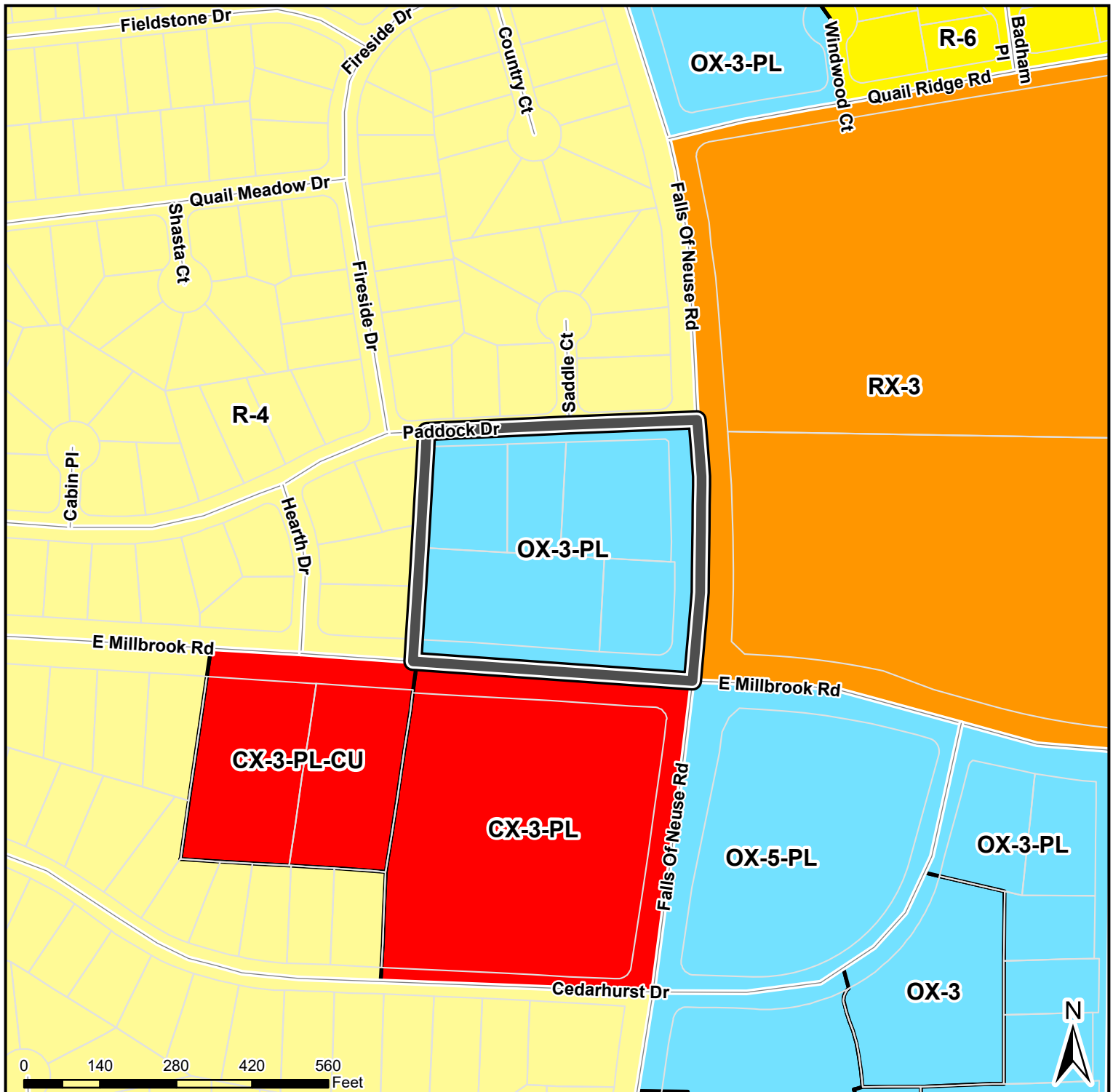
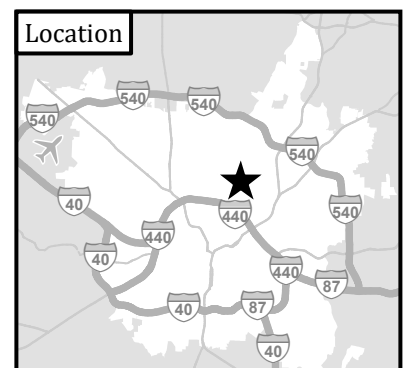


Existing Zoning

Z-29-2022



Property	Millbrook / Paddock / Falls of Neuse
Size	4.1 acres
Existing Zoning	OX-3-PL
Requested Zoning	NX-5-UL-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 8 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan	Office Use Only Rezoning case # _____
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district: OX		Height: 3	Frontage: PL	Overlay(s):
Proposed zoning base district: NX		Height: 5	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: See Attachment A		
Property PIN: See Attachment A		
Deed reference (book/page): See Attachment A		
Nearest intersection: Falls of Neuse Rd and Millbrook Rd		Property size (acres): 4.1
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: See Attachment A		
Property owner email: jeff@oakhillmgmt.com		
Property owner phone: 919-632-1603		
Applicant name and address: Millbrook Office LLC, P.O. Box 31763, Raleigh NC 27622		
Applicant email: mstuart@morningstarlawgroup.com		
Applicant phone: (919) 890-3318		
Applicant signature(s):		<small>DocuSigned by:</small> <i>J. Andrew English</i> <small>36DF51E0B4024AD...</small>
Additional email(s):		

RECEIVED

By Sarah Shaughnessy at 2:49 pm, Apr 01, 2022

ATTACHMENT A

PROPERTY LIST

PIN	Address	Deed Book	Deed Page	Deed Acre	Owner	Mailing Address
1716349807	1301 E MILLBROOK RD	18180	1614	1.34	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716441836	1311 E MILLBROOK RD	18180	1614	0.52	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716451005	5107 FALLS OF NEUSE RD	18180	1612	0.98	FALLS OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716358016	1301 E MILLBROOK RD fka 1304 PADDOCK DR	18180	1614	0.69	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716359046	1300 PADDOCK DR	18180	1614	0.48	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622

Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: OX-3-PL	Proposed zoning: NX-5-UL	

Narrative of Zoning Conditions Offered

1. The following uses shall be prohibited: Outdoor sports or entertainment facility (≤ 250 seats); detention center, jail, prison.
2. Truck deliveries to the uses on the property shall only occur between the hours of 7:00 a.m. and 9:00 p.m., and shall be limited to Monday through Saturday, inclusive.
3. The hours of operation for any personal service, restaurant/bar and retail sales uses permitted on the property shall be no earlier than 6:00 a.m. and no later than 11:00 p.m.

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: J. Andrew English

Printed Name(s): J. Andrew English

RECEIVED

By Sarah Shaughnessy at 2:50 pm, Apr 01, 2022

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.

The proposed 5-story height limit is supported by the Neighborhood Mixed Use Future Land Use Map designation for walkable areas. This 'somewhat walkable' area (Walkscore: 55) would be improved both under the proposed Urban Limited frontage, as well as by the proposed pedestrian and bike facility called for in the Midtown Small Area Plan at the intersection of Millbrook Rd. and Falls of Neuse and nearby Green Street.

The proposed Urban Limited frontage exceeds the Parking Limited requirement suggested by the Falls of Neuse Transit Emphasis Corridor designation.

The proposal is additionally supported by a number of Comprehensive Plan policies, including LU 2.2 (Compact Development); LU 4.7 (Capitalizing on Transit Access); LU 6.3 (Mixed-Use and Multimodal Transportation); LU 8.17 (Zoning for Housing Opportunity and Choice); and UD 2.1 (Building Orientation); UD 3.4 (Enhanced Sidewalks).

Public Benefits

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

The proposed rezoning would reorient the layout of this site from single-story, parking-fronted buildings to a more walkable configuration, with the Urban Limited frontage pushing buildings closer to the sidewalks along the Falls of Neuse and Millbrook Road primary frontages and providing for an improved pedestrian experience.

Surrounding residential neighbors will also benefit from expanded availability of neighborhood-scale goods and services accessible without a car, while new occupants on the site will be able to take advantage of the same mixed uses as well as the existing transit services available along both Falls of Neuse and Millbrook Road.

This modest increase in permitted height would encourage gentle density to accommodate growth within the existing footprint of the city and along a major transportation corridor, relieving pressure on surrounding open spaces and minimizing infrastructure needed to serve these uses.

Rezoning Application Addendum #2	
Impact on Historic Resources	Office Use Only Rezoning case # _____
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.	
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.	
None	
Public Mitigation	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A	

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: Transit Emphasis Corridor

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

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



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:</p> <p>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>	
<div>Urban Form Designation: Transit Emphasis Corridor</div> <div>Click here to view the Urban Form map.</div>	
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: The proposed zoning encourages a mix of retail and office and/or residential uses, while the proposed Urban Limited frontage encourages a pedestrian-friendly environment.</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: Neighborhood Transition requirements will apply between the subject property and adjacent residential use, requiring additional distance, landscaping, and height transition.</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: The site connects directly to the road network of the surrounding community.</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: New streets are unlikely to be required on this small site.</p>

5	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.
	Response: The longest existing block face on which the site fronts is approximately 680 feet, of which approximately 440 feet are on the subject site.
6	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.
	Response: Urban Limited frontage is proposed and will encourage definition of the roadway frontages.
7	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.
	Response: The proposed Urban Limited frontage requires a 0-20' build-to and prohibits parking between the buildings and the street.
8	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.
	Response: This guideline will inform the design process in the future.
9	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.
	Response: This guideline will inform the design process in the future.
10	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.
	Response: This guideline will inform the design process in the future.
11	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.
	Response: This guideline will inform the design process in the future.
12	A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.
	Response: This guideline will inform the design process in the future.

13	New public spaces should provide seating opportunities.
	Response: This guideline will inform the design process in the future.
14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.
	Response: The proposed Urban Limited frontage will not permit parking in front of buildings, and any build-out at the proposed maximum building heights will necessitate structured parking.
15	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.
	Response: This guideline will inform the design process in the future.
16	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.
	Response: This guideline will inform the design process in the future.
17	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.
	Response: Transit stops are currently available on both Falls of Neuse and Millbrook Road, and Falls of Neuse is a Transit Emphasis Corridor.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.
	Response: Primary street facing entrances will be required, coinciding with the adjacent transit corridors.
19	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.
	Response: N/A
20	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.
	Response: This guideline will inform the design process in the future.

21	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.
	Response: City requirements regarding street sections will be applicable to this site.
22	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.
	Response: City requirements regarding street sections will be applicable to this site.
23	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.
	Response: City requirements regarding street sections will be applicable to this site.
24	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.
	Response: The proposed increase in permitted building height will help to better define the adjacent primary streets.
25	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.
	Response: This guideline will inform the design process in the future.
26	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.
	Response: This guideline will inform the design process in the future.
27	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.
	Response: This guideline will inform the design process in the future.

RECEIVED*By Sarah Shaughnessy at 2:50 pm, Apr 01, 2022*

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 8:	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		
General Requirements – Master Plan:	Yes	N/A	Yes	No	N/A
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"/>

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.

NEIGHBORHOOD MEETING HAS BEEN RE-SCHEDULED
DUE TO TECHNICAL ERROR

THIS IS THE CORRECT NOTICE

Date: March 11, 2022

Re: Neighborhood Meeting regarding 1301 E Millbrook Rd. (two parcels share this address, one formerly known as 1304 Paddock Drive); 1311 E Millbrook Rd.; 5107 Falls of Neuse Rd.; and 1300 Paddock Dr. (collectively, the "Property")

Dear Neighbors:

PLEASE NOTE the original neighborhood meeting scheduled for March 14, 2022, from 7pm to 8pm regarding the Property has been rescheduled to Monday, March 21, 2022, due to a technical error. This is the correct notice and any prior notice and instructions on how to participate virtually should be disregarded.

You are invited to attend a neighborhood meeting on **Monday, March 21, 2022, from 7pm to 8pm**. The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 7pm 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 7pm and 7:30pm. 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 8pm, 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 the Property located on Millbrook Rd., Falls of Neuse Rd., and Paddock Dr. The current zoning designations for these properties are Office Mixed Use up to three stories with a Parking Limited frontage (OX-3-PL). The proposed rezoning designation is Neighborhood Mixed Use up to five stories and with Urban Limited Frontage, (NX-5-UL), for all properties, affording more flexibility in building height and a variety of residential, retail, service and commercial uses. 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

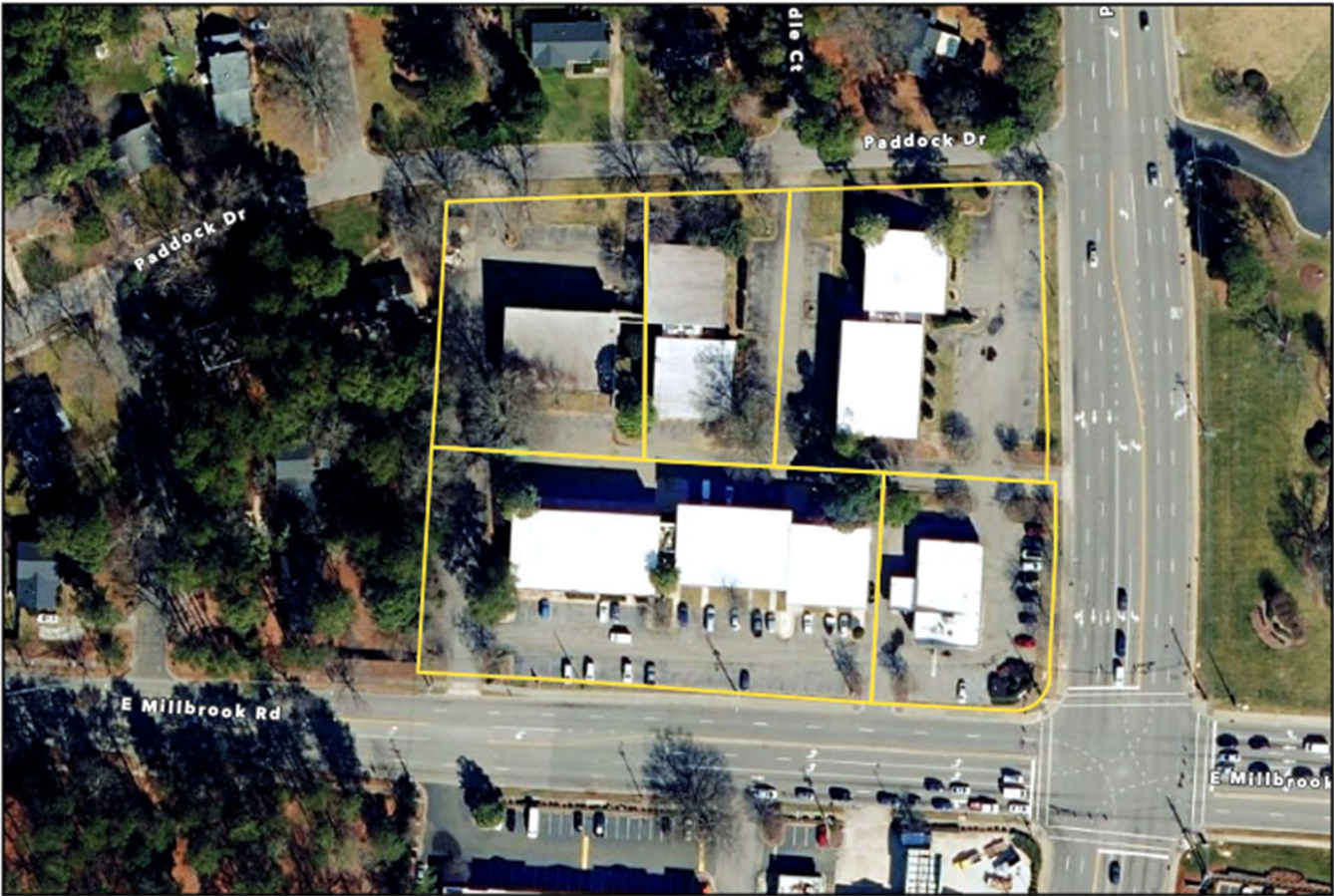
Sincerely,



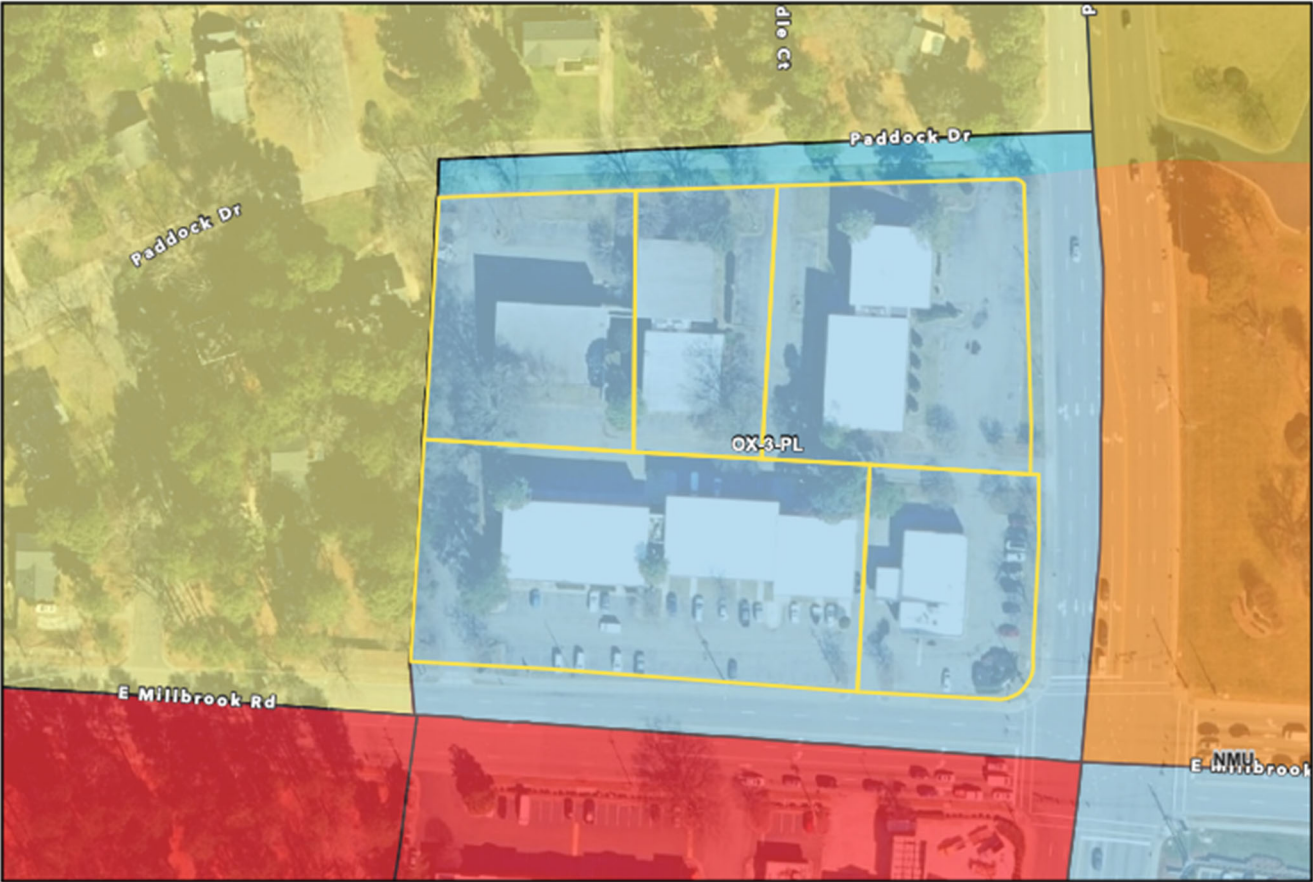
Neighborhood Meeting Agenda

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

Aerial Photo



Zoning





How to Participate in the March 21, 2022 Neighborhood Meeting
Re: 1301 E Millbrook Rd. (two parcels share this address, one formerly known as 1304 Paddock Drive); 1311 E Millbrook Rd.; 5107 Falls of Neuse Rd.; and 1300 Paddock Dr.

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to morningstarlaw.group/03212022mtg 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: 891 0843 4532
 - Enter password: 477722
 - *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 8 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan	Office Use Only Rezoning case # _____
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district: OX		Height: 3	Frontage: PL	Overlay(s):
Proposed zoning base district: NX		Height: 5	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: See Attachment A		
Property PIN: See Attachment A		
Deed reference (book/page): See Attachment A		
Nearest intersection: Falls of Neuse Rd and Millbrook Rd		Property size (acres): 4.1
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: See Attachment A		
Property owner email: jeff@oakhillmgmt.com		
Property owner phone: 919-632-1603		
Applicant name and address: Millbrook Office LLC, PO BOX 31763, RALEIGH NC 27622		
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 # <hr style="width: 80%; margin: 5px auto;"/>
Existing zoning: OX-3-PL	Proposed zoning: NX-5-UL	

Narrative of Zoning Conditions Offered
<p>1. The following uses shall be prohibited: Outdoor sports or entertainment facility (≤ 250 seats); detention center, jail, prison.</p>

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

Property Owner(s) Signature: _____

Printed Name(s): _____

ATTACHMENT A
PROPERTY LIST

PIN	Address	Deed Book	Deed Page	Deed Acre	Owner	Mailing Address
1716349807	1301 E MILLBROOK RD	18180	1614	1.34	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716441836	1311 E MILLBROOK RD	18180	1614	0.52	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716451005	5107 FALLS OF NEUSE RD	18180	1612	0.98	FALLS OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716358016	1301 E MILLBROOK RD fka 1304 PADDOCK DR	18180	1614	0.69	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622
1716359046	1300 PADDOCK DR	18180	1614	0.48	MILLBROOK OFFICE LLC	J. Andrew English PO BOX 31763, Raleigh, NC 27622

Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herein accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that I did in fact deposit all of the required neighborhood meeting notification letters within the U.S. Postal Service on the 11 day of March, 2022. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.


Signature of Applicant/Applicant Representative

3-11-22
Date

Client Name/Matter: Oak Hill Properties / Millbrook, Falls of Neuse

SUMMARY OF ISSUES

A neighborhood meeting was held on March 21, 2022 (date) to discuss a potential rezoning located at 1301 and 1311 E. Millbrook Rd; 5107 Falls of Neuse Rd and 1300 Paddock Dr (property address). The neighborhood Meeting was held at Virtually (location). There were approximately 14 (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 current zoning – Neighborhood Mixed Use.

Discussed proposed zoning and how it relates to future land use and the Raleigh Comprehensive Plan.

Discussed the walkability issue and the Midtown Area Plan which is also a small area plan that is more specific than the future land use map.

Discussed green streets and the Midtown Ring.

Discussed in depth the requested zoning.

Discussed frontages and the difference between parking limited frontage and urban limited.

Discussed neighborhood transitions between residential and mixed use districts.

Discussed lighting control requirements.

Participant asked what buffers would be used.

Participant asked how many people are in attendance.

Participant asked about how to regulate the mud during construction.

Participant asked the team to share response to written questions submitted March 16.

Participant asked if the rezoning was for 1401 or 1301 Millbrook.

SUMMARY OF ISSUES

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Summary of Issues:

Participant asked about construction teams parking in front of mailboxes and driveways.

Applicant responded that he will make contractors aware that this should not occur.

Participant asked about how the rezoning can be stopped.

Participant asked how the zoning will effect Quail Ridge apartments.

Participant asked how the proposal relates to current construction.

Participant asked about entrances for the planned complex for Paddock Drive.

Response: It is anticipated that the eastern entrance close to Falls of Neuse will continue to be the entrance for the new three story building.

There will no longer be an entrance further down Paddock Drive (northwestern entrance).

Participant asked what the project will look like.

Participant asked if Paddock Drive would be the main entrance and exit for this project.

Participant expressed a desire to see restricted access to and from Paddock Drive.

Participant asked how many years construction would last.

Participant asked if there is a concept for the proposed buildings and what is intended.

Response: Currently, no proposal exists.

Participant asked how this will affect property value, increased traffic, and spill-over parking.

SUMMARY OF ISSUES

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Summary of Issues:

Participant asked if spill-over parking will be kept to a minimum.

Participant asked if applicant is willing to guarantee this project will not be further developed with taller buildings.

Participant asked about Quail Ridge Apartment rezoning.

Participant asked about heavy traffic and parking.

Participant asked about the proposed zoning and if it will allow new buildings to be built within 5 or 6 feet from the edge of the property line.

Response: Discussed 50ft and 3 stories at the boundary.

Participant asked whether the applicant would be willing to buy out nearby properties to compensate for the impact of proposed zoning.

Participant asked about what is envisioned and if this is just an exercise.

Participant asked about a traffic impact analysis.

Response: City will determine if a traffic impact analysis is warranted.

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Summary of Issues:

Participant asked if the proposed development will add congestion and cause a turning problem on Paddock Road.

Response: City will determine if there is a turning issue and there are a lot of different tools the city can apply in order to keep the traffic at a certain standard.

Participant asked if there are any proposed improvements to Paddock Rd.

Response: Yes, anytime there is redevelopment that side of the right of way has to be improved, i.e. lanes and streetscape.

Participant asked if there are plans to make Paddock Rd. safer, i.e. speed bump for children.

Participant asked if there will be any sewer and storm water expansion extended into the neighborhood.

Participant asked if the meeting is being recorded, will the meeting be able to be seen by those not in attendance.

Participant asked applicant to share renderings of the project underway.

SUMMARY OF ISSUES

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Summary of Issues:

Participant asked how a 5-story, mixed-use urban development close to the edge of the property reinforces the character and quality of the adjacent neighborhood.

Participant asked about dividing the property into two pieces and permitting the height of 5 stories.
Participant expressed displeasure with trees being cut down for the current project under construction.

Participant asked if more trees will be cut down on Paddock/Fireside.
Participant asked if the new buildings will face Paddock Drive.
Participant asked about sewer expansion.

Participant asked if the new buildings will front on Paddock Road or not.
Response: New building will have dual frontage on Falls of Neuse and Paddock Drive.

Participant asked for contact information.
Participant asked if the maximum height limits would be compatible with adjacent residential.

Participant asked if the new building will face Paddock Road.
Participant asked if the 2 new buildings could face Paddock Road.

Participant asked for the definition of 5 stories. Response: 5 stories is about 80 ft.
Participant asked when the next meeting will occur.
Participant asked about Quail Ridge site.

Participant asked if there are 5 parcels up for rezoning, why are no new buildings anticipated.
Participant asked why a meeting would occur if things are going to stay as they are.

raleighnc.gov