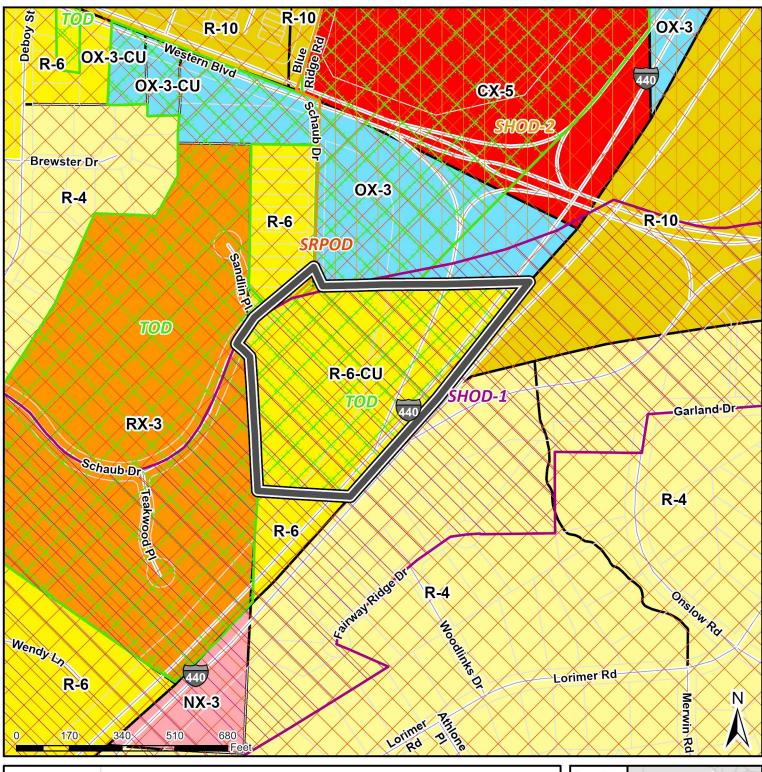
Existing Zoning

Z-29-2024



Property	1025 Schaub Dr	Location
Size	4.55 acres	540 540
Existing Zoning	R-6-CU w/ SHOD-1, SRPOD, TOD	40
Requested Zoning	RX-7-CU w/ SHOD-2 (SRPOD & TOD remain)	40

Map by Raleigh Department of Planning and Development (francist): 8/7/2024

Rezoning Application and Checklist

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



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

Rezoning Request							
Rezoning	General u	se 🖌 Conditional us	e Master plan	OFFICE USE ONLY Rezoning case #			
Туре	Text cha	ange to zoning condition	าร				
Existing zoning base of	district: R-6	Height:	Frontage:	Overlay(s): -SHOD-1, -SRPOD, -TOD			
Proposed zoning base district: RX-7		Height:	Frontage:	Overlay(s): -SHOD-2, -SRPOD, TOD			
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-45-23							

General Information						
Date: August 2, 2024	Date amended (1):		Date amended (2):			
Property address: 1025 Schaub Drive	e, Raleigh, NC 276	06-1803				
Property PIN: 0783799795						
Deed reference (book/page): DB 195	82 / PG 1452					
Nearest intersection: Sandlin Place a	nd Schaub Drive	Property size (acre	es): 4.74			
For planned development	Total units:		Total square footage:			
applications only:	Total parcels:		Total buildings:			
Property owner name and address: S	chaub Partners LL	C, 409 Ramblewoo	od Dr, Raleigh, NC 27609			
Property owner email: daniel.smoot@	madisonholding.co	om				
Property owner phone: 919-789-1864						
Applicant name and address: Daniel Smoot, Schaub Partners LLC, 409 Ramblewood Dr, Raleigh, NC 27609						
Applicant email: daniel.smoot@madisonholding.com						
Applicant phone: (919) 789 1864						
Applicant signature(s): Daniel Smoot						
Additional email(s): C85B52D8ED034C5						

Conditional Use District Zoning Conditions					
Zoning case #:	Date submitted: August 2, 2024	OFFICE USE ONLY Rezoning case #			
Existing zoning: R-6 CU	Proposed zoning: RX-7 CU				

Narrative of Zoning Conditions Offered

No changes are proposed to the existing zoning conditions applicable to the property contained in Ordinance No. (2024) 601 ZC 874. These conditions are repeated below:

"Rental fees for 2% of the residential dwelling units (rounded up to the nearest whole integer if 1.99 or less and rounded to the nearest whole integer if 2.0 or more) that exceed twenty-eight (28) residential dwelling units constructed on the property shall be affordable for households earning an average of 60% or less of the area median income for a period of 10 years from the date of issuance of the first residential certificate of occupancy on the property. The rent and income limits will follow the generally applicable Affordable Housing Standards determined annually by the City of Raleigh Housing & Neighborhoods Department. An Affordable Housing Deed Restriction in a form approved by the City shall be filed and recorded by the property owner in the property's chain of title in the Wake County Register of Deeds prior to the issuance of the first certificate of occupancy for a residential unit on the property.

The Property Owner may choose to pay the City a contribution in the amount of \$40,000 per Affordable Unit that would otherwise be subject to deed restriction in lieu of dedicating the Affordable Units described above. Full payment must be made at the time dedication of the Affordable Units would otherwise be required under this Condition and will be placed in a fund designated for the City's Affordable Housing Programs. In no event shall the contribution in lieu of dedicating the Affordable Units be less than \$10,000."

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: Daniel Smoot

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Rezoning Application Addendum #1				
Comprehensive Plan Analysis				
The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	OFFICE USE ONLY Rezoning case #			
Statement of Consistency				
Provide brief statements regarding whether the rezoning request is consistent designation, the urban form map, and any applicable policies contained within				
The proposed rezoning request from R-6 to RX-7 is consistent with the following 2030 Comprehe	nsive Plan policies:			
LU 2.2 Compact Development LU 2.5 Healthy Communities LU 4.6 Transit-oriented Development LU 4.7 Capitalizing on Transit Access LU 4.8 Station Area Land Uses LU 4.8 Station Area Land Uses LU 4.9 Corridor Development LU 4.10 Development at Freeway Interchanges LU 4.18 Transit Station Area Recommended Heights LU 8.1 Housing Variety LU 8.1 Housing Variety LU 8.11 Development of Vacant Sites EP 1.1 Greenhouse Gas Reduction EP 3.12 Mitigating Stormwater Impacts H 1.1 Mixed-income Neighborhoods H 1.2 Geographic Dispersal of Affordable Units H 1.8 Zoning for Housing H 1.9 Housing Diversity H 2.13 Transit Accessibility H 2.15 Affordable Units in TODs H 2.17 Equitable Housing around Transit UD 7.3 Design Guidelines				
Public Benefits				

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

The proposed rezoning will enable and support transit supportive development that will create more accessible and affordable options for housing, facilitate transit ridership, and help to slow the increase of carbon emissions.

Policy LU 4.7 calls for sites within walking distance of proposed bus rapid transit stations to be developed with "intense" residential uses to take full advantage of and support investment in transit infrastructure. Additional density for housing is appropriate around current and future frequent transit routes.

The Future Land Use Designation for this site is "Moderate" Scale Residential, which "envisions a range of housing types, including duplexes, triplexes, fourplexes and other small apartment buildings, and townhouses." These "moderate" uses are out of sync with the "intense" residential uses envisioned within walking distance of bus rapid transit stations. In this case, the site is located in an Emerging Urban Center where "building heights in most of these station areas should be up to 12 stories." A change to the Future Land Use Designation for this site to "Medium" Scale Residential would bring the FLUM in sync with the City's policies to support BRT.

Furthermore, the site has access to existing public utility infrastructure and this rezoning will help to maximize the public investments already made in the area. Plus, in the future the City will expend significant capital to create the Western Blvd BRT transit stop and line, and this rezoning will help to support that considerable public investment.

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 ONLY Rezoning case #
Inventory of Historic Resources	
List in the space below all historic resources located on the property to be rezo how the proposed zoning would impact the resource.	oned. For each resource, indicate
There are no historic resources located on the property to be rezoned	d.
Proposed Mitigation	
Provide brief statements describing actions that will be taken to mitigate all ne	gative impacts listed above.
N/A	

	Urban Design Guidelines						
a) b)	applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if: The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", OR; 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.						
Urb	an form designation: N/A Click here to view the Urban Form Map.						
1	All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form. Response:						
	N/A						
2	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. Response: N/A						
3	A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial. Response: N/A						
4	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. Response: N/A						
5	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. Response: N/A						
6	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. Response: N/A						

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7	Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off- street parking behind and/or beside the buildings. When a development plan is located along a high- volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option. Response: N/A
8	If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection. Response: N/A
9	To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well. Response: N/A
10	New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space. Response: N/A
11	The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential. Response: N/A
12	A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users. Response: N/A
13	New public spaces should provide seating opportunities. Response: N/A

	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.
14	Response:
	N/A
	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.
15	Response:
	N/A
16	Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements cane make a significant improvement. Response: N/A
17	Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile. Response: N/A
	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.
18	Response:
	N/A
19	All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.
	Response:
	N/A
20	It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians. Response: N/A

	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.
21	Response:
	N/A
	Streets should be designed with street trees planted in a manner appropriate to their function. Commercial
22	streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements. Response: N/A
23	Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width. Response: N/A
	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.
24	Response:
24	N/A
	The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged. Response:
25	N/A
	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function. Response:
26	N/A

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

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
 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. 		\checkmark			
2. Total number of units and square feet					
3. 12 sets of plans		\checkmark			
4. Completed application; submitted through Permit & Development Portal		\checkmark			
5. Vicinity Map		\checkmark			
6. Existing Conditions Map		\checkmark			
7. Street and Block Layout Plan		\checkmark			
8. General Layout Map/Height and Frontage Map		\checkmark			
9. Description of Modification to Standards, 12 sets		\checkmark			
10. Development Plan (location of building types)					
11. Pedestrian Circulation Plan					
12. Parking Plan		\checkmark			
13. Open Space Plan		\checkmark			
14. Tree Conservation Plan (if site is 2 acres or more)					
15. Major Utilities Plan/Utilities Service Plan		\checkmark			
16. Generalized Stormwater Plan					
17. Phasing Plan		\checkmark			
18. Three-Dimensional Model/renderings					
19. Common Signage Plan		\checkmark			

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.

NOTIFICATION LETTER TEMPLATE Date:

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

Neighboring Property Owners and Tenants:

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

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

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

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

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

(CONTACT INFO)

Sincerely,

ATTESTATION TEMPLATE

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 22, day of 3009, 2020. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

Signature of Applicant/Applicant Representative

5/24

2024

Date

SUMMARY OF ISSUES

A neighborhood meeting was held on	August 1, 2024	(date) to discus	s a potential rezoning
	5 Schaub Drive	(p	roperty address). The
neighborhood meeting was held at	Glen Eden F	- Stranger Trad	(location).
There were approximately2	(number) neighbors in	n attendance. The g	eneral issues discussed
were:	Summary of Issues:		
1) What is proposed to be built?			
2) What conditions will be proferm	ed?		
3) How long will the rezoning pro-	cess take?		
4) How many new residents will t	here be?		

ATTENDANCE ROSTER		
NAME	ADDRESS	
Larry Miller	COR Community Connector District D	
Jeff Smerko	applicant	
Daniel Smoot	applicant	
David Smoot	applicant	
Chris Bowman	1229 Schaub Dr	
Jamie Taylor	1813 Dorton Rd	

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July 19, 2024

Re: Potential Rezoning of the base zoning district for 1025 Schaub Drive from R-6 Conditional Use to RX-7

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on August 1, 2024 at 5:00pm. The meeting will be held at Glen Eden Pilot Park Neighborhood Center, 1500 Glen Eden Drive, Raleigh, NC 27612, and will begin at 5:00pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 1025 Schaub Drive, located at the intersection of Schaub Drive and Sandlin Place. This site's base zoning district is currently zoned R-6 Conditional Use and is proposed to be rezoned to RX-7.

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

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

(metra.sheshbaradaran@raleighnc.gov; 919-996-2638) or rezoning@raleighnc.gov.

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

Daniel Smoot Madison Holding LLC (919) 789-1864 daniel.smoot@madisonholding.com

Sincerely,

mil H. most

Daniel Smoot