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 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request

Rezoning		General u	ise Conditiona	l use	M N	aster plan	OFFICE USE ONLY Rezoning case #		
Туре		Text cha	ange to zoning cond	itions					
Existing zoning base district: CX			Height: 5 Frontage:			Overlay(s):			
Proposed zoning base	dist	rict: CX	Height: 5	Fı	Frontage:		Overlay(s):		
Helpful Tip : View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.									
If the property has bee	n pre	eviously rez	oned, provide the re	ezoning	g case nu	mber: Z-22	-2019		
			General Inf	ormati	ion				
Date: 04/07/2025			Date amended (1):			Date am	Date amended (2):		
Property address: 2230	S. N	lew Hope R	oad						
Property PIN: 1722-86-	7012								
Deed reference (book/p	oage): Book 166	647, Page 2247						
Nearest intersection: S. New Hope Rd and Rock Quarry Rd Property size (acres): 22.98									
For planned development			Total units:		Total sq	uare footage:			
applications only:			Total parcels:		Total bu	Total buildings:			
Property owner name and address: Brocar Two, LLC; 215 Brightmore Drive, Unit 450, Cary, NC 27518					ary, NC 27518				
Property owner email:									
Property owner phone:									
Applicant name and address: Michael Birch, Longleaf Law Partners									
Applicant email: mbirch@longleaflp.com									
Applicant phone: (919) 645-4300									
Applicant signature(s): William Brown									
Additional email(s):	08	375141DECC0412							

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By Matt McGregor at 2:25 pm, Apr 25, 2025

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Conditional Use District Zoning Conditions					
Zoning case #:	Date submitted: April 7, 2025	OFFICE USE ONLY Rezoning case #			
Existing zoning: CX-5-CU (Z-22-19)	Proposed zoning: CX-5-CU				

Narrative of Zoning Conditions Offered

- 1. The following principal uses shall be prohibited: adult establishment; outdoor sports or entertainment facility of any size; passenger terminal; vehicular sales; detention center, jail, prison; light manufacturing; bed and breakfast; research and development; light industrial; day care; golf course; cemetery.
- 2. No more than three lots with non-residential primary uses shall front along S New Hope Road.
- 3. The total gross floor area of all medical and office uses on the property shall not exceed 55,000 square feet. The total gross floor area of all other commercial uses, not including medical and office uses, shall not exceed 37,500 square feet.
- 4. The 6-foot sidewalk required by Street Design Manual section 3.2.4.B along S. New Hope Road shall be replaced with a 10-foot multi-use path. If the path is not placed within the right-of-way, the path and maintenance strip required by Street Design Manual section 3.2.4.B shall be within a public access easement adjacent to the right-of-way.
- 5. Prior to the issuance of the first Certificate of Occupancy, greenway easements as shown on the Capital Area Greenway Corridor Master Plan shall be deeded to the city and recorded In the Wake County Registry.

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: William Brown

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Printed Name: ______

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Rezoning Application Addendum #1 Comprehensive Plan Analysis **OFFICE USE ONLY** The applicant is asked to analyze the impact of the rezoning request and Rezoning case # its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.

Statement of Consistency

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

- 1. The Future Land Use Map ("FLUM") has 4 distinct designations on the property: (i) Private Open Space; (ii) Public Parks & Open Space; (iii) Community Mixed Use; and (iv) Office & Residential Mixed Use. Both the Community Mixed Use and Office & Residential Mixed Use designations recommend a mix of residential and commercial uses. The requested CX-5-CU zoning district will allow for a mix of residential, commercial, and office uses, and is consistent with the FLUM guidance.
- 2. The Urban Form Map designates Rock Quarry Road as a Transit Emphasis Corridor, which recommends a hybrid frontage. However, the property has minimal frontage along Rock Quarry Road, and this small area is within the 100-year floodplain, within a stream buffer, and subject to a City of Raleigh sewer easement. The property primarily fronts along S. New Hope Road, which has no Urban Form Map guidance. Therefore, a frontage district is not part of this rezoning request.
- 3. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.2 "Future Land Use Map and Zoning Consistency"; LU 2.2 "Compact Development"; LU 2.3 "Open Space Preservation"; LU 2.5 "Healthy Communities"; LU 2.6 "Zoning and Infrastructure Impacts"; LU 4.5 "Connectivity"; LU 4.7 "Capitalizing on Transit Access"; LU 6.2 "Complementary Land Uses and Urban Vitality"; LU 8.1 "Housing Variety"; LU 8.10 "Infill Development"; LU 8.12 "Infill Compatibility"; EP 4.2 "Floodplain Conservation".

Public Benefits

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

- 1. The proposed rezoning increases the types of uses that are permitted on the property, consistent with the Future Land Use Map guidance.
- 2. The proposed rezoning increases the housing variety along S. New Hope Road.

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Rezoning Application Addendum #2 Impact on Historic Resources The applicant is asked to analyze the impact of the rezoning request on OFFICE USE ONLY historic resources. For the purposes of this section, a historic resource is Rezoning case # 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. There are no known historic resources located on the property. **Proposed Mitigation** Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above. Not applicable.

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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: Transit Emphasis Corridor

Click here to view the Urban Form Map.

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.

Response:

1

The proposed rezoning would allow for a mix of residential, retail and office uses.

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.

2 Response:

Adjacent zoning districts are either CX-5 or CM, and we do not anticipate low density residential development immediately adjacent to the property.

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.

Response:

The development will comply with the UDO's connectivity requirements.

Streets should interconnect within a development and with adjoining development. Cul-de-sacs or deadend 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.

Response:

The development will comply with the UDO's connectivity requirements.

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.

5 Response:

The development will comply with block perimeter requirements.

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.

6 Response:

Given the odd shape of the property and floodway/floodplain on site, future development will have to be located closer to S. New Hope Road.

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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: Given the odd shape of the property and floodway/floodplain on site, future development will have to be located closer to S. New Hope Road.
8	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. Response: While the site is located at the Rock Quarry Road and S. New Hope Road intersection, that area is encumbered by the 100-year floodplain.
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: Open space shall be provided consistent with the UDO.
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: Open space shall be provided consistent with the UDO.
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: Open space and outdoor amenity area shall be consistent with the UDO.
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: Open space and outdoor amenity area shall be consistent with the UDO.
13	New public spaces should provide seating opportunities. Response: Open space and outdoor amenity area shall be consistent with the UDO.

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14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments. Response: Parking will be provided consistent with the UDO.
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: Parking will be provided consistent with the UDO.
16	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 cane make a significant improvement. Response: Parking will be provided consistent with the UDO.
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 site is located along the Route 17 bus line. The nearest stop is located near the Rock Quarry Road and Keyser Street intersection.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network. Response: Sidewalks will be provided consistent with the UDO.
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: The development will abide by the floodway and floodplain regulations in the UDO.
20	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: Acknowledged.

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21	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. Response: Sidewalks will be provided consistent with the UDO.
22	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. Response: Street trees will be provided consistent with the UDO.
23	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: Acknowledged.
24	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. Response: Building entrances will be located consistent with the UDO.
25	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: Transparency, blank wall and other architectural features will be provided consistent with the UDO.
26	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 be provided consistent with the UDO.

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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	~				
2. Pre-application conference.	/				
3. Neighborhood meeting notice and report	~				
4. Rezoning application review fee (see Fee Guide for rates).	'				
 Completed application submitted through Permit and Development Portal 	~				
6. Completed Comprehensive Plan consistency analysis	~				
7. Completed response to the urban design guidelines	'				
8. Two sets of stamped envelopes addressed to all property owners and tenants of the rezoning site(s) and within 500 feet of area to be rezoned.	~				
9. Trip generation study		~			
10. Traffic impact analysis		\			
For properties requesting a Conditional Use District:					
11. Completed zoning conditions, signed by property owner(s).					
If applicable, see page 11:					
12. Proof of Power of Attorney					
For properties requesting a Planned Development or Campus District:					
13. Master plan (see Master Plan submittal requirements).					
For properties requesting a text change to zoning conditions:					
14. Redline copy of zoning conditions with proposed changes.					
15. Proposed conditions signed by property owner(s).					

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Master Plan (Submittal Requirements)					
To be completed by Applicant			To be completed by staff		
General Requirements - Master Plan	Yes	N/A	Yes	No	N/A
1. I have referenced this Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh.					
2. Total number of units and square feet					
3. 12 sets of plans					
4. Completed application; submitted through Permit & Development Portal					
5. Vicinity Map					
6. Existing Conditions Map					
7. Street and Block Layout Plan					
8. General Layout Map/Height and Frontage Map					
9. Description of Modification to Standards, 12 sets					
10. Development Plan (location of building types)					
11. Pedestrian Circulation Plan					
12. Parking Plan					
13. Open Space Plan					
14. Tree Conservation Plan (if site is 2 acres or more)					
15. Major Utilities Plan/Utilities Service Plan					
16. Generalized Stormwater Plan					
17. Phasing Plan					
18. Three-Dimensional Model/renderings					
19. Common Signage Plan					

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Who Can Initiate a Zoning Request?

If requesting to down-zone property, the rezoning application must be signed by all the property owners whose property is subject to the downzoning. Downzoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

- 1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
- 2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

- 1. the property owner;
- 2. an attorney acting on behalf of the property owner with an executed power of attorney; or
- 3. a person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's can grant power of attorney. This must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purpose of initiating the request, by property owners or third-party applicants.

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NOTIFICATION LETTER TEMPLATE

Date:

Re: Potential (REZONING/TEXT CHANGE TO ZONING CONDITIONS) of (SITE LOCATION)

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on (MEETING DATE and TIME). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is currently zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (ANY OTHER RELEVANT DETAILS OF THE REQUEST.)

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners and tenants within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact Raleigh Planning & Development at 919-996-2682 (option 2) or rezoning@raleighnc.gov.

If you have any concerns or questions about this potential rezoning I (WE) can be reached at: (NAME)

(CONTACT INFO)

Sincerely,

SUMMARY OF ISSUES

A neighborhood meeting was held on	(date) to discuss a potential rezoning				
located at	(property address). The				
neighborhood meeting was held at	(location).				
There were approximately	(number) neighbors in attendance. The general issues discussed				
were:					
	Summary of Issues:				

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ATTENDANCE ROSTER				
NAME	ADDRESS			

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