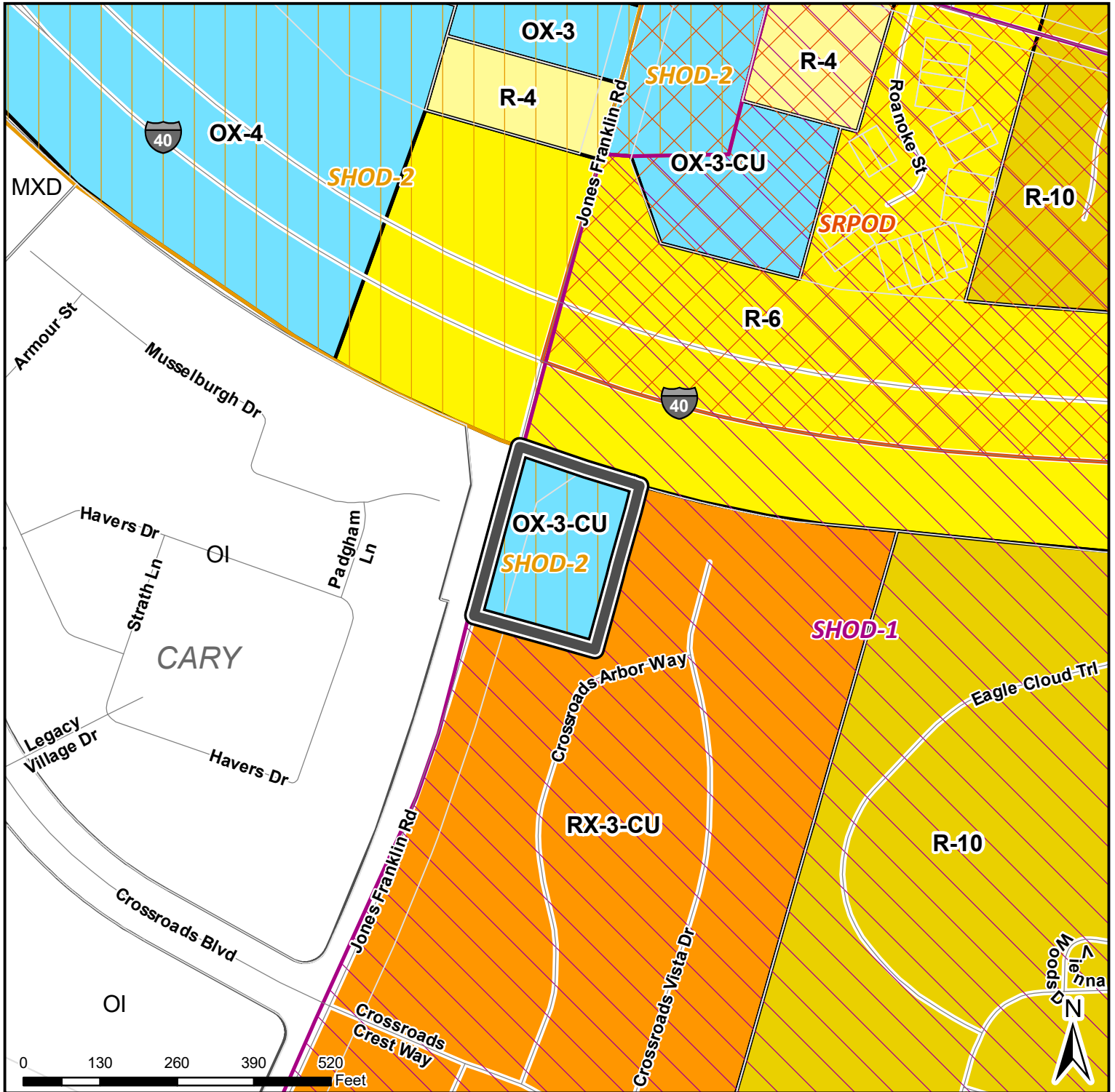
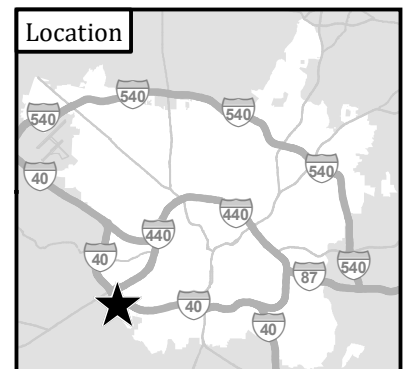


Existing Zoning

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)



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	John Anagnost, Senior Planner
Department	Planning and Development
Date	September 7, 2021
Subject	Public Hearing Agenda Item: September 21, 2021 Meeting Rezoning Z-29-21 (TCZ-3-21) 1701 Jones Franklin Road

At its September 7, 2021 meeting, the City Council scheduled a public hearing for the following item at its September 21, 2021 meeting:

Z-29-21 (TCZ-3-21): 1701 Jones Franklin Road, at the southeast corner of its intersection with I-40, being Wake County PIN 0783004544. Approximately 0.98 acres are requested by JMark Investments LLC to be rezoned to modify the zoning conditions of the existing zoning, which is Office Mixed Use-3 Stories-Conditional Use w/ Special Highway Overlay District-2 (OX-3-CU w/ SHOD-2). The proposed modifications would increase the maximum height from 36 feet to 50 feet, allow up to 35 dwelling units on the site, and change the uses that are prohibited.

Current Zoning: Office Mixed Use-3 Stories-Conditional Use w/ Special Highway Overlay District-2 (OX-3-CU w/ SHOD-2)

Requested Zoning: Office Mixed Use-3 Stories-Conditional Use w/ Special Highway Overlay District-2 (OX-3-CU w/ SHOD-2)

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

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

The **Planning Commission** voted 6-0 to recommend approval of the request.

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13046

CASE INFORMATION: Z-29-21 (TCZ-3-21)

Location	Jones Franklin Road, at the southeast corner of its intersection with I-40 Address: 1701 Jones Franklin Road PIN: 0783004544 iMaps , Google Maps , Directions from City Hall
Current Zoning	OX-3-CU w/ SHOD-2
Requested Zoning	OX-3-CU w/ SHOD-2
Area of Request	0.98 acres
Corporate Limits	The site is within Raleigh's ETJ and corporate limits.
Property Owner	JMark Investments LLC PO Box 17526 Raleigh, NC 27619
Applicant	Chris Record, StrongRock Engineering LLC
Council District	District D
PC Recommendation Deadline	November 8, 2021

SUMMARY OF PROPOSED CONDITIONS

- 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; **Emergency Shelter Type A**
 - Rest Home; **College, community college, university**
 - Rooming House, Boarding House, Lodging House, Tourist House; **Dance, martial arts, music studio or classroom**
 - Sorority House; **Commercial parking facility**
 - Civic Club; **Heliport - all**

Funeral Home; <u>Veterinary clinic/hospital</u> Hospital; <u>Food truck</u> Bed and Breakfast; <u>Detention center/jail/prison</u> Movie Theatre Outdoor; <u>Research & Development</u> Non-residential Related Service; and Taxicab Stand

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Medium Density Residential (MDR)
Urban Form	Parkway Corridor
Consistent Policies	<ul style="list-style-type: none"> ● Policy LU 1.3—Conditional Use District Consistency ● Policy LU 2.2—Compact Development ● Policy LU 7.3—Single-family Lots on Major Streets ● Policy LU 8.1—Housing Variety Policy H 1.8—Zoning for Housing
Inconsistent Policies	<ul style="list-style-type: none"> ● Policy LU 1.2—Future Land Use Map and Zoning Consistency ● Policy LU 5.1—Reinforcing the Urban Pattern

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
5/13/2021 (0 attendees)	7/28/2021 (0 attendees)	8/10/2021 (consent); 8/24/2021	

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request would allow for additional housing, employment, or shopping options in an urbanized area
Change(s) in Circumstances	The surrounding area is developed with compatible uses.
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel only from Medium Density Residential to Office & Residential Mixed Use.
Recommendation	Approval. City Council may now schedule this proposal for a public hearing or refer it to committee for further study and discussion.
Motion and Vote	Motion: Dautel Second: Elder In Favor: Dautel, Elder, Fox, Mann, Miller and O'Haver

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Comprehensive Plan Amendment Analysis

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: 8/24/2021

Staff Coordinator: John Anagnost: (919) 996-2638; John.Anagnost@raleighnc.gov



ZONING STAFF REPORT – CASE Z-29-21 (TCZ-3-21)

Conditional Use District

OVERVIEW

This case is a proposal to modify zoning conditions associated with an Office Mixed Use-3 Stories-Conditional Use with Special Highway Overlay District-2 (OX-3-CU w/ SHOD-2) zoning for property at 1701 Jones Franklin Road. The site is about one acre and is located at the southeast corner of Jones Franklin Road and I-40. It is one-quarter mile north of Dillard Drive. Farther to the west is the Crossroads Plaza shopping center. Tryon Road passes the site about three-quarters of a mile to the south. Dillard Drive Elementary School and Dillard Drive Magnet Middle School, which share a campus, are located one-quarter mile southeast.

The current use of the site is a single-story office building. Tree cover is present along the northern and eastern boundaries of the site. The topography of the site is somewhat steep at a slope of around 10% from west to east. The site is within Raleigh's corporate limits. There are garden apartment developments to the east, south, and west of the site. The apartments to the east and south are two stories. Those on the west, across Jones Franklin Road, are three stories.

The zoning on the east and south is Residential Mixed Use-3 Stories-Conditional Use with Special Highway Overlay District-1 (RX-3-CU w/ SHOD-1). Among the conditions of that zoning is one that limits height to two stories and 36 feet. Town of Cary zoning jurisdiction begins on the west side of Jones Franklin Road. The Cary zoning west of Jones Franklin Road is Office and Institutional (OI). The Future Land Use Map calls for Medium Density Residential at the rezoning site and the apartments on its east and south sides. The Urban Form Map has a Parkway Corridor applied to I-40.

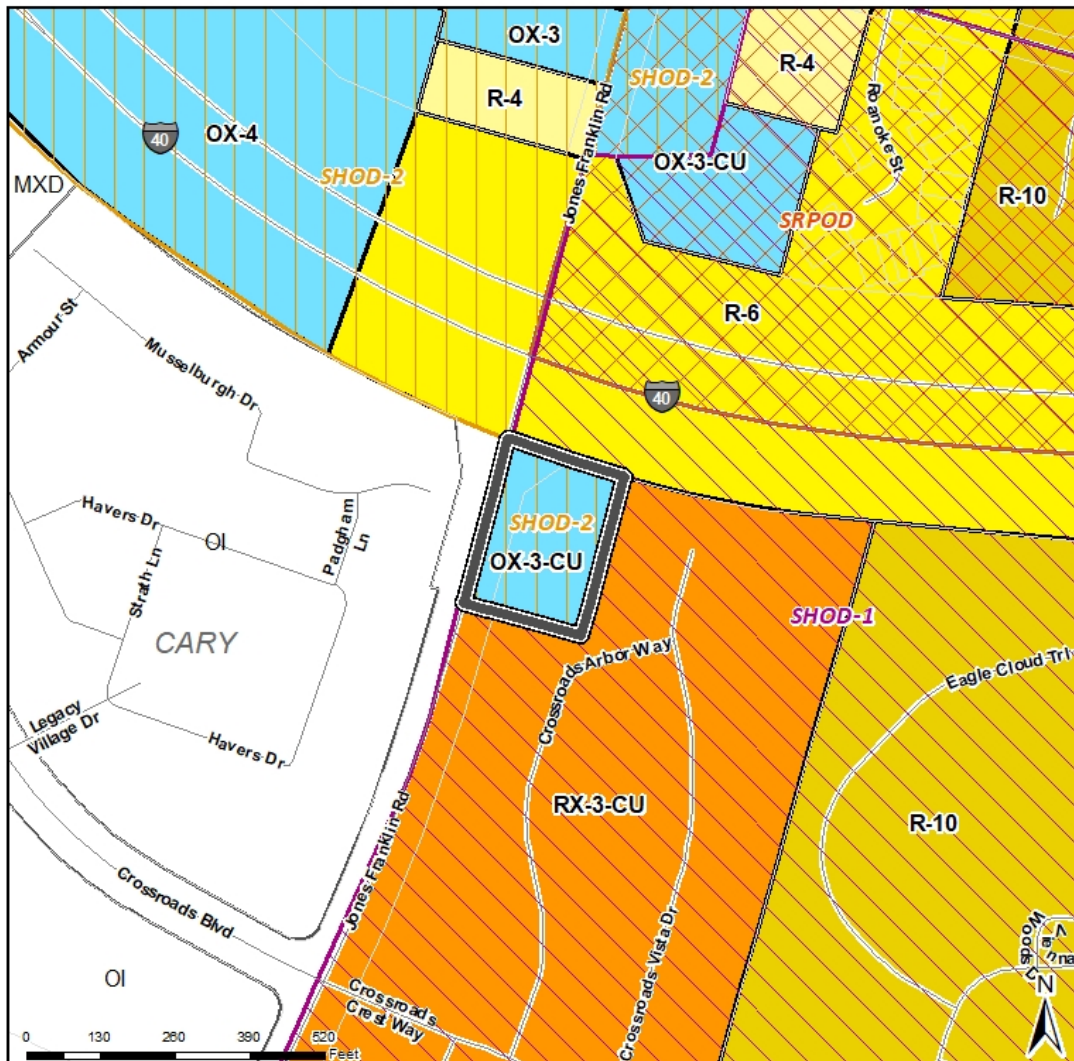
The text change rezoning request proposes to remove a condition that limits height to 36 feet. Another condition limiting residential development to a single dwelling unit would also be removed. A third condition prohibiting certain uses is revised to replace most of the prohibited uses with different uses.

OUTSTANDING ISSUES

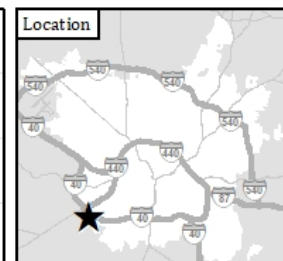
Outstanding Issues		Suggested Mitigation	
	1. Zoning conditions A, B, and C are duplicative of or less restrictive than UDO standards.		1. Remove the conditions.

Existing Zoning

TCZ-3-2021



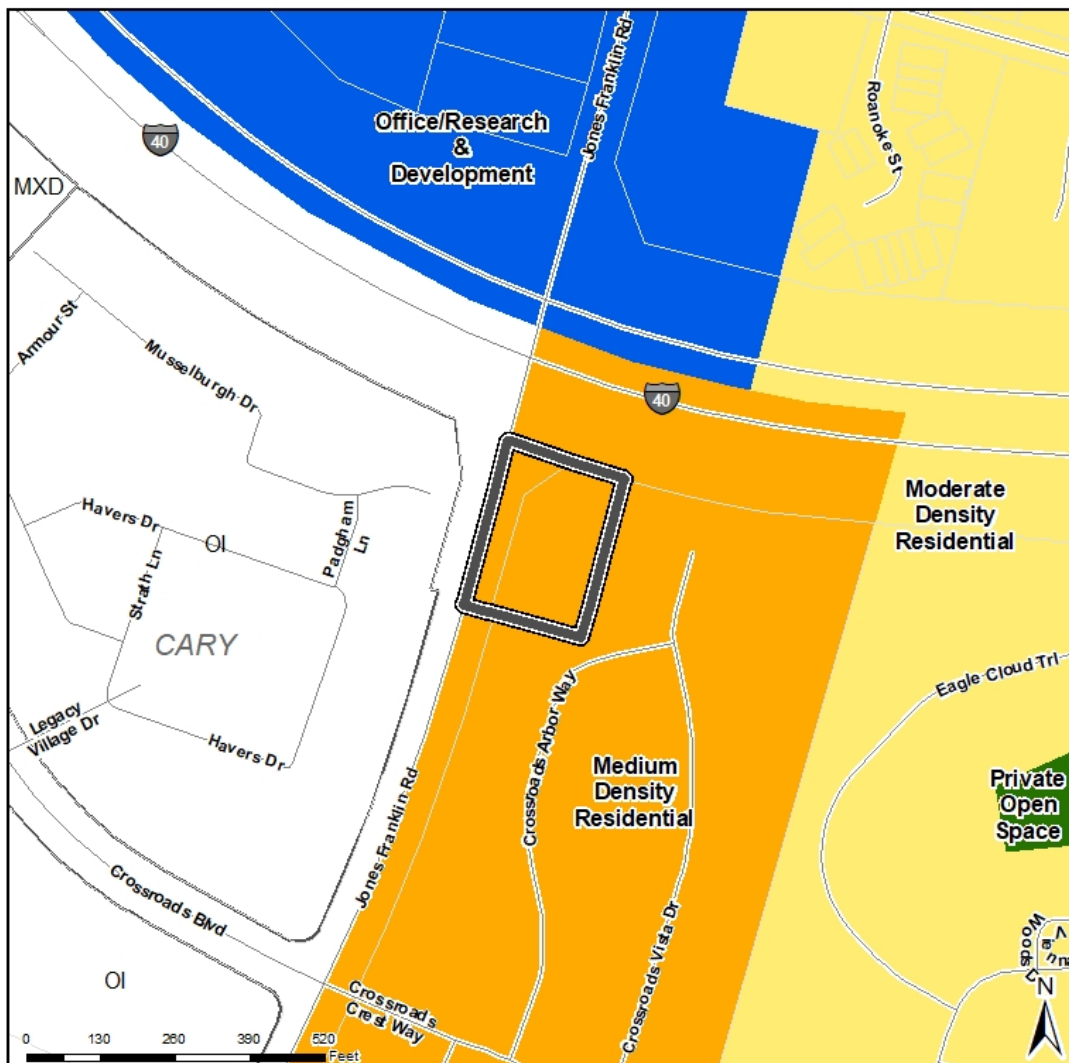
Property	1701 Jones Franklin Rd
Size	0.98 acres
Existing Zoning	OX-3-CU
Requested Zoning	OX-3-CU (Amend Zoning Conditions)



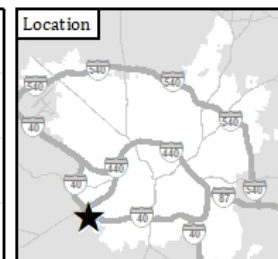
Map by Raleigh Department of Planning and Development (mansol@): 5/27/2021

Future Land Use	TCZ-3-2021
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Future Land Use	TCZ-3-2021
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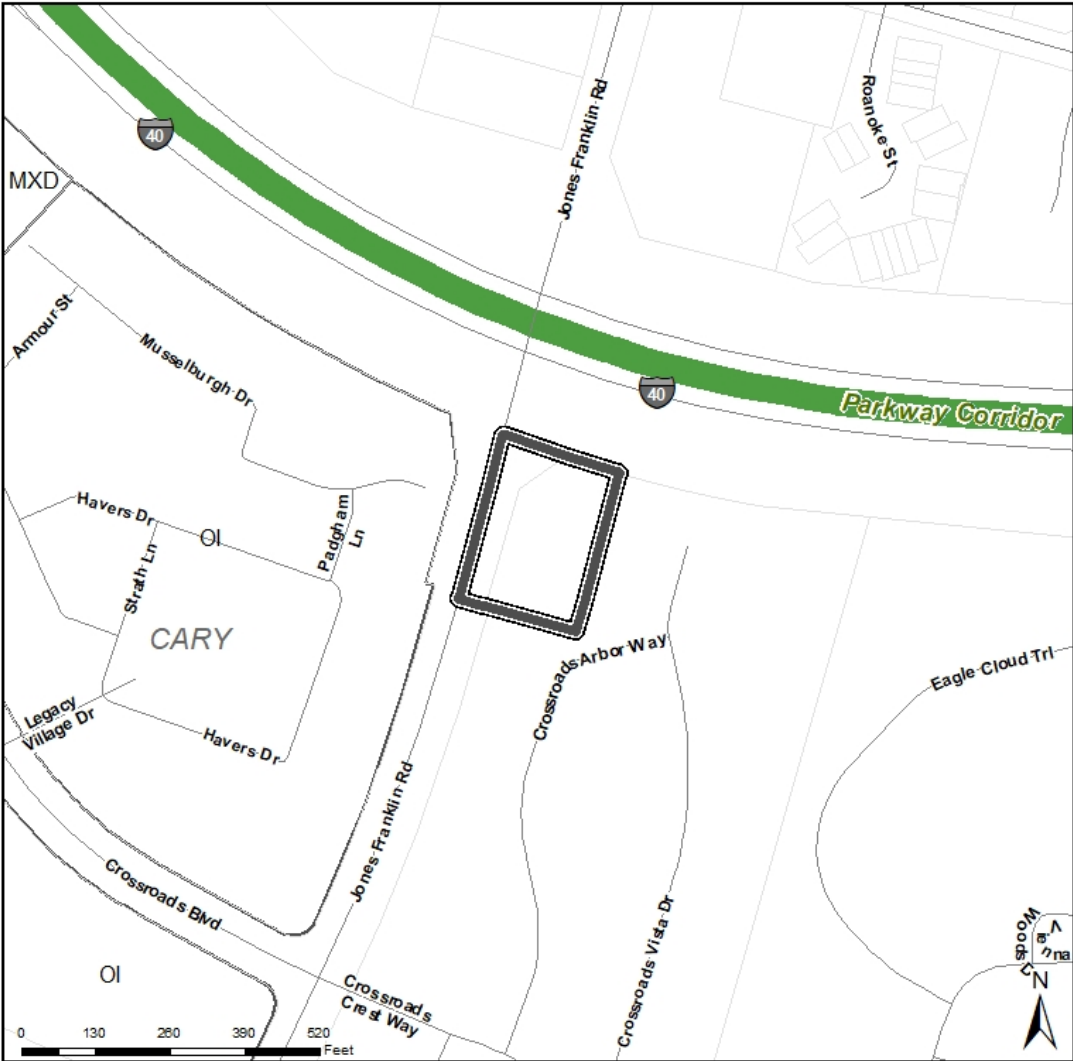
Property	1701 Jones Franklin Rd
Size	0.98 acres
Existing Zoning	OX-3-CU
Requested Zoning	OX-3-CU (Amend Zoning Conditions)



Map by Raleigh Department of Planning and Development (mansolf): 5/27/2021

Urban Form	TCZ-3-2021
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Urban Form	TCZ-3-2021
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Property	1701 Jones Franklin Rd
Size	0.98 acres
Existing Zoning	OX-3-CU
Requested Zoning	OX-3-CU (Amend Zoning Conditions)



Map by Raleigh Department of Planning and Development (mansolf): 5/27/2021

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?

Yes, the request is consistent with the Managing Our Growth and Growing Successful Neighborhoods and Communities Vision Themes because it would allow additional development in an urbanized area with sufficient infrastructure. The scale of potential development under the proposed zoning is compatible with the surrounding area. Fuller consistency with Growing Successful Neighborhoods and Communities could be gained through zoning conditions to require new development to more closely match the existing architectural character of the area. It is also consistent with the Expanding Housing Choices Vision Theme due to the allowance of more housing units and a wider variety of housing types under the proposed zoning.

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

No, the requested changes to conditions would continue to allow office uses. The Future Land Use Map designates the site for Medium Density Residential, which does not support exclusively non-residential development.

- 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?

The type of development enable by the proposal would not adversely impact the character of the area. Office buildings and multi-family neighborhoods are generally compatible in form and use.

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Yes, the site is in an urbanized area of Raleigh with adequate infrastructure and facilities to serve potential new development.

Future Land Use

Future Land Use designation: Medium Density Residential

The rezoning request is

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

☒ **Inconsistent**

The Medium Density Residential designation for the site recommends residential development as well as non-residential development that would be ancillary to residential development within the site. The request is inconsistent with this guidance because it would allow exclusively non-residential development. The request would be more consistent with the Future Land Use designation if conditions were offered to limit total non-residential development on the site and/or require non-residential development to be accessory to residential development. A request for the Residential Mixed Use (RX) zoning district would also improve consistency with this policy map.

Urban Form

Urban Form designation: Parkway Corridor

The rezoning request is

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

☐ **Inconsistent**

☐ **Other** (no Urban Form designation OR no Urban Form designation, but zoning frontage requested)

The Parkway Corridor designation is mapped on I-40 along the northern boundary of the site. This corridor is intended to have a vegetated area along the highway to provide a pleasing, natural appearance. The proposal includes the SHOD-2 overlay, which will require a 25-foot landscaped area along I-40. This landscaping will fulfill the intent of the Parkway Corridor.

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

Yes, the requested Office Mixed Use (OX) zoning allows land uses that are generally compatible with residential uses, including the multi-family housing adjacent to the site. The maximum height of three stories is also compatible with the two-story development to the west and south. Offered zoning conditions also prohibit several commercial uses, some of which may be more impactful to nearby residences than other uses allowed in OX. The types of development enabled by the zoning are compatible with the surrounding area.

Public Benefits of the Proposed Rezoning

- The request would allow additional housing units to be constructed on the site. The additional units could also be in a wider variety of residential building types than are

currently possible. This may increase the diversity and affordability of housing in the area.

- The proposal would allow a larger amount of non-residential development on the site, which may increase options for employment, goods, and services in the area.

Detriments of the Proposed Rezoning

- No detriments identified.

Policy Guidance

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

● **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.

The proposed changes to zoning conditions would allow more housing on the site. Development of housing is more consistent with the Future Land Use Map designation of Medium Density Residential. The existing conditions are very restrictive of housing development and encourage an office use.

● **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.

The additional development potential enabled by the revisions would permit more density in a developed area that is well-served by existing infrastructure.

● **Policy LU 7.3—Single-family Lots on Major Streets**

No new single-family residential lots should have direct vehicular access from major streets, in an effort to minimize traffic impacts and preserve the long-term viability of these residential uses when located adjacent to major streets.

The existing zoning conditions limit residential development to a single detached house. By expanding the options for residential development, the proposal reduces the likelihood of a detached house being established on the site.

Policy LU 8.1—Housing Variety

Accommodate growth in newly developing or redeveloping areas of the city through mixed-use neighborhoods with a variety of housing types.

● **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.

The request would allow as many as 35 additional housing units which may be in any residential building type. This impact represents an increase in supply and variety of potential housing on the site.

The rezoning request is **inconsistent** 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.

The existing and requested zoning would allow a stand-alone office use on the site. This type of use is not recommended by the Medium Density Residential category envisioned by the Future Land Use Map.

● **Policy LU 5.1—Reinforcing the Urban Pattern**

New development should acknowledge existing buildings, and, more generally, the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

The request to increase maximum height from 36 feet to 50 feet is slightly out of character with the existing apartments to the east and south, which are two stories tall with pitched roofs. Consistency with this policy could be improved by removing this proposed revision or requiring pitched roofs on newly constructed buildings.

Area Plan Policy Guidance

There is no area plan guidance for the rezoning site.

EQUITY AND CLIMATE CHANGE ANALYSIS

Transportation Cost and Energy Analysis

	City Average	Site	Notes
Transit Score	30	28	The transit score for the site is slightly lower than the city average. The site is served by GoTriangle Route 305
Walk Score	30	35	The site shows a walk score that is higher than average. Numerous employment and shopping destinations are located in the vicinity though many require a walk of more than one-half mile.
Bike Score	41	17	Bicycle facilities in the area are limited. Sidewalks are generally present.
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	74	The score is somewhat high. Transportation costs in this area are relatively low, likely due to the concentration of destinations nearby.
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	76	The number of jobs in the area is fairly high.

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. HUD index scores are percentiles indicating how well the subject tract performs compared to all other census tracts in the United States. A higher percentile for Low Transportation Cost or Jobs Proximity indicates a lower the cost of transportation and higher access to jobs in the nearby area, respectively.

Housing Energy Analysis

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.

Housing Supply and Affordability

Does the proposal add or subtract from the housing supply?	Adds	The request would enable as many as 35 additional housing units.
Is naturally occurring affordable housing present on the site?	Unlikely	The current use of the site is an office building.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	All residential building types would be allowed by the proposal
If not a mixed-use district, does it permit smaller lots than the average? *	N/A	The proposed zoning is a mixed-use district.
Is it within walking distance of transit?	Yes	There are two stops for GoTriangle Route 305 within walking distance of the site.

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

Demographic Indicators from EJSCREEN*

Indicator	Site Area	Raleigh
Demographic Index** (%)	28	36
People of Color Population (%)	37	46
Low Income Population (%)	20	30
Linguistically Isolated Population (%)	1	3
Population with Less Than High School Education (%)	5	9
Population under Age 5 (%)	7	6
Population over Age 64 (%)	10	11
% change in median rent since 2015	6.9	20.3

*Environmental Justice Screening and Mapping Tool from the Environmental Protection Agency (<https://www.epa.gov/ejscreen>)

**The Demographic Index represents the average of the percentage of people who are low income and the percentage of people who are minorities

Health and Environmental Analysis

What is the life expectancy in this zip code tract? Is it higher or lower than the county average (78.1 yrs)?	79.4	The life expectancy in the subject census tract is slightly higher than the Wake County average.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	
Are there hazardous waste facilities are located within one kilometer?	No	
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	
Is this area considered a food desert by the USDA?	No	The rezoning area does not meet any USDA criteria for a food desert.

Land Use History

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	Yes	The principal structure on the property was built as a detached house in 1947. Original occupants of the house may have benefited from discriminatory housing or lending practices. The property was annexed to the City of Raleigh in 2006.
Has the area around the site ever been the subject of an urban renewal program?*	No	
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	No	No such covenants were located.
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	No	No such covenants were located.

**The response to this question is not exhaustive, and additional information may be produced by further research. Absence of information in this report is not conclusive evidence that no such information exists.*

Analysis Questions

1. Does the rezoning increase the site's potential to provide more equitable access to housing, employment, and transportation options? Does the rezoning retain or

increase options for housing and transportation choices that reduce carbon emissions?

Response: Yes, the requested modifications would allow for more housing in an area with access to transit and close to a number of employment uses. Sidewalks in the area are fairly consistent. If the site is developed with a non-residential use, that may create new opportunities for employment, services, or shopping that are accessible to residents of adjacent multi-family neighborhoods.

2. Is the rezoning in an area where existing residents would benefit from access to lower cost housing, greater access to employment opportunities, and/or a wider variety of transportation modes? Do those benefits include reductions in energy costs or carbon emissions?

Response: Yes. Nearby residents of apartment developments may benefit from additional employment opportunities. Workers at commercial developments nearby could benefit from additional housing options if the site is developed with a residential use.

3. Have housing costs in this area increased in the last few years? If so, are housing costs increasing faster than the city average?

Response: Housing costs in the subject area have risen more slowly than the average for Raleigh. Additional potential for housing development may help to maintain this gradual rate of growth.

4. Are there historical incidences of racial or ethnic discrimination specific to this area that have deprived Black, Indigenous, and People of Color (BIPOC) of access to economic opportunity, public services, or housing? If so, does the rezoning request improve any current conditions that were caused, associated with, or exacerbated by historical discrimination?

Response: No evidence of discriminatory practices specific to the zoning site or immediately surrounding area was found.

5. Do residents of the area have disproportionately low life expectancy, low access to health insurance, low access to healthy lifestyle choices, or high exposure to environmental hazards and/or toxins? If so, does the rezoning create any opportunities to improve these conditions?

Response: There is no readily apparent indication that residents of the area are at higher risk of health problems or exposure to harmful environmental pollutants. The adjacent highway may produce negative impacts on local air quality.

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. The structure has been surveyed and is identified by the SHPO as WA7937 ("House 1947 1 1/2-story side gable brick Tudor Revival house").

Impact Identified: The existing structure is old enough to be eligible for historic designation. Designation is unlikely due to the house not being part of a historic neighborhood nor having known individual significance that might warrant landmarking.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Lake Johnson Park (1.8 miles) and Kaplan Park (2.5 miles).
3. Nearest existing greenway trail access is provided by the Walnut Creek Greenway Trail (1.8 miles).
4. Current park access level of service in this area is graded a C letter grade.

Impact Identified: None

Public Utilities

Impact Identified:

1. The proposed rezoning would add approximately 16,233 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	None
Drainage Basin	Walnut Creek
Stormwater Management	UDO Section 9.2
Overlay District	None

Impact Identified: None

Transportation

Site Location and Context

Location

The TCZ-3-21 site is located in southwest Raleigh Jones Franklin Road, just south of I-40.

Area Plans

The TCZ-3-21 site is not located within an adopted area or corridor plan.

Existing and Planned Infrastructure

Streets

Jones Franklin Road is designated as a 6-lane divided avenue in Map T-1 of the 2030 Comprehensive Plan (Street Plan). It is maintained by NCDOT. This section is currently built with two lanes, without curb and gutter.

In accordance with UDO section 8.3.2, the maximum block perimeter for OX-3 zoning districts is 2,500 feet, and the maximum length for a dead-end street is 400 feet. The block perimeter for this site is very large due to I-40. This site is exempt from block perimeter requirements because the site area is less than the minimum five acres for OX-3 sites.

Pedestrian Facilities

There are no sidewalks on the site's frontage. There is a sidewalk on the east side of Jones Franklin Road immediately south of the site. Tier 3 site plans and subdivisions require frontage improvements including sidewalks as regulated by Article 8.4 in the UDO.

Bicycle Facilities

There are no bicycle facilities in the immediate vicinity of the site. Jones Franklin Road is designated for bicycle lanes in Map T-3 of the 2030 Comprehensive Plan (Long Term Bike Plan). There no greenway trails or planned greenways within one quarter mile of the subject site.

Transit

The nearest transit is provided to GoCary at the intersection of Dillard Drive and Jones Franklin Road, approximately one quarter mile from the TCZ-3-21 site. The service is not frequent.

Access

Access to the subject site is by Jones Franklin Road.

Other Projects in the Area

NCDOT is constructing improvements to I-440 from Cary to Ridge Road. This is project U-2719 in the STIP. The project includes widening and complete street improvements to Jones Franklin Road around the interchange with I-440, less than a mile from the subject site.

TIA Determination

Based on the Envision results, approval of case Z-29-21 (TCZ-3-21) would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed change in zoning conditions is projected to generate 5 new trips in the AM peak hour and 5 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual. A TIA may be required during site permit review.

Z-29-21 Existing Land Use Office	Daily	AM	PM
	22	3	3
Z-29-21 Current Zoning Entitlements Office Mixed Use	Daily	AM	PM
	264	29	31
Z-29-21 Proposed Zoning Maximums Office Mixed Use	Daily	AM	PM
	340	32	36
Z-29-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	76	3	5

Impact Identified: No significant traffic impacts are anticipated.

Urban Forestry

Proposed rezoning does not impact Urban Forestry (UDO 9.1) requirements.

Impact Identified: None

Impacts Summary

No significant impacts on infrastructure are anticipated from the request.

Mitigation of Impacts

No mitigations are recommended other than standard UDO requirements.

CONCLUSION

The proposal is to amend existing zoning conditions for a 1-acre site on the east side of Jones Franklin Road just south of I-40. The modifications to the conditions would allow about 35 additional dwelling units, increase the maximum height from 36 feet to 50 feet, and change the set of prohibited uses on the site. Policies from the 2030 Comprehensive Plan support the request, including those calling for additional housing supply and more efficient use of infrastructure in previously urbanized areas. The request conflicts with the Medium Density Residential development pattern recommended by the Future Land Use Map. The overall evaluation is consistency with the 2030 Comprehensive Plan.

CASE TIMELINE

Date	Action	Notes
5/25/2021	Application submitted	
6/16/2021	Application complete	No TIA required
7/28/2021	Second neighborhood meeting	
8/10/2021	Case placed on the Planning Commission consent agenda and not discussed	
8/24/2021	Case placed on Planning Commission agenda	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	OX-3-CU	OX-3-CU	RX-3-CU	RX-3-CU	OI (Cary)
Additional Overlay	SHOD-2	SHOD-1, SRPOD	SHOD-1	SHOD-1	None
Future Land Use	Medium Density Residential	Office/Research & Development	Medium Density Residential	Medium Density Residential	Destination Center (Cary)
Current Land Use	Office	Office	Medium Density Residential	Medium Density Residential	Medium Density Residential
Urban Form	Parkway Corridor	Parkway Corridor	None	None	None

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	OX-3-CU w/ SHOD-2	OX-3-CU w/ SHOD-2
Total Acreage	0.98	0.98
Setbacks:		
Front	5'	5'
Side	0' or 6'	0' or 6'
Rear	0' or 6'	0' or 6'
Residential Density:	1.02	36.73
Max. # of Residential Units	1	36
Max. Gross Building SF	25,300	42,100
Max. Gross Office SF	24,300	27,200
Max. Gross Retail SF	3,500	5,600
Max. Gross Industrial SF	Not permitted	Not permitted
Potential F.A.R	0.59	0.99

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



COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-29-21 (TCZ-3-21)

OVERVIEW

If approved, the request will cause an amendment to the Future Land Use Map for the rezoning site. The existing designation of Medium Density Residential will be amended to Office & Residential Mixed Use.

LIST OF AMENDMENTS

- | |
|---|
| 1. Amend the Future Land Use Map for the rezoning parcel from Medium Density Residential to Office & Residential Mixed Use. |
|---|

IMPACT ANALYSIS

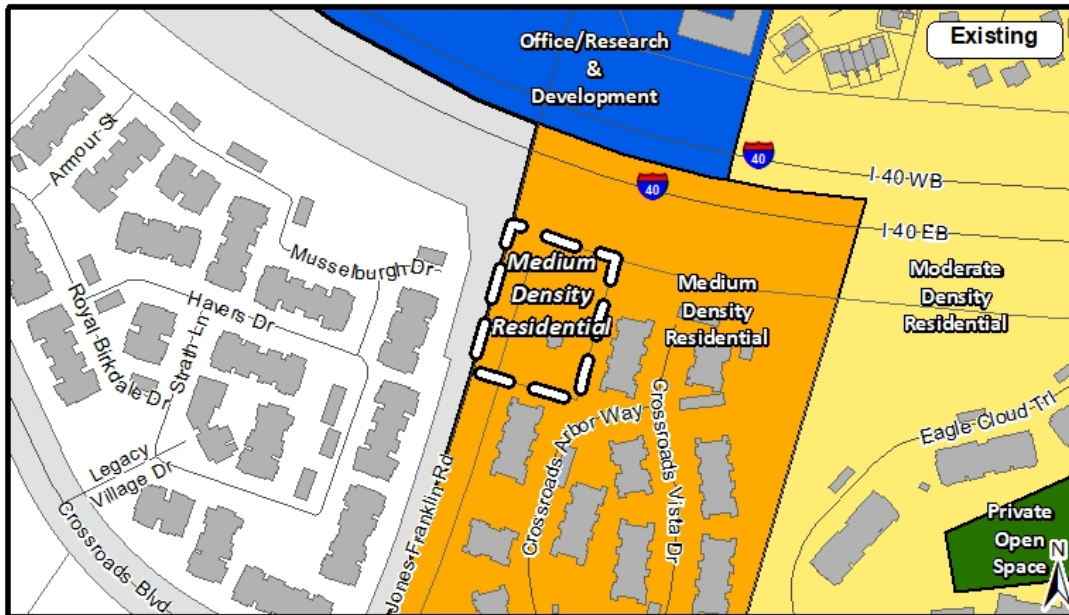
Potential impacts are described in the attached staff report.

AMENDED MAPS

See map on the following page.

TCZ-3-2021: Required Amendment to the Future Land Use Map

Existing Designation: Medium Density Residential



Proposed Designation: Office & Residential Mixed Use




Rezoning Application and Checklist

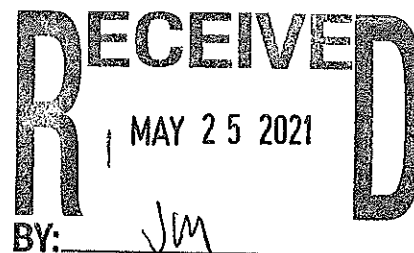
Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500



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):		



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: 5/13/2021



Date: May 13, 2021

Karla Carson

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

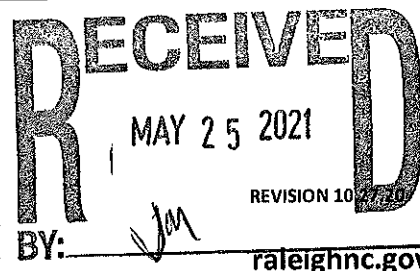
Food truck

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

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"/>

Who Can Initiate a Zoning Request?

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

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

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

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

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

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

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

Temporary Option for Virtual Neighborhood Meetings

During times when in-person gatherings are restricted, this document consists of guidance and templates for conducting a virtual meeting that may satisfy the pre-submittal neighborhood meeting prerequisite for filing a rezoning request and, when required, the second neighborhood meeting prerequisite for Planning Commission review. All requirements related to notice and neighborhood meetings found in the UDO are still applicable and should be reviewed when preparing for a neighborhood meeting.

Raleigh Planning & Development staff are available to advise you in the preparation for virtual neighborhood meetings. For more information, contact JP Mansolf (919) 996-2180 or jp.mansolf@raleighnc.gov.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive community feedback regarding a rezoning prior to submittal to Raleigh Planning & Development or prior to Planning Commission review, per the standards found in UDO Ch. 10. The intention of the meeting is to facilitate neighbor communication; identify issues of concern early on; and provide the applicant an opportunity to address neighbors' concerns about the potential impacts of the rezoning request at key steps in the rezoning process.

GUIDANCE FOR VIRTUAL NEIGHBORHOOD MEETINGS

The virtual neighborhood meeting option is available to applicants on a temporary basis during times when in-person gatherings are restricted. Above and beyond the requirements for neighborhood meetings found in the UDO, the following practices are strongly encouraged for virtual neighborhood meetings:

Verification of mailed notice for virtual neighborhood meetings can be completed by USPS or Raleigh Planning & Development staff.

Neighborhood meeting notification letters can be verified in one of two ways for virtual neighborhood meetings:

- By using USPS in compliance with UDO Sec. 10.2.1.C.1.b.
- By coordinating with Raleigh Planning & Development staff.
 - When City of Raleigh facilities are open to the public, applicants may present stuffed, stamped, addressed, and unsealed neighborhood meeting notifications to Raleigh Planning & Development staff prior to the 10-day period for confirmation that the complete list of property owners is being noticed and that the notices contain adequate information to satisfy the requirements of the UDO and are in keeping with this guidance document.
 - When City of Raleigh facilities are closed to the public, applicants may present electronic documentation to city staff prior to the 10-day period for verification. Documentation should include: an electronic copy of the notification letter and any enclosures, the mailing list, photographs of the mailing that demonstrates the number of envelopes prepared for mailing, an attestation from the applicant that the mailing satisfies all UDO requirements and that acknowledges that false statements negate validity of the mailing.

The meeting should be held within specific timeframes and meet certain requirements.

The UDO requires that "the applicant shall provide an opportunity to meet with property owners of the development site and property owners within the mailing radius described in UDO Sec. 10.2.1.C.1. In order to provide meaningful opportunity, a virtual neighborhood meeting should follow these guidelines:

- Electronically via an interactive online video conferencing software such as Microsoft Teams, Zoom, WebEx, or any similar platform of the applicant's choice.
- The software must support a two-way conversation that allows for residents to ask questions and provide thoughts, as well as hear the applicant's presentation.
- The software should provide an option for an individual to participate exclusively by telephone.
- The meeting should be conducted for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- The meeting should not be held on City of Raleigh or State of North Carolina recognized holidays.
- Just as with an in-person meeting, an attendance sheet must be completed to log known attendees of the virtual meeting. Note if no one attended.

Additional informational material should be provided by post to all invitees.

To help facilitate discussion during the meeting for all participants, especially those that may participate exclusively by telephone, informational material should be provided by post. A copy of all mailed materials should be included as part of the Neighborhood Meeting report required for the rezoning application. In addition to details required by UDO Sec. 10.2.1.C.1, the following information should be mailed with the meeting notice:

- The date, time, and detailed instructions for how to participate in the virtual meeting either online or by telephone.
- A current aerial photograph of the area.
- A current zoning map of the area.
- A draft of the rezoning petition to be submitted.
- For a rezoning request to a district that requires a master plan (UDO Art. 4.6 and 4.7) preliminary or schematic plans of the proposed master plan should be provided to help facilitate discussion.

The meeting agenda should describe the action to be requested and the nature of the questions involved.

This information should be addressed during the meeting:

- Explanation of the rezoning process.
- Explanation of future meetings (additional neighborhood meetings, if any; Planning Commission review; City Council public hearing).
- Explanation of the development proposal, including proposed uses and zoning conditions; explanation of any proposed master plan; and any public information available about the property owner or buyer, developer or builder, and/or likely tenant.
- Questions or concerns by virtual attendees and responses by the applicant.
- Report of any questions and concerns received by the applicant in correspondence or phone call in advance of the meeting, along with any applicant-provided responses.

The applicant shall be responsible for notifying any neighbors who request to be kept up-to-date of any additional neighborhood meetings and the actual submittal date to the City of Raleigh Development Portal.

NOTIFICATION LETTER TEMPLATE

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE and TIME). The meeting will be held virtually. You can participate online or by telephone. To participate, visit:

(MEETING WEB ADDRESS)

Or call:

(MEETING PHONE NUMBER)

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

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

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf

Raleigh Planning & Development

(919)996-2180

JP.Mansolf@raleighnc.gov

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

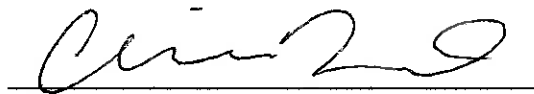
(NAME)

(CONTACT INFO)

Sincerely,

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]

Virtual Meeting Report – Summary of Issues

A neighborhood meeting was held on 7/28/2021 to discuss a potential rezoning text change located at 1701 Jones Franklin Rd. The neighborhood meeting was held from 5-7:00 PM virtually via Zoom. **Zero neighbors attended the meeting.** The applicant and property owner discussed the process moving forward with John Anagnost from City of Raleigh Planning.