

Property	3411 & 3413 Hillsborough St; 10, 12, 14, & 18 Turner St
Size	1.72 acres
Existing Zoning	NX-3-UL & NX-3 w/SRPOD
Requested Zoning	NX-5-UL-CU w/SRPOD





To: Ruffin L. Hall, City Manager

From: Matthew Klem, Planner II
Ken Bowers AICP, Director, Department of Planning & Development

Copy: City Clerk

Date: June 6, 2018

Re: City Council agenda item for July 3, 2018 – Rezoning Public Hearing for Z-5-18

The City Council has authorized the following case for public hearing at its meeting the evening of Tuesday, July 3, 2018:

Z-5-18 Hillsborough Street and Turner Street, southeast of the Hillsborough Street and Gorman Street intersection, being Wake County PIN(S) 0794338236, 0794338360, 0794338395, 0794338424, 0794339442, and 0794339499. Approx. 1.72 acres are requested by the property owners to be rezoned from Neighborhood Mixed Use-3 stories-Urban Limited with Special Residential Parking Overlay District (NX-3-UL w/ SRPOD) and Neighborhood Mixed Use-3 Stories with Special Residential Parking Overlay District (NX-3 w/ SRPOD) to Neighborhood Mixed Use-5 stories-Urban Limited-Conditional Use with Special Residential Parking Overlay District (NX-5-UL-CU w/ SRPOD). Proposed conditions limit the maximum number of bedrooms per unit, specify permitted and prohibited façade materials, prohibit the rental of individual rooms within a dwelling unit, limit the size of retail sales, personal services, and eating establishments, and limit height to three stories and 50 feet south of the existing overhead power line easement.

The Planning Commission recommends approval in a vote of 7 to 0.

The Wade CAC voted in favor of the request in a vote of 17 to 2

Attached are the Planning Commission Certified Recommendation (including Staff Report and Traffic Study Worksheet), the Petition for Rezoning, the Zoning Conditions, and the Neighborhood Meeting Report.

Original Signed Conditions Submitted June 1, 2018

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JUN 01 2018

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number **Z-5-18**

Date Submitted **6/1/18**

Existing Zoning **NX-3 and NX-3-UL** Proposed Zoning **NX-5-UL-CU w/SRPOD**

OFFICE USE ONLY

Transaction #

Rezoning Case #

Narrative Of Zoning Conditions Offered

1. The maximum number of bedrooms for any dwelling unit shall be three (3).

2. The facades of the building shall be constructed from one or more of the following materials: glass, concrete, clay or brick masonry, stone masonry, stucco, cementitious siding, native and manufactured stone, and pre-cast concrete.

3. Synthetic stucco (EIFS) and vinyl shall be prohibited as building siding materials.

4. No bedroom shall be rented separately from the other rooms within the same dwelling unit.

5. Building height on that portion of the property located south of the 50-foot wide CP&L transmission line easement shall be limited to three stories and fifty (50) feet. Also, no building constructed on the south side of the 50-foot wide CP&L transmission line easement shall be attached to a building taller than three (3) stories and fifty (50) feet in height.

6. "Retail Sales", "Personal Service" and "Eating Establishment" uses shall be limited to a total of 60,000 square feet gross floor area.


7.

8.

9.

10.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature , President Print Name Daniel A. Erwin, President
Erwin Distributing Corp.

RECEIVED
JUN 01 2018
MK

BY:

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number Z-5-18	OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted 6/1/18	
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Owner/Agent Signature Nancy E. Helms Print Name NANCY E. HELMS

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Owner/Agent Signature Steven Pace Print Name STEVEN PACE

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JUN 01 2018
MK

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Owner/Agent Signature  Print Name Gerald R. Bestfield



CERTIFIED RECOMMENDATION

RALEIGH PLANNING COMMISSION

CASE INFORMATION Z-5-18 HILLSBOROUGH STREET AND TURNER STREET CR#11844

Location	Southwest of the intersection of Hillsborough Street and Turner Street Address: 3411 & 3413 Hillsborough Street; 10, 12, 14, & 18 Turner Street; PIN: 0794338236, 0794338360, 0794338395, 0794338424, 0794339422, & 0794339499
Request	Rezone property from NX-3 w/ SRPOD & NX-3-UL w/ SRPOD to NX-5-UL-CU w/ SRPOD
Area of Request	1.72 acres
Corporate Limits	The site is within and surrounded by the corporate limits of the City.
Property Owner	Oak City Properties LLC, Triangle Enterprises Group LLC, Steven E Pace, Erwin Distributing Corporation
Applicant	Michael Birch
Citizens Advisory Council (CAC)	Wade CAC Aracelys Torrez, aracelys.torrez@raleighnc.gov
PC Recommendation Deadline	August 14, 2018

COMPREHENSIVE PLAN CONSISTENCY

The rezoning case is **Consistent** **Inconsistent** with the 2030 Comprehensive Plan.

FUTURE LAND USE MAP CONSISTENCY

The rezoning case is **Consistent** **Inconsistent** with the Future Land Use Map.

COMPREHENSIVE PLAN GUIDANCE

<i>FUTURE LAND USE</i>	Community Mixed Use
<i>URBAN FORM</i>	Mixed Use Center Transit Emphasis Corridor Future Fixed-Guideway Transit Stop Half-Mile Buffer
<i>CONSISTENT Policies</i>	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.7 Capitalizing on Transit Access Policy LU 5.6 Buffering Requirements Policy UD 1.10 Frontage Policy AP-CH 6 Guide Future Zoning Policy AP-CH 12 Use-based Transition
<i>INCONSISTENT Policies</i>	N/A

SUMMARY OF PROPOSED CONDITIONS

1. Maximum number of bedrooms for any dwelling unit shall be 3.
2. Permitted façade materials: glass, concrete, clay or brick, stone, stucco, cementitious, native and manufactured stone, and pre-cast concrete.
3. Prohibited façade materials: synthetic stucco (EIFS) and vinyl.
4. Prohibition of separate room rentals.
5. Building height limited to three stories and 50 feet south of the power line easement.
6. Retail, personal service, and eating establishments shall be limited to a combined maximum of 60,000 square feet.

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
12/20/2017	3/27/18 4/24/18	5/22/18	6/5/2018



ZONING STAFF REPORT Z-5-18

CONDITIONAL USE DISTRICT

OVERVIEW

The proposal seeks to rezone six properties totaling 1.72 acres from Neighborhood Mixed Use-3 stories-Urban Limited with Special Residential Parking Overlay District (NX-3-UL w/SRPOD) and Neighborhood Mixed Use-3 Stories with Special Residential Parking Overlay District (NX-3 w/SRPOD) to Neighborhood Mixed Use-5 stories-Urban Limited-Conditional Use with Special Residential Parking Overlay District (NX-5-UL-CU w/SRPOD).

Proposed conditions limit the maximum number of bedrooms per unit, specify permitted and prohibited façade materials, prohibit the rental of individual rooms within a dwelling unit, limit the combined size of retail sales, personal services, and eating establishments, and provides for a height transition as prescribed in the Cameron Village and Hillsborough Street area plan.

The subject site is located southeast of the Hillsborough Street and Gorman Street intersection and is currently developed with a mix of attached and detached homes, a vacant gas station, and a vacant parcel. The site is also encumbered by a 50-foot-wide overhead powerline easement that traverses its southern end. East of the subject site is a Duke Energy Progress electrical substation. South of the subject site are three parcels with a mix of attached and detached homes. West of the subject site is a fast food restaurant and a vacant parcel.

The area is more generally characterized by a mix of commercial, light industrial, and residential uses at the intersection of two major streets, Gorman Street and Hillsborough Street, with close access to Meredith College and North Carolina State University.

The subject site is zoned Neighborhood Mixed Use-3 stories-Urban Limited (NX-3-UL) and Neighborhood Mixed Use-3 Stories (NX-3). The properties to the west and south are zoned NX-3-UL and NX-3, respectively. The property to the east, across Turner Street, is zoned Industrial Mixed Use-3 stories-Green (IX-3-GR). The properties to the north, across Hillsborough Street, are zoned Office Mixed Use-3 stories-Urban General (OX-3-UG).

The Future Land Use Map (FLUM) designates the subject site as Community Mixed Use, along with the properties to the west and south. The property to the east, across Turner Street, is designated as General Industrial on the FLUM. The properties to the north, across Hillsborough Street, are designated as Neighborhood Mixed Use on the FLUM.

The Urban Form Map locates the subject site within a Mixed-Use Center, along a Transit Emphasis Corridor, and within a half-mile of a future fixed guideway transit stop.

OVERVIEW CONTINUED

The subject site is located within the boundaries of the Cameron Village and Hillsborough Street Small Area Plans which provides height guidance for 5 stories on the site. The Small Area Plans also provides guidance for a transition in height when four story mixed use development occurs next to existing one and two story residential uses.

OUTSTANDING ISSUES

Outstanding Issues	N/A	Suggested Mitigation	N/A
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Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

The request is consistent with the Expanding Housing Choices vision theme which supports increasing the supply of housing in the city. The request will nearly double the residential entitlement on the subject site.

The request is consistent with the Coordinating Land Use and Transportation vision theme. The request will increase land use intensity in an area with good access to existing and planned transit services.

- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

The use being considered in this request is consistent with the recommendations of the Future Land Use Map. The subject site is designated as Community Mixed Use which envisions mid-rise buildings with ground level retail. The request is for Neighborhood Mixed Use which would accommodate this vision.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

N/A

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Community facilities and streets are available to serve the proposed use.

Future Land Use

Future Land Use designation:

The rezoning request is:

Consistent with the Future Land Use Map(FLUM).

Inconsistent

The Future Land Use designation on the subject site is Community Mixed Use. This category applies to medium-sized shopping centers and larger pedestrian-oriented retail districts such as Cameron Village. Where residential development occurs, ground floor retail would be encouraged and minimum building heights might be applied in transit-rich areas. Heights would generally be in the three to five story range. For both this category and Neighborhood Mixed Use, greater height should include appropriate transitions and be accompanied by a pedestrian-friendly relationship to the public realm.

The rezoning request maintains the existing base district of Neighborhood Mixed Use which is consistent with the recommendations of the FLUM, albeit less intense. The requested height of five stories is consistent with the recommendations of Table LU-2 Recommended Height Designations, which encourages a range of two to twelve in areas considered Core/Transit and a maximum of five stories in General areas.

Urban Form

Urban Form designation:

The rezoning request is:

Not applicable (no Urban Form designation)

Consistent with the Urban Form Map.

Inconsistent

The Urban Form Map identifies the subject site within a Mixed-Use Center of approximately 100 acres in size and along a Transit Emphasis Corridor. The Mixed-Use Center designation encourages a more walkable and mixed-use development pattern and the Transit Emphasis Corridor designation recommends a hybrid approach to frontage. The proposed and existing frontage is Urban Limited, which is an urban frontage. While a hybrid frontage (Parking Limited) may be more consistent with the policy recommendation, the Urban Limited frontage is more consistent with the context of the site. Both frontage types encourage walkable and mixed-use development.

Compatibility

The proposed rezoning is:

Compatible with the property and surrounding area.

Incompatible.

The request is compatible with the property and the surrounding area. The subject site is currently developed with a mix of attached and detached homes, a gas station, and a vacant parcel. It is adjacent to an electrical substation, a mix of attached and detached homes, and a drive through fast food restaurant. The request would increase the permitted height from three to five stories. While there are existing single story detached and attached homes in the immediate area, proposed conditions provide for appropriate transitions in height.

Public Benefits of the Proposed Rezoning

- Increasing the supply and variety of housing in the city will naturally moderate the costs of owning and renting.
- Increasing land use intensity near the planned Bus Rapid Transit route and Commuter Rail corridor will take advantage of the region's investment in transit infrastructure.
- Proposed conditions that provide height transitions consistent with adopted policy is beyond what the UDO requires and will help to mitigate development impacts on adjacent properties.

Detriments of the Proposed Rezoning

- None

Policy Guidance

The rezoning request is **consistent** with the following policies:

Policy LU 1.2 Future Land Use Map and Zoning Consistency

The Future Land Use Map (FLUM) shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The future land use designation on the subject site is Community Mixed Use. The rezoning request maintains the existing base district of Neighborhood Mixed Use which is consistent with the recommendations of the FLUM, albeit less intense.

Policy LU 1.3 Conditional Use District Consistency

All conditions proposed as part of a conditional use district should be consistent with the Comprehensive Plan.

The conditions proposed with the rezoning request are consistent with the Plan.

Policy LU 2.6 Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

Existing infrastructure is sufficient to serve the requested increase in zoning entitlement.

Policy LU 4.7 Capitalizing on Transit Access

Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure.

The subject site is located on a Transit Emphasis Corridor as identified on the Urban Form Map and is within a half-mile of a proposed fixed-guideway transit station.

Policy LU 5.6 Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

Proposed conditions provide for a height transition between development on the subject site and adjacent detached and attached housing.

Policy UD 1.10 Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

The request designates the subject site with an Urban Limited frontage which is consistent with the context of the Hillsborough Street.

Area Plan Policy Guidance**Policy AP-CH 6 Guide Future Zoning**

Rezoning petitions should be evaluated for consistency with the policy guidance and recommendations of the area plan, as well as Map AP-CH 1.

Map AP-CH 1 recommends Community Mixed Use-5 stories (CX-5) on the subject site. The request is for Neighborhood Mixed Use-5 stories-Conditional Use w/Special Residential Parking Overlay District (NX-5-CU w/ SRPOD) and is consistent with this policy.

Policy AP-CH 12 Use-based Transition

Where a new mixed-use development of any building type taller than three stories is constructed next to residential use of no more than two stories, the taller development shall include:

- 1. A fifteen-foot building setback from the shared property line with the residential use, and*
- 2. A maximum height of three stories and 50' within 50' of the shared property line with the residential use.*

Proposed conditions limit building height to three stories and 50 feet on the portions of the subject site that are adjacent to existing detached homes. This condition is consistent with the use based transition policy.

Impact Analysis

Transportation

1. The Z-5-2018 site is located in the southwest quadrant of Hillsborough Street and Turner Street. Hillsborough Street (SR 3007) is maintained by the NCDOT and currently has one eastbound lane, two westbound lanes and a two-way left turn lane. Curbs and sidewalks are in place along both sides of Hillsborough Street. Hillsborough is classified as a mixed-use street in the Raleigh Street Plan (Avenue, 3-Lane, Parallel Parking). Turner Street is maintained by the City and has curbing on both sides, but lacks sidewalks. Development of the Z-5-2018 parcels will require sidewalk construction along the site frontage. Progress Energy operates a large substation on the east side of Turner Street.
2. There are no NCDOT projects in the immediate vicinity of the Z-5-2018 site. The Hillsborough Street Renewal Project, currently under construction, terminates at Shepard Street, approximately 1/4 mile east of the Z-5-2018 parcels. The Gorman Street Connector project is located 0.1 miles west of the Z-5-2018 parcels. Hillsborough Street between Shepard Street and Gorman Street is designated for a separated bikeway in the Raleigh Long Term Bikeway Plan, but there is no timetable for construction. No bicycle facilities are planned for Turner Street. Hillsborough Street is currently served by GoRaleigh route 12 (Method); buses run every half hour during peak periods. The nearest bus stops are located 150 feet east of Turner Street. The Wake Transit Plan calls for frequent service on Hillsborough.
3. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. The Z-5-2018 site is bounded by residential lots on the south and by a fast food restaurant on the west. There are no public street stubs abutting any of the Z-5-2018 parcels.
4. Site access can be provided via Hillsborough Street and Turner Street.
5. In accordance with UDO section 8.3.2, the maximum block perimeter for NX-5 zoning is 2,500 feet. The block perimeter for Z-5-2018, as defined by public rights-of-way for Gorman Street, Turner Street and Hillsborough Street is 1,925 feet. The extension of Gorman Street in the 1980's provided a grade-separated passage over the railroad tracks but it also severed Turner Street from Neil Street. There is not currently any connection between Gorman and Turner Street.

Transportation continued

- The existing land is occupied by six residential housing units and generates very little traffic. The Z-5-2018 case will allow a maximum of 60,000 sq. ft of retail use. Under this condition, average peak hour trip volumes would increase by 119 veh/hr in the AM peak and by 96 veh/hr in the PM peak. Daily trips are anticipated to increase by approximately 1,260 veh/hr. A traffic study is not required for case Z-5-2018.

Z-5-18 Existing Land Use Retail, Residential	Daily	AM	PM
	78	14	8
Z-5-18 Current Zoning Entitlements Mixed Use	Daily	AM	PM
	3,161	133	275
Z-5-18 Proposed Zoning Maximums Mixed Use	Daily	AM	PM
	3,385	252	370
Z-5-18 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	224	119	96

Impact Identified: None.

Transit

- This section of Hillsborough St is currently served by GoRaleigh, GoTriangle and Wolfline.
- The nearest stop is approximately 100 feet from the subject site.
- The site is subject to Raleigh UDO sections 8.2.7 and 8.11

Impact Identified: None

Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Rocky Branch
<i>Stormwater Management</i>	9.2 UDO
<i>Overlay District</i>	none

Impact Identified: Site is subject to stormwater control regulations (runoff and water quality) under 9.2 of the UDO. No downstream documented cases of structural

flooding. No buffer or floodplain present. Nearest existing stormwater infrastructure is located approximately 150 ft south on Turner St.

Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	2,500 gpd	108,926 gpd	239,123 gpd
<i>Waste Water</i>	2,500 gpd	108,926 gpd	239,123 gpd

Impact Identified:

1. The proposed rezoning would add approximately 236,623 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
3. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
4. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

Impact Identified: None.

Parks and Recreation

1. Nearest greenway trail access is provided by the Rocky Branch Trail, approximately 0.15 miles away.
2. Nearest park access is provided by Six Oaks and Pollack Open Space Parks (0.25 miles), Method Road Park (0.75 miles), and Raleigh Rose Garden and Raleigh Little Theater (1.0 mile),
3. Current park access level of service is above average
4. This area is not considered a high priority for land acquisition

Impact Identified: None

Urban Forestry

All parcels are less than 2 acres in size. Collectively the parcels are less than 2 acres in size. Tree conservation regulations do not apply.

Impact Identified: None.

Designated Historic Resources

The site is adjacent to the West Raleigh Historic District, a National Register Historic District. There is no Raleigh Historic Overlay District. The subject site does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

Impacts Summary

The impacts of the proposed conditional use zoning district are minimal as the area is already well developed with a mix of commercial and residential uses and is served with sufficient infrastructure to handle the requested increase in entitlement.

Mitigation of Impacts

Staff has not identified any mitigation measures necessary at this stage. At the time of development plan submittal, a Downstream Sewer Capacity Study and fire flow verification may be required.

Conclusion

The proposed conditional use district is compatible with the surrounding properties and can be developed at the requested zoning entitlement without negatively impacting the character of the area. The request is consistent with the Future Land Use Map, the Comprehensive Plan, and the Cameron Village and Hillsborough Street area plans. The request will also increase development intensity in an area where a walkable and mixed-use development pattern is desirable.

Case Timeline

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
3/2/2018	Application submitted	
4/23/2018	Application completed	The application as incomplete siting the need for a TIA. The applicants submitted conditions alleviating that need.
3/27/2018	CAC review	
4/24/2018	CAC vote	17 to 2 in favor
5/22/2018	Planning Commission review begins	

Appendix

Surrounding Area Land Use/ Zoning Summary

	<i>SUBJECT PROPERTY</i>	<i>NORTH</i>	<i>SOUTH</i>	<i>EAST</i>	<i>WEST</i>
Existing Zoning	NX-3-UL & NX-3	OX-3-UG	NX-3	IX-3-GR	NX-3-UL & NX-3
Additional Overlay	SRPOD	SRPOD	SRPOD	SRPOD	SRPOD
Future Land Use	Community Mixed Use	Neighborhood Mixed Use	Community Mixed Use	General Industrial	Community Mixed Use
Current Land Use	Residential & Vacant	Residential	Residential	Light Industrial	Commercial & Vacant
Urban Form (if applicable)	Mixed Use Center & Transit Emphasis Corridor	Mixed Use Center & Transit Emphasis Corridor	Mixed Use Center	Mixed Use Center & Transit Emphasis Corridor	Mixed Use Center & Transit Emphasis Corridor

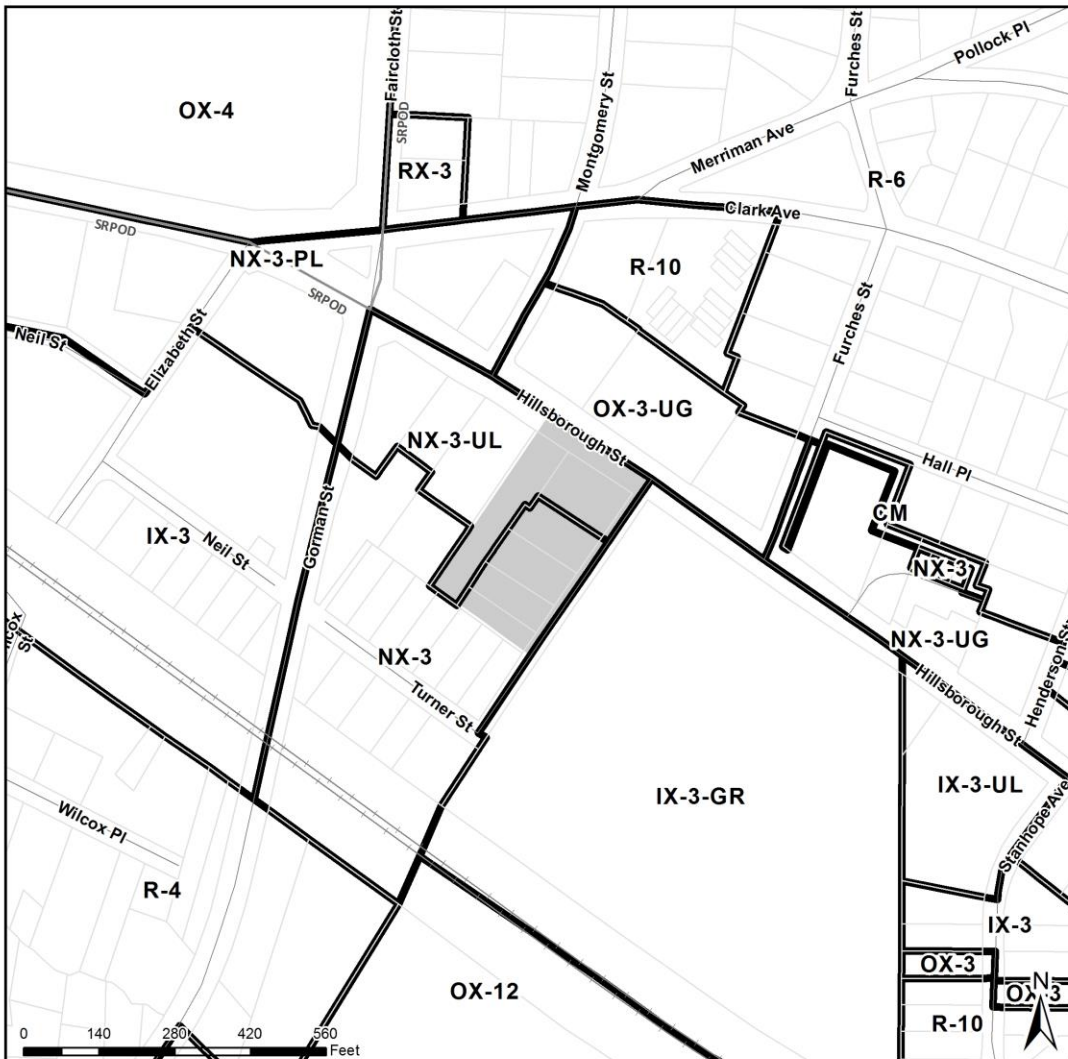
Current vs. Proposed Zoning Summary

Zoning	Existing Zoning	Proposed Zoning
	NX-3 & NX-3-UL	NX-5-UL-CU
Total Acreage	1.72	1.72
Setbacks:		
Front:	5'	5'
Side yard:	0' to 6'	0' to 6'
Side street:	5'	5'
Rear:	0' to 6'	0' to 6'
<i>Residential Density:</i>	44 units/acre	84 units/acre
<i>Max. # of Residential Units</i>	77 units	146 units
<i>Max. Gross Building SF (if applicable)</i>	99,912	189,027
<i>Max. Gross Office SF</i>	63,182	81,386
<i>Max. Gross Retail SF</i>	58,094	60,000
<i>Potential F.A.R</i>	1.33	2.52

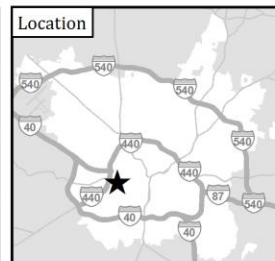
*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

Existing Zoning

Z-5-2018



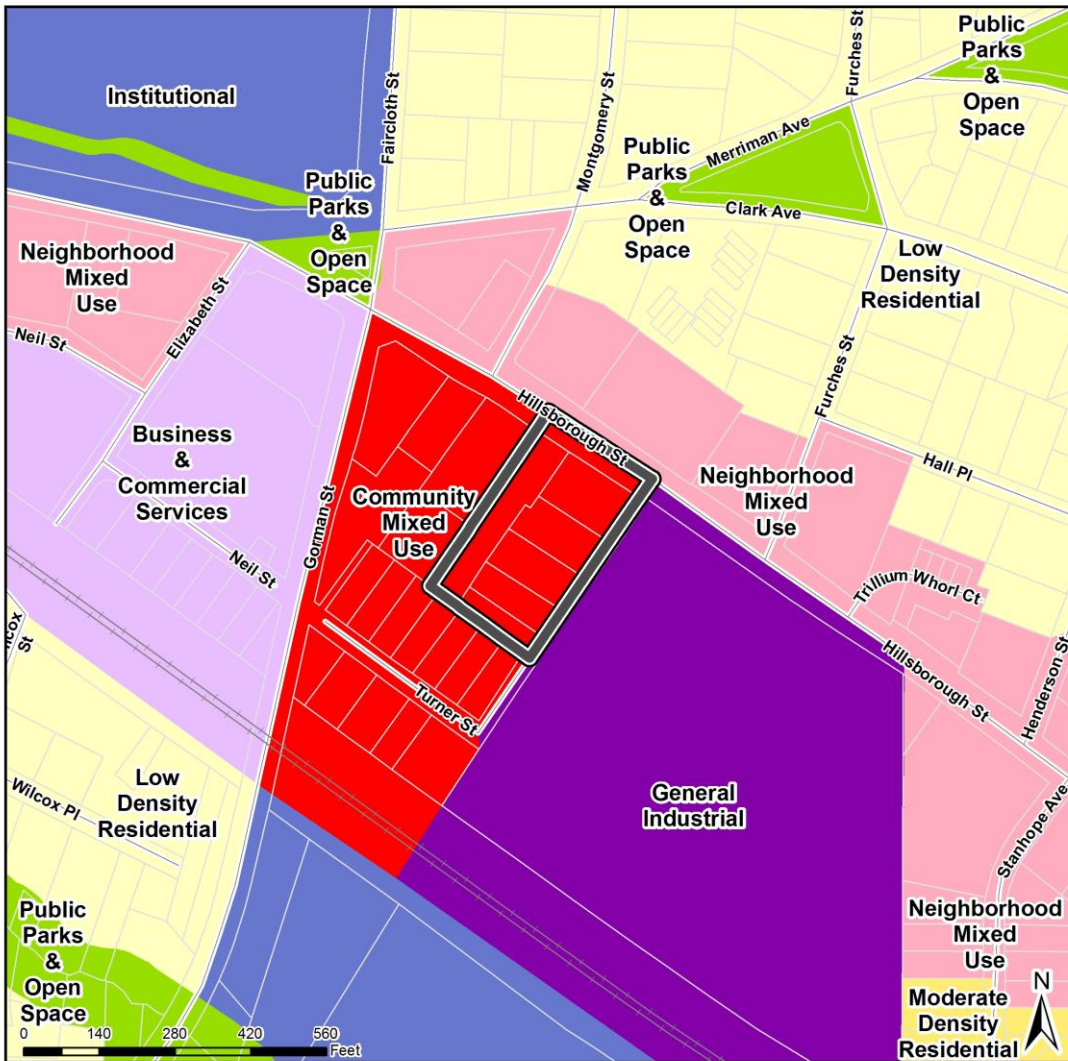
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Existing Zoning	NX-3-UL & NX-3 w/SRPOD
Requested Zoning	NX-5-UL-CU w/SRPOD



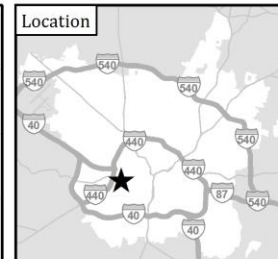
Map by Raleigh Department of City Planning (reckhowh): 3/8/2018

Future Land Use

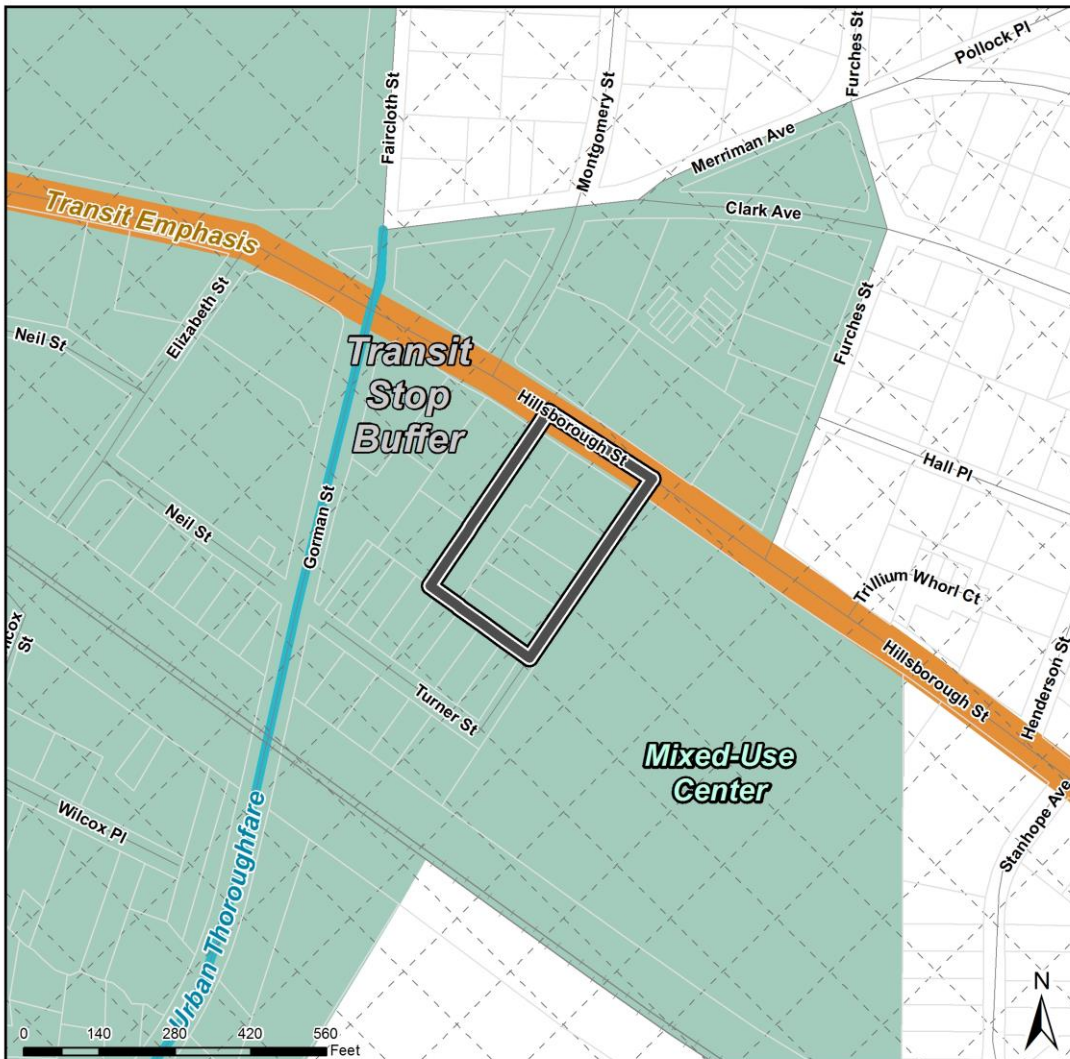
Z-5-2018



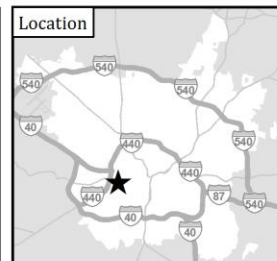
Property	3411 & 3413 Hillsborough St; 10, 12, 14, & 18 Turner St
Size	1.72 acres
Existing Zoning	NX-3-UL & NX-3 w/SRPOD
Requested Zoning	NX-5-UL-CU w/SRPOD



Map by Raleigh Department of City Planning (reckhowh): 5/21/2018



Property	3411 & 3413 Hillsborough St; 10, 12, 14, & 18 Turner St
Size	1.72 acres
Existing Zoning	NX-3-UL & NX-3 w/SRPOD
Requested Zoning	NX-5-UL-CU w/SRPOD



Map by Raleigh Department of City Planning (reckhowh): 3/8/2018

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST				
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan and NX-3			OFFICE USE ONLY Transaction # MAR 22 2018 PM 4:46 Rezoning Case #	
Existing Zoning Base District	NX	Height 3		Frontage UL
Overlay(s)	-SRPOD			
Proposed Zoning Base District	NX	Height 5		Frontage UL
Overlay(s)	-SRPOD			
Click here to view the Zoning Map. 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:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
536475				

GENERAL INFORMATION			
Date	March 2, 2018	Date Amended (1)	Date Amended (2)
Property Address	3411 & 3413 Hillsborough Street; 10, 12, 14, & 18 Turner Street		
Property PIN	See attached	Deed Reference (book/page)	See attached
Nearest Intersection	Hillsborough Street and Turner Street		
Property Size (acres)	1.72	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address	See attached.	Phone	Fax
		Email	
Project Contact Person/Address	Michael Birch Morris, Russell, Eagle & Worley, PLLC 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607	Phone	919.645.4317
		Fax	
		Email	mbirch@morrisrussell.com
Owner/Agent Signature		Email	gregory@erwinoil.com

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan <i>and NX-3</i>			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	NX	Height <u>3</u> Frontage <u>UL</u> Overlay(s) <u>-SRPOD</u>	
Proposed Zoning Base District	NX	Height <u>5</u> Frontage <u>UL</u> Overlay(s) <u>-SRPOD</u>	
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
<u>536475</u>			

GENERAL INFORMATION			
Date <u>March 2, 2018</u>	Date Amended (1)	Date Amended (2)	
Property Address 3411 & 3413 Hillsborough Street; 10, 12, 14, & 18 Turner Street			
Property PIN See attached		Deed Reference (book/page) See attached	
Nearest Intersection Hillsborough Street and Turner Street			
Property Size (acres) 1.72	(For PD Applications Only) Total Units	Total Square Feet	
Property Owner/Address See attached.		Phone	Fax
		Email	
Project Contact Person/Address Michael Birch Morris, Russell, Eagle & Worley, PLLC 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607		Phone 919.645.4317	Fax
		Email mbirch@morrisrussell.com	
Owner/Agent Signature <i>Steve E. Pace</i>		Email <i>stevepace@yahoo.com</i>	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST				
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan <i>and NX-3</i>			OFFICE USE ONLY Transaction # Rezoning Case #	
Existing Zoning Base District	NX	Height ³		Frontage ^{UL} Overlay(s) <u>-SRPOD</u>
Proposed Zoning Base District	NX	Height ⁵		Frontage ^{UL} Overlay(s) <u>-SRPOD</u>
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>				
If the property has been previously rezoned, provide the rezoning case number:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
536475				

GENERAL INFORMATION			
Date	<i>March 2, 2018</i>	Date Amended (1)	Date Amended (2)
Property Address	3411 & 3413 Hillsborough Street; 10, 12, 14, & 18 Turner Street		
Property PIN	<i>See attached</i>	Deed Reference (book/page)	<i>See attached</i>
Nearest Intersection	<i>Hillsborough Street and Turner Street</i>		
Property Size (acres)	<i>1.72</i>	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address	<i>See attached. 100 Northbrook Dr., #203 Raleigh, NC 27609</i>	Phone	Fax
		Email	
Project Contact Person/Address	Michael Birch Morris, Russell, Eagle & Worley, PLLC 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607	Phone	<i>919.645.4317</i>
		Fax	
Owner/Agent Signature	<i>oak City Properties, LLC By: Nancy Helms</i>	Email	<i>nancy.helms12@gmail.com</i>

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan <i>and NX-3</i>			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	NX	Height <u>3</u> Frontage <u>UL</u> Overlay(s) <u>-SRPOD</u>	
Proposed Zoning Base District	NX	Height <u>5</u> Frontage <u>UL</u> Overlay(s) <u>-SRPOD</u>	
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
536475			

GENERAL INFORMATION			
Date	<i>March 2, 2018</i>	Date Amended (1)	Date Amended (2)
Property Address 3411 & 3413 Hillsborough Street; 10, 12, 14, & 18 Turner Street			
Property PIN	See attached	Deed Reference (book/page)	See attached
Nearest Intersection Hillsborough Street and Turner Street			
Property Size (acres)	1.72	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address See attached. TRIANGLE ENTERPRISES GROUP LLC		Phone	Fax
		Email	
Project Contact Person/Address Michael Birch Morris, Russell, Eagle & Worley, PLLC 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607		Phone	919.645.4317
		Email mbirch@morrisrussell.com	
Owner/Agent Signature		Email	2/26/2018

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Property Owners & Property Information:

1. Oak City Properties, LLC
100 Northbrook Drive, Apt. 203
Raleigh, NC 27609

10, 12 & 14 Turner Street
PIN 0794-33-9442, 0794-33-8395, 0794-33-8360
Deed Book 13197, Page 702

2. Triangle Enterprises Group, LLC
PO Box 534
Morehead City, NC 28557

3413 Hillsborough Street
PIN 0794-33-8424
Deed Book 12714, Page 2526

3. Erwin Distributing Corporation
PO Box 1971
Durham, NC 27702

3411 Hillsborough Street
PIN 0794-33-9499
Deed Book 2765, Page 538

4. Steven E. Pace
PO Box 943
Morrisville, NC 27560

18 Turner Street
PIN 0794-33-8236
Deed Book 8729, Page 1390

REZONING APPLICATION ADDENDUM #1

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction # 536475 Rezoning Case #

STATEMENT OF CONSISTENCY

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

1. The property is designated Community Mixed Use on the FLUM, which applies to residential and mixed-use projects with upper story housing in pedestrian-oriented districts. The proposed rezoning retains its current NX zoning designation, which is consistent with the spirit of the FLUM. Table LU-2 recommends up to 12 stories for Core properties and 4 stories for Edge properties. The proposed rezoning, including the height limitation adjacent to single-story structures, is consistent with these guidelines.

2. The proposed rezoning to permit up to five (5) stories in height is consistent with Policy AP-CVH 6 "Guide Future Zoning" and Map AP-CVH 1 "Zoning Policy Guidance," which designates the property as appropriate for up to five (5) stories in height.

3. This property is within the Core/Transit area of a mixed-use center, along a Transit Emphasis Corridor, and within a quarter-mile transit buffer as shown on the Urban Form Map. The Urban Limited frontage is consistent with the Urban Form Map guidance.

4. The proposed rezoning is consistent with the following Comp Plan policies: LU 1.2, Future Land Use Map and Zoning Consistency; LU 1.3, Conditional Use District Consistency; LU 2.1, Placemaking; LU 2.2, Compact Development; LU 2.5, Healthy Communities; LU 4.4, Reducing VMT Through Mixed Use; LU 4.7, Capitalizing on Transit Access; LU 5.2, Managing Commercial Development Impacts; LU 6.1 Composition of Mixed-Use Centers; LU 6.3, Mixed-Use and Multi-Modal Transportation; LU 7.6, Pedestrian-Friendly Development; LU 8.1, Housing Variety; and 8.11 Development of Vacant Sites.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. The proposed rezoning benefits the public by permitting a mix of uses in close proximity to residential areas.

2. The proposed rezoning facilitates more housing options along Hillsborough Street, which is well-served by bus transit and within walking distance to goods and services.

3. The proposed rezoning will add diverse building and housing types along Hillsborough Street, which is encouraged by the Cameron Village & Hillsborough Street Small Area Plan.

4.

REZONING APPLICATION ADDENDUM #2

Impact on Historic Resources

OFFICE USE ONLY

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.

Transaction #

536475

Rezoning Case #

INVENTORY OF HISTORIC RESOURCES

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

There are no known historic resources located on this property.

PROPOSED MITIGATION

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

Not applicable.

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" or "Mixed-Use Center", 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.

Urban Form Designation: Mixed Use Center

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

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response: The proposed zoning permits retail, office and residential uses, consistent with this guideline. Also, the property is within walking distance to a mix of uses.</p>
2.	<p><i>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.</i></p> <p>Response: The property is surrounded to the west and south by property zoned NX, and is bordered to the east by a public street and property zoned IX. Across Hillsborough Street is property zoned OX-3. The closest parcels zoned for lower density residential uses are located across Hillsborough Street, approximately 250 feet from the property. Based on this, this guideline is not applicable.</p>
3.	<p><i>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 thoroughfare or arterial.</i></p> <p>Response: The property has access to Turner Street, which connects the neighborhood to Hillsborough Street, consistent with this guideline.</p>
4.	<p><i>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 Thoroughfare Plan.</i></p> <p>Response: No new streets are contemplated as part of this development.</p>
5.	<p><i>New development should be comprised 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.</i></p> <p>Response: No new streets or intersections are contemplated as part of this development.</p>

6.	<p><i>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.</i></p> <p>Response: The Urban Limited frontage ensures that development of the property will be consistent with this guideline.</p>
7.	<p><i>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.</i></p> <p>Response: The Urban Limited frontage ensures that development of the property will be consistent with this guideline.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response: The Urban Limited frontage ensures that development of the property will be consistent with this guideline.</p>
9.	<p><i>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.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
10.	<p><i>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.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
11.	<p><i>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.</i></p> <p>Response: Sidewalks and outdoor amenity areas will be provided consistent with the UDO, consistent with this guideline.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: The Urban Limited frontage will enable the building frontage to define outdoor amenity area along the street.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response: The Urban Limited frontage ensures development consistent with this guideline.</p>
15.	<p><i>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.</i></p> <p>Response: The Urban Limited frontage requires that parking is located behind the building, consistent with this guideline.</p>
16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give 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.</i></p> <p>Response: Any new parking structure must comply with the design standards given the Urban Limited frontage, consistent with this guideline.</p>
17.	<p><i>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.</i></p> <p>Response: A stop for WolfLine Route 6, Go Raleigh Route 12 and GoTriangle Route 100 is located near the property at the intersection of Hillsborough Street and Turner Street, consistent with this guideline.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Response: The development will provide convenient, comfortable pedestrian access between the building entrance and the transit stop, consistent with this guideline.</p>
19.	<p><i>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.</i></p> <p>Response: There are no known sensitive natural resources on the property.</p>

20.	<p><i>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.</i></p> <p>Response: Sidewalks and driveways will be provided in accordance with the UDO.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response: Sidewalks will be provided in accordance with the UDO.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate 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 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response: Street trees will be provided in accordance with the UDO.</p>
23.	<p><i>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.</i></p> <p>Response: The Urban Limited frontage ensures development will be consistent with this guideline.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response: The Urban Limited frontage ensures development will be consistent with this guideline.</p>
25.	<p><i>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.</i></p> <p>Response: The Urban Limited frontage ensures development will be consistent with this guideline.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response: Sidewalks will comply with the applicable UDO standards, consistent with this guideline.</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY 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"/>	✓		
2. Rezoning application review fee (see <u>Fee Schedule</u> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
11. Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	✓		
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			✓

REZONING OF PROPERTY CONSISTING OF +/- 1.72 ACRES
LOCATED ON THE SOUTH SIDE OF HILLSBOROUGH STREET,
WEST OF TURNER STREET, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
DECEMBER 20, 2017

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, December 20, 2017 at 6:30 p.m. The property considered for this potential rezoning totals approximately 1.72 acres, and is located south of Hillsborough Street, west of Turner Street, in the City of Raleigh, having Wake County Parcel Identification Numbers 0794-33-9499, 0794-33-9442, 0794-33-8395, 0794-33-8360, 0794-33-8236, and 0794-33-8424. This meeting was held at the Jaycee Park Community Center, located at 2405 Wade Avenue, Raleigh, NC 27607. All owners of property within 500 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE

MICHAEL BIRCH
Email: mbirch@morrisrussell.com
Direct: (919) 645-4317

MORRIS RUSSELL
MORRIS, RUSSELL, EAGLE & WORLEY, PLLC
2235 GATEWAY ACCESS POINT, SUITE 201
RALEIGH, NORTH CAROLINA 27607

P. O. Box 19001
Raleigh, NC 27619
www.morrisrussell.com

Telephone: (919) 645-4300
Facsimile: (919) 510-6802

To: Neighboring Property Owner
From: Michael Birch
Date: December 8, 2017
Re: Neighborhood Meeting for Potential Rezoning of 3411, 3413 Hillsborough Street and 10, 12, 14 and 18 Turner Street (the “Properties”)

We are counsel for a developer who is considering rezoning the Properties, which total approximately 1.72 acres in size and are located in the southwest quadrant of the intersection of Hillsborough Street and Turner Street. The Properties have the addresses of 3411, 3413 Hillsborough Street and 10, 12, 14 and 18 Turner Street, and have Parcel Identification Numbers 0794-33-9499, 0794-33-8424, 0794-33-9442, 0794-33-8395, 0794-33-8360 and 0794-33-8236. The Properties are currently zoned NX-3-UL and NX-3, and the proposal is to rezone the Properties to NX-5-UL.

You are invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, December 20, 2017 at 6:30 p.m. This meeting will be held in the meeting room at the Jaycee Park Community Center at 2405 Wade Avenue, Raleigh, NC 27607.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 500 feet of the Property prior to filing a rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.645.4317 and mbirch@morrisrussell.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at 919.996.2626 or rezoning@raleighnc.gov.

EXHIBIT B – NOTICE LIST

0794339499
ERWIN DISTRIBUTING CORPORATION
PO BOX 1971
DURHAM NC 27702-1971

0794237520
NC RAILROAD COMPANY
2809 HIGHWOODS BLVD STE 100
RALEIGH NC 27804-1000

0794333238
TANKARD, SKYLAR
3521 NEIL ST
RALEIGH NC 27807-5412

0794333275
DEANS, CHRISTOPHER J DEANS, TAMMY
R
2104 LEE ST
CLAYTON NC 27520-8534

0794333290
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27802-0590

0794333630
AMPLE STORAGE NEIL ST LLC
PO BOX 608
SMITHFIELD NC 27577-0608

0794334309
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27802-0590

0794334719
R & M PROPERTIES
170 WIND CHIME CT
RALEIGH NC 27815-8433

0794335107
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27802-0590

0794335143
LAWRENCE, MARY E
111 TURNER ST
RALEIGH NC 27807-5483

0794335383
TUMBAPURA 1 LLC
3351 GRANVILLE DR
RALEIGH NC 27809-8923

0794335496
YOGAAN REAL ASSETS LLC
3351 GRANVILLE DR
RALEIGH NC 27809-8923

0794335972
NORTH CAROLINA STATE OF
STATE PROPERTY OFFICE
116 W JONES ST
RALEIGH NC 27803-1300

0794336009
DOWTIN, ELOISE
3912 WILLOW OAK RD
RALEIGH NC 27804-4725

0794336085
DOWTIN, ELOISE
3912 WILLOW OAK RD
RALEIGH NC 27804-4725

0794336229
ESTES, DEREK
112 TURNER ST
RALEIGH NC 27807-5482

0794336266
HONEYCUTT INVESTMENTS LLC
PO BOX 33788
RALEIGH NC 27836-3788

0794336646
SAMPSON BLADEN OIL CO INC
PO BOX 469
CLINTON NC 28329-0469

0794337020
TRUSTEE OF THE CARL EDWARDS TRUST
20 TURNER ST
RALEIGH NC 27807-5425

0794337187
WUTHRICH, PETER WUTHRICH, HEATHER
218 WOODLAWN DR
HILLSBOROUGH NC 27278-8785

0794337203
COMMERCIAL REAL ESTATE VENTURES,
LLC
3301 WOODWARD PL
RALEIGH NC 27807-8515

0794337241
BITZENHOFER, DAVID J BITZENHOFER,
MOIRA RIGUTTO
4023 GLEN LAUREL DR
RALEIGH NC 27812-3758

0794337401
REYNOLDS, SANDRA HONEYCUTT
PO BOX 1347
HILLSBOROUGH NC 27278-1347

0794337595
REYNOLDS, SANDRA HONEYCUTT
PO BOX 1347
HILLSBOROUGH NC 27278-1347

0794337595
RKRB INC
ARBY'S RESTAURANT GROUP INC
1155 PERIMETER CTR
ATLANTA GA 30338-5463

0794337632
COWARD, WILBORN B III ETAL COWARD,
MARY O
2800 HAZELWOOD DR
RALEIGH NC 27808-1418

0794337981
CLARK STORES LLC
PO BOX 469
CLINTON NC 28329-0469

0794338124
TRUSTEE OF THE CARL EDWARDS TRUST
20 TURNER ST
RALEIGH NC 27807-5425

0794338236
PACE, STEVEN E
PO BOX 943
MORRISVILLE NC 27560-0943

0794338360
OAK CITY PROPERTIES LLC
100 NORTHBROOK DR APT 203
RALEIGH NC 27809-7075

0794338395
OAK CITY PROPERTIES LLC
100 NORTHBROOK DR APT 203
RALEIGH NC 27609-7075

0794338424
TRIANGLE ENTERPRISES GROUP LLC
PO BOX 534
MOREHEAD CITY NC 28557-0534

0794338824
HONEYCUTT, BETTY HOLDING TRUSTEE
3301 FELTON PL
RALEIGH NC 27612-5001

0794339442
OAK CITY PROPERTIES LLC
100 NORTHBROOK DR APT 203
RALEIGH NC 27609-7075

0794339776
FMW AT 3402 HILLSBOROUGH LLC
132 BREVARD CT
CHARLOTTE NC 28202-1927

0794347017
FAIRCLOTH APARTMENTS LLC
510 YARMOUTH RD
RALEIGH NC 27608-1032

0794348111
SMITH, WILLIAM R SMITH, KORRIE LYNN
BLANCHARD
3808 CLARK AVE
RALEIGH NC 27607-7037

0794348181
BALL, ELIZABETH S BALL, H MICHAEL
103 MONTGOMERY ST
RALEIGH NC 27607-4057

0794349141
BALL, ELIZABETH S BALL, H MICHAEL
103 MONTGOMERY ST
RALEIGH NC 27607-4057

0794422949
DUKE ENERGY PROGRESS INC
TAX DEPT - DEC41B
550 S TRYON ST
CHARLOTTE NC 28202-4200

0794430941
CCH PROPERTIES LLC
PO BOX 19726
RALEIGH NC 27619-9726

0794431645
FMW AT 3402 HILLSBOROUGH LLC
132 BREVARD CT
CHARLOTTE NC 28202-1927

0794431842
COMPTON, B
PO BOX 10371
RALEIGH NC 27605-0371

0794431844
MARTIN, DEBORAH ANN FARLEY,
LAWRENCE B
3431 CLARK AVE
RALEIGH NC 27607-7035

0794431861
WELSH, MARK B
3427 CLARK AVE
RALEIGH NC 27607-7035

0794431870
BROWN, SUZANNE M
600 SAINT MARYS ST APT 312
RALEIGH NC 27605-1789

0794432729
DILLON, HENRY E JR
3421 CLARK AVE
RALEIGH NC 27607-7035

0794432821
PACE, LIDA
3419 CLARK AVE
RALEIGH NC 27607-7035

0794432842
GAVIN, EDWIN L II
3417 CLARK AVE
RALEIGH NC 27607-7035

0794432844
THOMPSON, CAROLINE
3415 CLARK AVE
RALEIGH NC 27607-7035

0794432900
WESTOAK TOWNHOUSE HOMEOWNERS
ASSOC
3431 CLARK AVE
RALEIGH NC 27607-7035

0794432960
SHEPSON, MELISSA MONTAGUE
3411 CLARK AVE
RALEIGH NC 27607-7035

0794432961
WILLIAMSON, ROBERT III
3409 CLARK AVE
RALEIGH NC 27607-7035

0794432973
KING, CYRUS B JR
3407 CLARK AVE
RALEIGH NC 27607-7035

0794432984
DOMINGUE, PEGGY S
3405 CLARK AVE
RALEIGH NC 27607-7035

0794433517
FMW AT 3402 HILLSBOROUGH LLC
132 BREVARD CT
CHARLOTTE NC 28202-1927

0794433609
HONIG, MEREDITH SCOTT, COLIN
13 FURCHES ST
RALEIGH NC 27607-7048

0794433756
DANIEL, PETER T DANIEL, VICKIE H
15 FURCHES ST
RALEIGH NC 27607-7048

0794434487
TRILLIUMS LLC
3108 ETON RD
RALEIGH NC 27608-1114

0794434804
HUBE, WILLIAM K JR HUBE, SHERA J
19 FURCHES ST
RALEIGH NC 27607-7048

0794435365
TRILLIUMS LLC
3108 ETON RD
RALEIGH NC 27608-1114

0794435655
ELLSWORTH, BETHANY TAYLOR
ELLSWORTH, GARY SQUIRE
14 FURCHES ST
RALEIGH NC 27607-7049

0794435783
JORDAN, COHEN GLENN
16 FURCHES ST
RALEIGH NC 27607-7049

0794436427
GACH, PAUL J GEORGE, LISA A
951 FLANNERY PL NW
CONCORD NC 28027-6452

0794441136
CLARK, GEORGE T III CLARK, PAMELA T
3512 CLARK AVE
RALEIGH NC 27607-7036

0794612487
NC RAILROAD COMPANY
2809 HIGHWOODS BLVD STE 100
RALEIGH NC 27604-1000

EXHIBIT C – ITEMS DISCUSSED

1. Targeted occupants for multi-family residential development
2. Number of bedrooms per unit
3. Access from Turner Street to Hillsborough Street
4. Access from Turner Street to Gorman Street
5. Traffic concerns in the general area
6. Permitted uses in the NX zoning district
7. Potential non-residential tenants along Hillsborough Street
8. Parking amount and location
9. Quality design and architecture given gateway location
10. Demand for quality housing in the area
11. Greenway accessibility and connectivity

EXHIBIT D – MEETING ATTENDEES

1. Anil Tumbapura
2. Peter Daniel
3. Bill Hube
4. Shera Hube
5. Will Coward
6. David Coward
7. Blithe Hoffman
8. Phillip Carter
9. Derek Estes

Z-5-18 Existing Land Use	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Retail, Residential	0	0	0
Z-5-18 Current Zoning Entitlements	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Mixed Use	3,161	133	275
Z-5-18 Proposed Zoning Maximums	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
Mixed Use	3,385	252	370
Z-5-18 Trip Volume Change (Proposed Maximums minus Current)	Daily Trips (vpd)	AM peak trips (vph)	PM peak trips (vph)
	224	119	96

Z-8-2018 Traffic Study Worksheet

6.23.4 Trip Generation		Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No	The expected increase in PM peak hour trips is 96. The expected increase in AM peak hour trips is 119.
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	No	The primary access, Hillsborough St. is not a two-lane road.
C	More than 100 veh/hr trips in the peak direction	Yes	Using engineering judgement, the TIA trigger is waived for the 3 vehicles over the threshold
D	Daily Trips \geq 3,000 veh/day	No	The expected increase in Daily trips is 224.
E	Enrollment increases at public or private schools	N/A	Not Applicable
6.23.5 Site Context		Meets TIA Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No	Severity Index is less than 8.4 for all intersections and there have been no fatal crashes.
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No	Does not take place at a highly congested intersection.
C	Creates a fourth leg at an existing signalized intersection	No	No roads are being added.
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No	
E	Access is to/from a Major Street as defined by the City's Street Plan Map Major street - avenue with more than 4 lanes or boulevard	No	Access is from a mixed-use street.
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	No	
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	No	
6.23.6 Miscellaneous Applications		Meets TIA Conditions? (Y/N)	
A	Planned Development Districts		
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions		None noted as of ...