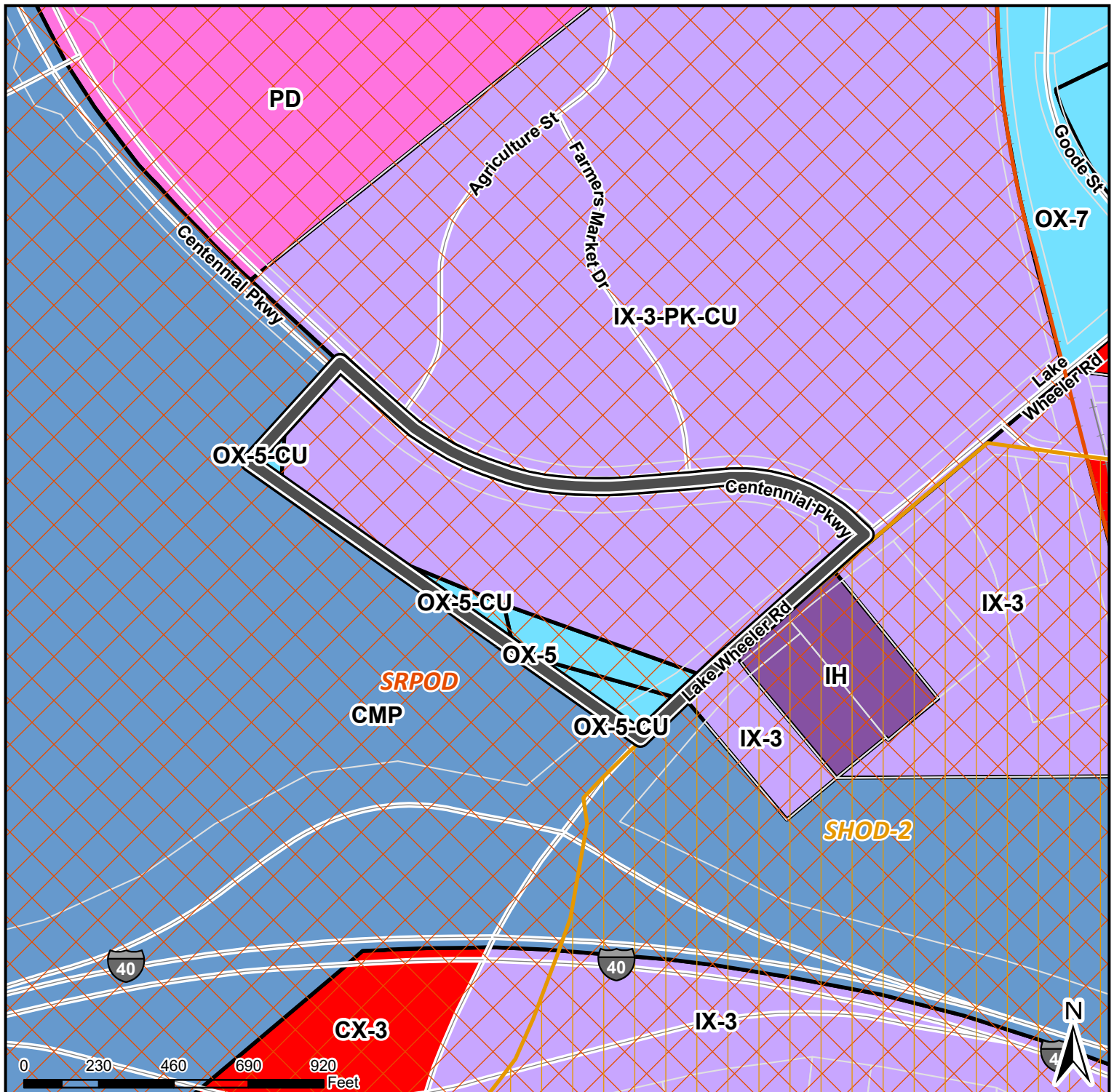
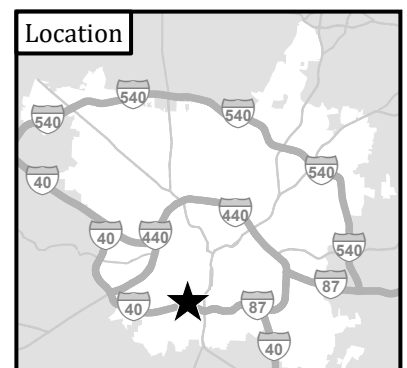


Existing Zoning

Z-11-2024



Property	1708 Lake Wheeler Rd
Size	15.87 acres
Existing Zoning	IX-3-PK-CU, OX-5-CU, OX-5 w/ SRPOD
Requested Zoning	OX-5-CU w/ SRPOD





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	X Conditional Use	Master Plan	Office Use Only Rezoning case # _____
	Text change to zoning conditions			
Existing zoning base district: IX-3-PK-CU; OX-5-CU; OX-5				Overlay(s): SRPOD
Proposed zoning base district: OX		Height: 5	Frontage:	Overlay(s): SRPOD
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: Z-5-1987; Z-24-1986; Z-27B-2014				

General Information		
Date: 3/1/2024	Date amended (1):	Date amended (2):
Property address: 1708 Lake Wheeler Road		
Property PIN: 0793914993		
Deed reference (book/page): DB 4812, PG 7		
Nearest intersection: Centennial Parkway & Lake Wheeler Road		Property size (acres): 15.87
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: State of North Carolina		
Property owner email:		
Property owner phone:		
Applicant name and address: Amy Crout, Smith Anderson, on behalf of Duke Energy Progress, LLC		
Applicant email: acrout@smithlaw.com		
Applicant phone: 919-821-6694		
Applicant signature(s): <i>M. M. M.</i>		
Additional email(s): 6BBBAC5AFA054C0...		

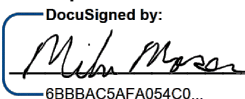
Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: IX-3-PK-CU; OX-5-CU; OX-5	Proposed zoning: OX-5-CU	

Narrative of Zoning Conditions Offered

1. The following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the OX-district shall be prohibited: (1) detention center, jail, prison; (2) Dormitory, fraternity, sorority; and (3) Cemetery.

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:  _____
6BBBAC5AFA054C0...

Printed Name(s): Mike Moser, Real Property Section Manager, State of North Carolina
*subject to North Carolina Council of State approval

Certificate Of Completion

Envelope Id: 2A0A2F3E93F24DEF8F95CAFC7DB015F6

Status: Completed

Subject: Complete with DocuSign: 1708 Lake Wheeler Road_Rezoning Application.pdf

Source Envelope:

Document Pages: 16

Signatures: 2

Envelope Originator:

Certificate Pages: 4

Initials: 0

Amy Crout

AutoNav: Enabled

PO Box 2611

Envelope Stamping: Enabled

Raleigh, NC 27602

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

acrout@smithlaw.com

IP Address: 12.4.106.10

Record Tracking

Status: Original

Holder: Amy Crout

Location: DocuSign

2/29/2024 8:32:00 AM

acrout@smithlaw.com

Signer Events

Mike Moser

mike.moser@doa.nc.gov

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:



8BBBAC5AFA054C0...

Signature Adoption: Drawn on Device

Using IP Address: 149.168.169.10

Timestamp

Sent: 2/29/2024 8:41:57 AM

Viewed: 2/29/2024 9:13:37 AM

Signed: 3/1/2024 5:48:03 AM

Electronic Record and Signature Disclosure:

Accepted: 2/29/2024 9:13:37 AM

ID: e0a14e4f-c90c-494b-ab81-0b75e3a2f2a3

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp****Witness Events****Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

2/29/2024 8:41:57 AM

Certified Delivered

Security Checked

2/29/2024 9:13:37 AM

Signing Complete

Security Checked

3/1/2024 5:48:03 AM

Completed

Security Checked

3/1/2024 5:48:03 AM

Payment Events**Status****Timestamps****Electronic Record and Signature Disclosure**

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>
Statement of Consistency	
<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 property is designated as Institutional and Public Parks & Open Space on the Future Land Use Map and is zoned Office Mixed Use and Industrial Mixed Use. The request retains the existing Office Mixed Use zoning designation and changes the existing Industrial Mixed Use designation to Office Mixed Use to create consistency over the entire parcel.</p> <p>2. The rezoning request 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. 5.1 (Reinforcing the Urban Pattern); LU 4.10 (Development at Freeway Interchanges); LU 5.2 (Managing Commercial Development Impacts); ED 5.2 (Creating Investment Opportunities); PU 6.1 (Energy and Telecommunications Planning).</p>	
Public Benefits	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p> <p>The property is split-zoned, resulting in the property being subject to various zoning conditions. The property is also encumbered by an existing Duke Energy transmission easement and is partially located in a floodplain, making it difficult to develop as currently zoned. The request creates a consistent zoning designation over the entire parcel.</p> <p>Duke Energy has determined that an additional substation is needed in this area to ensure that it has adequate capacity to serve development planned for this area of Raleigh and the surrounding region as it continues to grow. The proposed rezoning will allow Duke Energy to construct and operate an electrical substation on the site.</p> <p>The proposed rezoning and use will help ensure a stable power grid and therefore enhances public safety, economic development, and quality of life, as all forms of land use (residential, commercial, civic, recreational, industrial, etc.) rely on electrical power to support their daily needs and operations. During times of emergency or disaster, loss of utility service can be restored quickly as a result of modern facilities. Stable and reliable energy, as is expected from the proposed use, is in the public interest.</p>	

Rezoning Application Addendum #2

Impact on Historic Resources

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

Office Use Only
Rezoning case #

Inventory of Historic Resources

List in the space below all historic resources located on the property to be 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: N/A

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design or downtown design guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:	Yes	N/A	Yes	No	N/A
11. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 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.

SUMMARY OF ISSUES

A neighborhood meeting was held on December 12, 2023 (date) to discuss a potential rezoning located at 1708 Lake Wheeler Road (property address). The neighborhood Meeting was held at Pullen Park Community Center (location). There were approximately 0 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the 29th day November, 2023. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.



Signature of Applicant/Applicant Representative

11/29/2023

Date

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

LAWYERS

OFFICES

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

AMY CROUT

DIRECT DIAL: (919) 821-6694
E-Mail: acrout@smithlaw.com

MAILING ADDRESS

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

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

November 29, 2023

Re: Notice of neighborhood meeting to discuss proposed rezoning of parcel located at
1708 Lake Wheeler Road, Raleigh, NC 27603 (PIN: 0793914993)

Dear Neighbors:

We are writing to invite you to a Neighborhood Meeting to discuss a proposed rezoning of the lands located at 1708 Lake Wheeler Road, Raleigh, NC 27603 (PIN: 0793914993).

The neighborhood meeting will be held on December 12, 2023, from 6:00 p.m. to 7:00 p.m. in the Pullen Park Community Center located at 408 Ashe Avenue, Raleigh, North Carolina 27606.

The Property is currently zoned Industrial Mixed Use-3 with Parkway Frontage (IX-3-PK-CU), Office Mixed Use-5 (OX-5-CU), and Office Mixed Use-5 (OX-5), and is subject to the Special Residential Parking Overlay District (w/SRPOD). The Property is proposed to be rezoned to Office Mixed Use-5 with Special Residential Parking Overlay District (OX-5-CU w/SRPOD). The enclosed maps show the location and current base zoning of the Property and surrounding parcels.

At the Neighborhood Meeting, we will discuss the proposed rezoning, including 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:

Sean Stewart
Raleigh Planning & Development
(919) 996-2638
Sean.Stewart@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 919-821-6694 or via email at acrout@smithlaw.com.

Sincerely,

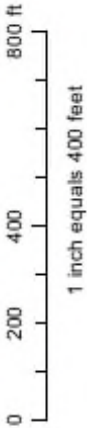


Amy Crout

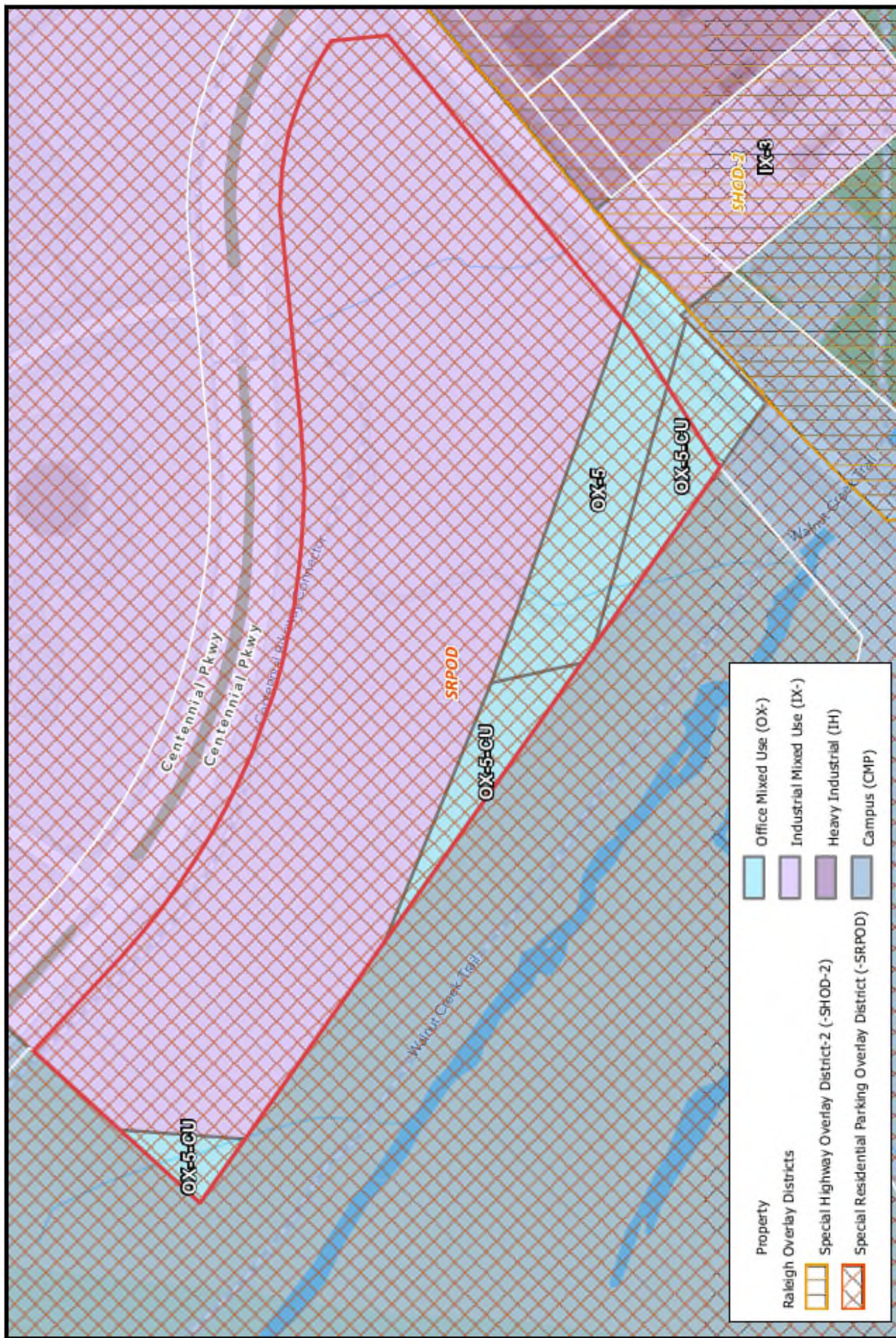
enclosures



1708 Lake Wheeler Road



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1708 Lake Wheeler Road - Zoning

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 Maps 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.

