



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: DX	Height: 20	Frontage: SH	Overlay(s):	
Proposed zoning base district: DX	Height: 40	Frontage: SH	Overlay(s):	
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information			
Date:	Date amended (1):	Date amended (2):	
Property address: 303 S. Dawson Street			
Property PIN: 1703578840			
Deed reference (book/page): 17309/2076			
Nearest intersection: W. Martin St. and S. Dawson St.		Property size (acres): 0.84	
For planned development applications only	Total units:	Total square footage:	
	Total parcels:	Total buildings:	
Property owner name and address: Downtown Raleigh Lodging Associates, LLC			
Property owner email: zadnik@raymondteam.com			
Property owner phone: (608) 662-8430			
Applicant name and address: Downtown Raleigh Lodging Associates, LLC			
Applicant email: zadnik@raymondteam.com			
Applicant phone: (608) 662-8430			
Applicant signature(s): <i>Judith Raymond</i> 00003806AB2241E...			
Additional email(s): mstuart@morningstarlawgroup.com			

RECEIVED

By Ira Mabel at 9:51 am, Sep 23, 2022

Conditional Use District Zoning Conditions

Zoning case #: Z-12-22	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: DX-20-SH	Proposed zoning: DX-40-SH-CU	

Narrative of Zoning Conditions Offered

1. The following uses shall be prohibited on the property: dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; adult establishment.
2. The first story of any new building facades facing S. Dawson Street and W. Martin Street shall be faced with one or more of the following materials only: brick, stone, concrete, or other masonry, glass, metal, plaster, wood, and cementitious materials.
3. Solid, opaque, roll-down security gates shall be prohibited on any facade facing S. Dawson Street or W. Martin Street.
4. Any building having a stepback above the 2nd floor shall provide a horizontal architectural feature along the S. Dawson Street and W. Martin Street-facing facades at the top of the highest building story located below such stepback.
5. Public facades of structured parking: Parking structure facades adjacent to or facing S. Dawson Street or W. Martin Street, shall comply with the following: Screening elements shall have a gap of no more than 18 inches from the frame of the screening element to the wall opening. Alternative decorative elements which provide an equivalent level of screening may be allowed in a parking structure where such elements are employed to complement the architectural character of any building on the site. Mesh or decorative panels, louvers, green walls, tinted or sandblasted opaque spandrel glass, or similar screening elements shall be used. Where mesh or other materials containing openings is used in conjunction with the screening frame, no individual opening shall exceed four (4) square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.
6. Lighting within parking structures: Lighting shall be designed to reduce light spillage outside the parking structure according to the following:
 - a. Internal illumination of parking structures shall be screened so that internal light sources shall not be visible from S. Dawson Street, W. Martin Street, or adjacent parcels. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to minimize such visibility.
 - b. Internal illumination of parking structures shall conform to the standards of UDO Section 7.4.7. Vehicular Canopies.
7. One public art installation shall be located on the property and visible from the public right of way of S. Dawson Street or W. Martin Street. If the required installation consists of a mural, it shall be no smaller than 120 square feet in area, and, if a three-dimensional installation, no less than 10 feet in height, not including any base or pedestal supporting such installation. If more than one public art installation is provided on the subject site, the applicant shall designate which art installation is the one required by this condition.

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: _____

DocuSigned by:

0000380CAB2241E...

Printed Name(s): _____ Judith Raymond

RECEIVED**By Ira Mabel at 9:51 am, Sep 23, 2022**

Rezoning Application Addendum #1**Comprehensive Plan Analysis****Office Use Only**

Rezoning case #

The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.

Statement of Consistency

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

The proposed rezoning is consistent with both the Central Business District designation, supporting up to 40 stories in height, as well as the DX zoning designation. Additionally, the Urban Form Map indicates the property is located in the Downtown area, for which an urban frontage is recommended. This policy is consistent with the proposed Shopfront frontage.

The proposed rezoning is also consistent with a number of Comprehensive Plan policies, including LU 1.3 (Conditional Use District Consistency); LU 2.2 (Compact Development); LU 4.6 (Transit-oriented Development); LU 4.7 (Capitalizing on Transit Access); LU 4.7 (Capitalizing on Transit Access); LU 4.8 (Station Area Land Uses); LU 8.10 (Infill Development); UD 1.10 (Frontage); UD 8.1 (Transit-oriented Development); DT 1.3 (Underutilized Sites in Downtown); DT 1.4 (Redevelopment Around Raleigh Union Station); DT 1.6 (Supporting Retail Growth); DT 1.16 (High Density Development); AP-DW 2 (Mixed Use Development); and AP-DW 8 (Building Height Transition).

Public Benefits

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

The proposed rezoning will build on existing and planned transportation facilities in the immediate vicinity, including high-frequency bus service, bus rapid transit, and commuter and long-distance rail service while reactivating an underutilized site fronting on a public square and facing the municipal complex and concentrating a range of new users in the core of downtown where citywide impacts can be minimized.

Rezoning Application Addendum #2	
Impact on Historic Resources	Office Use Only Rezoning case # _____
The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	
Inventory of Historic Resources	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
None.	
Public Mitigation	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A	

Design Guidelines

The Applicant must respond to the **Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center", "Mixed-Use Center", or "Transit Station Areas", OR;
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy UD 7.3:

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The Applicant must respond to the **Downtown Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

Please [click here](#) to download the Design Guidelines Addendum if required.

Urban Form Designation: Downtown

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:	Yes	N/A	Yes	No	N/A
11. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 18:	Yes	N/A	Yes	No	N/A
12. Proof of Power of Attorney or Owner Affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:	Yes	N/A	Yes	No	N/A
13. Master plan (see Master Plan submittal requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:	Yes	N/A	Yes	No	N/A
14. Redline copy of zoning conditions with proposed changes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Master Plan (Submittal Requirements)

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

Who Can Initiate a Zoning Request?

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

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

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

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

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

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

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

Date: July 21, 2021

Re: 303 S Dawson Street and 217 West Martin Street

Dear Neighbors:

We are counsel for Downtown Raleigh Lodging Associates, LLC (“Downtown Lodging”), which is considering rezoning the above-captioned Property, a context map of which appears on the back side of this notice. Currently, the Property is zoned DX-20-SH. Downtown Lodging is considering rezoning the Property to Downtown Mixed Use, up to forty stories, with Shopfront frontage (DX-40-SH-CU). The purpose of the rezoning is to increase the maximum height of the building to up to forty stories.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding neighbors on Tuesday, August 3, 2021, from 7:00 p.m. to 8:00 p.m. This meeting will be held at Chavis Park Community Center, Multipurpose Room #4, located at 505 Martin Luther King Jr Blvd, Raleigh.

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

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at 919.890.3318 or mstuart@mstarlaw.com. Information about the rezoning process is available online; visit www.raleighnc.gov and search for “Rezoning Process.” Complete application materials may be viewed at <https://raleighnc.gov/services/zoning-planning-and-development/current-development-activity>. If you have further questions about the rezoning process, please contact:

JP Mansolf
Raleigh Planning & Development
(919) 996-2180
JP.Mansolf@raleighnc.gov

If you have any concerns or questions about this potential rezoning, I can be reached at:

Molly M. Stuart
Morningstar Law Group
(919) 890-3318
mstuart@mstarlaw.com

Sincerely,



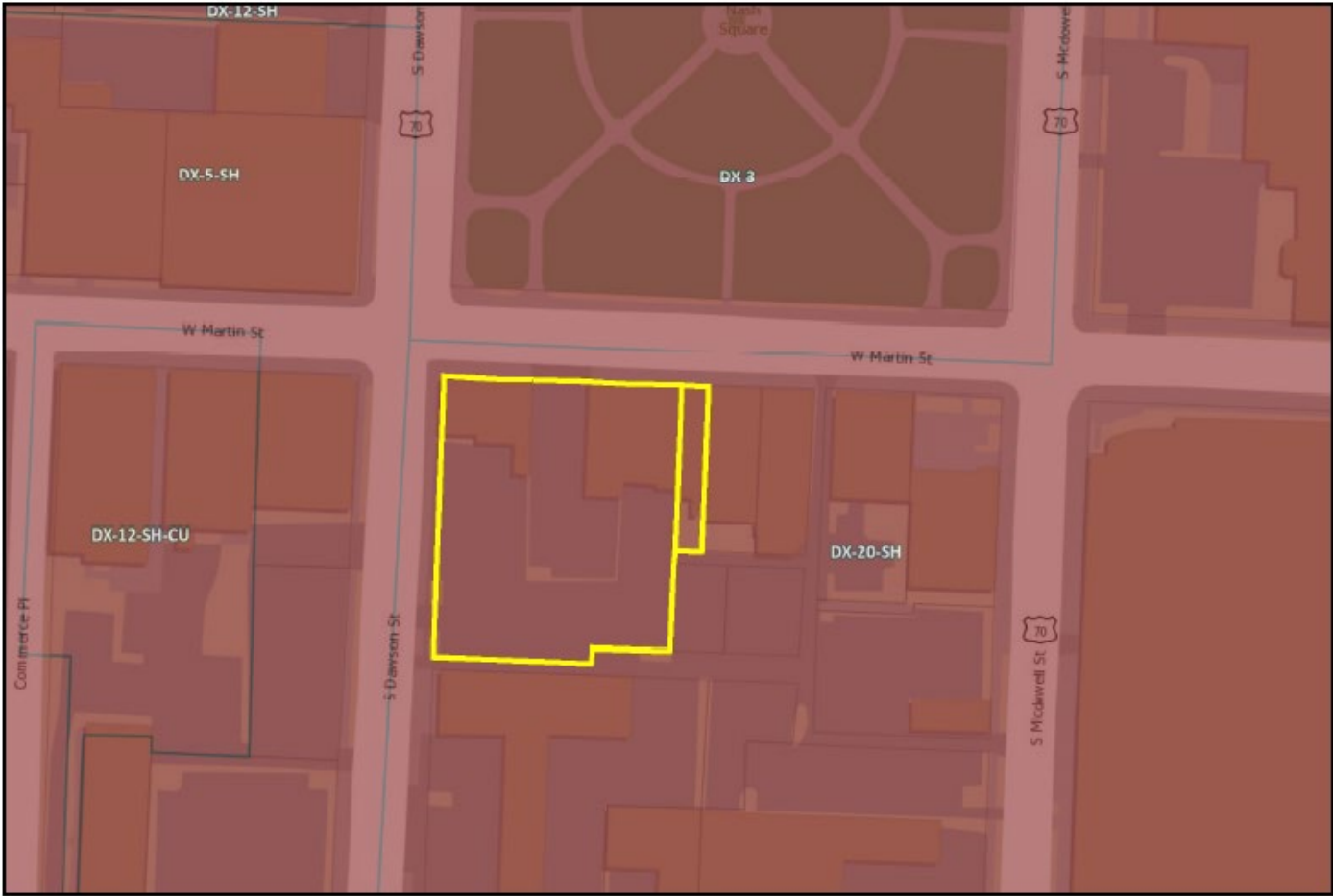
Neighborhood Meeting Agenda

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

Aerial Photo



Zoning





Rezoning Application and Checklist

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Rezoning Request				
Rezoning Type	<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan	Office Use Only Rezoning case # _____
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district: DX		Height: 20	Frontage: SH	Overlay(s):
Proposed zoning base district: DX		Height: 40	Frontage: SH	Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information			
Date:	Date amended (1):	Date amended (2):	
Property address: 303 S. Dawson Street; 217 W. Martin Street			
Property PIN: 1703578840; 1703579853			
Deed reference (book/page): 17309/2076; 17583/2156			
Nearest intersection: W. Martin St. and S. Dawson St.		Property size (acres): 0.90	
For planned development applications only	Total units:		Total square footage:
	Total parcels:		Total buildings:
Property owner name and address: Downtown Raleigh Lodging Associates, LLC			
Property owner email: zadnik@raymondteam.com			
Property owner phone: (608) 662-8430			
Applicant name and address: Downtown Raleigh Lodging Associates, LLC			
Applicant email: zadnik@raymondteam.com			
Applicant phone: (608) 662-8430			
Applicant signature(s):			
Additional email(s): mstuart@morningstarlawgroup.com			

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: DX-20-SH	Proposed zoning: DX-40-SH-CU	

Narrative of Zoning Conditions Offered
<p>1. The following uses shall be prohibited on the property: dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; adult establishment.</p> <p>2. Prior to issuance of a demolition permit for any building designated as contributing to the National Register of Historic Places, the applicant shall document the building in its original location through photographs (black and white and in color) and provide a copy of the documentation to the City of Raleigh Department of Planning, Historic Preservation.</p>

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

Property Owner(s) Signature: _____

Printed Name(s): _____

SUMMARY OF ISSUES

A neighborhood meeting was held on August 3, 2021 (date) to discuss a potential rezoning located at 303 S. Dawson Street; 217 W. Martin Street (property address). The neighborhood

Meeting was held at Chavis Community Center (location). There were approximately 4 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Concern for height and quality of life was discussed, and the downtown height transition areas described.



The potential for off-site improvements was discussed.

A neighbor shared concern regarding displacement of small businesses and the cost of retail space.

Interest in new parking for nearby businesses was discussed, as well as concern regarding vehicle traffic.



New patrons for existing businesses would be helpful.

Questions were asked regarding the future of the Berkeley Cafe, with the applicant noting there is no connection.



There is no connection between this proposal and the proposed rezoning to the south of the site.

The UDO's floor plate and tower spacing requirements prevent a single, massive structure from being built.



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