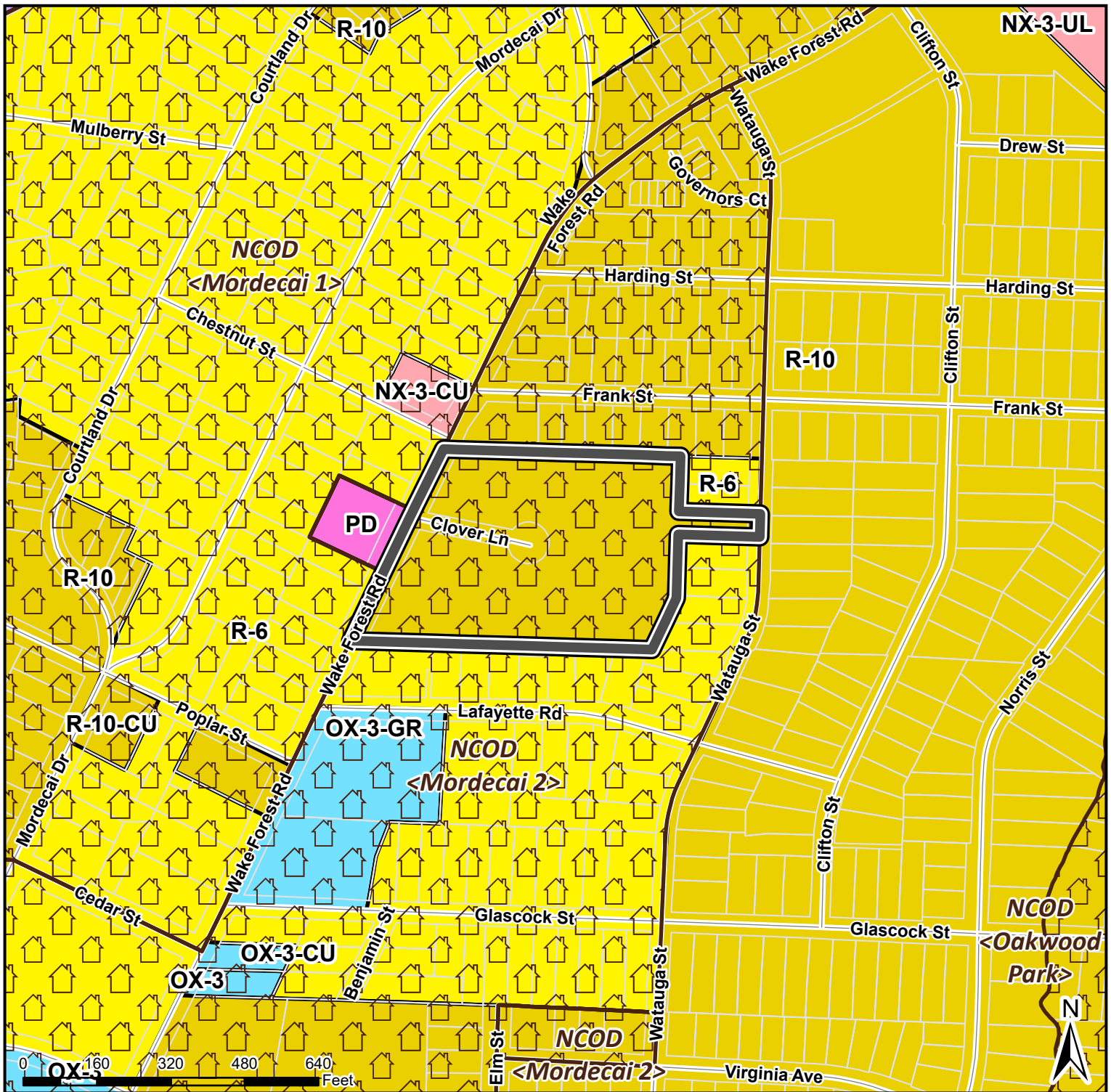
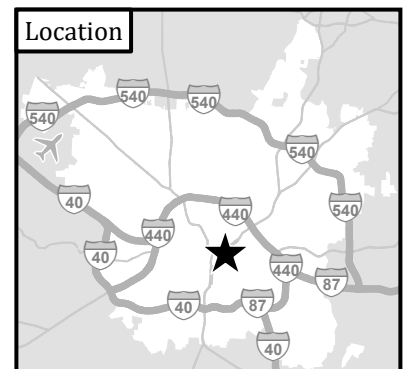


Existing Zoning

Z-43-2022



Property	405 Clover Ln
Size	5.37 acres
Existing Zoning	R-10 w/NCOD
Requested Zoning	RX-5-CU



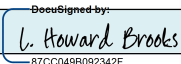


Rezoning Application and Checklist

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 Type	General Use	<input checked="" type="checkbox"/> Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: R-10	Height:	Frontage:	Overlay(s): -NCOD	
Proposed zoning base district: See attached	Height: See attached	Frontage: See attached	Overlay(s): See attached	
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: 5/8/22	Date amended (1):		Date amended (2):
Property address: 405 Clover Lane			
Property PIN: 1704947576			
Deed reference (book/page): 15922/457			
Nearest intersection: Wake Forest/Clover Lane		Property size (acres): 5.37	
For planned development applications only	Total units:		Total square footage:
	Total parcels:		Total buildings:
Property owner name and address: Clover Lane LLC			
Property owner email: 4321 Lassiter at North Hills Ave., Raleigh, NC 27609-5782			
Property owner phone:			
Applicant name and address: Toby Coleman, on behalf of Clover Lane LLC			
Applicant email: tcoleman@smithlaw.com			
Applicant phone: 919-821-6778			
Applicant signature(s):	<small>DocuSigned by:</small>  Member/Manager, Clover Lane, LLC <small>87CC049B092342F...</small>		
Additional email(s):			

RECEIVED

By Sarah Shaughnessy at 10:07 am, May 09, 2022

ATTACHMENT TO REZONING APPLICATION FOR 405 CLOVER LN.

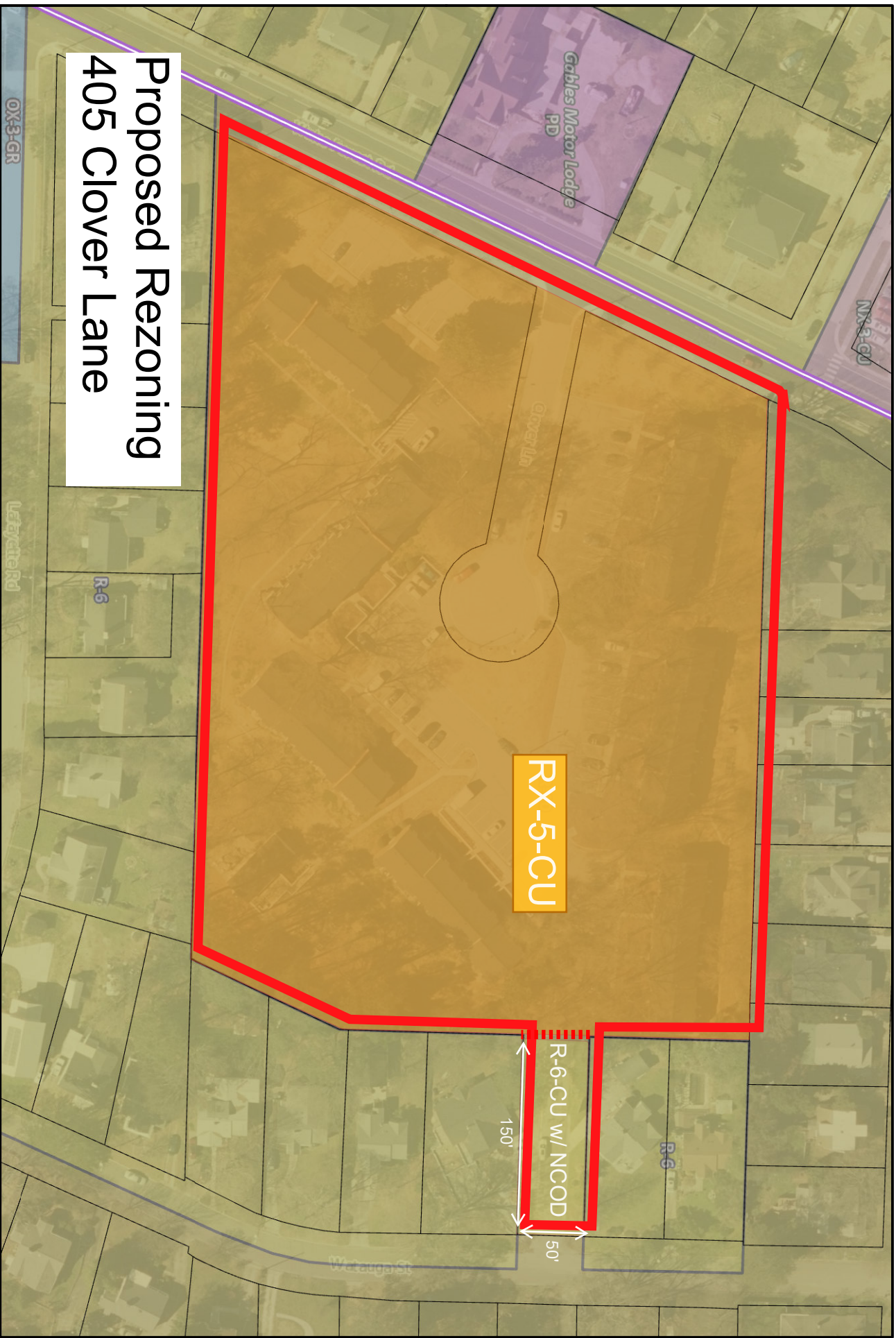
Existing Zoning:

R-10-NCOD (Mordecai 2)

Proposed Zoning:

R-6-CU-NCOD (50' wide by 150' deep portion of property adjoining Watauga Street)

RX-5-GR-CU (remainder of Property)



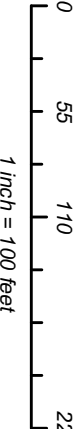
Proposed Rezoning
405 Clover Lane

RX-5-CU

R-6-CU w/ NCOD

150'

50'



Disclaimer
MMA makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Conditional Use District Zoning Conditions

Zoning case #: Z-43-2022	Date submitted: 10/28/22	Office Use Only Rezoning case # _____
Existing zoning: R-10 w/ NCOD	Proposed zoning: RX-5-GR-CU & R-6-CU w/ NCOD	

Narrative of Zoning Conditions Offered

The following conditions shall apply to that portion of the Property zoned RX-5-GR-CU:

1. The following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the RX- District shall be prohibited: Dormitory, Fraternity, Sorority; Cemetery; Multi-unit Supportive Housing; Supportive housing residence; Boarding House; Congregate Care; Continuing care retirement community; Rest home; Social service Use Category; telecommunications tower (either <250 ft or > 250ft); Outdoor sports or entertainment facility (<250 seats or >250 seats); or Parking facility.
2. There shall be no more than 310 dwelling units on this portion of the Property.
3. The maximum building height within this portion of the Property shall be 65 feet, as measured from the average post-development grade along the building elevation most parallel and closest to Wake Forest Road.
4. The maximum allowed wall plane height adjacent to the rear lot line shared with the following adjacent properties shall be 75 feet: PIN Nos. 1714041462, 1714041488, 1714041584, 1714041680, 1714041782, and 1714042707 (Lots 1-6, Book of Maps 1949, Page 119). The rear wall plane's height shall be measured from the average post-development grade along that rear wall of the building.
5. The maximum building height for the townhouse building type shall be 45 feet and 3 stories.
6. Non-residential uses, multi-unit living within the apartment building type, and residential uses in excess of seven units per acre shall not have driveway access to Watauga Street, but are expressly permitted to have driveway access to Watauga Street exclusively for utility and emergency personnel and vehicles. Driveway access to Watauga Street reserved exclusively for utility and emergency personnel and vehicles shall be limited by a locked gate or similar device.
7. If a building with height of 5 stories is built on this portion of the Property, the following conditions shall apply:
 - (a) a protective yard with a minimum width of 30 feet meeting the installation requirements for a Type 2 protective yard (UDO Section 3.5.3.B) shall be located along the northern and southern lot lines shared with the following adjacent properties (the "Northern and Southern Adjacent Properties"): PIN Nos. 1704947848, 1704948837, 1704948887, 1704949847, 1704949887, and 1714041827 (Lots 15-22 and 25-26, Book of Maps 1920, Page 244, Wake County registry); PIN No. 1714040867 (Lots 23 and 24, Book of Maps 2015, Page 1677, Wake County registry); PIN Nos. 1704944396, 1704946315, 1704946375, 1704947345, and 1714041366 (Lots 1-5 and Lot 10, Book of Maps 1938, Page 70, Wake County registry); PIN Nos. 1704948304 and 1704948365 (Lots 6-7, Book of Maps 1985, Page 1448, Wake County registry); PIN Nos. 1704949322 and 17049499382 (Lots 8 and 9, Book of Maps 1985, Page 476, Wake County registry). The protective yard must include a fence between 6.5 and 9 feet in height.

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.

DocuSigned by:

Property Owner(s) Signature: _____

Howard Brooks

87CC049B092342F...

Printed Name(s): L. Howard Brooks, Jr.**RECEIVED**

REVISION 07.20.21

By Hannah Reckhow at 4:01 pm, Nov 02, 2022

raleighnc.gov

Conditional Use District Zoning Conditions

Zoning case #: Z-43-2022	Date submitted: 10/28/22	Office Use Only Rezoning case # _____
Existing zoning: R-10 w/ NCOD	Proposed zoning: RX-5-GR-CU & R-6-CU w/ NCOD	

Narrative of Zoning Conditions Offered

(b) a protective yard with a minimum width of 45 feet meeting the installation requirements for a Type 2 protective yard (UDO Section 3.5.3.B) shall be located along the eastern lot line shared with the following adjacent properties (the "Eastern Adjacent Properties" and, collectively with the Northern and Southern Adjacent Properties, the "Specified Adjacent Properties"): PIN Nos. 1714041462, 1714041488, 1714041584, 1714041680, 1714041782, and 1714042707 (Lots 1-6, Book of Maps 1949, Page 119). The protective yard must include a fence between 6.5 and 9 feet in height.

(c) there shall be a minimum one hundred foot (100') primary building setback from the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties.

(d) outdoor trash and recycling facilities shall not be located within 100' of the the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties. This condition shall not apply to any trash/recycling facility located inside a building.

8. If a building with height of 4 stories is built on this portion of the Property, the following conditions shall apply:

(a) a protective yard with a minimum width of 20 feet meeting the installation requirements for a Type 2 protective yard (UDO Section 3.5.3.B) shall be located along the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties. The protective yard must include a fence between 6.5 and 9 feet in height.

(b) there shall be a minimum sixty-five foot (65') primary building setback from the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties.

(c) outdoor trash and recycling facilities shall not be located within 65' of the the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties. This condition shall not apply to any trash/recycling facility located inside a building.

9. Any site plan will provide sufficient mitigation measures so that the flood level differences between pre-development and post-development conditions for the 25-, 50- and 100-year storm events does not exceed 0.04 feet at the site(s) of documented downstream structural flooding near the intersection of Clifton St. and Frank St.

10. Trash and recycling facility service on this portion of the Property shall be allowed only between the hours of 8AM and 6PM.

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.

DocuSigned by:

Property Owner(s) Signature: Howard Brooks

87CC049B092342F...

Printed Name(s): L Howard Brooks, Jr**RECEIVED**

REVISION 07.20.21

By Hannah Reckhow at 4:01 pm, Nov 02, 2022

raleighnc.gov

Conditional Use District Zoning Conditions

Zoning case #: Z-43-2022	Date submitted: 10/28/22	Office Use Only Rezoning case # _____
Existing zoning: R-10 w/ NCOD	Proposed zoning: RX-5-GR-CU & R-6-CU w/ NCOD	

Narrative of Zoning Conditions Offered

11. Pole-mounted lighting shall be limited to a maximum height of 15' and shall be of full cut-off design. Pole-mounted lighting shall not be located within 25 feet (25') of the northern, eastern, and southern lot lines shared with the Specified Adjacent Properties.

12. Prior to, or as part of, any site plan for development of any portion of the property that would result in a Tier 3 level site plan, a location on the property or adjacent right-of-way shall be provided and solidified through a recorded and dedicated easement, to accommodate a City bikeshare station with no fewer than 10 docks, which shall be installed by the property owner. If a bikeshare station with 10 docks is installed, the property owner shall provide six (6) e-bikes with installation of the station. If more than 10 docks are installed, one (1) e-bike for every 1.6 docks shall be provided by the property owner, rounded up to the nearest whole bike, with the installation of the station.

13. At the discretion of the City of Raleigh Department of Transportation, prior to issuance of a building permit and/or recordation of a subdivision plat (whichever is earlier), the property owner shall dedicate a transit easement along Wake Forest Road with a width of 20' and a depth of 6'. The location and size of the easement shall be established within 50' of the northern property line shared with PIN No. 1704947848 (Lots 15-16, Book of Maps 1920, Page 244, Wake County registry) during site plan or subdivision review, with the final decision made by City transit staff.

14. Developer shall install a minimum ten (10) foot wide multiuse path ("Path") connecting Wake Forest Road and Watauga Street. In addition to the Path, Developer shall dedicate a public access easement no less than twelve (12) feet wide on that portion of the Property on which the Path is built. The Path does not need to be physically separated from any drives or parking lots.

15. The following building siding and cladding material shall be prohibited: vinyl siding, synthetic stucco (EIFS). This zoning condition shall not restrict the materials that can be used for window frames, door frames, soffits, or miscellaneous trim.

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: Howard Brooks
87CC049B092342F...

Printed Name(s): L. Howard Brooks, Jr.

Conditional Use District Zoning Conditions		
Zoning case #: Z-43-2022	Date submitted: 10/28/22	Office Use Only Rezoning case # <hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/>
Existing zoning: R-10 w/ NCOD	Proposed zoning: RX-5-GR-CU & R-6-CU w/ NCOD	

Narrative of Zoning Conditions Offered

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.

DocuSigned by:

Property Owner(s) Signature: Howard Brooks

87CC049B092342F...

Printed Name(s): L. Howard Brooks, Jr.

Rezoning Application Addendum #1	
<p align="center">Comprehensive Plan Analysis</p> <p>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.</p>	<p align="center">Office Use Only</p> <p align="center">Rezoning case #</p> <p align="center">_____</p>
<p align="center">Statement of Consistency</p>	
<p>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.</p>	
<p>1. The request is to rezone the bulk of the property (approximately 5.2 acres) to Residential Mixed Use. This portion of the property is classified as Medium Density Residential on the Future Land Use Map. The designation indicates that multifamily uses, including garden apartments, townhomes, condominiums, and suburban style apartment complexes, are appropriate. The Comprehensive Plan provides that RX is the closest corresponding zoning district.</p> <p>2. The request is to rezone the 50' wide by 150' deep area adjacent to Watauga Street to R-6. This portion of the property is classified as Low Scale Residential on the Future Land Use Map. The adjoining lots on Watauga Street are zoned R-6, and the Comprehensive Plan provides that R-6 zoning is consistent with the Low Scale Residential designation.</p> <p>3. The Urban Form Map shows that subject site is on a Transit Emphasis Corridor (Wake Forest Road) and that the bulk of the subject site (4.76 acres) is within the Core Transit Area/Frequent Transit Area and therefore has a Core/Transit context. Table LU-2 Recommended Height Designations recommends a building height range from 2 stories to 5 stories in areas classified as Medium Scale Residential on the Future Land Use Map with a Core/Transit Context.</p> <p>4. A multifamily development was built on the Property more than 50 years ago, well before the enactment of the Mordecai Neighborhood Conservation Overlay District in 1994. The lot size, lot width, and setback requirements of the applicable -NCOD never took into account the existing development on the site, and are inconsistent with the ability to continue to use the site for multifamily development. The proposed rezoning would maintain the -NCOD overlay along Watauga Street while permitting multifamily development on the larger portion of the property zoned RX.</p> <p>5. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.2 (Future Land Use Map and Zoning Consistency), LU 1.3 (Conditional Use District Consistency), LU 2.2 (Compact Development), LU 2.5 (Healthy Communities), LU 2.6 (Zoning and Infrastructure Impacts), LU 4.4 (Reducing Vehicle Miles Traveled Through Mixed-Use), LU 4.5 (Connectivity), LU 4.7 (Capitalizing on Transit Access), LU 4.9 (Corridor Development), LU 5.1 (Reinforcing the Urban Pattern), LU 6.2 (Complementary Land Uses and Urban Vitality), LU 6.3 (Mixed-use and Multimodal Transportation), LU 8.1 (Housing Variety), LU 8.17 (Zoning for Housing Opportunity and Choice), EP 1.1 (Greenhouse Gas Reduction), and H 1.8 (Zoning for Housing).</p>	
<p align="center">Public Benefits</p>	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p>	
<p>This request will permit additional housing to be built in a walkable and transit supportive area of the City. This will allow more people to live in a high quality neighborhood with convenient access to jobs, educational, and recreational amenities.</p> <p>Multifamily development in a walkable area of the City will allow for more people to live with reduced automobile reliance, likely reducing per capita carbon emissions for residents of any future development of the site, thereby advancing the City's goals on addressing climate change.</p> <p>The area has low transportation costs and high access to jobs. Residential density under the requested rezoning would allow more people to benefit from those qualities than the existing zoning.</p> <p>The property has been used for apartments for about 50 years, and, given its history, is an ideal infill site for apartments within the context of one of the City's great neighborhoods. Unfortunately, the Mordecai-2 NCOD (enacted 1994) imposes restrictions that would effectively prohibit development of new apartments on the property. The requested rezoning would reduce the land area of the Mordecai NCOD by about 3%, leaving the NCOD mostly intact.</p> <p>Rezoning the Property would expand housing access by permitting more apartments on the Property. The existing apartments on the Property are not permitted under the current zoning, which calls for the Property to be subdivided into residential lots no larger than one-third of an acre. Requiring subdivision of the Property consistent with the current -NCOD guidelines would narrow housing choice by encouraging redevelopment of the site for high-dollar homes.</p>	

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.	
N/A	
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 and Core/Transit	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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: Clover Lane, LLC

SECRETARY OF STATE ID NUMBER: 1413346 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2017, 2018, 2019, 2020, 2021

SOSID: 1413346
Date Filed: 10/24/2021
Elaine F. Marshall
North Carolina Secretary of State
CA2021 298 01054



Filing Office Use Only

☒ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Daniel W Russell

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

3304 Six Forks Rd Ste 100

PO Box 19961

Raleigh, NC 27609-7395 Wake

Raleigh, NC 27619-9961 Wake

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Apartments

2. PRINCIPAL OFFICE PHONE NUMBER: (919) 781-3800

3. PRINCIPAL OFFICE EMAIL: _____

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

3304 Six Forks Rd Ste 100

PO Box 19961

Raleigh, NC 27609-7395 Wake

Raleigh, NC 27619-9961 Wake

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: H Brooks

NAME: Daniel W Russell

NAME: _____

TITLE: member/manager

TITLE: member/manager

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

2320 Beechridge Dr

3304 Six Forks Rd Ste 100

Raleigh, NC 27608 Wake

Raleigh, NC 27609-7395 Wake

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Howard Brooks

10/13/2021

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Howard Brooks

Member/Manager

Print or Type Name of Company Official

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

Urban Design Guidelines Addendum

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



Urban 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.

Urban Form Designation: Transit Emphasis Corridor and Core/Transit [Click here to view the Urban Form map.](#)

1	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.
	Response: The proposed rezoning allows a mix of uses arranged in a compact and pedestrian-friendly form.
2	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.
	Response: Buildings will be subject to the neighborhood transition requirements of the UDO, which limit height and require additional building setbacks to provide transitions to the surrounding neighborhood. A portion of the property will be downzoned to R-6 to further provide transition.
3	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.
	Response: The property fronts along Wake Forest Road and has an access to Watauga. In response to neighbor concerns, this rezoning includes a proposed condition prohibiting driveway access from Watauga for non-residential uses and apartments.
4	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.
	Response: No new streets are contemplated as part of the rezoning. Future redevelopment of the portion of the property to be zoned RX- may include a request that the City abandon the existing Clover Lane cul-de-sac.

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: No new public streets are anticipated as part of the rezoning. The existing block face on Wake Forest Road has a length of less than 660 feet.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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 Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The site is not located at an intersection.
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: Future development will be designed to take into account location, views, and sun exposure.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The proposed RX- rezoning would permit such uses along Wake Forest Road.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.

13	New public spaces should provide seating opportunities.
	Response: Future development will provide seating opportunities consistent with the UDO.
14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.
	Response: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline. Additional zoning conditions are proposed to provide screening for adjoining properties.
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: The property is within walking distance of Downtown and multiple transit stops, including a planned BRT station area.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.
	Response: The property is located on a portion of Wake Forest Road with pedestrian access to the surrounding areas.
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: There are no known sensitive natural resources on this property.
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: Future development will be designed to take into account this guidance.

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: No new public streets are proposed as part of this rezoning. Future development of internal drives within the area to be zoned RX- will take into account this guidance.
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: The site is served by existing sidewalks along Wake Forest Road. Sidewalks will be provided consistent with the UDO.
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: Street trees will be provided in accordance with the UDO.
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 Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: The Green (-GR) frontage proposed as part of this rezoning will ensure that the development along Wake Forest Road is consistent with this guideline.
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: Sidewalks will comply with the applicable UDO standards, consistent with this guideline.



T
TENANT
NOTICE

NEIGHBORHOOD MEETING
APRIL 27 AT 6:00 PM
101 S. 1st St. (at 1st St.)
Raleigh, NC 27601
BY ZONING DEPARTMENT

CHANGES ARE COMING
TO YOUR COMMUNITY
Want to know more?

  **Raleigh**
919-996-2682
planning@raleighnc.gov
raleighnc.gov/development

SUMMARY OF ISSUES

A neighborhood meeting was held on April 27, 2022 (date) to discuss a potential rezoning located at 405 Clover Lane (property address). The neighborhood Meeting was held at Halifax Community Center, 1023 Halifax St. (location). There were approximately 3 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Need for additional housing.
Types of non-residential uses on Property.
Property owner's plans for redevelopment. The Property owner does not have a set timeline for redevelopment of the site. Existing apartments on Property built in 1967.

April 27 - Halifax Community Centre

[illegible]

**SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L.L.P.**

LAWYERS

OFFICES
Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

TOBY R. COLEMAN
DIRECT DIAL: (919) 821-6778
E-Mail: tcoleman@smithlaw.com

MAILING ADDRESS
P.O. Box 2611
Raleigh, North Carolina
27602-2611

TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

April 14, 2022

Re: Notice of neighborhood meeting to discuss proposed rezoning of land located at 405
Clover Ln., Raleigh, NC 27604 (PIN: 1704947576) (the "Property")

Dear Neighbors:

We are writing to invite you to a Neighborhood Meeting to discuss a proposed rezoning of the Property.

The neighborhood meeting will be held on April 28, 2022 at 6 p.m. at the Halifax Community Center located at 1023 Halifax St., Raleigh, NC 27604.

The Property is currently zoned Residential-10 in the Mordecai 2 Neighborhood Conservation Overlay District and is proposed to be rezoned to Residential Mixed Use with a maximum height of 5 stories (RX-5). The enclosed maps show the location of the Property and the current zoning of the neighborhood.

At the Neighborhood Meeting, we will discuss the proposed rezoning, including the potential zoning conditions for the development of the Property.

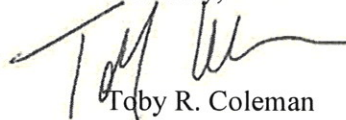
Prior to submitting the rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners, residents, or tenants within 500 feet of the property requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

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:

Sarah Shaughnessy
Raleigh Planning & Development
(919) 996-2234
Sarah.Shaughnessy@raleighnc.gov

If you have any concerns or questions about this potential rezoning, please do not hesitate to contact me. I can be reached via my office phone at 919-821-6778 or via email at tcoleman@smithlaw.com.

Sincerely,



Toby R. Coleman

enclosures

MEETING AGENDA

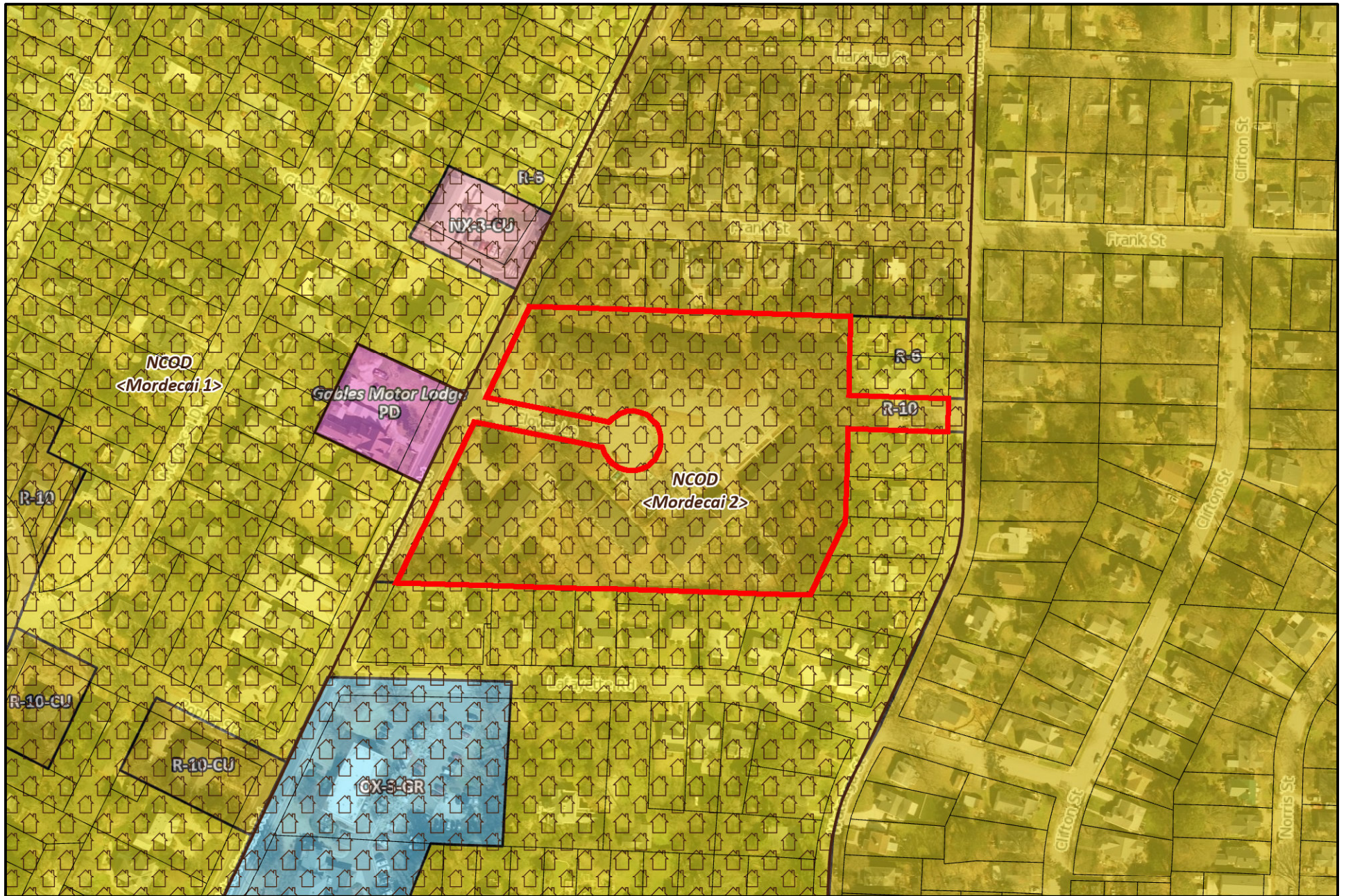
1. Meeting Welcome and Introductions of Speakers.
2. Project Presentation
3. Question and Answer



0 105 210 420 ft
1 inch = 200 feet

Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



0 105 210 420 ft
1 inch = 200 feet

Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

OFFICES
Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

TOBY R. COLEMAN
DIRECT DIAL: (919) 821-6778
E-Mail: tcoleman@smithlaw.com

April 21, 2022

MAILING ADDRESS
P.O. Box 2611
Raleigh, North Carolina
27602-2611
TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

Re: **UPDATE**-Notice of neighborhood meeting to discuss proposed rezoning of land located at 405 Clover Ln., Raleigh, NC 27604 (PIN: 1704947576) (the "Property")

NOTE UPDATED LOCATION

Dear Neighbors:

We are writing to let you know that the April 28, 2022 Neighborhood Meeting to discuss a proposed rezoning of the Property will be held in the Mordecai Historic Park Visitor Center.

The neighborhood meeting will be held on April 28, 2022 at 6 p.m. in the Mordecai Historic Park Visitor Center located at 1101 Wake Forest Road, Raleigh, NC 27604.

The Property is currently zoned Residential-10 in the Mordecai 2 Neighborhood Conservation Overlay District and is proposed to be rezoned to Residential Mixed Use with a maximum height of 5 stories (RX-5). The enclosed maps show the location of the Property and the current zoning of the neighborhood.

At the Neighborhood Meeting, we will discuss the proposed rezoning, including the potential zoning conditions for the development of the Property.

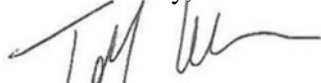
Prior to submitting the rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners, residents, or tenants within 500 feet of the property requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

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:

Sarah Shaughnessy
Raleigh Planning & Development
(919) 996-2234
Sarah.Shaughnessy@raleighnc.gov

If you have any concerns or questions about this potential rezoning, please do not hesitate to contact me. I can be reached via my office phone at 919-821-6778 or via email at tcoleman@smithlaw.com.

Sincerely,



Toby R. Coleman

enclosures

MEETING AGENDA

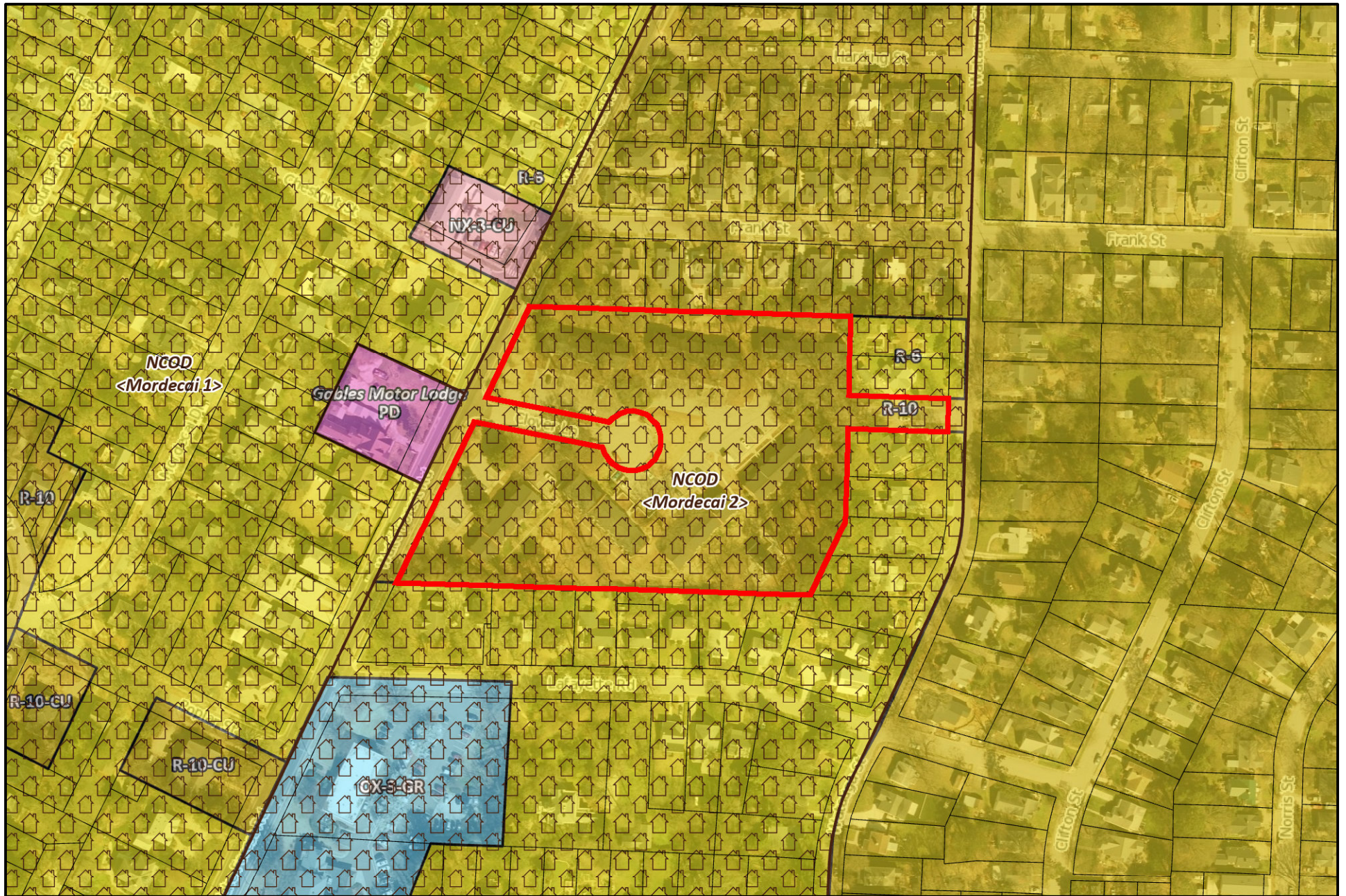
1. Meeting Welcome and Introductions of Speakers.
2. Project Presentation
3. Question and Answer



0 105 210 420 ft
1 inch = 200 feet

Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



0 105 210 420 ft
1 inch = 200 feet

Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

T
**TENANT
NOTICE**

**NEIGHBORHOOD MEETING
APRIL 28 AT 6:00 PM**

Mordecai Historic Park Visitor Center
1101 Wake Forest Rd., Raleigh, NC 27604

REZONING OF 405 CLOVER LN

Applicant Email: tc Coleman@smithblaw.com
Applicant Phone: (919) 821-6778

TO YOUR COMMUNITY
Want to know more?



919-996-2682
planning@raleighnc.gov
raleighnc.gov/development

SUMMARY OF ISSUES

A neighborhood meeting was held on April 28, 2022 (date) to discuss a potential rezoning located at 405 Clover Lane (property address). The neighborhood Meeting was held at Mordecai Historic Park Visitor Center, 1101 Wake Forest Road. (location). There were approximately 70-75 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Building height and consistency with nearby residences, need for setbacks and buffering, privacy of neighboring homes.

Traffic and speeding on Wake Forest Road and difficulty turning left onto Wake Forest Road from neighborhood roads.

Concerns about driveway access from Property onto Watauga Street. Watauga Street is a neighborhood street without sidewalks.

Types of non-residential uses on Property and need for on-site parking to accommodate all visitors to property. Some neighboring homes do not have driveways, requiring residents to park on street.

Existing trees on site.

Property owner's plans for redevelopment. The Property owner does not have a set timeline for redevelopment of the site. Existing apartments on Property built in 1967.

Number of residences/apartments on the Property and how more residents on Property could impact traffic or local population.

Stormwater concerns.

SUMMARY OF ISSUES

A neighborhood meeting was held on April 28, 2022 (date) to discuss a potential rezoning located at 405 Clover Lane (property address). The neighborhood Meeting was held at Mordecai Historic Park Visitor Center, 1101 Wake Forest Road. (location). There were approximately 70-75 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues: PAGE 2 of 2

Possibility of fence or wall around the Property to prevent pedestrians cutting through neighboring yards.

Affordable housing. The existing 2-bedroom apartments rent for up to \$1,900 per month.

Noise and light impacts on neighboring properties.

4/28 / Negro hood Mt

Attendance Roster

Name	Address
John Armanasco	1209 Wake Forest
MARIE BARNETT	1413 WAKE FOREST
JAMES JERNICAN	"
Michell Chapman	219 Lafayette
Hannah Sullivan	1208 Watauga St
LUKE SULLIVAN	1208 WATAUGA ST
Amy Cabbage	1211 WATAUGA ST
Kurt Cabbage	1211 WATAUGA ST
JONAI SESSOM S	506 FRANK ST.
Samantha Ade	214 Lafayette RD
Dillon Ade	214 Lafayette RD
Ken & Merrilee JACOBSON	1212 COURTLAND DR.
ROBYN HOLDER	417 CLEVERLANE #C.
Phyllis Kenine	104 Drew St
Kana Deaton	408 Harding St.
Matt Dyrall	1228 Watauga St.
Dave Phillips	412 Frank St.
Margalee Corter	409 Harding St.
MARK WLOMCZAK	204 Hardy St.
Michael Hrivnak	604 Harding St.
Ann Chris	1107 Watauga St.
LINDSAY SMITH	405 FRANK ST.
ERIC KNISLEY	417 FRANK ST.
KIM ANDERSEN	417 FRANK
Sara Merz	508 Frank St
Amy Stabler	606 Frank St
Kelly Beck	413 Frank St.
Carter Brown	1232 Watauga St.
Bob Schmalfeld	1314 Mordecai
Arika & Mickey D'Loughy	415 Frank St.
Betsy & GROOM Miller	410 Seiser St
Joe Layton	1224 Mordecai Drive
Gayle Lowry	1410 Sycamore St.
BRIAN LEE	500 FRANK ST
Catherine Clodfelter	500 FRANK ST
ADAM RIDGE	408 FRANK ST

Negundo wood Mtg

Attendance Roster

Name	Address
David Plotner	1201 Watauga
Julia Bessuh	1201 Watauga
Susan Moore	1207 Watauga St.
Douglas Hammer	1207 Watauga St.
FOR EICHENBERGER	507 Frank St.
Sarah Flanary	503 Frank St.
Ralph Flanary	503 Frank St.
Ward Russell	Clover Ln
DAVE COOPER	1101 Monroe Dr
Tared Caldwell	1215 Watauga St
Matthew Wright	1215 Watauga St
Jen Korreck	1227 Watauga St.
Rosalind Finney	1222 Courland
Eli Helder	1238 Marshall
Kathleen Fugle	504 Harding St.
REED BERGER	211 LAFAYETTE
Brandon Herring	411-G Clover Lane
Ira Mabel	Raleigh Planning