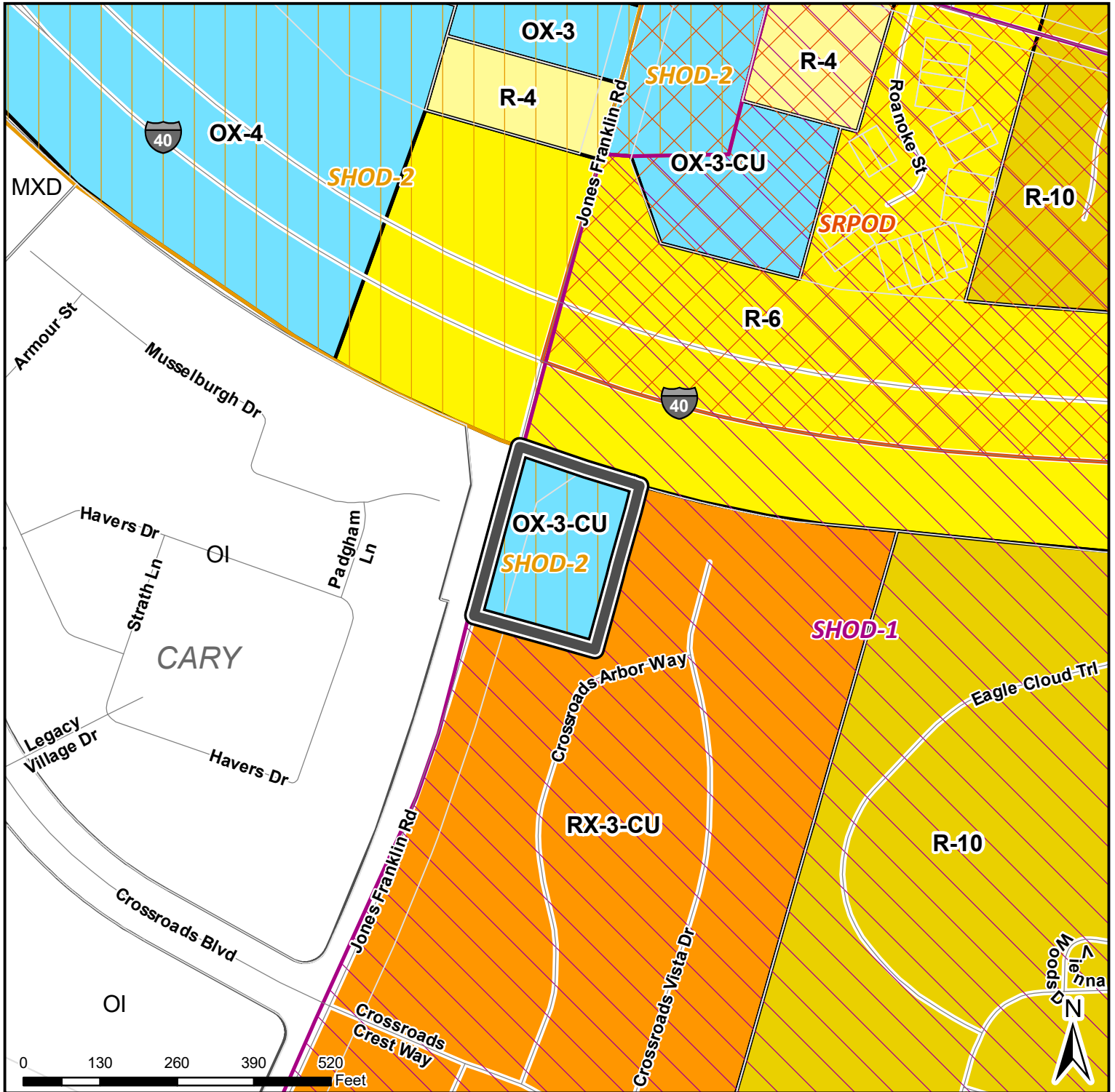
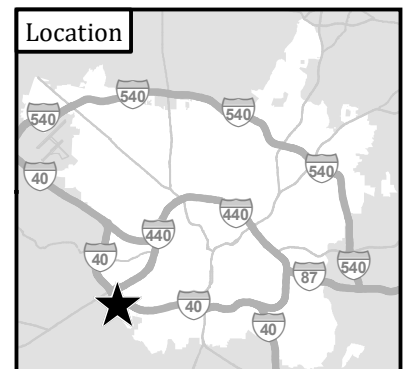


Existing Zoning

TCZ-3-2021



Property	1701 Jones Franklin Rd
Size	0.98 acres
Existing Zoning	OX-3-CU
Requested Zoning	OX-3-CU (Amend Zoning Conditions)




Rezoning Application and Checklist

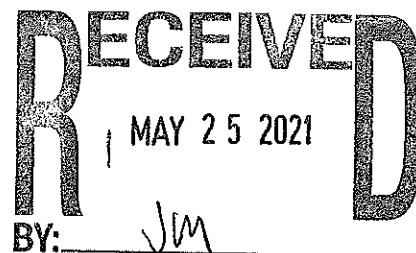
Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	<input type="checkbox"/> General use	<input type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan	OFFICE USE ONLY Rezoning case #
	<input checked="" type="checkbox"/> Text change to zoning conditions			
Existing zoning base district: OX-3		Height: 36	Frontage: 300	Overlay(s): SHOD-2
Proposed zoning base district: OX-3		Height: 50	Frontage: 300	Overlay(s): SHOD-2
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number: Z-17-00				

General Information		
Date: 4/5/2021	Date amended (1):	Date amended (2):
Property address: 1701 Jones Franklin Rd. Raleigh, NC 27606		
Property PIN: 0783004544		
Deed reference (book/page): DB011131 PG02413 (also see BM2001 PG 1186)		
Nearest intersection: Crossroads Blvd		Property size (acres): 0.98
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: JMark Investments LLC, PO Box 17526, Raleigh, NC 27619		
Property owner email: drawjm@gmail.com		
Property owner phone: 919-614-7600		
Applicant name and address: Chris Record, StrongRock Engineering LLC		
Applicant email: chris@strongrockgroup.com		
Applicant phone: 984-200-1932		
Applicant signature(s): 		
Additional email(s):		



Conditional Use District Zoning Conditions

Zoning case #:

Date submitted: 5/14/21

OFFICE USE ONLY

Rezoning case #

Existing zoning: OX-3-CU

Proposed zoning: OX-3-CU

Narrative of Zoning Conditions Offered

Z-XX-21 Jones Franklin Road, east side, south of I-40, being Wake County PIN Map 0783.17 00 4544. Approximately 1 acre rezoned to Office & Institution-1 Conditional Use and Special Highway Overlay District-2.

Conditions: (4/5/2021)

A. Development shall comply with the provisions of CR-7107 of the Raleigh Planning Commission. Calculations for this provision shall be based on a zoning change from Rural Residential (RR).

B. Reimbursement for future right-of-way dedications shall be based on RR values.

C. Building height shall be limited to fifty (50') feet.

D. The following uses shall be prohibited:

Emergency Shelter Type A

College, community college, university

Dance, martial arts, music studio or classroom

Commercial parking facility

Heliport - all

Veterinary clinic/hospital

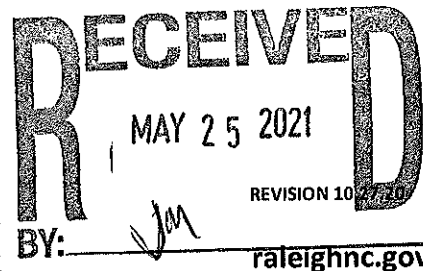
Food truck

Detention center/jail/prison

Research & Development

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

Property Owner(s) Signature: _____

Printed Name: Mark Ward, JMark Investments LLC

Zoning Conditions – Text Changes

~~Z-17-00~~ Z-XX-21 Jones Franklin Road, east side, south of I-40, being Wake County PIN Map 0783.17 00 4544. Approximately 1 acre rezoned to ~~Office & Institution-1~~ OX-3-Conditional Use and Special Highway Overlay District-2.

Conditions: (~~02/22/00~~ (New Date))

A. Development shall comply with the provisions of CR-7107 of the Raleigh Planning Commission. Calculations for this provision shall be based on a zoning change from Rural Residential (RR).

B. Reimbursement for future right-of-way dedications shall be based on RR values.

C. Building height shall be limited to ~~thirty-six (36')~~ fifty (50') feet.

~~D. Residential development within the zoned area shall not exceed one dwelling unit.~~

E. The following uses shall be prohibited:

~~Fraternity House;~~

~~Rest Home;~~

~~Rooming House, Boarding House, Lodging House, Tourist House;~~

~~Sorority House;~~

~~Civic Club;~~

~~Funeral Home;~~

~~Hospital;~~

~~Bed and Breakfast;~~

~~Movie Theatre Outdoor;~~

~~Non-residential Related Service; and~~

~~Taxicab Stand~~

Emergency Shelter Type A

College, community college, university

Dance, martial arts, music studio or classroom

Commercial parking facility

Heliport - all

Veterinary clinic/hospital

Food truck

Detention center/jail/prison

Research & Development

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 ONLYRezoning 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.

The proposed text change to the previously approved conditions with Z-17-00 are intended to be consistent with the Future Land Use plan, Urban Form Map, Comprehensive Plan and Unified Development Ordinance. The proposed changes include eliminating a residential density restriction. This is consistent with the Future Land Use Plan's vision of this parcel being medium-density residential along with the parcels immediately adjacent. Revising the maximum building height allowed from 36' to 50' would allow development to fall better in line with UDO standards for both the current OX-3 district as well as surrounding RX-3 districts, which caps building height to the 50' requested. Additionally, the prohibited uses proposed are uses that would not be allowed in Residential/RX districts either by-right, by limited use, or by Special Use. This further brings the property into consistency with the the future vision for the development of the area.

Public Benefits

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

The rezoning request is reasonable in that the proposed text changes to the previous conditions would allow for the property to be developed similarly to adjacent properties with compatible uses using the standards available in OX-3 under the current UDO. It provides the opportunity to construct an infill development property located near I-40 and a transit emphasis corridor while adhering to the parcel's designation in the Future Land Use Plan.

Rezoning Application Addendum #2**Impact on Historic Resources**

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

OFFICE USE ONLYRezoning case #

Inventory of Historic Resources

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

No historic resources are present on the site.

Proposed Mitigation

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

No historic resources are present on the site.

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>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.</p> <p>Response:</p>
2	<p>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.</p> <p>Response:</p>
3	<p>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.</p> <p>Response:</p>
4	<p>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.</p> <p>Response:</p>
5	<p>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.</p> <p>Response:</p>
6	<p>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.</p> <p>Response:</p>

7	<p>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.</p> <p>Response:</p>
8	<p>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.</p> <p>Response:</p>
9	<p>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.</p> <p>Response:</p>
10	<p>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.</p> <p>Response:</p>
11	<p>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.</p> <p>Response:</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Response:</p>
13	<p>New public spaces should provide seating opportunities.</p> <p>Response:</p>

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

21	<p>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.</p> <p>Response:</p>
22	<p>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.</p> <p>Response:</p>
23	<p>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.</p> <p>Response:</p>
24	<p>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.</p> <p>Response:</p>
25	<p>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.</p> <p>Response:</p>
26	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response:</p>

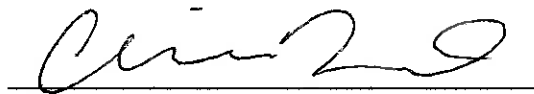
Rezoning Checklist (Submittal Requirements)

To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning	Yes	N/A	Yes	No	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see Fee Guide for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:					
11. Completed zoning conditions, signed by property owner(s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 11:					
12. Proof of Power of Attorney or Owner Affidavit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:					
14. Redline copy of zoning conditions with proposed changes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

1701 – Virtual Meeting – Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the 3rd day of May 2021. 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

Virtual Meeting Report – Summary of Issues

A neighborhood meeting was held on 5/13/21 to discuss a potential rezoning text change located at 1701 Jones Franklin Rd. The neighborhood meeting was held from 5-7:06 PM virtually via Zoom. **Zero neighbors attended the meeting.** The applicant and property owner discussed the process moving forward with Sara Ellis from City of Raleigh Planning.

ATTENDANCE ROSTER

[illegible]

1701 Jones Franklin Road – Rezoning Text Change – Owner Affidavit

Property owner: Mark Ward (JMark Investments LLC)

Location: 1701 Jones Franklin Rd.; PIN 0783004544; DB011131 PG02413 (BM2001 PG1186)

I, Mark Ward, am the legal owner of the property described above.

Authorized Representative: Chris Record, StrongRock Engineering PLLC

I, Mark Ward, attest that as legal owner of the described property, I hereby give authorization and permission to Chris Record to submit to the City of Raleigh an application for a rezoning conditions text change for the subject property.

I, Mark Ward, understand and acknowledge that zoning conditions must be signed, approved and consented by the property owner.

Owner signature: _____

Date: _____



Date: May 13, 2021
Karla Carson
Karla Carson