

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 12 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request			
Rezoning Type	☐ General use	☒ Conditional use	☐ Planned Development
	☐ Text Change to Zoning Conditions		
Existing zoning base district: RX		Height: 3	Frontage: None
Proposed zoning base district: RX		Height: 3	Frontage: None
Overlay(s): NCOD (Oberlin Village)		Overlay(s): None	
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date: July 6, 2026	Date amended (1):	Date amended (2):
Property address: 2408 Clark Avenue		
Property PIN: 0794-92-0526		
Deed reference (book/page): Book 20209, Page 0823		
Nearest intersection: Clark Ave & Chamberlain St		Property size (acres): 0.22 acres
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property Owner/Applicant*		
Printed Property Owner Name and Title:		
Printed Name: <u>Khashayar Kevin Neshat, Manager of Lofts Clarke Avenue, LLC</u>		
Printed Name: _____		
Property Owner Signature(s):		
		
Signature: _____		
Applicant Signature (If different than Property Owner) *:		
Signature: _____		
Signature: _____		



Contact Information	
Property Owner/Applicant*	
Name & Title:	K. Kevin Neshat, Manager of Lofts of Clark Avenue, LLC
Email:	kneshat@bluestonedm.com
Phone:	
Name & Title:	
Email:	
Phone:	
Point of Contact (If different than above)**	
Point of Contact Name:	Michael Birch, Longleaf Law Partners
Email:	mbirch@longleaflp.com
Phone:	919.208.9427
Point of Contact Name:	
Email:	
Phone:	



Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case # _____
Existing zoning:RX-3 w/ NCOD	Proposed zoning: RX-3-CU	

Narrative of Zoning Conditions Offered
1. T1. The following principal uses as listed in UDO section 6.1.4. shall be prohibited: cemetery

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) Signa  _____

Printed Name (and Title): Khashayar Kevin Neshat, Manager of Lofts of Clarke Avenue, LLC

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General Information		
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Property address: 2404 Clark Avenue		
Property PIN: 0794-92-0586		
Deed reference (book/page): Book 19460, Page 1059		
Nearest intersection: Clark Avenue & Chamberlain Street		Property size (acres): 0.22 acres
For planned development applications only:	Total units:	Total square footage:
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Property Owner/Applicant*		
Printed Property Owner Name and Title:		
Printed Name: Roger Austin, Manager of Lazy Dog Investments, LLC		
Printed Name: _____		

Applicant Signature (If different than Property Owner) *:		
Signature: _____		
Signature: _____		



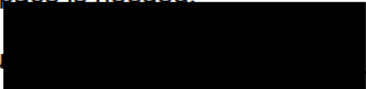
Contact Information
Property Owner/Applicant*
Name & Title: Roger Austin, Member of Lazy Dog Investments, LLC
Email: beachbumholdings@gmail.com
Phone:
Name & Title:
Email:
Phone:
Point of Contact (If different than above)**
Point of Contact Name: Michael Birch, Longleaf Law Partners
Email: mbirch@longleaflp.com
Phone: 919.208.9427
Point of Contact Name:
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Deed reference (book/page): Book 15281, Page 2663		
Nearest intersection: Clark Ave & Chamberlain St		Property size (acres): 0.41 acres
For planned development applications only:	Total units:	Total square footage:
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Property Owner/Applicant*		
Printed Property Owner Name and Title:		
Printed Name: <u>Khashayar Kevin Neshat, Manager of The Lofts at Cameron Village, LLC</u>		
Printed Name: _____		
Property Owner Signature(s):		
Signature:  _____		
Signature: _____		
Applicant Signature (If different than Property Owner) *:		
Signature: _____		
Signature: _____		

Contact Information**Property Owner/Applicant***

Name & Title: K. Kevin Neshat, Manager of The Lofts at Cameron Village, LLC

Email: kneshat@bluestonedm.com

Phone:

Name & Title:

Email:

Phone:

Point of Contact (If different than above)**

Point of Contact Name: Michael Birch, Longleaf Law Partners

Email: mbirch@longleaflp.com

Phone: 919.208.9427

Point of Contact Name:

Email:

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Conditional Use District Zoning Conditions

Zoning case #:

Date submitted:

OFFICE USE ONLY

Rezoning case #

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General Information		
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Property address: 300 Horne Street		
Property PIN: 0794-82-9556		
Deed reference (book/page): Book 20245, Page 2543		
Nearest intersection: Clark Avenue & Horne Street		Property size (acres): 0.26 acres
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Printed Property Owner Name and Title:		
Printed Name: Penelope T. Clarke, Member of Fancy Farm Holdings II, LLC		
Printed Name: L. Penn Clarke, Member of Kelso Mill Holdings, LLC		
Property Owner Signature(s):		
Signature:		
Signature:		
Applicant Signature (If different than Property Owner) *:		
Signature: _____		
Signature: _____		



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Name & Title:	Penelope T. Clarke, Member of Fancy Farm Holdings II, LLC
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Name & Title:	L. Penn Clarke, Member of Kelso Mill Holdings, LLC
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Point of Contact Name:	Michael Birch, Longleaf Law Partners
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Property Owner(s) Signatur _____

Printed Name (and Title): Penelope T. Clarke, Member of Fancy Farm Holdings II, LLC_____

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Property Owner(s) Signature [Redacted Signature]

Printed Name (and Title): L. Penn Clarke, Member of Kelso Mill Holdings, LLC

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Signatures:	_____
Signatures:	_____
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Printed Name: L. Penn Clarke, Member of Kelso Mill Holdings, LLC		
Property Owner Signature(s):		
Signature		
Signature		
Applicant (if not Property Owner) *:		
Signature		
Signature		

Rezoning Application Addendum #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Rezoning case # _____
The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	
Statement of Consistency	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
The properties are designated Moderate Scale Residential on the Future Land Use Map. The properties are served by a high level of transit, as they are walkable to four routes of the Wolfline, four GoRaleigh routes (4, 9, 12, 16) and a GoTriangle route. Additionally, the properties are located in one of the most walkable areas of the City. Therefore, the Comprehensive Plan suggests RX-3 or RX-4 are appropriate zoning districts for the properties. The properties are within a Frequent Transit Area, and are walkable to the Village District Mixed-Use Center and the Oberlin Road Transit Emphasis Corridor, all as shown on the Urban Form Map. Per Table LU-2, given the site's location within a Transit Area and in an Edge Area, the standards for a General Area apply, which suggest a height of 3 stories. The properties are not located within an Area Plan. The rezoning request is consistent with the following Comprehensive Plan policies: LU 2.2, LU 4.4, LU 4.7, LU 5.1, LU 5.4, and H 1.8. The proposed rezoning of maintaining the base district of RX-3 and removing the NCOD permits development and building height consistent with the Future Land Use Map, Urban Form Map, and the Comprehensive Plan.	
Public Benefits	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
The rezoning request is reasonable because it permits the properties to be developed in a manner consistent with the other properties on the same block (not zoned with NCOD) and the surrounding area (to the east, and on the south side of Clark Avenue. The rezoning request is in the public interest because it permits development that provides additional residential density and a variety of housing type that is compatible with the surrounding neighborhood and walkable to significant transit routes, robust retail and office services, and to the campus of NC State.	

Rezoning Application Addendum #2	
Impact on Historic Resources	OFFICE USE ONLY Rezoning case #
The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	
Inventory of Historic Resources	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
The properties are located within the West Raleigh National Register District. The property at 2402 Clark Avenue (Simpson Apartments) is on the National Register Study List. The proposed zoning would not directly affect these structures. These structures are eligible for demolition under current zoning and proposed zoning.	
Proposed Mitigation	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	

Urban Design Guidelines

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

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

Urban form designation:

Click [here](#) to view the Urban Form Map.

1

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: The rezoning permits additional residential density within walking distance to a mix of uses.

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: The proposed zoning is consistent with other properties on the same block (3 stories).

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: The properties are located in an area well-connected to the neighborhood and mixed-use area through a network of sidewalks.

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: No new streets are anticipated as part of a redevelopment of the properties.

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: The properties are on a block that does not exceed 660 feet.

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: The applicable setbacks permit structures lining the street.

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: The applicable setbacks permit buildings close to Clark Avenue and side streets.
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: It is anticipated that redevelopment of the properties would involve a building located at the corners of intersections with Clark Avenue.
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: Redevelopment of the properties will provide outdoor amenity area consistent with the UDO.
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: It is anticipated that any new building will provide direct access to/from the adjacent streets.
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: It is anticipated that active uses would be located on the perimeter of a new building.
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: Redevelopment of the properties will provide outdoor amenity area consistent with the UDO.
13	New public spaces should provide seating opportunities. Response: Redevelopment of the properties will provide outdoor amenity area consistent with the UDO.

14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments. Response: It is anticipated that redevelopment of the properties would include parking in a way that does not negatively affect pedestrian routes.
15	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. Response: It is anticipated that redevelopment of the properties would not involve parking lots between the building and Clark Avenue.
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 can make a significant improvement. Response: Any parking structure associated with redevelopment will comply with the UDO.
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: The properties are located within walking distance to transit stops and walkable to key destinations.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network. Response: The surrounding area includes an existing network of sidewalks connecting to transit stops.
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: There are no known sensitive natural resources on the property.
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: No new streets are anticipated as part of any redevelopment.

21	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. Response: Any redevelopment of the property will provide sidewalks consistent with the UDO.
22	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. Response: It is anticipated that any redevelopment of the property will provide street cross-section improvements consistent with the UDO.
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: Building location and design for any redevelopment will be consistent with the UDO standards regulating these items.
24	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. Response: Building entrances as part of any redevelopment will be provided consistent with the UDO.
25	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: It is anticipated that redevelopment of the properties would involve active uses on the ground floor.
26	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function. Response: Building location and design and pedestrian connections to sidewalks as part of any redevelopment will be consistent with the UDO.

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	☒	☐	☐	☐	☐
2. Pre-application conference.	☒	☐	☐	☐	☐
3. Neighborhood meeting notice and report	☒	☐	☐	☐	☐
4. Rezoning application review fee (see Fee Guide for rates).	☒	☐	☐	☐	☐
5. Completed application submitted through Permit and Development Portal	☒	☐	☐	☐	☐
6. Completed Comprehensive Plan consistency analysis	☒	☐	☐	☐	☐
7. Completed response to the urban design guidelines	☒	☐	☐	☐	☐
8. <u>Two</u> 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.	☒	☐	☐	☐	☐
9. Trip generation study (May be required after submittal)	☐	☒	☐	☐	☐
10. Traffic impact analysis (May be required after submittal)	☐	☒	☐	☐	☐
11. If signed electronically, e-signature confirmation page(s)	☒	☐	☐	☐	☐
For properties requesting a Conditional Use District:					
11. Completed zoning conditions, signed by property owner(s).	☒	☐	☐	☐	☐
For properties requesting a Planned Development or Campus District:					
12. Master plan (see Master Plan submittal requirements).	☐	☒	☐	☐	☐
For properties requesting a text change to zoning conditions:					
13. Redline copy of zoning conditions with proposed changes.	☐	☒	☐	☐	☐
14. Proposed conditions signed by property owner(s).	☐	☒	☐	☐	☐