection.
	Response: The owner intends for signs to utilize a signage plan in keeping with the high quality of the building design.
51	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.
	Response: Based on the UDO signage requirements, the buildings will only have allowed sign types.
52	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.
	Response: The owner intends to utilize a signage plan in keeping with the high quality of the building design.

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SUMMARY OF ISSUES

A neighborhood meeting was held on November 3, 2021 (date)								
108 & 112 Stronachs Alley and 521 & 529 S Wilmington	St (property address). The neighborhood							
Meeting was held at Virtually	_ (location). There were approximately							
(number) neighbors in attendance. The general issues discussed were:								
Summary of Issues:								
Discussed property details and rezoning request Discussed process of rezoning Showed maps of site and explained zoning Discussed proposed zoning and how it relates to adjacent Historic Overly Dist	rict (HOD)							
Discussed proposed prohibited uses Discussed and clarified the number of parcels is 4 and not 5 Discussed current zoning, zoning in Raleigh, the rise in interest in the area, and proposed rezoning to change from 7 to 20 s Briefly discussed Tidal Real Estate's vision for the Raleigh site – urban mixed use with residential and retail								
Discussed how this rezoning is consistent with City's vision of downtown area residential and retail Discussed vision for Central Business District Discussed Urban Form and how the property relates to the area it is located	a and future land use - urban mixed use with							
Discussed downtown transition map Discussed possible uses for ground floor Discussed 2nd meeting timing and may have renderings at next meeting, but n Caller requested recording of meeting	no guaranty							
Neighbor expressed support of the rezoning Participant asked about the total investment for the project								

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Attendance Roster							
Name	Address						
Benjamin Scott	528 S Person St						
Diana Wilson	218 East Lenoir Street						
Bill Jackson							
Jimmy Brown	814 New Bern Avenue						
Kevin Sullivan	118 E. South Street						
Doug Appleyard	444 S Blount St, Ste 217						
John Anagnost	One Exchange Plaza, Suite 300						
Meredith Ballard	444 S. Blount St. Ste. 312						
Shelton Russell	514 Daniels Street #186						
Valerie Fields	515 S. Blount Street						
Chris Carlino	501 FAYETTEVILLE ST, Suite 100						
Joshua Pagano	444 S Blount St						
plus 7 people who attended via phone whose names we do not have							

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PIN	Address	Book/Page	Acre	Nearest Intersection	Owner Name/Address	Owner Email	Current	Proposed
			age				Zoning	Rezoning
1703764663	108 Stronachs Aly	018853/00848-	0.13	Stronachs Ally/S Wilmington St	WILMINGTON OWNER LLC, a Delaware limited	mpaul@morningstarlawgroup.com	DX-7-UG	DX-20-SH
		00852			liability company, 520 West 27th Street, Suite 403,			
					New York, NY 10011			
1703763594	521 S Wilmington St	018853/00853-	0.41	S Wilmington St / E Lenoir St	WILMINGTON OWNER LLC, a Delaware limited	mpaul@morningstarlawgroup.com	DX-7-SH	DX-20-SH
		00857			liability company, 520 West 27th Street, Suite 403,			
					New York, NY 10011			
1703765478	529 S Wilmington St	018853/00858-	0.83	S Wilmington St / E Lenoir St	WILMINGTON OWNER LLC, a Delaware limited	mpaul@morningstarlawgroup.com	DX-7-UG	DX-20-SH
		00867			liability company, 520 West 27th Street, Suite 403,			
					New York, NY 10011			
1703765632	112 Stronachs Ally	018853/00844-	0.08	Stronachs Alley/ S. Blount St	WILMINGTON OWNER LLC, a Delaware limited	mpaul@morningstarlawgroup.com	DX-7-UG	DX-20-SH
		00847			liability company, 520 West 27th Street, Suite 403,			
					New York, NY 10011			
Total			1.45					
Acreage								