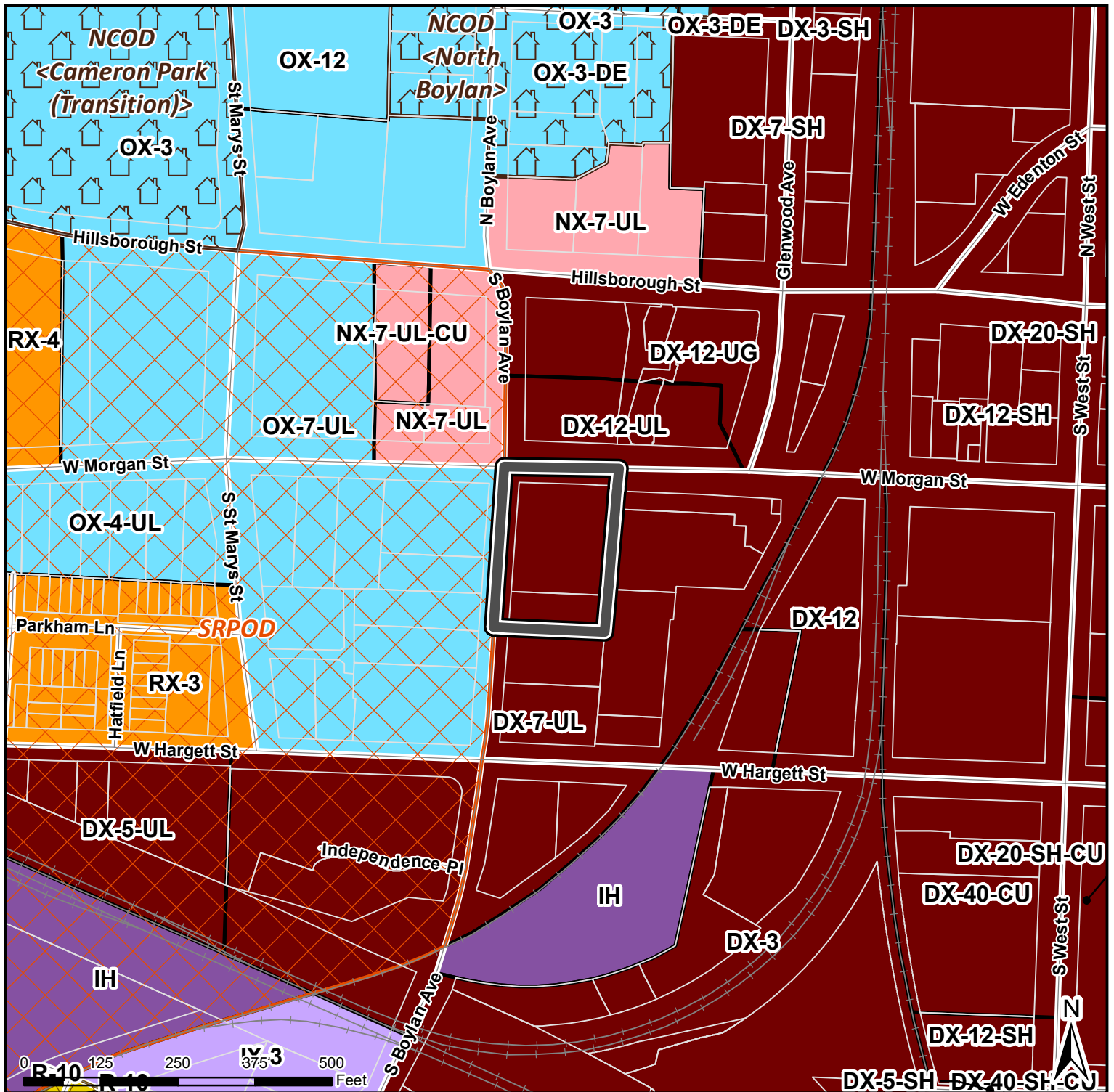
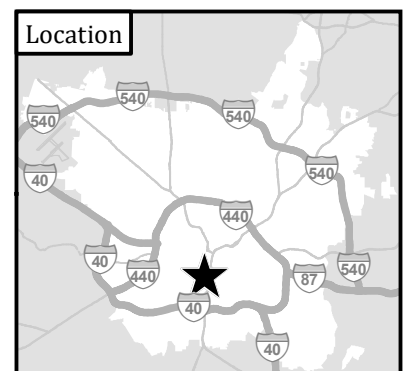


Existing Zoning

Z-21-2020



Property	615 W Morgan St & 117 S Boylan Ave
Size	0.85 acres
Existing Zoning	DX-7-UL
Requested Zoning	DX-20-UL-CU





Raleigh

MEMO

TO: Marchell Adams-David, City Manager
THRU: Ken Bowers, AICP, Deputy Director
FROM: Matthew Klem, CZO, Senior Planner
DEPARTMENT: City Planning
DATE: December 14, 2020

SUBJECT: City Council agenda item for January 5, 2021 – Z-21-20

On December 1, 2020, City Council authorized the public hearing for the following item:

Z-21-20 Morgan and Boylan, approximately 0.85 acres located at [615 W Morgan Street and 117 S Boylan Ave](#)

Signed zoning conditions provided on June 18, 2020 limit building height, prohibit certain uses, require active uses on the ground floor, limit cladding materials, and require screening of parking structures.

Current Zoning: Downtown Mixed Use - 7 stories - Urban Limited (DX-7-UL)

Requested Zoning: Downtown Mixed Use - 20 stories - Urban Limited - Conditional Use (DX-20-UL-CU)

The request is **consistent** with the 2030 Comprehensive Plan.

The request is **consistent** with the Future Land Use Map.

The request is **consistent** with the Urban Form Map.

The Planning Commission recommends approval of the request (10 -0).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 12053

CASE INFORMATION: Z-21-20 MORGAN AND BOYLAN

Location	In the southeast quadrant of the West Morgan Street and South Boylan Avenue intersection. Address: 615 W Morgan St and 117 S Boylan Ave PINs: 1703481885 and 1703481774 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-7-UL
Requested Zoning	DX-20-UL-CU
Area of Request	.85 acres
Corporate Limits	The site is inside city limits.
Property Owner	Crocker Family Properties, LLC and Betty Poole Brinkley
Applicant	Tobias Coleman
Council District	District D
PC Recommendation Deadline	December 21, 2020

SUMMARY OF PROPOSED CONDITIONS

1. Building height limited to 18 stories.
2. Adult establishments, vehicle fuel sales, vehicle sales/rental, detention center, jail, prison, minor and major vehicle repair, self-service storage.
3. Active uses fronting West Morgan Street and South Boylan Avenue.
4. Permitting cladding materials include any combination of brick, stone, concrete masonry, cementitious siding, wood, metal, terracotta and/or glass.
5. Light emittance from the upper stories of the parking structure shall be minimized. Internal light fixtures shall be screened so the internal light fixtures shall not be visible from adjacent streets. Additionally, any lighting installed within the parking structure shall be shielded so that no direct beam of light is emitted past the property's western and southern property lines.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown and Core Transit Area
Consistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency Policy LU 2.2 Compact Development Policy LU 4.7 Capitalizing on Transit Access Policy H 1.8 Zoning for Housing Policy UD 1.10 Frontage Policy DT 1.2 Vertical Mixed Use Policy DT 1.6 Supporting Retail Growth Policy DT 1.16 High Density Development Policy DT 1.18 Auto-Oriented Businesses Policy DT 3.8 Downtown as a Regional Center Policy DT 4.1 Encouraging Downtown Housing
Inconsistent Policies	Policy AP-DW 1 Zoning Consistency Policy AP-DW 2 Mixed-use Development

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
May 20, 2020 12 attendees	September 3, 2020 11 attendees	September 22, 2020 October 20, 2020 November 10, 2020	

PLANNING COMMISSION RECOMMENDATION

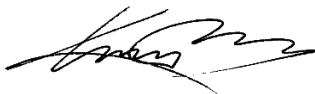
The rezoning case is **Consistent/Inconsistent** with the Future Land Use Map and **Consistent/Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval/Denial** is reasonable and in the public interest because:

Reasonableness and Public Interest	The request is reasonable and in the public interest because the request advances Comprehensive Plan policies related to compact development, capitalizing on transit access, vertical mixed use, and downtown as a regional center.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: Fox; Second: Tomasulo; In Favor: Bennet, Fox, Hicks, Lampman, Mann, McIntosh, Miller, O'Haver, Tomasulo, and Winters
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Traffic Impact Analysis Summary

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report and Comprehensive Plan Amendment Analysis.



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: November 12, 2020

Staff Coordinator: Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT – Z-21-20 MORGAN AND BOYLAN

Conditional Use District

OVERVIEW

The request is to rezone .85 acres from Downtown Mixed Use – 7 stories – Urban Limited (DX-7-UL) to Downtown Mixed Use – 20 stories – Urban Limited – Conditional Use (DX-20-UL-CU). Proposed zoning conditions limit building height to 18-stories; prohibit high intensity and auto-oriented uses including adult establishments, prisons, and vehicle repair; require active uses on the ground floor of new buildings along West Morgan Street and South Boylan Avenue; specify cladding materials to include brick, stone, concrete masonry, cementitious siding, wood, metal, terracotta and/or glass. A proposed zoning condition requires screening of upper stories of parking structures so that cars are not visible from West Morgan Street and South Boylan Avenue (this condition is duplicative of an existing UDO standard and does not specify an increased level of screening otherwise required by the UDO. See *Outstanding Issues* on page 5 for details).

The rezoning site comprises two parcels addressed 615 West Morgan Street and 117 South Boylan Avenue. They are located in the southeast quadrant of the intersection of those two streets and contain two single-story retail structures. Adjacent to the east is a seven-story hotel and parking structure and a surface parking lot. Adjacent to the south is a two-story four-unit residential apartment building. Across Morgan Street to the north is an active construction site for a 10-story mixed use structure permitted as SR-59-18; the project will contain approximately 17,000 square feet of ground-level retail space and approximately 246,000 square feet of office space. Across South Boylan Avenue to the west are three two-story structures: one an office building and the other two multi-family residential structures.

Properties in the southeast quadrant of the West Morgan and South Boylan intersection are zoned Downtown Mixed Use – 7 stories – Urban Limited (DX-7-UL); the northeast quadrant is zoned Downtown Mixed Use – 12 stories – Urban Limited (DX-12-UL); the northwest quadrant is zoned Neighborhood Mixed Use – 7 stories – Urban Limited (NX-7-UL); and the southwest quadrant is zoned Office Mixed Use – 7 stories – Urban Limited (OX-7-UL).

The rezoning site and all immediately adjacent properties to the east of South Boylan Avenue are located within the Central Business District on the Future Land Use Map. Properties on the west side of South Boylan Avenue are identified as Office and Residential Mixed Use on the Future Land Use Map. The rezoning site is also located within the boundaries of the Downtown West Gateway area plan which provides specific building height guidance, for the subject properties and the blocks to the west and south, of up to 7-stories.

More generally, the site is located at the western edge of Downtown within a 10-minute walking distance to Raleigh Union Station, one of Raleigh's two regional transit hubs. The area is characterized by a mix of older residential and commercial structures and emerging urban-intensity development.

Update for November 11, 2020

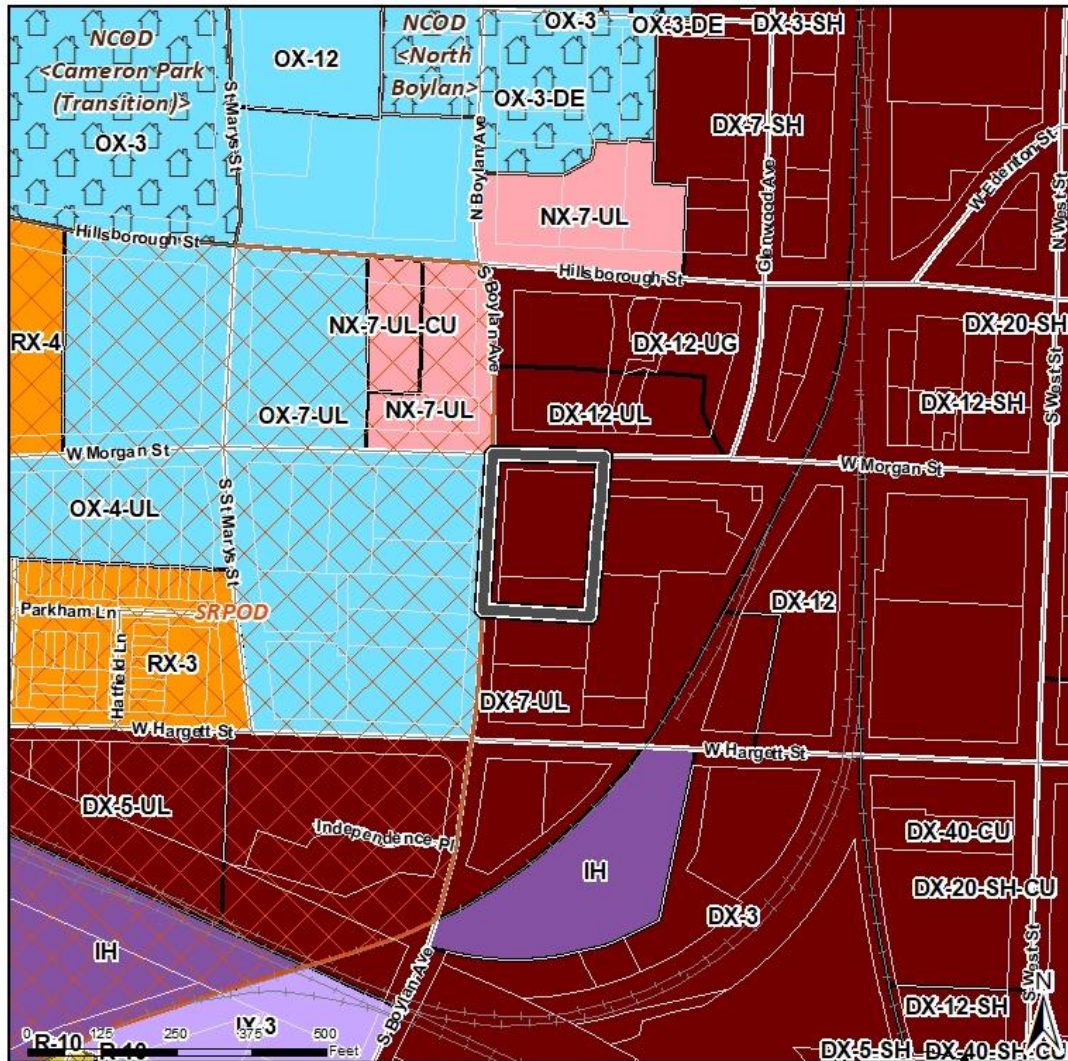
On October 23, 2020 revised zoning conditions were submitted in response to an outstanding issue regarding the parking deck screening requirements of the UDO. Previously, a proposed zoning condition was precisely duplicative of the UDO, which is prohibited and unnecessary. The revised zoning condition regarding parking deck screen now provides detail that is more restrictive than what is required by the UDO. As such, there are no outstanding issues with this request.

OUTSTANDING ISSUES

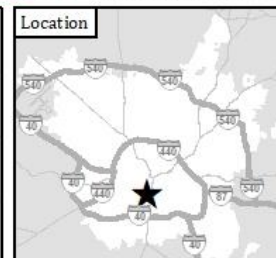
Outstanding Issues	1. None	Suggested Mitigation	1. None
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Existing Zoning

Z-21-2020



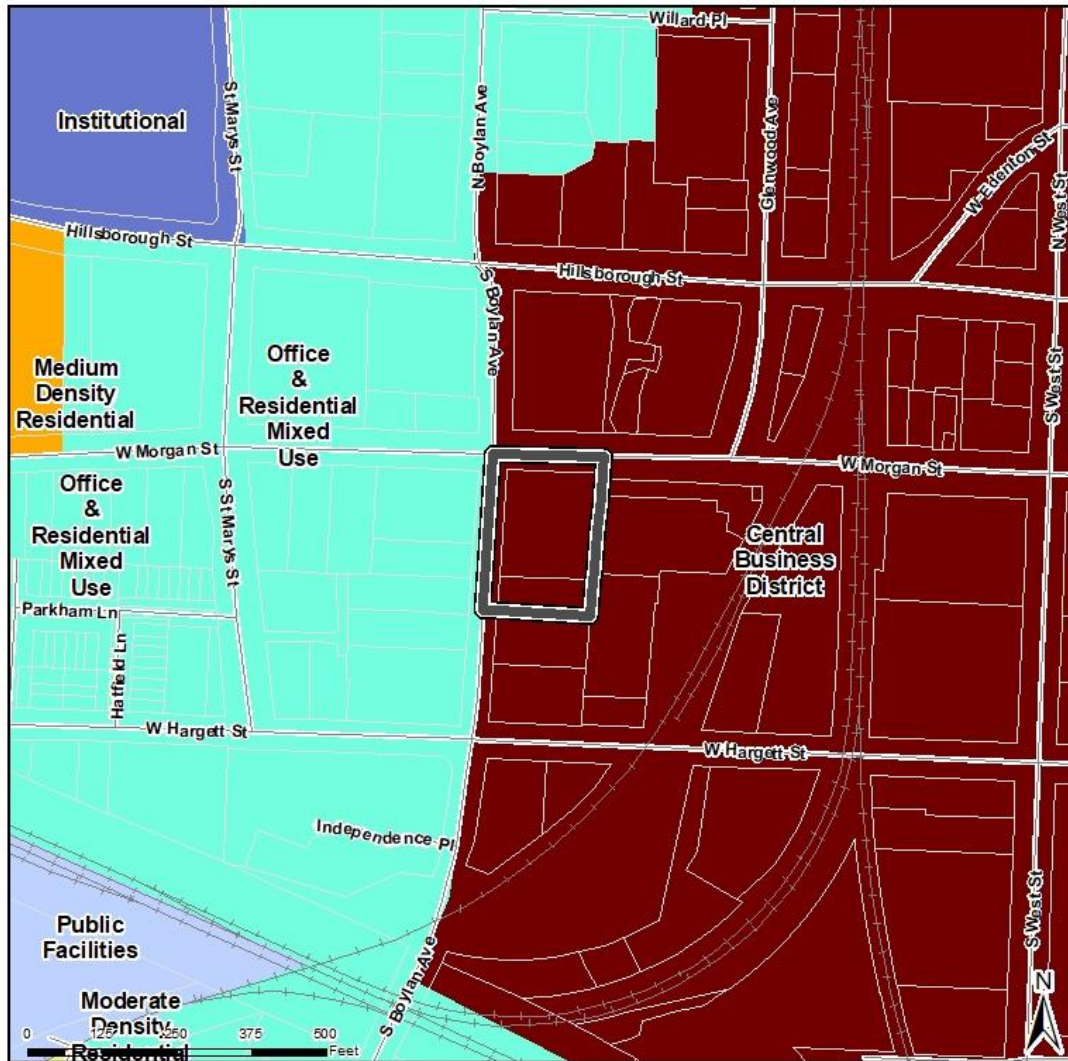
Property	615 W Morgan St & 117 S Boylan Ave
Size	0.85 acres
Existing Zoning	DX-7-UL
Requested Zoning	DX-20-UL-CU



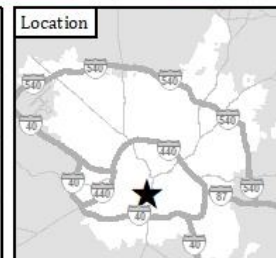
Map by Raleigh Department of City Planning (mnsal@): 6/19/2020

Future Land Use

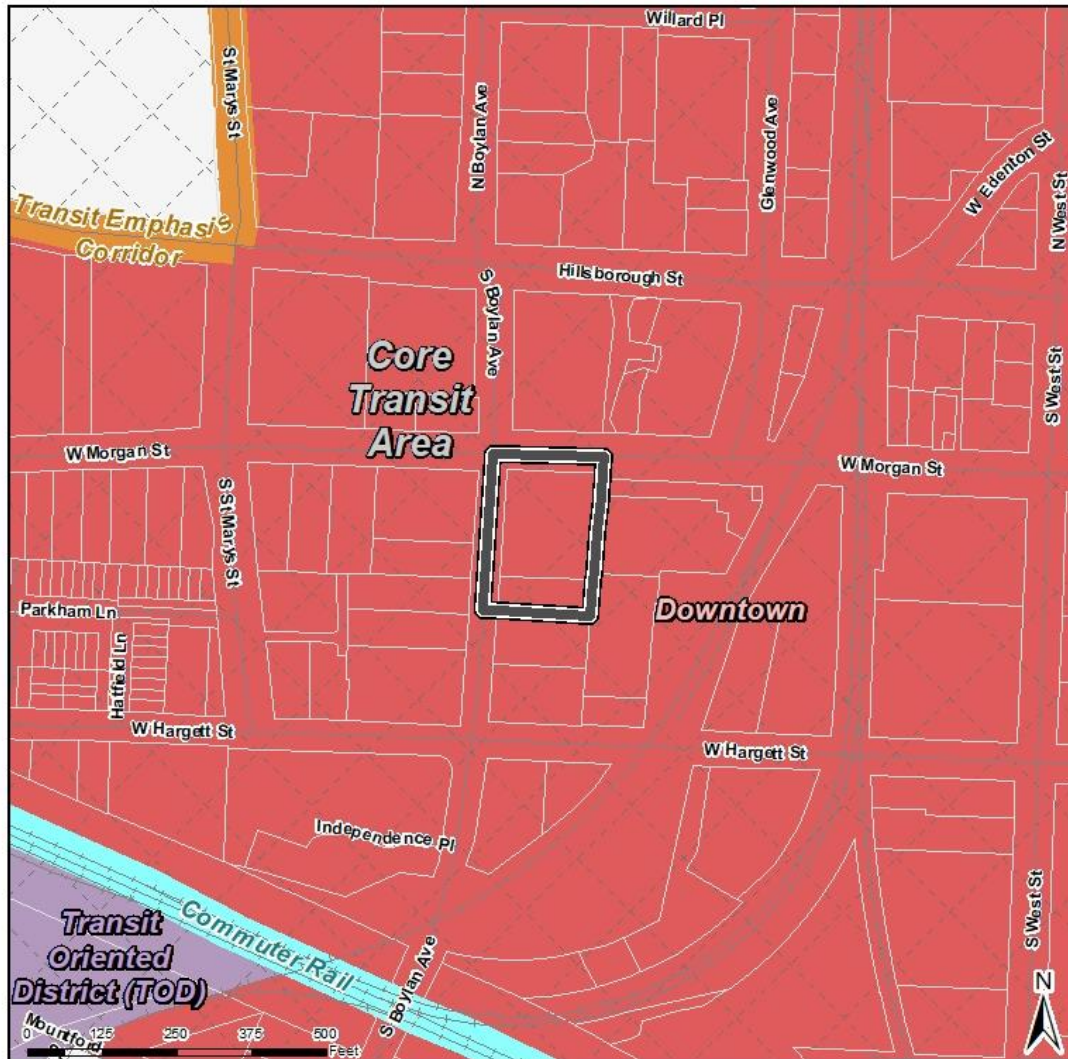
Z-21-2020



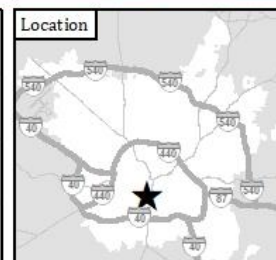
Property	615 W Morgan St & 117 S Boylan Ave
Size	0.85 acres
Existing Zoning	DX-7-UL
Requested Zoning	DX-20-UL-CU



Map by Raleigh Department of City Planning (mansell); 6/19/2020



Property	615 W Morgan St & 117 S Boylan Ave
Size	0.85 acres
Existing Zoning	DX-7-UL
Requested Zoning	DX-20-UL-CU



Map by Raleigh Department of City Planning (mansel@): 6/19/2020

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 theme of **Managing Our Growth** by increasing land use intensity in the city's downtown. Additional office, retail, and residential entitlement in this area will create more opportunities for people to access a desirable place to live, work and play.

The request is consistent with the theme of **Coordinating Land Use and Transportation** because it is within a 10-minute walk to Raleigh Union Station, a regional transit facility. The rezoning site is located on a complete grid of interconnected streets which will facilitate safe and convenient access for all transportation users in the area.

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

Yes. The subject site is designated as Central Business District on the Future Land Use Map. The rezoning request would maintain the existing Downtown Mixed Use (DX-) zoning district, which is consistent with the Future Land Use Map guidance.

- 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?

Yes. Community facilities and streets are in place and are anticipated to sufficiently serve the requested increase in entitlement.

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

☒ **Consistent** with the Future Land Use Map.

☐ **Inconsistent**

The subject site is designated as Central Business District on the Future Land Use Map. The rezoning request would maintain the existing Downtown Mixed Use (DX-) zoning district, which is consistent with the Future Land Use Map guidance.

Urban Form

Urban Form designation: Downtown and Core Transit Area

The rezoning request is

☒ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

☐ **Other**

Overview: The rezoning request maintains the existing Urban Limited (-UL) frontage designation and is consistent with the recommendations of the Urban Form Map.

Impact: The Urban Limited frontage requires a 0' to 20' primary street build-to for 50% of the property's primary street frontage and a 0' to 20' build-to for 25% of the property's side street frontage. The Urban Limited frontage also requires a street-facing entrance at least every 75 feet.

Compatibility: All adjacent properties to the rezoning site are also zoned with the Urban Limited frontage. Maintaining this frontage is compatible with the surrounding zoning designations.

Compatibility

The proposed rezoning is

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The rezoning request is compatible with the property and the surrounding areas. While many existing structures in the immediate area are of one- and two-story construction, the predominant zoning of the area is for 7-story building heights and taller. In terms of use, the Downtown Mixed Use district will permit similar uses to the adjacent properties.

Public Benefits of the Proposed Rezoning

- The increased land use intensity in this location of Downtown Raleigh will create more places for people to live and work within a short walking distance of regional transit.

Detriments of the Proposed Rezoning

- There are no anticipated detriments of this type of potential development downtown.

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 shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes

Policy LU 1.3 Conditional Use District Consistency

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

Policy LU 2.2 Compact Development

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

Policy LU 4.7 Capitalizing on Transit Access

Sites within walking distance of existing and proposed rail and bus rapid transit stations should be developed with intense residential and mixed uses to take full advantage of and support investment in transit infrastructure.

Policy H 1.8 Zoning for Housing

Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.

Policy DT 4.1 Encouraging Downtown Housing

Encourage high-density residential development in downtown, consistent with the target of accommodating another 25,000 residents by 2030.

- The rezoning request would permit a more compact land use pattern in the downtown area by increasing the building height and therefore increasing the amount of office and residential space permitted. This intensity of development is supported by the Future Land Use Map and Table LU-2 Recommended Height Designations, which recommend building heights of up to 40-stories in the Central Business District in areas considered “Core/Transit.” The subject site is within a 10-minute walk of Raleigh Union Station, one of two regional transit facilities downtown.

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 maintains the existing Urban Limited (-UL) frontage which is similarly mapped to all adjacent properties.

Policy DT 1.18 Auto-Oriented Businesses

Development, building types, and building features with an automobile orientation, such as drive-throughs, should not be developed in downtown.

- The rezoning request prohibits vehicle fuel sales, vehicle sales/rental, minor and major vehicle repair, and self-service storage.

Policy DT 1.2 Vertical Mixed Use

Encourage vertical mixed-use development throughout downtown, unless otherwise indicated on the Future Land Use Map.

Policy DT 1.6 Supporting Retail Growth

Encourage the scale and intensity of development needed to strengthen downtown’s capacity to support a vibrant retail environment.

Policy DT 1.16 High Density Development

Highest density development should occur along the axial streets (Hillsborough Street, Fayetteville Street and New Bern Avenue), major streets (as identified by the Street plan), surrounding the squares, and within close proximity to planned transit stations.

Policy DT 3.8 Downtown as a Regional Center

Encourage new investments and developments that position downtown as the center of the region for headquarters, jobs, urban housing, entertainment, and transit.

- The requested increase in land use intensity in this location of the downtown area would encourage vertical mixed use development and create more places for people to live and work. The potential of this development would bring more people in to downtown which would support a more vibrant retail market.

Area Plan Policy Guidance

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

Policy AP-DW 2 Mixed-use Development

Mixed-use development should be the primary form of development in the area with an emphasis on significant new residential growth and a vertical mix of uses in multi-story buildings.

- The requested increase in land use intensity would encourage vertical mixed use development and create more places for people to live and work.

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

Policy AP-DW 1 Zoning Consistency

Map AP-DW1 shall be used alongside the Future Land Use Map to evaluate the consistency of all proposed zoning maps amendments within the Downtown West Gateway plan boundaries. Where there is a conflict regarding preferred densities, the guidance in this Area Plan shall control.

- Map AP-DW1 recommends a maximum of 7-story building heights in this location.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	72	The transit score is more than double the city average and is rated to have “Excellent Transit” according to WalkScore.com.
Walk Score	30	85	The walk score is more than double the city average and is rated “Very Walkable” according to WalkScore.com.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

Summary: Walkability and transit access at the subject site are well above the city average.

Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

Summary: More energy efficient housing types are permitted under the existing and proposed zoning and the proposed zoning would permit more of them.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The proposed zoning would increase the amount of estimated residential units permitted from 128 to 277.
Does it include any subsidized units?	No	No financial subsidy for housing is included.
Does it permit a variety of housing types beyond detached houses?	Yes	All housing types are permitted.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	The subject site is within a 10-minute walk of Raleigh Union Station, one of two regional transit facilities downtown.

**The average lot size for detached residential homes in Raleigh is 0.28 acres.*

Summary: The request will more than double the permitted residential entitlement on the subject site.

IMPACT ANALYSIS

Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None.

Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. The nearest existing park access is provided by Nash Square Park (0.4 miles) and Raleigh Municipal Green Park (0.4 miles). The nearest existing greenway trail access is provided by Rocky Branch Greenway Trail (0.7 miles). Current park access level of service in this area is graded an A letter grade.

Impact Identified: None.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	47	80,000	173,125
Waste Water	47	80,000	173,125

Impact Identified: None.

1. The proposed rezoning would add approximately 93,125 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.

Stormwater

Floodplain	n/a
Drainage Basin	Rocky
Stormwater Management	UDO 9.2
Overlay District	N/A

Impact Identified: No downstream structural impacts identified.

Transit

The site is currently served by GoRaleigh Routes 16, 11, 8, 6, and 4, as well as Go Triangle Route 100, all with stops within 0.25 miles of the site. The subject site is within a 10-minute walk to Raleigh Union Station.

Impact Identified: None.

Transportation

Site Location and Context

Location

The Z-21-20 site is located directly west of Downtown Raleigh, on the southeast corner of West Morgan Street and South Boylan Avenue. It is located near the Boylan Heights community.

Area Plans

The Z-21-20 site is located within the Downtown West Gateway Area Plan.

Policy AP-DWG 3 of this Area Plan calls for “Transportation Network Connectivity.” It suggests additional street, pedestrian, greenway, bicycle, and transit connections. Policy AP-DWG 5 calls for “broader pedestrian systems”. The plan specifically details the area surrounding the recently constructed Raleigh Union Station and the future Raleigh Union Bus Station, which are providing city and regional services. The plan suggests that this area should develop as a transit hub and downtown destination.

The Downtown West Gateway Area Plan specifically comments on traffic in the Boylan Heights area. Policy AP-DW 9 says that increases in transit traffic should be discouraged on nearby neighborhood streets, including South Boylan Avenue.

The Plan also comments on Streetscape Design in Policy AP-DWG 12, in which it indicates that streetscape improvements such as curbing, landscaping, and lighting should be sensitive to the history of the district.

Other Projects in the Area

The Z-21-20 site is located west of the Downtown North-South Greenway Connector, which will install a two-way separated bike lane on Harrington and West Streets. The facility is currently under construction. Also east of the site is the West Street Extension – South, which will extend West Street under the railroads to connect to portions of the street north and south of the tracks, connecting Union Station and the Warehouse District of Downtown Raleigh. This project is currently being designed, but the construction timeline will not be known until full construction funding for the project is identified.

Existing and Planned Infrastructure

Existing Streets

The subject property has frontage on West Morgan Street and South Boylan Avenue. West Morgan Street is designated as a 3-lane avenue with parallel parking and South Boylan Avenue is designated as a 2-lane undivided avenue. Both streets are all maintained by the City of Raleigh.

Street Network

In accordance with UDO section 8.3.2, the maximum block perimeter for DX-20 Zoning districts is 2,000 feet. The existing block perimeter is approximately 2,900 feet. Block perimeter is restricted by railroad tracks east of the site.

Pedestrian Facilities

Sidewalks are complete in the vicinity of the Z-21-20 site. Development of the site should result in wider sidewalks conforming to Article 8.5 of the UDO.

Bicycle Facilities

West Morgan Street has bicycle lanes beginning 0.3 miles east of the site at the intersection of South Dawson Street. South Boylan Ave has existing shared lane markings. Map T-3 in the comprehensive plan designates South Boylan Avenue for a separated bikeway that would connect to the Rocky Branch Greenway Trail and Dix Park to the south. Map T-2 also designates West Morgan Street for a Main Street Bikeway along the site frontage.

Z-21-20 is within the bikeshare service area. The nearest existing stations to the site are West Street at Morgan Street, Hillsborough Street at Harrington Street, Raleigh Union Station, and Hillsborough Street at Ashe Avenue. Bikeshare station spacing guidelines suggest that additional stations in the vicinity of this site may be appropriate. The addition of Bikeshare infrastructure may help to mitigate traffic concerns, as trips would be converted from motorized vehicles to bicycles.

Access

The Z-21-20 site may be accessed by West Morgan Street and South Boylan Avenue.

Traffic Impact Analysis (TIA) Determination

Based on the Envision results, approval of case Z-21-20 would increase the amount of projected vehicular trips for the site as indicated in the table below. The proposed rezoning from DX-7-UL to DX-20-CU is projected to have 115 new trips in the AM peak hour and 139 new trips in the PM peak hour. These values trigger a Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-21-20 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-21-20 Current Zoning Entitlements	Daily	AM	PM
DX-7-UL	1,208	119	131
Z-21-20 Proposed Zoning Maximums	Daily	AM	PM
DX-20-CU	2,655	235	270
Z-21-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,446	115	139

TIA Analysis Review

A TIA Analysis was completed by Kimley-Horne and reviewed by City staff. The analysis shows that the development as proposed will not have excessive impacts to the surrounding roadway network and intersections. The study recommends that both constructed site driveways include one ingress and one egress lane. The study also recommends that further analysis be performed on these access points at the site plan stage. The Queueing and Blocking Reports indicate that the site driveways have the potential to be blocked by the directly adjacent intersections during the peak hours. It will be necessary that further analysis is performed once the site plan indicates their specific locations.

See the attached technical review memo for additional details regarding the completed TIA.

Impact Identified: A TIA Analysis was completed by Kimley-Horne and reviewed by City staff. The analysis shows that the development as proposed will not have excessive impacts to the surrounding roadway network and intersections.

Urban Forestry

Impact Identified: None

Impacts Summary

A Traffic Impact Analysis was completed by Kimley-Horne and reviewed by City staff. The analysis shows that the development as proposed will not have excessive impacts to the surrounding roadway network and intersections. The study also recommends that further analysis be performed on these access points at the site plan stage.

Mitigation of Impacts

Perform further analysis once the site plan indicates the specific locations of subject site's driveway access.

CONCLUSION

The request is consistent with the Future Land Use Map and the 2030 Comprehensive Plan overall. This consistency is achieved by encouraging high intensity urban development in the city's central business district within a short walking distance to regional transit services. While the request is inconsistent with the recommended building height policy in the Downtown West Gateway area-specific guidance section of the 2030 Comprehensive Plan, the overall benefits to the city and advancement of other key policies and vision themes outweigh the inconsistency. Since the subject site is already zoned for 7-story buildings, any requested increase in height would be inconsistent with this Downtown West Gateway guidance because it recommends a maximum building height of 7-stories.

CASE TIMELINE

Date	Action	Notes
May 20, 2020	Neighborhood Meeting	
September 3, 2020	Neighborhood Meeting	
September 22, 2020	Planning Commission	
October 20, 2020	Planning Commission	
November 10, 2020	Planning Commission	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-7-UL	DX-12-UL	DC-7-UL	DX-7-UL	OX-7-UL
Additional Overlay	-	-	-	-	-SRPOD
Future Land Use	Central Business District	Central Business District	Central Business District	Central Business District	Office & Residential Mixed Use
Current Land Use	Retail	Active Construction	Residential	Hotel	Office
Urban Form	Urban Limited	Urban Limited	Urban Limited	Urban Limited	Urban Limited

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	DX-7-UL	DX-20-UL-CU
Total Acreage	.85	.85
Setbacks:		
Front	3'	3'
Side	0'	0'
Rear	0'	0'
Residential Density:	150 units/acre	325 units/acre
Max. # of Residential Units	128	277
Max. Gross Building SF	149,360	324,902
Max. Gross Office SF	98,856	221,589
Max. Gross Retail SF	18,987	21,728
Max. Gross Industrial SF	-	-
Potential F.A.R	4.03	8.77

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

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District DX Height 7 Frontage UL Overlay(s) _____			
Proposed Zoning Base District DX Height 20 Frontage UL Overlay(s) _____			
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:			
GENERAL INFORMATION			
Date		Date Amended (1)	Date Amended (2)
Property Address See attached			
Property PIN See attached		Deed Reference (book/page) See attached	
Nearest Intersection S. Boylan Ave. and W. Morgan St.			
Property Size (acres) 0.85	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address Crocker Family Properties, LLC 3204 Keighley Forest Dr. Wake Forest, NC 27587-5420		Phone	Fax
Betty Poole Brinkley 4800 Yates Mill Pond Rd. Raleigh, NC 27606-9495		Email	
Applicant Name/Address Tobias Coleman Smith Anderson 150 Fayetteville St., Ste. 2300 Raleigh, NC 27601		Phone 919-821-6778	Fax
		Email tcoleman@smithlaw.com	
Applicant* Signature(s) See attached		Email	

*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

RECEIVED

By JP Mansolf at 1:16 pm, Jun 10, 2020

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-21-20**Date Submitted **10/23/20**Existing Zoning **DX-7-UL** Proposed Zoning **DX-20-UL-CU****OFFICE USE ONLY**

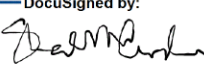
Rezoning Case #

Narrative of Zoning Conditions Offered

1. Height Limit. No building constructed on the property shall be greater than eighteen (18) stories.
2. Prohibited Uses. The following principal uses, if otherwise allowed in the DX district, shall be prohibited uses on the Property: adult establishment; vehicle fuel sales; vehicle sales/rental; detention center, jail, prison; vehicle repair (minor); vehicle repair (major); self-service storage.
3. Active Uses on Ground Story. There shall be active uses for those portions of the building fronting West Morgan Street and South Boylan Avenue, except for those areas uses for vehicular and pedestrian access and those areas used for service functions (including but not limited to fire department connections, trash/recycling service, and utilities).
4. Permitted Building Materials. Permitting building siding materials shall include any combination of brick, stone, concrete masonry, cementitious siding, wood, metal, terracotta and/or glass.
5. Screening of Structured Parking. Light emittance from the upper stories of the parking structure shall be minimized. Internal light fixtures shall be screened so the internal light fixtures shall not be visible from adjacent streets. Additionally, any lighting installed within the parking structure shall be shielded so that no direct beam of light is emitted past the property's western and southern property lines.

The property owner(s) hereby offers, consents to, and agrees to abide by, 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:

 B5F756CC32D74D7...

Print Name Stanley M. Crocker

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number **Z-21-20**

Date Submitted **10/23/20**

Existing Zoning **DX-7-UL** Proposed Zoning **DX-20-UL-CU**

OFFICE USE ONLY

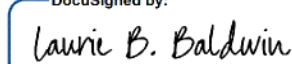
Rezoning Case #

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Property Owner(s) Signature

DocuSigned by:

 B8B97B526B524C0...

Print Name Laurie B. Baldwin

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-21-20****OFFICE USE ONLY**Date Submitted **10/23/20**

Rezoning Case #

Existing Zoning **DX-7-UL** Proposed Zoning **DX-20-UL-CU****Narrative of Zoning Conditions Offered**

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Property Owner(s) Signature

DocuSigned by:

Kathryn Allyson Brinkley

Print Name

Kathryn Allyson Brinkley

77010319C159484...

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-21-20****OFFICE USE ONLY**Date Submitted **10/23/20**

Rezoning Case #

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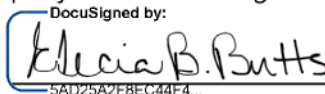
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Property Owner(s) Signature

DocuSigned by:

 5AD25A2F8EC44F4...

Print Name Elecia B. Butts

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis 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.	OFFICE USE ONLY 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.	
PUBLIC BENEFITS	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	

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

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

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:</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:</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:</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:</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:</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:</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:</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:</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:</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:</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:</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:</p>

13.	<i>New public spaces should provide seating opportunities.</i> Response:
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response:
15.	<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> Response:
16.	<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> Response:
17.	<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> Response:
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response:
19.	<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> Response:

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:</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:</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:</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:</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:</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:</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:</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 type="checkbox"/>	<input type="checkbox"/>			
2. Pre-Application Conference	<input type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see Fee Schedule for rate)	<input type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
For properties requesting a conditional use district:					
9. Completed zoning conditions, signed by property owner(s)	<input type="checkbox"/>	<input type="checkbox"/>			
If applicable (see Page 11):					
10. Proof of power of attorney or owner affidavit	<input type="checkbox"/>	<input type="checkbox"/>			
For properties requesting a Planned Development (PD) or Campus District (CMP):					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input type="checkbox"/>			
For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input type="checkbox"/>			

ATTACHMENT TO REZONING PETITION

Property Addresses, PINs and Deed References

- 615 W Morgan St.
 - PIN: 1703481885
 - Deed Book / Page: 16759 / 165

- 117 S. Boylan Ave.
 - PIN: 1703481774
 - Deed Book / Page: 7147 / 825

REZONING APPLICATION PAGE 1 AND PAGE 2 (ZONING CONDITIONS)

Signed by Crocker Family Properties, Owner of 615 W Morgan St.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **DX** Height **7** Frontage **UL** Overlay(s) _____

Proposed Zoning Base District **DX** Height **20** Frontage **UL** Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE
USE ONLY

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

GENERAL INFORMATION

Date

Date Amended (1)

Date Amended (2)

Property Address

See attached

Property PIN

See attached

Deed Reference (book/page)

See attached

Nearest Intersection

S. Boylan Ave. and W. Morgan St.

Property Size (acres)

0.85

For Planned
Development
Applications Only:

Total Units

Total Square Footage

Total Parcels

Total Buildings

Property Owner Name/Address

Crocker Family Properties, LLC
3204 Keighley Forest Dr.
Wake Forest, NC 27587-5420

Phone

Fax

Betty Poole Brinkley
4800 Yates Mill Pond Rd.
Raleigh, NC 27606-9495

Email

Applicant Name/Address

Tobias Coleman
Smith Anderson
150 Fayetteville St., Ste. 2300
Raleigh, NC 27601

Phone **919-821-6778**

Fax

Email **tcoleman@smithlaw.com**

CROCKER FAMILY PROPERTIES, LLC
Applicant* Signature(s)

Email

*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

RECEIVED

By JP Mansolf at 1:17 pm, Jun 10, 2020

**615 W. MORGAN ST. AND 117 S. BOYLAN AVE
CONDITIONAL USE DISTRICT ZONING CONDITIONS**

Submitted with Application on _____, 2020

1. Height Limit. No building constructed on the property shall be greater than eighteen (18) stories.
2. Prohibited Uses. The following principal uses, if otherwise allowed in the DX district, shall be prohibited uses on the Property: adult establishment; vehicle fuel sales; vehicle sales/rental; detention center, jail, prison; vehicle repair (minor); vehicle repair (major); self-service storage.
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4. Permitted Building Materials. Permitting building siding materials shall include any combination of brick, stone, concrete masonry, cementitious siding, wood, metal, terracotta and/or glass.
5. Screening of Structured Parking. Where the upper stories of structured parking are located at the perimeter of the building fronting West Morgan Street and/or South Boylan Avenue, they must be screened so that cars are not visible from those streets. Sloped ramps within any parking structure shall not be discernible from West Morgan Street and/or South Boylan Avenue. Architectural and vegetative screens must be used along West Morgan Street and South Boylan to articulate the façade, hide parked vehicle and shield lighting.

The property owners hereby offer, consent to and agree to abide by, if the rezoning request is approved, the conditions written above.

CROCKER FAMILY PROPERTIES, LLC

Property Owner Signature: by Stanley M Crocker, MGR Print Name STANLEY M CROCKER, MGR

Property Owner Signature: _____ Print Name _____

RECEIVED

By JP Mansolf at 1:17 pm, Jun 10, 2020

REZONING APPLICATION PAGE 1 AND PAGE 2 (ZONING CONDITIONS)

Signed by Attorneys-In-Fact for Betty Poole Brinkley, Owner of 117 S. Boylan Ave.

**Attorneys-In-Fact appointed by Power of Attorney filed at Book 15330, Page 1888, Wake County
Registry**


Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
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Property PIN See attached		Deed Reference (book/page) See attached	
Nearest Intersection S. Boylan Ave. and W. Morgan St.			
Property Size (acres) 0.85	For Planned Development Applications Only:	Total Units	Total Square Footage
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Property Owner Name/Address Crocker Family Properties, LLC 3204 Keighley Forest Dr. Wake Forest, NC 27587-5420 Betty Poole Brinkley 4800 Yates Mill Pond Rd. Raleigh, NC 27606-9495		Phone	Fax
		Email	
Applicant Name/Address Tobias Coleman Smith Anderson 150 Fayetteville St., Ste. 2300 Raleigh, NC 27601		Phone 919-821-6778	Fax
		Email tcoleman@smithlaw.com	
Applicant* Signature(s)  <small>5AD25A2F8EC44F4...</small>		Email	

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		Email	
Applicant Name/Address Tobias Coleman Smith Anderson 150 Fayetteville St., Ste. 2300 Raleigh, NC 27601		Phone 919-821-6778	Fax
		Email tcoleman@smithlaw.com	
Applicant* Signature(s) <i>Kathryn Allyson Brinkley</i> <small>DocuSigned by: 77010319C159484...</small>		Email	

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		Total Parcels	Total Buildings
Property Owner Name/Address Crocker Family Properties, LLC 3204 Keighley Forest Dr. Wake Forest, NC 27587-5420 Betty Poole Brinkley 4800 Yates Mill Pond Rd. Raleigh, NC 27606-9495		Phone	Fax
		Email	
Applicant Name/Address Tobias Coleman Smith Anderson 150 Fayetteville St., Ste. 2300 Raleigh, NC 27601		Phone 919-821-6778	Fax
		Email tcoleman@smithlaw.com	
Applicant* Signature(s) Laurie B. Baldwin <small>B8B97BB26B624C0...</small>		Email	

*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

RECEIVED

By JP Mansolf at 1:18 pm, Jun 10, 2020

Power of Attorney for Betty Poole Brinkley, Owner of 117 S. Boylan Ave.

Recorded at Book 15330, Page 1888, Wake County Registry

WAKE COUNTY, NC 384
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
06/24/2013 AT 14:32:14

BOOK:015330 PAGE:01888 - 01892

[#]
Hold: 133

NORTH CAROLINA :

WAKE COUNTY : POWER OF ATTORNEY
(EXCLUDING KURE BEACH PROPERTY)

KNOW ALL MEN BY THESE PRESENTS, that I, BETTY POOLE BRINKLEY, of Wake County, North Carolina, do appoint my daughters, KATHRYN ALLYSON BRINKLEY, ELECIA B. BUTTS and LAURIE B. BALDWIN, acting jointly, my true and lawful attorney for me and in my name, place and stead to do the acts and exercise the powers set forth below, which shall be construed in the broadest possible manner. My above-named daughters are hereinafter called “my Attorneys-in-Fact.”

- (1) to ask, demand, sue for, collect and receive all sums of money, dividends, interest, payments on account of debts and legacies and all property now due or which may hereafter become due and owing to me, and give good and valid receipts and discharges for such payments;
- (2) to sell, assign and transfer stocks and bonds and securities standing in my name or belonging to me; to buy and sell securities of all kinds in my name and for my account and at such prices as shall seem good to my Attorneys-in-Fact; to sign, execute, acknowledge and deliver in my name all transfers and assignments of securities; to consent in my name to re-organizations and mergers, and to the exchange of securities for new securities;
- (3) to borrow money and to pledge securities for such loans if in the judgment of my Attorneys-in-Fact such action should be necessary;

(4) to manage real property; to lease, purchase, sell, convey and mortgage realty (other than my realty located at 533 Third Avenue South, Kure Beach, New Hanover County, North Carolina, which is the subject of a separate power of attorney), with full covenants of warranty; and to foreclose mortgages and to take title to property in my name; to execute, acknowledge and deliver deeds of real property, mortgages, releases, satisfactions and other instruments relating to realty;

(5) to form, organize, conduct and manage a business;

(6) to deal with retirement plans;

(7) to place in effect insurance;

(8) to do business with banks, and particularly to endorse all checks and drafts made payable to my order and collect the proceeds; to sign in my name checks on all accounts standing in my name, and to withdraw funds from said accounts; to open accounts in my name or in my Attorneys-in-Fact's name as my attorney in fact; to make such payments and expenditures as may be necessary in connection with any of the foregoing matters or with the administration of my affairs; to enter from time to time any safety deposit boxes in any bank in which I may have one listed in my name and to execute in my name and stead any papers which shall be required by any of said banks for entry in said safety deposit boxes;

(9) to retain counsel and attorneys on my behalf to appear for me in all actions and proceedings to which I may be party in the courts of North Carolina or any other State in the United States, or in the United States courts; to commence actions and proceedings in my name if necessary; to sign and verify in my name all complaints, petitions, answers and other pleadings of every description;

(10) to represent me in all income tax matters before all officers of the Internal Revenue Service or Department of Revenue of any State or City, to make and verify income tax returns, claims for refund, requests for extension of time, and consents in my name; to prosecute, defend, compromise or settle any tax matter;

(11) to make gifts to such persons or institutions, including my Attorneys-in-Fact, in such amounts or proportions, as in my Attorneys-in-Fact's sole discretion seems appropriate in order to continue an established pattern of giving previously commenced by me, and in determining whether I have established such a pattern of giving, my Attorneys-in-Fact may rely upon any federal or state gift or income tax returns previously filed by me; notwithstanding the foregoing, in the absence of any established gifting pattern, to make gifts to my children, including my Attorneys-in-Fact, if applicable, in such amounts and proportions as in my Attorneys-in-Fact's sole discretion seems appropriate in accordance with prudent financial and estate planning provided that the total value of gifts to any one child in any calendar year shall not exceed the amount specified for the federal gift tax annual exclusion;

(12) to renounce or disclaim as to any interest I may have as a beneficiary of any estate or person, even if such renunciation or disclaimer benefits my Attorneys-in-Fact;

(13) to assign, transfer and convey all or any part of my real or personal property to (i) any revocable trust established by me during my lifetime, or (ii) any revocable trust established by my attorney during my lifetime which directs the trustee to administer the trust for my benefit and to distribute the trust property to my estate upon my death;

(14) to exercise all powers and authority as provided in Section 32A-2 of the General Statutes of North Carolina, which is hereby incorporated by reference as if set forth fully herein; and in addition to the foregoing enumerated powers, to do any act, deed or thing whatsoever which I may lawfully do through or by an attorney in fact, as fully as I could do if personally present; hereby giving and granting to my said Attorneys-in-Fact full power and authority to do and perform all and every act and thing whatsoever necessary to be done in the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said Attorneys-in-Fact may do pursuant to this power.

This Power of Attorney shall not be affected by my subsequent incapacity or mental incompetence. This Power of Attorney is executed pursuant to the provisions of Article 2 of Chapter 32A of the General Statutes of North Carolina (Session Laws 1983, Chapter 626), and it shall continue in effect notwithstanding any incapacity or mental incompetence of the maker of this Power of Attorney which may occur after the date of the execution and acknowledgment of this Power of Attorney.

I hereby waive any requirement that my Attorneys-in-Fact render any inventories or accounts to the Clerk of Superior Court, and my Attorneys-in-Fact are relieved specifically from rendering any inventories or accounts to any court under the provisions of Article 2 of Chapter 32A of the General Statutes of North Carolina (Session Laws 1983, Chapter 626) or any similar statute now or hereafter adopted whether or not my Attorneys-in-Fact are acting before or after any incapacity or mental incompetence of this maker.

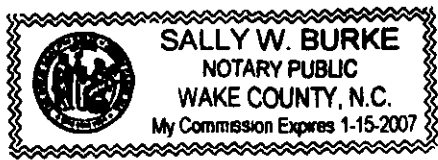
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 22 day of June, 2006.

 (SEAL)
BETTY POOLE BRINKLEY

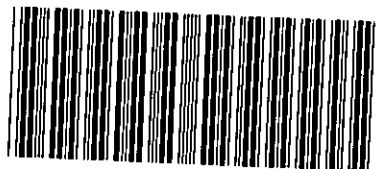
NORTH CAROLINA :

WAKE COUNTY :

On this 22 day of June, 2006, personally appeared before me, the said named BETTY POOLE BRINKLEY to me known and known to me to be the person described in and who executed the foregoing instrument and she acknowledged that she executed the same and being duly sworn by me, made an oath that the statements in the foregoing instrument are true.



Sally W. Burke
Notary Public
Print Name: Sally W. Burke
My Commission Expires: 1-15-2007



BOOK:015330 PAGE:01888 - 01892

**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
_____ # of Pages
5 8

Virtual Neighborhood Meeting Summary, Attendance Sheet, and Notice Documents

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:

Attendance Roster
May 20, 2020 Virtual Neighborhood Meeting
615 W. Morgan St. and 117 S. Boylan Ave. Rezoning
5 p.m.-7p.m. GoToWebinar

Registration Report

General Information

GoToWebinar

Webinar Name

Virtual Neighborhood Meeting: 615
W. Morgan St. and 117 S. Boylan
Ave. Rezoning

Webinar ID

836-856-723

Scheduled Start Date

05/20/2020

Scheduled Start Time

05:00:00 PM EDT

Scheduled Duration (minutes)

120

Registrants

First Name

Win
Eddie
jina
john
David
Patrick
Ira
Matthew
Doug

Last Name

Coleman
Coleman
propst
bruckel
Toms
N
Mabel
Klem
Hamilton

Address

425 N. Bloodworth St.
3113 stone gap court
710 independence
3425 Apache Drive

One Exchange Plaza
710 Independence Place
615 W Morgan St
100 S. Boylan Avenue
100 S. Boylan Avenue
710 Independence Pl.,
Unit 303

City

Raleigh
raleigh
Raleigh
Raleigh

Raleigh
Raleigh
Raleigh
Raleigh
Raleigh
Raleigh

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

LAWYERS

OFFICES

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

TOBY R. COLEMAN

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

May 8, 2020

MAILING ADDRESS

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

TELEPHONE: (919) 821-1220

FACSIMILE: (919) 821-6800

Re: Notice of neighborhood meeting to discuss potential rezoning of land located at 615 W Morgan St., Raleigh, NC 27603 (PIN: 1703481885) and 117 S. Boylan Ave., Raleigh, NC 27603 (PIN: 1703481774)(collectively, the "Property")

Dear Neighboring Property Owners:

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

The neighborhood meeting will be held on May 20, 2020 at 5 p.m. The meeting will be held virtually. You can participate online or by telephone. You can participate online or listen by telephone.

To participate online, please visit:

attendee.gotowebinar.com/register/6795931144940585230

OR

bit.ly/MorganStBoylanAveRezoning

To listen via telephone, please call:

(631) 992-3221

Access Code: 799-026-679

The Property is currently zoned Downtown Mixed Use with a maximum height of seven stories and urban limited frontage (DX-7-UL) and is proposed to be rezoned to Downtown Mixed Use of 20 stories with urban limited frontage (DX-20-UL).

The rezoning is being proposed by Heritage Properties, Inc., the company that has developed the One Glenwood building and is currently constructing the Tower Two building across the street

from the Property. Heritage Properties plans to build an 18-story office tower on the Property consisting of ground floor retail, parking, and office. The rezoning is necessary to allow an 18-story tower on the Property.

As reflected on the attached map, the Property encompasses 0.85 acres on the southeastern side of the intersection of W. Morgan Street and S. Boylan Avenue.

At the Neighborhood Meeting, we will also discuss potential zoning conditions for the development of the Property. As reflected in the enclosed draft rezoning application, Heritage Properties will be offering up zoning conditions that impose additional restrictions and requirements on the Property, including a provision limiting the height of the tower to 18 stories and a provision requiring active uses on the ground story along West Morgan Street and South Boylan Avenue.

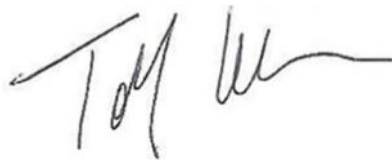
Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 500 feet of the property requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Toby R. Coleman', with a stylized, flowing script.

Toby R. Coleman

enclosures

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

LAWYERS

**Proposed Rezoning—615 W. Morgan St. and 117 S. Boylan Ave.
Electronic Neighborhood Meeting Agenda
May 20, 2020, 5p.m.**

ACCESSING THE MEETING

TO ACCESS THE MEETING: The meeting will be held on GoToWebinar.

To access the meeting, go to attendee.gotowebinar.com/register/6795931144940585230 or bit.ly/MorganStBoylanAveRezoning. Prior to entering the meeting, you will be asked to provide your name and contact information. The City of Raleigh requires that we collect names and contact information from attendees and provide a list of attendees to the City.

Attendees may also participate exclusively by telephone by calling (631) 992-3221 and entering Access Code: 799-026-679.

WHAT TO EXPECT

Instead of seeing a group of speakers standing together at the front of a room, attendees will see speakers on their individual webcams. A PowerPoint presentation will be shared via the GoToWebinar platform.

Attendees will be muted during the Meeting Welcome and Project Presentation. Attendees will be able to submit questions in writing throughout the meeting.

During the Question and Answer session, the speakers will answer questions submitted in writing and respond to questions asked orally by attendees during the Question and Answer session. To ask questions “live” during the Question and Answer session, attendees logged on to GoToWebinar will need to click on the “raise hand” icon on the GoToWebinar control panel to alert the speakers that they need to be unmuted so that the rest of the attendees can hear them.

In addition to attending the meeting, you may also ask questions or request additional information from the developer, Heritage Properties, by calling or e-mailing Toby Coleman at (919) 821-6778 or tcoleman@smithlaw.com.

MEETING AGENDA

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

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

LAWYERS

**EXPLANATION OF PROCESS REQUIRED BY CITY'S VIRTUAL NEIGHBORHOOD
MEETING GUIDELINES**

Why is this Meeting Being Held? Heritage Properties is holding this neighborhood meeting to discuss its proposed rezoning of the property located at 615 W. Morgan St. and 117 S. Boylan Ave. Heritage Properties proposes rezoning the property from its current Downtown Mixed Use zoning with a maximum height of 7 stories and urban limited frontage (DX-7-UL) to Downtown Mixed Use with a maximum height of 20 stories and urban limited frontage (DX-20-UL) with a zoning condition limiting height to 18 stories. This would allow the construction of an 18-story office tower on the Property.

Pursuant to § 10.2.4.D of the Raleigh Unified Development Ordinance (“UDO”), this neighborhood meeting must occur before Heritage Properties and the Property owners can submit their rezoning application to the City for consideration by City staff and the City’s appointed and elected officials.

What Happens in the Rezoning Process After the Neighborhood Meeting? The neighborhood meeting is just the first of multiple opportunities that members of the public have to share their comments and questions regarding the proposed rezoning with Heritage Properties, City staff, and City officials.

Heritage Properties is required by the UDO and the Virtual Neighborhood Meeting guidelines to provide the City with a written summary of the questions and comments received at the Electronic Neighborhood Meeting.

Once Heritage Properties submits its rezoning application, City staff will review the application and associated documents to determine whether it complies with the City’s land use plans and policies. Once staff verifies that the zoning application is complete, Heritage Properties is required to hold a second neighborhood meeting for property owners within 1,000 feet of the Property.

The application will go before the City’s Planning Commission for its review and recommendation. Once the Planning Commission makes a recommendation, the rezoning application will go to the City Council for a public hearing and further review. The City Council will make the decision on whether or not to approve the rezoning application.

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

LAWYERS

EXPLANATION OF DEVELOPMENT PROPOSAL

The rezoning of 615 W. Morgan St. and 117 S. Boylan Ave. (the “Property”) is proposed by Heritage Properties, Inc. Heritage Properties is a forward-thinking developer with deep experience that is committed to Raleigh. Heritage Properties has developed the parcels to the north and east of the Property, including the One Glenwood building and the Tower Two building in the Block(83) development on the north side of W. Morgan Street.

Heritage Properties proposes to rezone the Property as part of plans to build an 18-story tower on the Property. The planned 18-story building will feature office above ground floor retail.

Heritage Properties proposes rezoning the Property from Downtown Mixed Use with a maximum of 37 stories and urban limited frontage (DX-7-UL) to Downtown Mixed Use with a maximum of 20 stories and urban limited frontage (DX-20-UL).

Heritage Properties proposes zoning conditions on the proposed DX-20 zoning that would limit the height of the tower built on the Property to no more than 18 stories.

Heritage Properties has a reputation for constructing quality building with distinctive design, as evidenced by the One Glenwood and Tower Two high-rise office buildings located across the street from the Property. Heritage Properties proposes zoning conditions related to building materials, parking garage screening, and active ground floor uses that reflect its commitment to develop with quality and distinction on this Property as well.

Aerial of 615 W Morgan St., Raleigh, NC 27603 (PIN: 1703481885) and 117 S. Boylan Ave., Raleigh, NC 27603 (PIN: 1703481774)



Existing Zoning of 615 W Morgan St., Raleigh, NC 27603 (PIN: 1703481885) and 117 S. Boylan Ave., Raleigh, NC 27603 (PIN: 1703481774)



Attestation Statement
Electronic Neighborhood Meeting
Rezoning Application—615 W. Morgan St. and 117 S. Boylan Ave.

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 8th day of May, 2020. 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



Date

5/8/20

Tobias R. Coleman
Applicant Representative

Mailing List
Rezoning of 615 W Morgan St. and 117 S. Boylan Ave.

Owner	Mail Address 1	Mail Address 2	Mail Address 3
120 RALEIGH (PROPERTY OWNER VENTURE) LP	PILLSBURY WINTHROP SHAW PITTMAN LLP	31 W 52ND ST	NEW YORK NY 10019-6118
700 WEST HARGETT STREET LLC	3337 RIDGECREST CT	RALEIGH NC 27607-6764	
700 WEST MORGAN LLC	1714 PARK DR	RALEIGH NC 27605-1611	
ASHRAF, MOHAMMAD	710 INDEPENDENCE PL UNIT 202	RALEIGH NC 27603-1856	
AYCOCK, MAHLON L WILDER, RYON W	5201 LENORAWAY DR	RALEIGH NC 27613-1404	
BAHHO, AMANDA	610 HILLSBOROUGH ST APT 204	RALEIGH NC 27603-1748	
BAR STOOL INC THE	SNOOPY'S HOT DOGS & MORE #3	600 HILLSBOROUGH ST	RALEIGH NC 27603-1732
BLOOMSBURY ESTATES LLC	PO BOX 17281	RALEIGH NC 27619-7281	
BOUGADES, PETER G BOLLINGER, CONSTANCE G BOUGADES	3901 YADKIN DR	RALEIGH NC 27609-6330	
BREAM, HARTLEY	2924 HERMOSA AVE	HERMOSA BEACH CA 90254-2305	
BRINKLEY, BETTY POOLE	4800 YATES MILL POND RD	RALEIGH NC 27606-9495	
BRYAN, AMELIA F	710 INDEPENDENCE PL UNIT 704	RALEIGH NC 27603-1863	
BRYAN, STEPHEN COLLIER BRYAN, KAYE TEW	104 DEERBORN DR	GOLDSBORO NC 27534-8978	
BUCKLEY, CATHY ANN	710 701 INDEPENDENCE PL	RALEIGH NC 27603-1863	
BUSSEY, KENNETH RAY JR BUEHRER, LYDIA MARIE	610 HILLSBOROUGH ST APT 205	RALEIGH NC 27603-1748	
BYRD, JOHN S II	109 TOWNSON DR	CLAYTON NC 27527	
CHRISTENSEN-MERTENS, JILL MERTENS, PAUL	1308 FILMORE ST	RALEIGH NC 27605-1213	
COBB, PAUL R SATTERFIELD, CHARLES W	710 INDEPENDENCE PL UNIT 307	RALEIGH NC 27603-1858	
COFFEY, CHRISTINA LYNN	710 707 INDEPENDENCE PL	RALEIGH NC 27603-1863	
COLEMAN GROUP INC THE	115 S SAINT MARYS ST	RALEIGH NC 27603-1699	
CREATIVE SPACES LLC	4040 ED DR STE 201	RALEIGH NC 27612-8090	
CROCKER FAMILY PROPERTIES, LLC	3204 KEIGHLEY FOREST DR	WAKE FOREST NC 27587-5420	
CROSSNO, ROBERT SETH II	710 INDEPENDENCE PL UNIT 502	RALEIGH NC 27603-1860	
DAVIERO, ROBERT P JR	710 INDEPENDENCE PL UNIT 203	RALEIGH NC 27603-1856	
DEPARTMENT OF TRANSPORTATION	1505 MAIL SERVICE CTR	RALEIGH NC 27699-1505	
DOCTORS MAKING HOUSE CALLS LLC	32405 ARCHDALE	CHAPEL HILL NC 27517-8398	
ELLIS PLACE LLC	100 SAS CAMPUS DR # U6172	CARY NC 27513-2414	
EMPIRE PROPERTIES LLC	133 FAYETTEVILLE ST STE 600	RALEIGH NC 27601-2911	
GABOR, PETER I GABOR, CAROL E	710 INDEPENDENCE PL UNIT 206	RALEIGH NC 27603-1856	
GAMBLE, RAYMOND H	710 208 INDEPENDENCE PL	RALEIGH NC 27603-1856	
GLENWOOD ONE OFFICE LLC	501 FAIRMOUNT AVE STE 101	TOWSON MD 21286-5462	
GLENWOOD ONE SOUTH, LLC	501 FAIRMOUNT AVE STE 101	TOWSON MD 21286-5462	
GLENWOOD TWO LLC	501 FAIRMOUNT AVE STE 101	TOWSON MD 21286-5462	
GLENWOOD WILLARD HOTEL LLC	SHG LLC ATTN: R. DOYLE PARRISH	3141 JOHN HUMPHRIES WYND STE 200	RALEIGH NC 27612-5383
GRAY, JENNIFER	710 309 INDEPENDENCE PL	RALEIGH NC 27603-1854	
GRAY, STEVEN J	317 W MORGAN ST APT 411	RALEIGH NC 27601-1475	
GRIFFIN, REGINALD BROWN JR GRIFFIN, AMANDA LAMB	115 LOCHWOOD EAST DR	CARY NC 27518-8993	
H S A LIMITED PARTNERSHIP	YORK PROPERTIES INC	2108 CLARK AVE	RALEIGH NC 27605-1606
HAMILTON, DOUGLAS R	710 INDEPENDENCE PL UNIT 504	RALEIGH NC 27603-1860	
HAMM, GREGORY ALAN	710 INDEPENDENCE PL UNIT 105	RALEIGH NC 27603-1855	
HBS PROPERTIES LLC	C/O YORK PROPERTIES	PO BOX 10007	RALEIGH NC 27605-0007
HEINSOHN, SARAH H.	710 INDEPENDENCE PL UNIT 302	RALEIGH NC 27603-1857	
HELING, KEVIN HELING, MARY KAY	710 INDEPENDENCE PL UNIT 509	RALEIGH NC 27603-1861	
HERING, GUENTHER HERING, BIRGIT	710 INDEPENDENCE PL UNIT 104	RALEIGH NC 27603-1855	
HIGGINS, ROBERT CRAIG HIGGINS, KELLI HARGETT	764 FLAG CIR	HOOVER AL 35226-4917	
HIGH, CASEY L	710 INDEPENDENCE PL UNIT 609	RALEIGH NC 27603-1862	
HILBERT, DIANE L	710 INDEPENDENCE PL UNIT 303	RALEIGH NC 27603-1857	

Mailing List
Rezoning of 615 W Morgan St. and 117 S. Boylan Ave.

Owner	Mail Address 1	Mail Address 2	Mail Address 3
HILLSBOROUGH 630 LLC	PO BOX 340805	BEAVERCREEK OH 45434-0805	
HILLYER MEMORIAL CHURCH	710 HILLSBOROUGH ST	RALEIGH NC 27603-1606	
HOPKINS-WILCOX, WHITNEY A BURGESS, TAYLOR A	1200 GLENCASTLE WAY	RALEIGH NC 27606-4701	
HOWARD, PAUL O JR HOWARD, JON ANNE M	3612 PINNACLE DR	CARY NC 27518-8922	
JUNIOR LEAGUE OF RALEIGH INC THE	PO BOX 26821	RALEIGH NC 27611-6821	
KAPAT, CHETAN PAI, VINAYA	710 INDEPENDENCE PL UNIT 708	RALEIGH NC 27603-1863	
KELLUMS, LOUISE ANN KELLUMS, RACHAEL ELIZABETH	710 INDEPENDENCE PL UNIT 503	RALEIGH NC 27603-1860	
KIPKE, RICHARD JAMES III	3701 JOHNSON POND RD	APEX NC 27539-8668	
KNOTT, SARAH TUCKER	C/O BARKER REALTY	1401 SUNDAY DR STE 113	RALEIGH NC 27607-5173
KOWALKE, CINDY R KOWALKE, DAVID M	710 INDEPENDENCE PL UNIT 106	RALEIGH NC 27603-1855	
KUENZEL, CHRIS KUENZEL, NASIM	207 BRADFORD AVE	FAYETTEVILLE NC 28301-5403	
LARSEN, SCOTT T LARSEN, RACHELLE C	710 INDEPENDENCE PL UNIT 101	RALEIGH NC 27603-1855	
MAY, RUSSELL EDWARD II SZTAIN, PAOLA	610 206 HILLSBOROUGH ST	RALEIGH NC 27603-1748	
MCDOWELL, CANDICE MARTIN MCDOWELL, KEVIN SEAN	710 INDEPENDENCE PL UNIT 703	RALEIGH NC 27603-1863	
MCINERNEY, JOHN J WEDEL, JANICE E	710 INDEPENDENCE PL UNIT 304	RALEIGH NC 27603-1858	
MEENTEMEYER, ROSS K MEENTEMEYER, VERNON G	710 507 INDEPENDENCE PL	RALEIGH NC 27603-1861	
MEKALA, PRAVEEN	710 301 INDEPENDENCE PL	RALEIGH NC 27603-1857	
MOONEY, WILLIAM J HERRING, BARBARA A	108 S BOYLAN AVE	RALEIGH NC 27603-1802	
MORROW, MARILYN RUTLEDGE MORROW, DONALD J	710 INDEPENDENCE PL UNIT 702	RALEIGH NC 27603-1863	
NATIONAL SOCIETY OF THE COLONIAL DAMES OF AMERICA	728 W HARGETT ST	RALEIGH NC 27603-1662	
NC DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500	
NEWMAN, RYAN MATTHEW NEWMAN, DAVID ANDREW	610 HILLSBOROUGH ST APT 305	RALEIGH NC 27603-1748	
ODOWD, PATRICK FRANCIS ODOWD, TRACY LYNN	922 STRATHORN DR	CARY NC 27519-8842	
OISTIN INC	EVA J METTREY	PO BOX 3148	ATLANTIC BEACH NC 28512-3148
ONE FIFTY ST MARYS HMOWNS ASSOC INC	YORK PROPERTIES INC	2108 CLARK AVE	RALEIGH NC 27605-1606
ONE FIFTY ST MARYS HOMEOWNERS ASSOC	YORK PROPERTIES INC	2108 CLARK AVE	RALEIGH NC 27605-1606
PARKER, JONATHAN H	610 HILLSBOROUGH ST APT 201	RALEIGH NC 27603-1748	
PEARSON, ROBERT HUGH JR PEARSON, KATHY	926 BROOKSIDE DR NW	WILSON NC 27893-2166	
PEEL, EVERETT COLLIN JR	710 INDEPENDENCE PL UNIT 608	RALEIGH NC 27603-1862	
PENCE, CANON ISENHOWER	710 INDEPENDENCE PL UNIT 706	RALEIGH NC 27603-1863	
PEPE, MATTHEW J	710 INDEPENDENCE PL UNIT 108	RALEIGH NC 27603-1855	
PETERSON, ELMOR L PETERSON, MIRIAM M	8821 CYPRESS LAKES DR UNIT 404	RALEIGH NC 27615-2137	
PFEIFER, JEFFREY S HOFFERT, RYAN L	710 103 INDEPENDENCE PL	RALEIGH NC 27603-1855	
PLANNED PARENTHOOD OF GREATER RALEIGH INC	100 S BOYLAN AVE	RALEIGH NC 27603-1802	
PLANNED PARENTHOOD SOUTH ATLANTIC	100 S BOYLAN AVE	RALEIGH NC 27603-1802	
PROPST, ELIZABETH M	103 CAMILLA RD	WASHINGTON NC 27889-3909	
PROPST, WILLIAM S JR PROPST, JINA B	3113 STONE GAP CT	RALEIGH NC 27612-4181	
QUIGLESS, MARYANNA V QUIGLESS, ASHLEY M	610 202 HILLSBOROUGH ST	RALEIGH NC 27603-1748	
RALEIGH ACQUISITION GROUP, LLC	1026 S MAIN ST	ANN ARBOR MI 48104-3776	
RALEIGH FLORENCE ST MMM LLC	115 S SAINT MARYS ST STE A	RALEIGH NC 27603-1785	
RALEIGH HOTEL GROUP, LLC	19 WOODSTONE PLZ	HATTIESBURG MS 39402-8342	
RALEIGH LAND COMPANY LLC	1550 IREDELL DR	RALEIGH NC 27608-2303	
ROSA, PAOLO E	710 INDEPENDENCE PL UNIT 408	RALEIGH NC 27603-1859	
RUSSELL, ANDREW S	710 INDEPENDENCE PL UNIT 404	RALEIGH NC 27603-1859	
RUSSOS, KATINA F HEIRS	7233 TERREGLES DR	RALEIGH NC 27617-6701	
RYOTI, DEREK J RYOTI, HEATHER A	455 W 200 N UNIT 333	SALT LAKE CITY UT 84103-1174	
SAFRAN, PERRY R SAFRAN, SUSAN M	120 S BOYLAN AVE	RALEIGH NC 27603-1802	

Mailing List
Rezoning of 615 W Morgan St. and 117 S. Boylan Ave.

Owner	Mail Address 1	Mail Address 2	Mail Address 3
SAMIH T & REBECCA A YEHIA RVCBLE TRUST THE YEHIA, SAMIH T TRUSTEE	2428 SUNNYSTONE WAY	RALEIGH NC 27613-6082	
SAWAIA, MITCHELL JAMES	710 INDEPENDENCE PL UNIT 102	RALEIGH NC 27603-1855	
SCHMIDT, SARAH S	710 603 INDEPENDENCE PL	RALEIGH NC 27603-1862	
SCHNAAK, ROBERT N SCHNAAK, JEAN C	710 INDEPENDENCE PL UNIT 407	RALEIGH NC 27603-1859	
STEPHENS, JAMES I TRUSTEE TRUSTEE OF THE JAMES I STEPHENS REVOCABLE TRUST	710 403 INDEPENDENCE PL	RALEIGH NC 27603-1859	
THE COLEMAN GROUP LLC	115 S SAINT MARYS ST	RALEIGH NC 27603-1699	
THE NATL SOC COL DAMES OF AMERICA	224 MARKET ST	WILMINGTON NC 28401-4444	
TOWNES, RALPH	717 W MORGAN ST	RALEIGH NC 27603-1611	
TURINSKY, GRANT	610 HILLSBOROUGH ST APT 301	RALEIGH NC 27603-1748	
TURNMIRE, KEITH ALAN WHITE, H MICHAEL	6900 CRESSKILL PL	RALEIGH NC 27615-5597	
US SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP	PO BOX 8490	KANSAS CITY MO 64114-0490	
VALLAS FAMILY II LLC	705 LAKE BOONE TRL	RALEIGH NC 27607-6603	
VON SEGGERN, TODD WILLIAM HOPKINS-WILCOX, RYAN ELISSA	610 - 303 HILLSBOROUGH ST	RALEIGH NC 27603-1748	
WACKERLY, JONATHAN P	700 PARKHAM LN	RALEIGH NC 27603-1787	
WALLIS, LAWRENCE WALLIS, SANDRA	710 INDEPENDENCE PL UNIT 607	RALEIGH NC 27603-1862	
WANG, CHONLY	710 INDEPENDENCE PL UNIT 406	RALEIGH NC 27603-1859	
WARNER, KIRK WARNER, DIANE	710 604 INDEPENDENCE PL	RALEIGH NC 27603-1862	
WENTZ, PETER J BECKWITH, ALEXANDRA	610 306 HILLSBOROUGH ST	RALEIGH NC 27603-1748	
WESTERVELT, PETER WESTERELT, JULI	710 INDEPENDENCE PL UNIT 308	RALEIGH NC 27603-1858	
WHITMEYER, WEATHERS NANCY JEAN	106 DURYER CT	CARY NC 27511-5542	
WILLIAMS- CROSS INVESTMENT CO INC	3111 GLENWOOD AVE	RALEIGH NC 27612-5006	
WILLIAMS, JOHN CROSS TRUSTEE ET AL WILLIAMS, ALFRED JR (III) TRS FOR	3111 GLENWOOD AVE	RALEIGH NC 27612-5006	
WILLIAMS, OLGA WILLIAMS, MACKBERTH	PO BOX 177	LILLINGTON NC 27546-0177	
WITT, PATRICIA C	1543 CARR ST	RALEIGH NC 27608-2301	
YVORNE PROPERTIES LLC	204 FOREST RD	RALEIGH NC 27605-1758	
ZOMBEEK, ANTHONY ZOMBEEK, DEBRA S	117 JASMINE DR	CLAYTON NC 27527-7547	

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:

General Information

Webinar Name

Second Virtual Neighborhood
Meeting: 615 W. Morgan St./117
S. Boylan Ave. Rezoning

Webinar ID

227-764-963

Scheduled Start Date

09/03/2020

Scheduled Start Time

05:00:00 PM EDT

Registrants

First Name	Last Name	Email	Address	City
Kathleen	Louis	kathleenlouis@downtownraleigh.org		Raleigh
Eddie	Coleman	EdColeman1@gmail.com		
Michael	Dick	michael.dick@halo.com	737 W. Hargett St. unit 105	Raleigh
E Yvonne	Pugh	Yvonne@eypughlaw.com	POB 28630	Raleigh
WILLIAM	WENDT	bwendt@orthopedicservice.com	2521 Noblin Rd	Raleigh
Stan	Crocker	stan.crocker@gmail.com		
Ryan	Blair	rblair@hpimd.com		
Matthew	Klem	matthew.klem@raleighnc.gov	One Exchange Plaza	Raleigh
Tim	Hiltbrunner	tim@acci-nc.com		Raleigh
Stephen	Safran	stephen@safranlaw.com	120 South Boylan Ave	Raleigh
Landis	Barber	lbarber@safranlaw.com		
Rob (iPad)	Baker	sa1@rb64.com	1609 Evergreen	Raleigh
Charles	Phaneuf	chphaneuf@aol.com	49 Kipling PLZ	Clearwater
Toby	Coleman	tcoleman@smithlaw.com		
Ashton	Smith	ashton.smith@citrix.com	106 Hatfield Lane	Raleigh



Raleigh

MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE, Transportation Planning Manager

DATE: August 25, 2020

SUBJECT: Traffic Impact Analysis Review for Z-21-20

Bloc83 – Phase 3

We have reviewed the updated rezoning Traffic Impact Analysis (TIA) prepared by Kimley-Horn for the Bloc83 – Phase 3 development (Z-21-20). The following memorandum summarizes the most relevant information pertaining to the study as well as City Staff's review of the analysis and recommendations. Of note is that the site parcels are partially outside the City of Raleigh's planning jurisdiction.

Development Details

Site Location: Downtown Raleigh, southeast quadrant at the intersection of Boylan Avenue and Morgan Street

Address: 615 W Morgan Street and 117 S Boylan Avenue

Property Pin: 1703481885 and 1703481774

Current Zoning: DX-7-UL

Proposed Zoning: DX-20-UL

Existing Land Use: Mixed Commercial

Allowable Land Use: 84,028 SF of General Office and 14,828 SF of Retail

Maximum Proposed Zoning Land Use: 300,000 SF of General Office and 9,000 SF of Retail

Build-out Year: 2023

Study Area & Analysis Scenarios

The following intersections were studied as part of this TIA:

1. W. Morgan Street at St. Marys Street (Signalized)
2. Hargett Street at Boylan Avenue (Signalized)
3. W. Morgan Street at Boylan Avenue (Signalized)
4. Hillsborough Street at Boylan Avenue (Signalized)
5. W. Morgan Street at Glenwood Avenue (Signalized)
6. Hillsborough Street at Glenwood Avenue (Signalized)
7. Boylan Avenue at Site Driveway 1 (Unsignalized)
8. Hargett Street at Site Driveway 2 (Unsignalized)

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

Trip Generation

Kimley-Horn made the following assumptions as agreed to by City staff:

- 10th Edition ITE Trip Generation Manual
- A 2% growth rate
- Based on the downtown location, the Dense Multi-Use Urban (DMUU) setting will be used for Land Use Code 820 – General Office
- Land Use Code 720 – Shopping Center will use the General Urban/Suburban setting as there is a small dataset for the DMUU setting

It should be noted that the proposed intensity by the applicant team is greater than what was projected by the Envision Tomorrow results. The Envision Tomorrow results are based on general development scenarios that can be refined by the actual development proposal. In this specific case, at least some of the discrepancy between the results are due to the available off-site parking that is available for the proposed use. Therefore, relieving the development of this potential on-site parking area allows for a greater building intensity. The applicant team's more conservative results were used for the analysis.

Table 1: Maximum Current Zoning Trip Generation

Land Use	ITE Code	Intensity	AM			PM		
			In	Out	Total	In	Out	Total
General Office Building	710	84,028 SF	71	11	82	13	65	78
Shopping Center	820	14,828 SF	9	5	14	27	29	56
Total Trips			80	16	96	40	94	134

Table 2: Maximum Proposed Zoning Trip Generation

Land Use	ITE Code	Intensity	AM			PM		
			In	Out	Total	In	Out	Total
General Office Building	710	300,000 SF	205	33	238	44	213	257
Shopping Center	820	9,000 SF	5	3	8	16	18	34
Total Trips			210	36	246	60	231	291

Site Traffic Distribution

Trips generated by the proposed development were distributed based on a review of surrounding land uses, existing traffic patterns, and engineering judgement.

The following percentages were used in the AM and PM peak hours for traffic:

- 35% to/from the east on W. Morgan Street / Hillsborough Street
- 30% to/from the west on W. Morgan Street / Hillsborough Street
- 10% to/from the east on Hargett Street
- 10% to/from the north on Glenwood Avenue
- 10% to/from the north on St. Marys Street
- 5% to/from the south on Boylan Avenue

Results and Impacts

Table 3: Study Area Levels of Service

Intersection	Approach	Existing (2020)		Background (2023)		Buildout (2023) Current Zoning		Buildout (2023) Proposed Zoning	
		AM	PM	AM	PM	AM	PM	AM	PM
W. Morgan Street at St. Marys Street	Overall	B	B	B	B	B	B	B	B
	EB	A	A	A	A	A	A	A	A
	WB	A	A	A	A	A	A	A	A
	NB	B	B	B	B	B	B	B	B
	SB	B	C	B	C	B	C	B	C
Hargett Street at Boylan Avenue	Overall	B	B	B	B	B	B	B	B
	EB	B	B	B	B	B	B	B	B
	WB	B	C	B	C	B	C	B	C
	NB	B	A	B	A	B	A	B	A
	SB	A	A	A	A	A	A	A	A
W. Morgan Street at Boylan Avenue	Overall	B	B	B	B	B	B	B	B
	EB	A	A	A	A	A	A	A	A
	WB	A	B	A	B	A	B	A	B
	NB	C	B	C	B	C	C	C	C
	SB	B	C	B	C	C	C	C	C
Hillsborough Street at Boylan Avenue	Overall	B	B	B	B	B	B	B	B
	EB	A	A	A	A	A	A	A	A
	WB	A	A	A	A	A	A	A	A
	NB	D	D	D	D	D	D	D	D
	SB	B	C	B	C	B	C	B	C
W. Morgan Street at Glenwood Avenue	Overall	B	B	B	B	B	C	B	C
	EB	A	A	A	A	A	A	A	B
	WB	B	B	B	B	B	B	B	B
	NB	C	D	C	D	C	D	C	D
	SB	C	D	C	D	C	D	C	D
Hillsborough Street at Glenwood Avenue	Overall	B	B	B	B	B	B	B	B
	EB	B	A	B	A	B	A	B	A
	WB	B	B	B	B	B	B	B	B
	NB	A	B	A	B	A	B	A	B
	SB	B	C	B	C	B	C	B	C
Boylan Avenue at Site Driveway 1	WB	-	-	-	-	B	B	B	B
	SBL	-	-	-	-	A	A	A	A
Boylan Avenue at Site Driveway 1	SB	-	-	-	-	A	B	A	B
	EBL	-	-	-	-	A	A	A	A

Based on the submitted analysis, the results above indicate that all intersections in the study area will operate at acceptable levels of service.

Study Recommendations

The analysis performed by Kimley-Horn indicates that the proposed development will not have excessive impacts to the surrounding roadway network and intersections. The study recommends that both constructed site driveways include one ingress and one egress lane. The study also recommends that further analysis be performed on these access points at the site plan stage. The Queueing and Blocking Reports indicate that the site driveways have the potential to be blocked by the directly adjacent intersections during the peak hours. It will be necessary that further analysis is performed once the site plan indicates their specific locations.

Conclusions

City Staff agrees with the overall analysis performed in the TIA for the Bloc83 – Phase 3 development and makes no further recommendation at this time.

EJL / bc