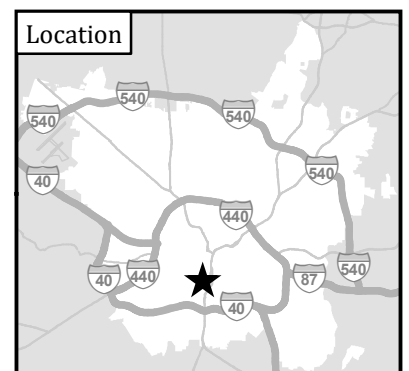


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|-------------------------|----------------------------------|
| Property | 308 S Boylan Ave |
| Size | 0.99 acres |
| Existing Zoning | R-10 w/HOD-G (Boylan Heights) |
| Requested Zoning | CX-3-CU w/HOD-G (Boylan Heights) |





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director; Sara Ellis, Planner II

DEPARTMENT: City Planning

DATE: February 19, 2019

SUBJECT: City Council agenda item for March 5, 2019 – Z-34-18

On February 19, 2019, City Council authorized the public hearing for the following item:

Z-34-18 308 S. Boylan Avenue, approximately .99 acres located South Boylan Avenue located at the southeast intersection of Montford Street and South Boylan Avenue, at [308 S. Boylan Avenue](#).

Current zoning: Residential-10 with a General Historic Overlay District (R-10 w/HOD-G)

Requested zoning: Commercial Mixed Use-Three Stories-Conditional Use (CX-3-CU).

The zoning conditions received on February 1, 2019 effectively limit the uses to permit the following: indoor recreation; outdoor recreation; overnight lodging; bar; eating establishment; personal service, urban farm and all uses otherwise permitted in R-10 zoning districts. Additional conditions limit overnight lodging to no more than 10 rooms; limit maximum square footage of the bar and restaurant; limit the location of off street parking to the rear of the property; restrict hours of operation for the bar and restaurant uses; provide additional buffering between residential uses and the primary structure; and limit the bar and restaurant uses to the existing building footprint with the exception of a staircase addition.

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

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

The **Planning Commission** recommends **approval** in a vote of 9 to 0.

The **Central CAC** supports **approval** in a vote of 15 to 1 (January 7, 2019).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

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

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



CERTIFIED RECOMMENDATION

Raleigh Planning Commission

CR# 11889

CASE INFORMATION Z-34-18; 308 S. BOYLAN AVENUE

| | |
|---------------------------------|--|
| Location | South Boylan Avenue located at the southeast intersection of Montford Street and South Boylan Avenue. iMaps . Google Maps . Directions . Address: 308 S. Boylan Avenue PIN: 1703375717 |
| Request | Rezone property from R-10 w/ HOD-G to CX-3 w/ HOD-G |
| Area of Request | .99 acres |
| Corporate Limits | The rezoning site is located within Corporate City Limits. |
| Property Owner | MH Boylan LLC 308 S. Boylan Avenue, Raleigh, NC 27603-1908 |
| Applicant | Michael Birch Longleaf Law Partners 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607 |
| Citizens Advisory Council (CAC) | Central CAC, meets the first Monday of each month Marquita Mbonu, Community Relations Analyst 919.996.5710, marquita.mbonu@raleighnc.gov |
| PC Recommendation Deadline | April 15, 2018 |

COMPREHENSIVE PLAN CONSISTENCY

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

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN GUIDANCE

| | |
|----------------------------|--|
| FUTURE LAND USE | Moderate Density Residential |
| URBAN FORM | Not applicable |
| CONSISTENT Policies | Policy ED 6.5 Lodging Policy H 1.8 Zoning for Housing Policy UD 1.1 Protecting Neighborhood Identity Policy LU 5.2 Managing Commercial Development Impacts Policy UD 5.5 Areas of Strong Architectural Character Policy LU 5.6 Buffering Requirements Policy LU 8.3 Conserving, Enhancing and Revitalizing Neighborhoods Policy HP 3.1 Adaptive Use Policy HP 3.2 Retention Over Replacement |

INCONSISTENT PoliciesPolicy LU 1.2 Future Land Use Map and Zoning Consistency
Policy LU 5.4 Density Transitions*SUMMARY OF PROPOSED CONDITIONS*

1. The principal uses are restricted to indoor recreation, outdoor recreation, overnight lodging, bar, eating establishment, personal service and urban farm and all other uses otherwise permitted in R-10 zoning districts.
2. Residential density is limited to 10 units per acre.
3. Indoor and Outdoor Recreation are limited to weddings, receptions, events, conferences, meetings and similar gatherings.
4. Overnight lodging is limited to no more than 10 hotel rooms.
5. The total gross floor area for a bar and eating establishment is limited to 3,000 square feet.
6. Personal service uses are limited to catering, wedding chapel and other similar uses associated with indoor and outdoor recreation.
7. Outdoor activities associated with the principal uses shall end by 10pm Sunday – Thursday, and 11pm Friday – Saturday.
8. Outdoor activities associated with the principal uses shall be located at least 50’ from most adjacent residential properties.
9. No more than 4 events with more than 150 guests can be held per year.
10. Trash and recycling pickup hours are limited between 8am – 7pm Monday – Friday, and 9am – 5pm Saturday – Sunday.
11. Off-street parking shall be screened, and pole mounted lighting limited to a maximum height of 15 feet.
12. Off street parking shall be screened in accordance with planting plan.
13. Prior to the issuance of a certificate of occupancy for commercial uses the owner shall provide to the City proof of a written agreement to use at least 20 off-site parking spaces for events with more than 100 guests.
14. No off-street parking, except for drop off/drive throughs can be located in front of the existing building on the Boylan Avenue side.
15. The hours of operation for a bar and restaurant shall be limited.

16. 1A minimum of 7 trees per 100 linear feet shall be installed along the rear portion of the property.
17. Within 40 of all adjoining residential properties all commercial uses shall be prohibited, with the exception of a staircase.
18. The gross floor area for the bar and eating establishment shall be limited to the existing principal structure, with the exception of a staircase addition.

PUBLIC MEETINGS

| <i>Neighborhood Meeting</i> | <i>CAC</i> | <i>Planning Commission</i> | <i>City Council</i> |
|-----------------------------|--|---------------------------------------|---------------------|
| 08/20/2018 | 12/3/2018, 1/7/2018 (15 -Y, 1-N) | 1/15/2019, 1/29/2019, 2/12/2019 | 2/19/19 |

PLANNING COMMISSION RECOMMENDATION

- The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.
- The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.
- The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.
- The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

| | |
|------------------------------------|--|
| Reasonableness and Public Interest | The site is a historic landmark that will have life breathed back into it, it's important to the history of the neighborhood and downtown, the applicant has led a tremendous effort to engage the community and the area throughout the process and the project has tremendous support. While some residents do have concerns about the intensity of uses that will be permitted on |
|------------------------------------|--|

| | |
|--|--|
| | the space and parking for large events, this rezoning is in the interest and the greater good of the community. |
| Change(s) in Circumstances [if applicable] | N/A |
| Amendments to the Comprehensive Plan [if applicable] | N/A |
| <i>Recommendation</i> | Approval |
| <i>Motion and Vote</i> | Motion: Tomasulo Second: Geary In Favor: Braun, Geary, Hicks, Jeffreys, Lyle, McIntosh, Novak, Swink and Tomasulo |

ATTACHMENTS

1. Staff report
2. 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.

Planning Director

Date

Planning Commission Chairperson

Date

Staff Coordinator: Sara Ellis: (919) 996-2234; Sara.Ellis@raleighnc.gov



ZONING STAFF REPORT – CASE # Z-34-18

CONDITIONAL USE DISTRICT

OVERVIEW

The proposal seeks to rezone a 0.99-acre parcel located at the southeastern corner of S. Boylan Avenue and Mountford Street in the Boylan Heights Neighborhood. One building is present on the site, known as the “Boylan Mansion” or Montford Hall, which is one of the few pre-civil war era homes in the area built in 1858.

Raleigh Union Station is located just over a half a mile southeast of the site, and Dix Park is located about a mile to the south. The site is located in close proximity to downtown Raleigh and is about a half a mile northwest from Nash Square.

The property is located at the northern edge of the Boylan Heights Neighborhood, a Raleigh General Historic Overlay District (HOD-G). Because of this HOD-G designation, any changes to design, materials, color or general appearance on the exterior of the building or the site will require an approved Certificate of Appropriateness application. The site is also recognized as a Raleigh Historic Landmark and is an individually-listed resource in the National Register of Historic Places. Finally, it is subject to a Historic Preservation Agreement in favor of Preservation North Carolina that prohibits the demolition of the structure.

The majority of properties in the Boylan Heights Neighborhood can be characterized by single and multi-family dwellings with 0.15 of an acre average lot sizes, making the rezoning site one of the larger parcels in the area. Directly to the north of the site are two parcels with Industrial Mixed-Use zoning designations that appear to contain office uses. The site is bordered by Residential-10 zoning to the south, east and west with parcels containing a mixture of multi and single-family dwellings. The Downtown Mixed-Use zoning district begins just to the northwest of the site.

The request is to rezone from Residential-10 with a General Historic Overlay District (R-10 w/ HOD-G) to Commercial Mixed-Use with a three-story height limit, General Historic Overlay District and Conditions (CX-3-HOD-G-CU). The conditions offered would prohibit a number of commercial uses otherwise allowed in the CX district, effectively limiting the permitted uses to; wedding chapel, overnight lodging, bar, restaurant and indoor and outdoor recreation that support the intent to create an event space.

Although the application seeks to allow outdoor entertainment, the zoning code (Section 12-2120.2) prohibits the use of music or entertainment delivery through an electronic amplification system on the property. Outdoor amplification is only permitted in areas identified as “Hospitality Districts” or on a major/minor thoroughfare, neither of which apply to the site. This may reduce the potential noise impacts generated by outdoor entertainment uses in a residential area.

The Future Land Use Map (FLUM) designation for the site is Moderate Density Residential, which is generally applied to the City's single-family residential neighborhoods and recommends residential uses at a density of up to fourteen units per acre. The rezoning request is inconsistent with this FLUM designation, as it would permit commercial uses that are generally not considered appropriate in an area designated as primarily residential.

The uses permitted in Commercial Mixed-Use Districts are generally more intense uses than those allowed in Residential, Neighborhood and Office Mixed Use. Overnight lodging is permitted in Residential and Neighborhood Mixed-Use Districts, which are considered an appropriate zoning designation in Moderate Density Residential – however the number of guest rooms is limited to five, and special events are not permitted.

The zoning districts that permit the intended uses; of wedding chapel, overnight lodging, bar, restaurant and indoor and outdoor recreation include Commercial and Downtown and Industrial Mixed-Use. These zoning districts permit uses that are not allowed in lower intensity districts as they tend to have uses with noise, odor, traffic ingress and egress and hours of operation that are incompatible with a predominately residential neighborhood.

The challenge the case faces is finding an appropriate balance between conditions that are both enforceable by code and sufficiently mitigate the potential noise, parking, light and general commercial/residential uses conflicts that may arise. As of January 18, 2019, new conditions were offered that limit the hours of operation for the bar and restaurant uses; additional buffering requirements were offered; and a prohibition of commercial uses in the rear 40' of the property was offered to help mitigate commercial impacts.

Update for January 29, 2019

Following the January 15, 2019 Planning Commission meeting, the applicant revised conditions to address application inconsistencies with the 2030 Comprehensive Plan. The request was considered overall inconsistent based on policies related to managing commercial development impacts, density transitions and buffering requirements.

The applicant has submitted revised conditions addressing the policy inconsistencies summarized below:

1. For all portions of the property located within 40' of the nearby residential properties commercial uses shall be prohibited, and the only permitted uses are protective yards, sidewalks, parking, community garden and related outdoor items.
2. The gross floor area of the restaurant and bar shall be limited to the existing principal structure.

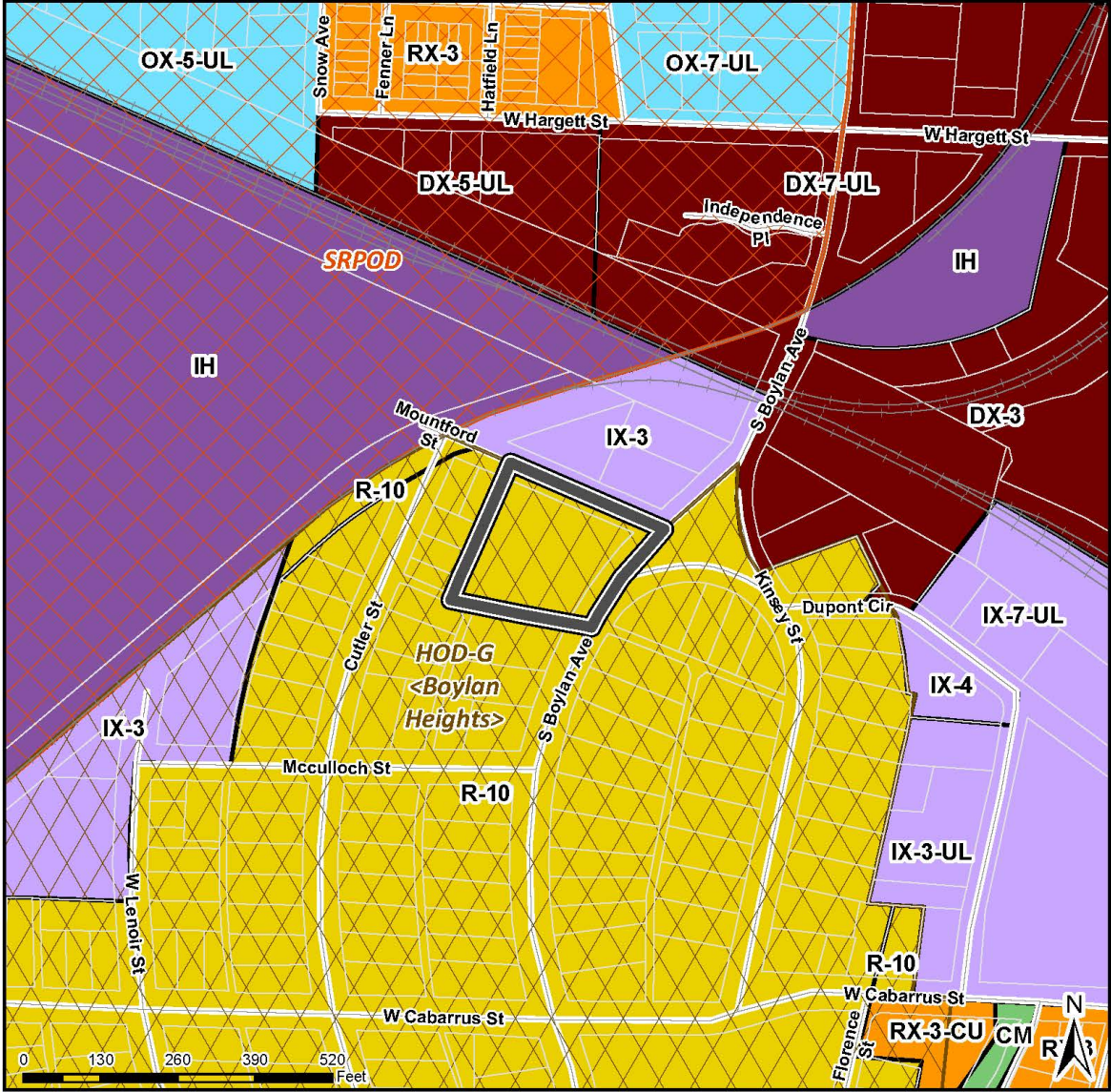
Update for February 12, 2019

Following the January 29, 2019 Planning Commission meeting, the applicant revised conditions #13; requiring offsite parking be secured prior to the first event with more than 100 guests; condition #17; Restricting the location of commercial uses to be no closer than 40 feet from adjacent residential with the exception of a second story and staircase addition, condition #18 language was clarified.

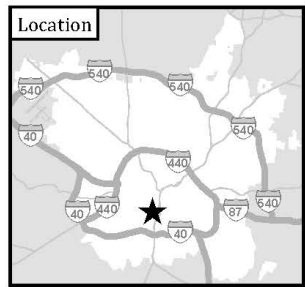
OUTSTANDING ISSUES

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| Outstanding Issues | None | Suggested Mitigation | N/A |
|--------------------|------|----------------------|-----|

Existing Zoning Z-34-2018



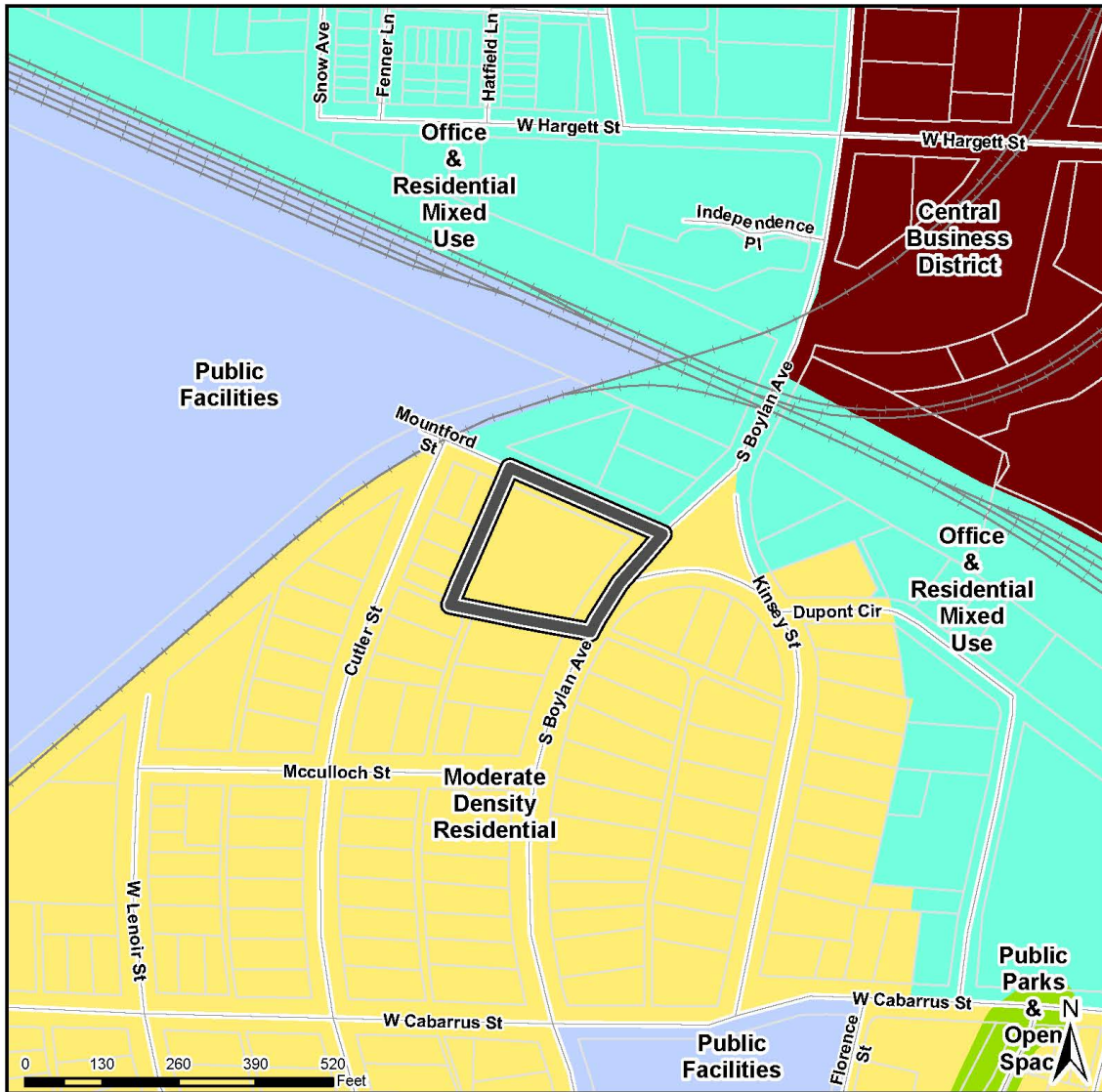
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|-------------------------|----------------------------------|
| Property | 308 S Boylan Ave |
| Size | 0.99 acres |
| Existing Zoning | R-10 w/HOD-G (Boylan Heights) |
| Requested Zoning | CX-3-CU w/HOD-G (Boylan Heights) |



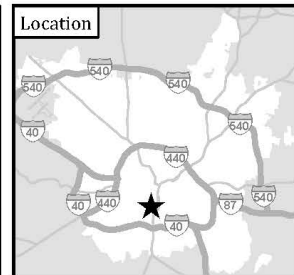
Map by Raleigh Department of City Planning (littlek) 12/4/2018

Future Land Use

Z-34-2018

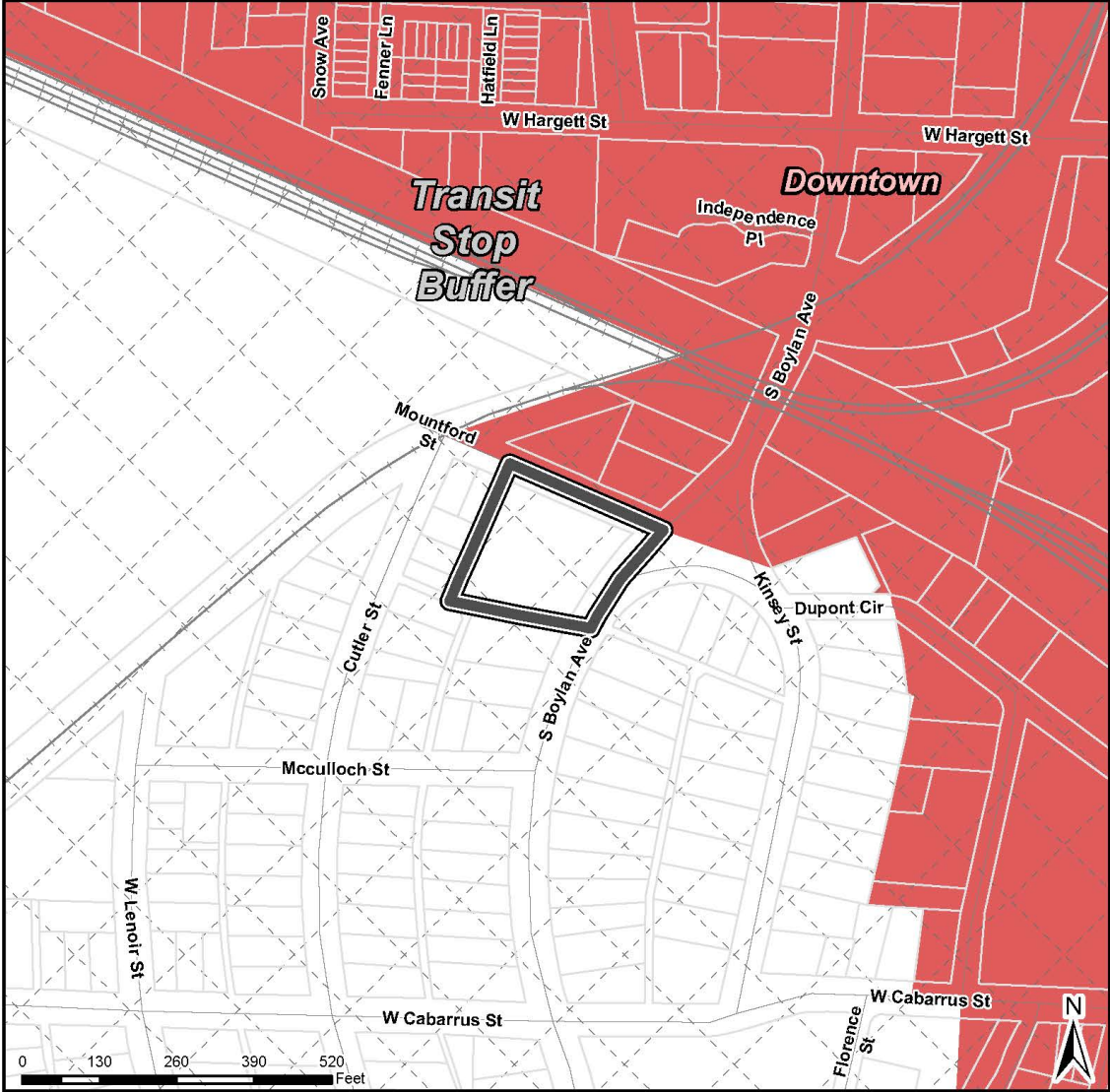


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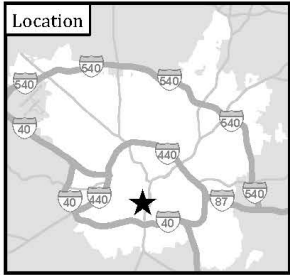


Map by Raleigh Department of City Planning (littlek). 11/21/2018

Urban Form **Z-34-2018**



| | |
|-------------------------|----------------------------------|
| Property | 308 S Boylan Ave |
| Size | 0.99 acres |
| Existing Zoning | R-10 w/HOD-G (Boylan Heights) |
| Requested Zoning | CX-3-CU w/HOD-G (Boylan Heights) |



Map by Raleigh Department of City Planning (litttek); 11/21/2018

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 Growing Successful Neighborhoods and Communities Vision Theme because it would encourage the adaptive reuse of a historic structure that will complement the existing character of the area.

The proposed zoning is consistent with the Economic Prosperity and Equity Vision Theme in that it would encourage additional commerce and lodging in an urbanized area with sufficient infrastructure to support it, near downtown and a number of large attractions.

The request is also consistent with policies relating to protecting neighborhood identity, neighborhood conservation, adaptive reuse, lodging, zoning for housing and managing commercial development impacts.

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

No, the Future Land Use Map (FLUM) designation is Moderate Density Residential, which encourages R-10 or RX zoning, both of which permit some overnight lodging uses, such as bed & breakfasts. However the number of lodging units envisioned in this request classifies it as a Hotel, Motel, Inn use which is not permitted in RX zoning and requires a larger minimum lot size. Furthermore, the request would permit indoor and outdoor events and wedding receptions which are not permitted in zoning districts compatible with residential FLUM designations.

- 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?

As noted above, the use is not specifically designated on the Future Land Use Map. However, it can be established without adverse effects through the conditions offered which provide a transition yard, limit hours of operation of the bar and restaurant, and limit the footprint of bar and restaurant to the existing principal structure.

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

Yes, sufficient community facilities and streets are available at City standards to serve the proposed use.

Future Land Use

Future Land Use designation:

The rezoning request is:

Consistent with the Future Land Use Map.

Inconsistent

The proposed rezoning is inconsistent with the Future Land Use Map designation of Moderate Density Residential. The requested CX-3-CU-HOD-G zoning designation is inconsistent as it would permit commercial uses in an area designated for residential.

Urban Form

Urban Form designation:

The rezoning request is:

Not applicable (no Urban Form designation)

Consistent with the Urban Form Map.

Inconsistent

Not Applicable: There is no Urban Form Map designation for this site.

Compatibility

The proposed rezoning is:

Compatible with the property and surrounding area.

Incompatible.

The request is compatible with the surrounding area, although it would permit commercial uses in a predominantly residential area the conditions offered provide sufficient mitigation to lessen potential use conflicts. The property has an easement that prevents the demolition of the existing structure, and the Certificate of Approval process would regulate any changes to the exterior of the structure and the property, providing a secondary level of review that seeks

to keep the property in a similar form to what it is today. Conditions have been offered limiting the hours of use for the bar and restaurant, providing buffering, and limiting the bar and restaurant to the existing building footprint.

Public Benefits of the Proposed Rezoning

- The rezoning would provide additional lodging options in an area within close proximity to Downtown and major attractions such as Dix Park.

Detriments of the Proposed Rezoning

- The rezoning may create greater noise and traffic impacts on nearby properties than a residential use.

Policy Guidance

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

Policy LU 5.2 Managing Commercial Development Impacts

Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.

The proposal would allow commercial uses that may have a higher impact on the area in terms of traffic, parking, odor and noise on surrounding areas than the currently permitted residential zoning. However, these impacts have been mitigated through the offering of conditions that limit the hours of operation for the bar and restaurant uses; limit the bar and restaurant to the existing building footprint; require a minimum of 40' separation between all commercial uses and adjacent residential; and additional landscaping to provide buffering.

Policy LU 5.6 Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

The rezoning site abuts residential properties with the R-10 zoning designation, per the UDO a transition yard is not required between the subject property and adjacent properties defined as "apartment buildings". Adjacent to the subject property are two parcels defined as "apartments" that contain between three and four units, but are similar in scale, density and appearance to the attached dwelling building type (PINs 1703373754, 1703374838). Conditions offered require buffering between these properties and the primary structure; they also limit the footprint of bar and restaurant uses to the existing primary structure, and prohibit additional uses within 40' of the adjacent residential properties.

Policy LU 8.3 Conserving, Enhancing and Revitalizing Neighborhoods

Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.

The proposal may help preserve a historic resource in the neighborhood, Montford Hall by providing an adaptive reuse for a structure that may be of a better use to host events that take place during appropriate hours, with sufficient buffering than as a single-family home. As the proper cannot be demolished due to protections placed on it and is on a significantly larger lot than surrounding parcels may be a more appropriate use as an event facility than a larger than average single-family home.

Policy ED 6.5 Lodging

Work with developers, investors, and other local organizations to plan and provide diverse and accessible lodging and accommodations to support tourism growth.

The proposal may add to the diversity of lodging options in an area close many of the city's primary tourist attractions.

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.

The request would retain the same level of residential density that is currently permitted on the site, of ten units per acre.

Policy UD 1.1 Protecting Neighborhood Identity

Use Neighborhood Conservation Overlay Districts (NCOD), Historic Overlay Districts (HOD), or rezonings to retain the character of Raleigh's existing neighborhoods and strengthen the sense of visual order and stability.

UD 5.5 Areas of Strong Architectural Character

Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk.

The rezoning request retains the Boylan Heights General Historic Overlay District (HOD-G) that is applied to the area and requires a Certificate of Appropriateness be obtained for any changes to the exterior of the property and the property itself.

Policy HP 3.1 Adaptive Use

Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.

Policy HP 3.2 Retention Over Replacement

Encourage the preservation and rehabilitation of significant or contributing existing structures, favoring retention over replacement, especially in areas where other historic resources are present.

The proposal is consistent with these Historic Preservation policies, as the property is subject to a Historic Preservation Agreement in favor of Preservation North Carolina, and as such cannot be demolished. The rezoning may encourage the adaptive reuse of a fairly significant historic structure and provide an opportunity for events and other commercial uses allowing a greater number of visitors to the site than a single-family home may permit.

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 request is inconsistent with the Future Land Use Map (FLUM) as it would permit commercial uses in area identified for residential where some overnight lodging may be considered. Bed and breakfast (overnight lodging limited to no more than five guest rooms) is permitted in R-10 zoning but does not allow wedding receptions and other special events. The intent of the request to allow overnight lodging with a bar, restaurant, wedding chapel and event space and without proper conditions mitigating potential noise and light impact on nearby residential properties may not be an appropriate use in an area contemplated for Moderate Density Residential.

Policy LU 5.4 Density Transitions

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

While the request to rezone the property from Residential-10 to Commercial Mixed Use with Conditions would permit more intense commercial uses adjacent to a residential area, a number of zoning conditions offered help mitigate this impact. The intent of Policy LU 5.4 is to provide a gradual step down in intensity of permitted uses so there is a separation between businesses that generate large numbers of car trips, or create noise, odor and light by nature of the operation don't impact residential areas.

Area Plan Policy Guidance

There is no area plan guidance for this site, however the site is located just outside of the boundary of the Downtown West Gateway Area Plan, and plan guidance is not directly relevant to this request.

IMPACT ANALYSIS

Transportation

Site Location and Context

Location

The Z-34-18 site is located in southwest Downtown Raleigh in the Boylan Heights community, at the corner of Mountford Street and South Boylan Avenue. The site is approximately 100-ft east of the Norfolk Southern Railroad (NS) and approximately 300-ft south of the North Carolina Railroad (NCRR).

Area Plans

The Z-34-18 site is located just outside of the Downtown West Gateway Area Plan. Policy AP-DWG 3 of this Area Plan calls for “Transportation Network Connectivity.” It suggests additional street, pedestrian, greenway, bicycle, and transit connections. Policy AP-DWG 5 calls for “broader pedestrian systems.” The plan suggests that this area should develop as a transit hub and downtown destination.

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

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

Other Projects in the Area

The Z-34-18 site is located west of Raleigh Union Station. South West Street, which is east of the site, is planned to be extended under the railroads to improve connectivity between Downtown Raleigh and Boylan Heights. This project is budgeted in the Capital Improvement Program (CIP) as the “West Street Extension – South.”

Existing and Planned Infrastructure

Streets

The site fronts South Boylan Avenue, which is specified as a 2-lane undivided avenue in the Raleigh Street Plan. It also fronts Mountford Street, a neighborhood local street. Both streets are maintained by the City of Raleigh.

In accordance with UDO section 8.3.2, the maximum block perimeter for CX zoning districts with a maximum of 3 stories is 3,000 feet. The existing block, bound by Mountford Street,

Cutler Street, McCulloch Street, and S Boylan Avenue, has a perimeter of approximately 1,500 feet.

Pedestrian Facilities

There are sidewalks along the frontage of the site on both Mountford Street and S Boylan Avenue. The site is 1,000-ft from planned Greenway trail infrastructure along Rosengarten Aly and 2,000-ft from the Rocky Branch Greenway Trail.

Bicycle Facilities

The Long Term Bikeway Plan calls for a Separated Bikeway on S Boylan Avenue. There are existing bicycle sharrow markings along the site frontage and over the Boylan Bridge.

Transit Facilities

The site is located within a growing transit hub with proximity to rail and bus service via Raleigh Union Station. Intercity passenger train service is provided by Amtrak. The Wake Transit Plan includes proposed commuter rail as well. There are nearby bus stops served by GoRaleigh Routes 11, 7, 13, and 21, GoTriangle Routes 300 and 305, and the R-Line. Access to transit will be improved by the West Street Extension, east of the site.

Access

Access to the subject site will be via Mountford Street and South Boylan Avenue.

TIA Determination

Approval of Z-34-18 may result in an additional 71 vehicle trips during the PM peak hour. This is below the threshold for requiring a Traffic Impact Analysis (TIA).

| | | | |
|--|-----------|----------|-----------|
| Z-34-18 Existing Land Use | Daily | AM | PM |
| Single Family House | 9 | 1 | 1 |
| Z-34-18 Current Zoning Entitlements | Daily | AM | PM |
| Residential | 66 | 4 | 5 |
| Z-34-18 Proposed Zoning Maximums | Daily | AM | PM |
| Commercial Mixed Use - Event and Recreational Space | 106 | 6 | 76 |
| Z-34-18 Trip Volume Change (Proposed Maximums minus Current Entitlements) | 40 | 2 | 71 |

There were 3 crashes at the corner of Mountford Street and S Boylan Avenue in the last 3 years. None resulted in injuries. The intersection has a severity index of 1.00. There are no site context issues triggering the TIA requirement. A traffic study is not required for case Z-34-18.

Impact Identified: None.

Hydrology

| | |
|------------------------------|---|
| <i>Floodplain</i> | No special flood hazard areas identified. |
| <i>Drainage Basin</i> | Rocky |
| <i>Stormwater Management</i> | Subject to stormwater regulations under Article 9 of UDO. |
| <i>Overlay District</i> | None |

Impact Identified: None.

Public Utilities

| | <i>Maximum Demand (current)</i> | <i>Maximum Demand (proposed)</i> |
|--------------------|---------------------------------|----------------------------------|
| <i>Water</i> | 2,250 gpd | 51,000 gpd |
| <i>Waste Water</i> | 2,250 gpd | 51,000 gpd |

Impact Identified: None.

1. The proposed rezoning would add approximately 51,000 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. 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.
3. 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.

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 Dorothea Dix Park (0.4 miles) and Lenoir St. Mini Park (0.3 miles).
3. Nearest existing greenway trail access is provided by Rocky Branch Creek Trail (0.4 miles).
4. Park access level of service in this area is graded an A letter grade.
5. This area is not considered a priority for park land acquisition.

Impact Identified: None.

Urban Forestry

1. The property is less than 2 acres in size. Any development plan submitted less than 2 acres in size will not have to establish tree conservation areas in accordance with UDO 9.1.

Impact Identified: None.

Designated Historic Resources

1. Known as the Boylan Mansion or Montfort Hall, the property at 308 S Boylan Avenue has multiple historic designations that recognize its historic importance; it is a Raleigh Historic Landmark, an individually-listed resource in the National Register of Historic Places and is within the boundaries of the Boylan Heights Historic Overlay District and the National Register-listed Boylan Heights Historic District. The Italianate villa was constructed in 1858 by William Montfort Boylan and was designed by architect William Percival.
2. Given its designation as a Raleigh Historic Landmark, any changes to design, materials, color or general appearance on the exterior of the building or the site will require an approved Certificate of Appropriateness application.
3. The proposed rezoning will be referred to the Raleigh Historic Development Commission for review and comment.

Impact Identified: None.

Impacts Summary

None that require mitigation.

Mitigation of Impacts

N/A

CONCLUSION

The proposal would permit a significant change in use the property's current Residential-10 zoning. Conditions offered limit commercial uses permitted in the CX zoning district, which would effectively allow the following uses on the site should the rezoning be approved; wedding chapel, indoor and outdoor recreation, overnight lodging, bar, eating establishment and urban farm.

This request was initially inconsistent with the Future Land Use Map designation of Moderate Density Residential as it would permit commercial uses that may be incompatible with the surrounding area. However, the case's inconsistencies were mitigated through the offering of zoning conditions that regulate the hours of operation for bar and restaurant uses; limit the bar and restaurant to the existing footprint of the principal building; and providing additional buffering between the primary structure and adjacent residential.

CASE TIMELINE

| <i>Date</i> | <i>Action [change to requested district, revised conditions, etc.]</i> | <i>Notes</i> |
|-------------|--|---|
| 11/16/2018 | Application submitted. | |
| 1/4/2019 | Revised conditions submitted. | New conditions submitted limiting hours of operation for restaurant and bar uses. |
| 1/18/2019 | Revised conditions submitted. | New condition address commercial impacts on nearby residential properties, and limit restaurant/bar to existing building footprint. |
| 2/1/19 | Revised conditions submitted. | Conditions revised to address staff comments regarding clarity and enforceability. |

APPENDIX

Surrounding Area Land Use/ Zoning Summary

| | <i>SUBJECT PROPERTY</i> | <i>NORTH</i> | <i>SOUTH</i> | <i>EAST</i> | <i>WEST</i> |
|--------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Existing Zoning | R-10 | IX-3 | R-10 | R-10 | R-10 |
| Additional Overlay | HOD-G | None | HOD-G | HOD-G | HOD-G |
| Future Land Use | Moderate Density Residential | Moderate Density Residential | Moderate Density Residential | Moderate Density Residential | Moderate Density Residential |
| Current Land Use | Single Family | Industrial | Single Family | Multifamily | Multifamily |
| Urban Form | None | Downtown Center | None | None | None |

Current vs. Proposed Zoning Summary

| | <i>EXISTING ZONING</i> | <i>PROPOSED ZONING</i> |
|---|------------------------|------------------------|
| Zoning | R-10 w/ HOD-G | C-10 w/ HOD-G |
| Total Acreage | .99 | .99 |
| Setbacks: | | |
| Front: | 10' | 10' |
| Side: | 10' | 10' |
| Rear: | 20' | 20' |
| <i>Residential Density:</i> | 9 u/acre | 10 u/acre |
| <i>Max. # of Residential Units</i> | 9 | 10 |
| <i>Max. Gross Building SF (if applicable)</i> | 10,800 | 15,300 |
| <i>Max. Gross Office SF</i> | -- | -- |
| <i>Max. Gross Retail SF</i> | -- | -- |
| <i>Max. Gross Industrial SF</i> | -- | -- |
| <i>Potential F.A.R</i> | .25 | .35 |

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

RECEIVED
FEB 12 2019
BY: Sam Li

Exhibit A

Conditional Use District Zoning Conditions

Date: February 7, 2019
Existing Zoning: R-10
Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

1. The principal uses permitted on the property shall be limited to those principal uses permitted in the R-10 district, except the compact development and conservation development uses shall be prohibited. Notwithstanding the foregoing, the following uses shall be permitted: indoor recreation, outdoor recreation, overnight lodging, bar, eating establishment, personal service and urban farm.
2. Residential density shall be limited to a maximum of ten (10) units per acre.
3. The "indoor recreation" use and "outdoor recreation" use shall be limited to the use of the property and structures for weddings, receptions, events, conferences, meetings, and other similar gatherings, and uses accessory thereto.
 - a. The following "indoor recreation" uses shall be prohibited: adult establishment; amusement center, game arcade, children's amusement center; billiard hall, pool hall; bingo parlor; bowling alley; dance, martial arts, music studio; health club; shooting range; sports academy; miniature golf facility; motor track; skating rink.
 - b. The following "outdoor recreation" uses shall be prohibited: drive-in theater; camp, campground, travel trailer park, recreational vehicle park; extreme sports facility; golf course; batting cage, golf driving range, amusement park, miniature golf, water park; outdoor theater; riding stable; shooting range; racetrack; sports academy for active recreational or competitive sports; stadium, arena.
4. The "overnight lodging" use shall be limited to a maximum of ten hotel rooms.
5. The "bar" use shall be limited to a maximum gross floor area of 3,000 square feet. The "eating establishment" use shall be limited to a maximum gross floor area of 3,000 square feet. The collective gross floor area for "bar" and "eating establishment" uses shall be 3,000 square feet.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature: BKS **Print Name:** Brandon Keith Shepherd

Conditional Use District Zoning Conditions

Date: February 7, 2019

Existing Zoning: R-10

Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

6. The "personal service" use shall be limited to catering establishment, wedding chapel and other similar uses and activities associated with the indoor recreation and outdoor recreation uses permitted on the property.
 - a. The following "personal service" uses shall be prohibited: animal care; beauty/hair salon; cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat, washeteria; copy center; funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium; locksmith; optometrist; palmist, psychic, medium, fortune telling; post office; repair of appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch; tailor, milliner, upholsterer; tattoo parlor, body piercing; taxidermist.
7. Outdoor activities associated with a "bar", "eating establishment", "indoor recreation", "outdoor recreation" or "personal service" use shall end by 10:00 pm Sunday-Thursday and shall end by 11:00 pm Friday-Saturday.
8. Outdoor activities associated with a "bar", "eating establishment", "indoor recreation", "outdoor recreation" or "personal service" use shall be located at least 50 feet from the following properties: Lot 4, Lot 6, Lot 7 and Lot 8 as shown on that plat recorded in Book of Maps 1915, Page 004, Wake County Registry.
9. During any calendar year, there shall not be more than 4 events with more than 150 guests or attendees.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.


Owner/Agent Signature:  **Print Name:** Brandon Keith Shephard

Exhibit A - Continued

Conditional Use District Zoning Conditions

Date: February 7, 2019

Existing Zoning: R-10

Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

10. The hours of service for trash and/or recycling facilities by private contracted service provider shall be limited to the hours of 8:00 am to 7:00 pm Monday-Friday, and 9:00 am to 5:00 pm Saturday-Sunday.
11. The off-street parking area shall be screened in accordance with the planting plan attached hereto as Exhibit A.
12. Any pole-mounted lights for the off-street parking area on the Property shall be limited to a maximum height of 15 feet.
13. Prior to the issuance of a certificate of occupancy for an indoor recreation, outdoor recreation, or personal service use, the owner shall provide to the City proof of a written agreement to use at least 20 off-site parking spaces for events with more than 100 guests. The owner shall maintain the right, through a written agreement, to use 20 off-site parking spaces for events with more than 100 guests for so long as the property is authorized to be used for such use. At the request of the City, the owner shall provide the City with a copy of such written agreement.
14. No off-street parking area on the property, excluding drop-off or drive-through areas, shall be located closer to Boylan Avenue than the closest part of the existing primary structure to the Boylan Avenue right-of-way.
15. The hours of operation for a "bar" use shall be 12:00PM-11:00PM Monday-Thursday, 12:00PM-1:00AM Friday, 11:00AM-1:00AM Saturday, and 11:00AM-11:00PM Sunday. The hours of operation for a "restaurant" use shall be 7:00AM-11:00PM Monday-Friday, 8:00AM-12:00AM Saturday, and 8:00AM-10:00PM Sunday.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.


Owner/Agent Signature:  **Print Name:** Brandon Kell Shepherd

Exhibit A - Continued

Conditional Use District Zoning Conditions

Date: February 7, 2019

Existing Zoning: R-10

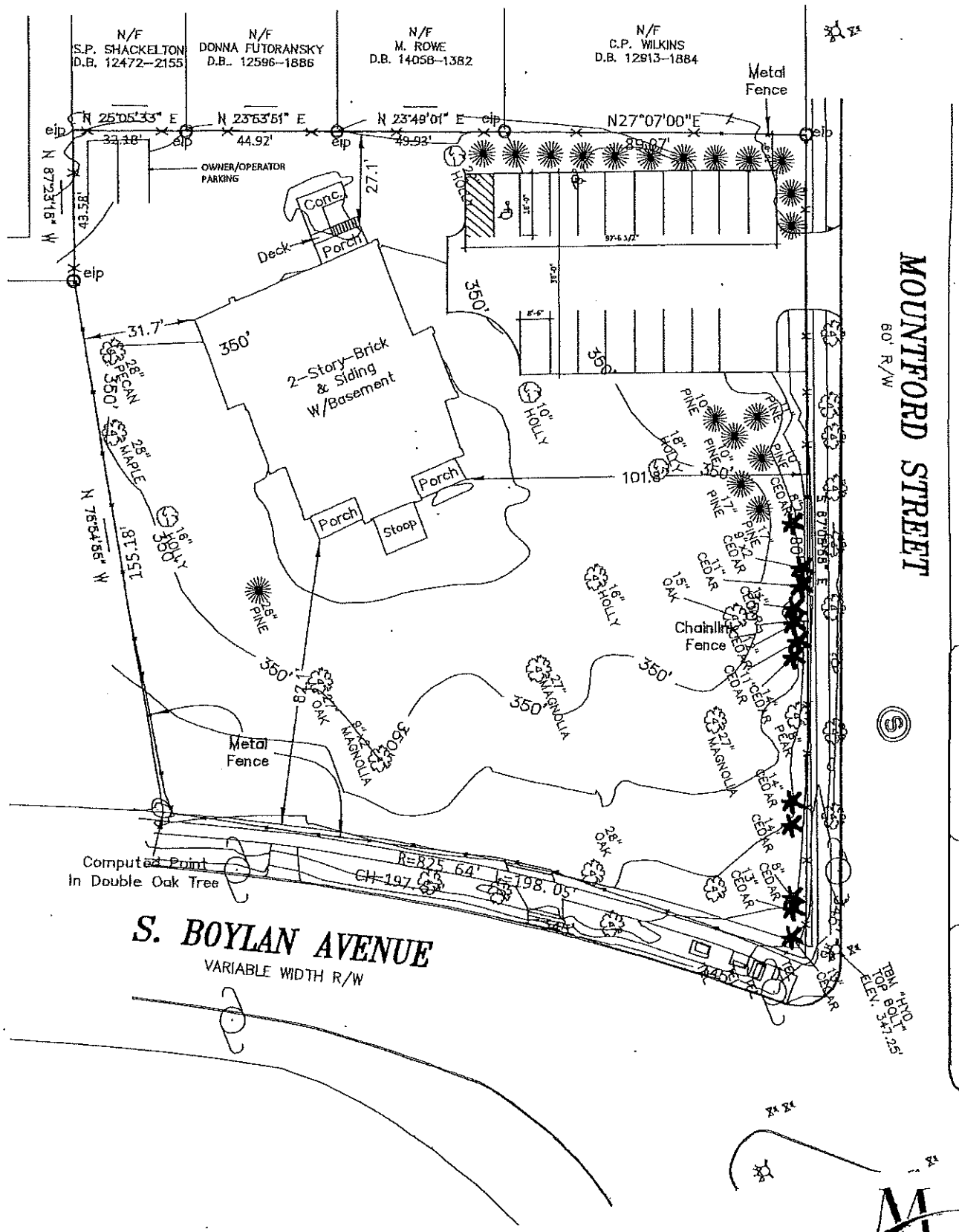
Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

16. Prior to the issuance of a certificate of occupancy for a commercial use, the owner shall file for a Certificate of Appropriateness application from the Raleigh Historic Development Commission to request that an area measuring at least 40 feet from the property's common boundary line with the adjacent residential properties [identified as Lot 72 on the Book of Maps 1885, Page 114C and Lots 4,6,7 & 8 on Book of Maps 1915, Page 004] shall have a minimum of 7 trees per 100 linear feet installed that meet the standards set forth in UDO Sec 7.2.7.3.b for an understory tree. This standard may be satisfied through existing and/or installation of new trees.
17. No commercial uses shall be permitted within 40 feet of the adjacent residential properties [identified as Lot 72 on the Book of Maps 1885, Page 114C and Lots 4,6,7 & 8 on Book of Maps 1915, Page 004], except for commercial uses (i) located within the structure existing as of the date of this ordinance, (ii) a second-story addition over the existing one-story portion of the structure existing as of the date of this ordinance, which shall be located at least 20 feet from the adjacent residential properties, and (iii) a stairwell/staircase that shall be located at least 15 feet from the adjacent residential properties. Notwithstanding the foregoing, this condition shall not prohibit landscaping, protective yards, fences, walls, gardens (including associated with a community garden or urban farm), surface parking area, driveways, paths, walkways, sidewalks, and accessory structures. However, no commercial use activity shall be permitted in accessory structures located within 40 feet of the adjacent residential properties. The existing unenclosed porch located on the rear of the existing primary structure shall not be used for a restaurant or bar use. Nothing in this Condition 17 shall prohibit people from using this area for ingress and egress to/from the building (including the basement).
18. The gross floor area for bar and restaurant use shall be limited to the existing principal structure (including basement) and an addition to the rear of the existing principal structure for a stairwell/staircase.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature: B. S. S. W. **Print Name:** Brandon Keith Shepherd



MOUNTFORD STREET
80' R/W

S. BOYLAN AVENUE
VARIABLE WIDTH R/W

308 S. BOYLAN AVE
NTS

10.26.18



EXHIBIT A TO CONDITIONS

Z-34-18 Trips Generated

| Z-34-18 Existing Land Use | Daily Trips (vpd) | AM Peak Hour Trips (vph) | PM Peak Hour Trips (vph) |
|--|-------------------|--------------------------|--------------------------|
| Single Family House | 9 | 1 | 1 |
| Z-34-18 Current Zoning Entitlements | Daily Trips (vpd) | AM Peak Hour Trips (vph) | PM Peak Hour Trips (vph) |
| Residential | 66 | 4 | 5 |
| Z-34-18 Proposed Zoning Maximums | Daily Trips (vpd) | AM Peak Hour Trips (vph) | PM Peak Hour Trips (vph) |
| Commercial Mixed Use - Event and Recreational Space | 106 | 6 | 76 |
| Z-34-18 Trip Volume Change (Proposed Maximums minus Current Entitlements) | Daily Trips (vpd) | AM Peak Hour Trips (vph) | PM Peak Hour Trips (vph) |
| | 40 | 2 | 71 |

Z-34-18 Traffic Study Worksheet

| 7.1.3.B Trip Generation | | Meets Conditions? (Y/N) | |
|------------------------------------|--|-------------------------|------------------------------------|
| A | Peak Hour Trips ≥ 150 veh/hr | No | |
| B | Peak Hour Trips ≥ 100 veh/hr if primary access is on a 2-lane street | No | |
| C | More than 100 veh/hr trips in the peak direction | No | |
| D | Daily Trips ≥ 3,000 veh/day | No | |
| E | Enrollment increases at public or private schools | NA | Not Applicable |
| 7.1.3.C Site Context | | Meets Conditions? (Y/N) | |
| A | Affects a location with a high crash history [Severity Index ≥ 8.4 or a fatal crash within the past three years] | No | |
| B | Takes place at a highly congested location [Volume-to-capacity ratio ≥ 1.0 on both major street approaches] | No | |
| C | Creates a fourth leg at an existing signalized intersection | No | |
| D | Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc. | No | |
| E | Access is to/from a Major Street as defined by the City's Street Plan Map [Major street - boulevard or avenue with 4 or more lanes] | No | |
| F | Proposed access is within 1,000 feet of an interchange | No | |
| G | Involves an existing or proposed median crossover | No | |
| H | Involves an active roadway construction project | No | |
| I | Involves a break in controlled access along a corridor | No | |
| 7.1.3.D Miscellaneous Applications | | Meets Conditions? (Y/N) | |
| A | Planned Development Districts | No | |
| B | In response to Raleigh Planning Commission or Raleigh City Council resolutions | No | None noted as of November 29, 2018 |

Traffic Study Required: **No**
 Reason: No triggers met

Completed By: TH
 Date: 12/4/2018

Checked By: JM
 Date: 12/6/2018

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

| REZONING REQUEST | | | |
|---|------|----------|---|
| <input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan | | | OFFICE USE ONLY Transaction # 577242 Rezoning Case # |
| Existing Zoning Base District | R-10 | Height | Frontage |
| Proposed Zoning Base District | CX | Height 3 | Frontage |
| Overlay(s) _____ | | | |
| <small>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</small> | | | |
| If the property has been previously rezoned, provide the rezoning case number: | | | |
| Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences: | | | |
| 549220 (Pre-App) | | | |

NOV 16 2018 PM 4:04

| GENERAL INFORMATION | | | |
|---|--------------------------------------|--|----------------------|
| Date | November 16, 2018 | Date Amended (1) | Date Amended (2) |
| Property Address | 308 S Boylan Avenue | | |
| Property PIN | 1703-37-5717 | Deed Reference (book/page) | Book 17164, Page 787 |
| Nearest Intersection | S Boylan Avenue and Mountford Street | | |
| Property Size (acres) | 0.99 | (For PD Applications Only) Total Units | Total Square Feet |
| Property Owner/Address MH Boylan, LLC 1021 Harvey Street Raleigh, NC 27608 | Phone | Fax | |
| | Email Kshep@me.com | | |
| Project Contact Person/Address Michael Birch Longleaf Law Partners 2235 Gateway Access Point, Suite 201 Raleigh, NC 27607 | Phone | 919.645.4317 | Fax |
| | Email mbirch@longleaflp.com | | |
| Owner/Agent Signature | Email Kshep@me.com | | |

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

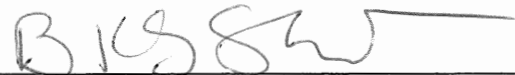
CONDITIONAL USE DISTRICT ZONING CONDITIONS

| | |
|--|--|
| Zoning Case Number | OFFICE USE ONLY Transaction # Rezoning Case # |
| Date Submitted November 16, 2018 | |
| Existing Zoning R-10 Proposed Zoning CX-3-CU | |

Narrative Of Zoning Conditions Offered

1. See attached Exhibit A.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature  Print Name Brandon Keith Shepherd

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")

| TO BE COMPLETED BY APPLICANT | COMPLETED BY CITY STAFF | | | | |
|---|-------------------------------------|-------------------------------------|-----|----|-----|
| | YES | N/A | YES | NO | N/A |
| 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"/> | ✓ | | |
| 2. Rezoning application review fee (see <u>Fee Schedule</u> for rate) 1210 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 3. Completed application; Include electronic version via cd or flash drive | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 5. Pre-Application Conference | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 6. Neighborhood Meeting notice and report | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 7. Trip Generation Study | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8. Traffic Impact Analysis | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 9. Completed and signed zoning conditions | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 10. Completed Comprehensive Plan Consistency Analysis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | ✓ | | |
| 11. Completed Response to the Urban Design Guidelines | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 12. For applications filed by a third party, proof of actual notice to the property owner | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 13. Master Plan (for properties requesting Planned Development or Campus District) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

Pre-Application Conference

(this form must be provided at the time of formal submittal)

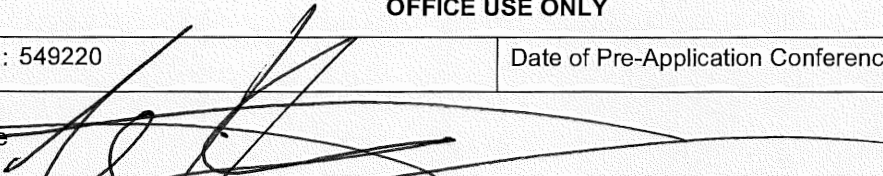


**DEVELOPMENT
SERVICES
DEPARTMENT**

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | cfax 919-996-1831
Litchford Satellite Office | 8320 – 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

| PROCESS TYPE |
|---|
| <input type="checkbox"/> Board of Adjustment <input type="checkbox"/> Comprehensive Plan Amendment <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Site Review* <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision (Exempt) <input type="checkbox"/> Text Change |
| * Optional conference |

| GENERAL INFORMATION |
|--|
| Date Submitted - 3/21/18 |
| Applicant(s) Name - Jeffrey Shepherd |
| Applicant's Mailing Address - 702 Florence St. Raleigh, NC 27603 |
| Phone - (919)357-7744 |
| Email - jshepherd@gmail.com |
| Property PIN # - 1703375717 |
| Site Address / Location - 308 S. Boylan Ave. |
| Current Zoning - R10 |
| Additional Information (if needed) : We would like to explore options available with rezoning this property to Mixed Use. The property's main focus would be as a Bed & Breakfast. Other potential uses of the property are as an event venue, meeting site, tasting room, art gallery, boutique hotel (more than 5 rooms), coffee shop, restaurant. |

| OFFICE USE ONLY | |
|--|---|
| Transaction # : 549220 | Date of Pre-Application Conference : 4/6/18 |
| Staff Signature  | |

REZONING APPLICATION ADDENDUM #1

Comprehensive Plan Analysis

OFFICE USE ONLY

The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.

Transaction #

Rezoning Case #

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. The Future Land Use Map (FLUM) designates the property as Moderate Density Residential, which suggests residential density between 6 to 14 units per acre. The zoning conditions limit density consistent with this guidance. The limited uses permitted by the CX district, as conditioned, are similar in nature and impact to many of the uses already permitted on the property by the R-10 district, such as civic club, church and bed and breakfast. These uses can include gatherings, events and overnight lodging, similar to what is being permitted by this rezoning. Although the uses permitted in the CX district are commercial in nature, the conditions associated with these uses limit the impact of the uses on nearby properties and align them with the residential character envisioned by the Moderate Density Residential category.

2. Presently, Montfort Hall is in a state of disrepair. The Comprehensive Plan emphasizes the importance of preserving historic properties, stating that "historic preservation helps to Manage our Growth by promoting the re-use of existing buildings and resources by maintaining their utility or reversing decay." The rezoning facilitates the adaptive re-use of the property and historic structure for revenue generating uses that will allow Montfort Hall to be renovated, and maintained going forward, consistent with the vision and key policies of the Comprehensive Plan.

3. The rezoning is consistent with the following Historic Preservation policies located in the 2030 Comprehensive Plan: HP 1.1. Stewardship of Place; HP 1.2. Cultural and Historic Resource Preservation; HP 1.3. Economic Value of Preservation; HP 2.4. Protecting Historic Neighborhoods; HP 2.7. Mitigating Impacts on Historic Sites; HP 3.1. Adaptive Use; HP 3.3. Adaptive Use and Parking; HP 4.2. Preservation and Other Goals. Although the property is located just outside the Downtown West Gateway Small Area Plan boundary, the rezoning is consistent with the following area plan policies: AP-DWG 4. Historic Preservation; AP-DWG 20. Community Landmark.

4. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.3. Conditional Use District Consistency; LU 2.1. Placemaking; LU 5.2. Managing Commercial Development Impacts; LU 5.5. Transitional and Buffer Zone Districts; LU 8.4. Rehabilitation Before Demolition; LU 11.5. Mitigating Industrial Land Use Impacts; ED 2.1. Neighborhood Reinvestment; ED 2.5. Blight Abatement; ED 3.8. Home-Based Businesses and Cottage Industries; ED 6.2. Hospitality Support Services; ED 6.4. Cultural Resource Promotion; ED 6.5. Lodging.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. According to Montfort Hall's application into the National Register of Historic Places, it is the sole surviving grand mansion that bordered antebellum Raleigh. The rezoning facilitates the adaptive re-use of Montfort Hall, which will generate revenue needed to restore and maintain one of the City's most unique historic resources.

2. The rezoning will benefit the public by permitting uses within the historic structure that will allow the public to visit and experience the historic structure, enhancing the value of Montfort Hall as a community asset.

3. The rezoning benefits the public by allowing the City to capitalize on Montfort Hall's heritage tourism potential, by providing overnight lodging rooms in close proximity to downtown and in a unique historic structure.

4.

REZONING APPLICATION ADDENDUM #2

Impact on Historic Resources

OFFICE USE ONLY

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.

Transaction #

Rezoning 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.

Montfort Hall is designated by both the City of Raleigh (Ordinance # [1969] 825) and the National Register of Historic Places (NRHP Reference # 78001979) as a historical landmark. The property is also within the local Boylan Heights Historic Overlay District (Ord. No. 432 ZC 148) and a National Register district (NRHP # 85001671). Finally, it is subject to a Historic Preservation Agreement in favor of Preservation North Carolina (Book 16581, Page 2030). The proposed rezoning will allow for an adaptive re-use of the property, which will facilitate the renovation and maintenance of the historic resource.

PROPOSED MITIGATION

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

There are no negative impacts listed above. There are significant measures in place, in the form of local landmark status, local historic district regulations, and the private historic preservation agreement, that will protect the historic resource.

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: 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:

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:

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:

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:

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:

| | |
|-----|---|
| 6. | <p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response:</p> |
| 7. | <p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response:</p> |
| 8. | <p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response:</p> |
| 9. | <p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response:</p> |
| 10. | <p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response:</p> |
| 11. | <p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response:</p> |
| 12. | <p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response:</p> |

| | |
|-----|--|
| 13. | <p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> |
| 14. | <p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response:</p> |
| 15. | <p><i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i></p> <p>Response:</p> |
| 16. | <p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>Response:</p> |
| 17. | <p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p>Response:</p> |
| 18. | <p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Response:</p> |
| 19. | <p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>Response:</p> |

| | |
|-----|---|
| 20. | <p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response:</p> |
| 21. | <p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response:</p> |
| 22. | <p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response:</p> |
| 23. | <p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response:</p> |
| 24. | <p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response:</p> |
| 25. | <p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response:</p> |
| 26. | <p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response:</p> |

From: [Joe Rana](#)
To: [Commissioners, Planning](#)
Cc: [Ellis, Sara](#)
Subject: Z-34-18: S. Boylan Avenue
Date: Tuesday, February 5, 2019 11:53:09 AM

Regarding: Z-34-18: S. Boylan Avenue Rezoning

Dear Planning Commission Members,

I did send an earlier email regarding my concerns about this rezoning and spoke at your last hearing. Thanks for listening.

Keep in mind that if this zoning is denied that the current zoning allows for them to still use the property as a B&B with 6 bedrooms in the space they currently have. If denied they can still move forward with updating the structure and setting it up as a B&B and can then look to change zoning at a time in the future when the community has seen how the 6 rooms are affecting the neighborhood. They can then look to expand to 10 rooms and turn the place in a nightmare of a catering hall. Ugh...

They fully intend for this property to be primarily an event space / catering location as they will require event bookings to also rent out all the rooms.

This will create severe Parking issues in the neighborhood.

This will create excessive Noise issues and a deterioration of the peaceful enjoyment of Boylan heights by its residents.

As they are requiring events to also take the rooms saying an event ends at 11Pm is not enforceable as the gusts are staying on the property and will just continue partying on.

They have already hosted two large events where they had outdoor amplified music on the property. So stating that they are not allowed to have outdoor amplified music does not appear to be any deterrent to them. As many of the items on their proposal will not be enforceable the whole community should have great concerns on the liberties taken if this gets rezoned.

The community members should not be listed the ones to let them know they are in violation.

These conditions should not be approved in the first place if it is clear that they are not enforceable. It is almost written as a "we dare you" to complain as they know it will probably result in no action.

In their appendix A on them securing 20 additional parking spaces before their first party over 100 guests is useless. It would allow them to then have parties if up to 99 guests without ever needing to secure additional parking.

It is still a mystery on how this is going to get approved as it is clearly inconsistent on both the Comprehensive Plan and the City's Future Land use and an event space/catering site of this magnitude has no place in our historic district. I encourage you to go to the property and see how large the 4 front party rooms are. They can hold hundreds of guests for very large parties.

I think at this point this is my last opportunity to express my concerns. I hope I don't come off

sounding like a crazed neighbor but one who is very concerned. Thank you for your time.

Regards,

Joe Rana

316 Cutler St.

Raleigh, NC 27603

843-267-0720

From: [Walter, Bynum](#)
To: [Ellis, Sara](#)
Subject: FW:
Date: Friday, January 11, 2019 3:50:32 PM

Bynum Walter, AICP
Senior Planner
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-996-1897 (f)
<http://www.raleighnc.gov>

From: Crane, Travis
Sent: Friday, January 11, 2019 3:49 PM
To: Walter, Bynum <Bynum.Walter@raleighnc.gov>
Subject: FW:

One more -

Travis R. Crane
Assistant Planning Director
City of Raleigh
One Exchange Plaza
Raleigh, N.C. 27602

919.996.2656
www.raleighnc.gov

From: Robert Wofford <robert.wofford3840@gmail.com>
Sent: Thursday, January 10, 2019 5:38 PM
To: Commissioners, Planning <Planning.Commission@raleighnc.gov>
Subject:

Support Montfort Hall rezoning if preservation is stipulated.

From: [Walter, Bynum](#)
To: [Ellis, Sara](#)
Subject: FW: In support of Montfort Hall rezoning
Date: Monday, January 14, 2019 10:24:58 AM

Bynum Walter, AICP
Senior Planner
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-996-1897 (f)
<http://www.raleighnc.gov>

From: Crane, Travis
Sent: Friday, January 11, 2019 6:07 PM
To: Walter, Bynum <Bynum.Walter@raleighnc.gov>
Subject: FW: In support of Montfort Hall rezoning

Travis R. Crane
Assistant Planning Director
City of Raleigh
One Exchange Plaza
Raleigh, N.C. 27602

919.996.2656
www.raleighnc.gov

From: Ashton Mae Smith <ashtonmae@gmail.com>
Sent: Friday, January 11, 2019 5:42 PM
To: Commissioners, Planning <Planning.Commission@raleighnc.gov>
Subject: In support of Montfort Hall rezoning

Commissioners,

Thank you for the time you give to our city. I'm reaching out today as a neighbor in support of the rezoning of Montfort Hall at 308 S. Boylan Avenue. The plans that Sarah and Jeff have for that beautiful historic space have been thoughtfully designed to have a low neighborhood impact while preserving and activating this amazing home.

A boutique inn with neighborhood amenities is a wonderful use of this space and the Shepherds have been very accommodating to the neighborhoods requests and concerns, proactively limiting their zoning request to only the uses appropriate for the Boylan Heights community.

They have already begun renovations and it is very clear to see that they are working on this project with a heartfelt appreciation for the history of the home, using well-respected local craftspeople for all the necessary restorations.

As well, I've personally known Sarah and Jeff as friends and neighbors, and a colleague of Sarah's for a number of years now. They have an obvious passion for creating a welcoming space for the community while honoring the deep history of this site. They currently live in the neighborhood themselves and have for a number of years.

Thank you for considering their rezoning request, I hope that you'll approve it on Tuesday.

Best regards,
Ashton Smith

Ashton Mae Smith

e: ashtonmae@gmail.com

t: @ashtonmae

From: [Walter, Bynum](#)
To: [Ellis, Sara](#)
Subject: FW: Z-34-18 Rezoning (Montfort Hall)
Date: Friday, January 11, 2019 3:50:00 PM

Bynum Walter, AICP
Senior Planner
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-996-1897 (f)
<http://www.raleighnc.gov>

From: Crane, Travis
Sent: Friday, January 11, 2019 3:49 PM
To: Walter, Bynum <Bynum.Walter@raleighnc.gov>
Subject: FW: Z-34-18 Rezoning (Montfort Hall)

FYI –

Travis R. Crane
Assistant Planning Director
City of Raleigh
One Exchange Plaza
Raleigh, N.C. 27602

919.996.2656
www.raleighnc.gov

From: Travis Bailey <tjbailey10@gmail.com>
Sent: Friday, January 11, 2019 12:11 PM
To: Commissioners, Planning <Planning.Commission@raleighnc.gov>
Subject: Z-34-18 Rezoning (Montfort Hall)

Honorable Commissioners of Raleigh's Planning Commission,

I regret not being able to attend the meeting you'll be voting on this rezoning, but I'm writing to you regarding rezoning case Z-34-18. The rezoning involves land and a building that is cherished by my neighborhood, Boylan Heights.

Montfort Hall sits on the land this rezoning is part of. It is literally the figure piece that the Boylan Heights neighborhood was built around. The house was built in 1858 for the well known Raleigh historic figure, William Montfort Boylan, and is one of the few historic mansions in Raleigh to survive the Civil War.

While Montfort Hall is a Raleigh historic landmark and resides in the Boylan Heights Historic Overlay, it is not afforded much protection at present. All the Raleigh Historic District Commission can do to prevent its destruction is to delay the issuance of a demolition permit by 365 days once the property owner requests it. The house sits on nearly a full acre of land that in the near future would easily attract a wealthy individual who would likely destroy this historic home to build their own mansion to save the costs of the extensive remodeling required to save Montfort Hall.

The applicants for this rezoning are not only friends of the neighborhood, they're also long-time residents. They have a plan for this land that would make this place not only a benefit to the neighborhood and community, but also help ensure Montfort Hall is well maintained into the future.

The previous owners of Montfort Hall spent considerable money during the time they owned the house restoring it and making it a nice single family home in the 1980s. However today, only 30 years later, the house is in such a state of disrepair it would be hazardous to live in. Historic homes take tremendous resources to maintain, and if this property can not become revenue generating it is unlikely to survive. Unfortunately, finding those wealthy enough to own a property like this, with enough love for history to spend the resources needed to fix and maintain a home of this size as a private residence is extremely unlikely.

The applicants plan to undertake the humongous task of restoring this historic treasure and turning it into a boutique inn and event space. Further, they've not only promised the neighborhood they'd allow us to hold events there, but they've also already let us do so twice for our Fall Festival and Art Walk. They are truly in love with the house's history, character, and connection to the neighborhood. They're also dedicated to ensuring this business can provide the revenue needed to keep the house in excellent condition for many future owners to come.

Each of you will get the chance to vote on recommending this rezoning be approved, or not, by City Council. This is truly a historic moment as your vote will help determine if this 161-year-old landmark will get a new lease on life and continue on into the future, or seal its fate to slowly rot away for a future developer to clear off and destroy. I ask you all to vote to recommend the rezoning be approved by the City Council, just as the Central CAC also voted this week to recommend approval. These owners have a mountain of work ahead of them, and I want to do everything possible as a Raleigh citizen, and homeowner in Boylan Heights, to make this vision for this property happen. I hope you all share that sentiment after hearing their plans and story.

Sincerely,
Travis J. Bailey

1024 Dorothea Dr.
Raleigh, NC 27603

From: [Walter, Bynum](#)
To: [Ellis, Sara](#)
Subject: FW: Z-34-18: S. Boylan Avenue
Date: Tuesday, January 8, 2019 10:15:05 AM

Bynum Walter, AICP
Senior Planner
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-996-1897 (f)
<http://www.raleighnc.gov>

From: Crane, Travis
Sent: Tuesday, January 8, 2019 9:46 AM
To: Walter, Bynum <Bynum.Walter@raleighnc.gov>
Subject: FW: Z-34-18: S. Boylan Avenue

Bynum –

For your files/information.

Travis R. Crane
Assistant Planning Director
City of Raleigh
One Exchange Plaza
Raleigh, N.C. 27602

919.996.2656
www.raleighnc.gov

From: Commissioners, Planning
Sent: Monday, January 7, 2019 1:57 PM
To: Planning Commission Forward DL <PlanningCommissionForwardDL@raleighnc.gov>
Subject: FW: Z-34-18: S. Boylan Avenue

From: Joe Rana
Sent: Monday, January 7, 2019 1:56:13 PM (UTC-05:00) Eastern Time (US & Canada)
To: Commissioners, Planning
Subject: FW: Z-34-18: S. Boylan Avenue

Regarding: Z-34-18: S. Boylan Avenue Rezoning

Dear Planning Commission Members,

I live within 500 feet of the referenced property up for rezoning. I have a few concerns that I would like you to consider as part of this rezoning request. 1. Party size 2. Parking

1. The listed party size of an unlimited number of parties of up to 149 guests seems unreasonable and not much of a limitation at all. I can't see how you would allow up to 149 guests every day on a unlimited basis in a residential area.
 - a. I would strongly encourage that this be limited to 40-50 or fewer guests. With the approval of having larger parties greater than 50 guests, 4 times per year as they have requested.
 - b. The amount of noise generated by 149 guests on an ongoing basis will be disrupting to the entire community.
 - c. There should also be an upper bound to the number of guests. Consider 200 max, four times per year.
 - d. Even ongoing events of 40-50 guests will negatively affect all homes surrounding this property.
2. There is no adequate parking or parking plan to accommodate even parties of 40-50 guests at this time. The proposed parking plan appears inadequate.
 - a. The parking plan also only calls for a about 15 spaces on site.
 - b. Even an event with 50 guests would require about 10-15 staff to handle the event. Leaving no onsite parking room for guests.
 - c. The proposed use of the parking lot across Mountford Ave. only offers a limited number of additional spaces even if the owner allows the use of the space.
 - d. Our neighbor immediately behind this property occasionally has a bible study on Friday. With even 15 or so additional cars parking on the street the entire street is completely packed from this small event.
 - e. Most homes behind Montford Hall only have on street parking for their cars.

I request that no rezoning permits are issues until the party size is adjusted to a reasonable number and a workable parking plan is provided to support the guest size.

Thank you for your consideration of my concerns on behalf of my family and my neighbors.

Respectfully submitted,

Joseph M. Rana
316 Cutler St.
Raleigh, NC 28603
jmr@peoplepc.com
843-267-0720

Exhibit A

Conditional Use District Zoning Conditions

Date: December 28, 2018

Existing Zoning: R-10

Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

1. The principal uses permitted on the property shall be limited to those principal uses permitted in the R-10 district, except the compact development and conservation development uses shall be prohibited. Notwithstanding the foregoing, the following uses shall be permitted: indoor recreation, outdoor recreation, overnight lodging, bar, eating establishment, personal service and urban farm.
2. Residential density shall be limited to a maximum of ten (10) units per acre.
3. The “indoor recreation” use and “outdoor recreation” use shall be limited to the use of the property and structures for weddings, receptions, events, conferences, meetings, and other similar gatherings, and uses accessory thereto.
 - a. The following “indoor recreation” uses shall be prohibited: adult establishment; amusement center, game arcade, children’s amusement center; billiard hall, pool hall; bingo parlor; bowling alley; dance, martial arts, music studio; health club; shooting range; sports academy; miniature golf facility; motor track; skating rink.
 - b. The following “outdoor recreation” uses shall be prohibited: drive-in theater; camp, campground, travel trailer park, recreational vehicle park; extreme sports facility; golf course; batting cage, golf driving range, amusement park, miniature golf, water park; outdoor theater; riding stable; shooting range; racetrack; sports academy for active recreational or competitive sports; stadium, arena.
4. The “overnight lodging” use shall be limited to a maximum of ten hotel rooms.
5. The “bar” use shall be limited to a maximum gross floor area of 3,000 square feet. The “eating establishment” use shall be limited to a maximum gross floor area of 3,000 square feet. The collective gross floor area for “bar” and “eating establishment” uses shall be 4,500 square feet.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature: _____ **Print Name:** _____

Exhibit A - Continued

Conditional Use District Zoning Conditions

Date: December 28, 2018

Existing Zoning: R-10

Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

6. The “personal service” use shall be limited to catering establishment, wedding chapel and other similar uses and activities associated with the indoor recreation and outdoor recreation uses permitted on the property.
 - a. The following “personal service” uses shall be prohibited: animal care; beauty/hair salon; cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat, washeteria; copy center; funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium; locksmith; optometrist; palmist, psychic, medium, fortune telling; post office; repair of appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch; tailor, milliner, upholsterer; tattoo parlor, body piercing; taxidermist.
7. Outdoor activities associated with a “bar”, “eating establishment”, “indoor recreation”, “outdoor recreation” or “personal service” use shall end by 10:00 pm Sunday-Thursday and shall end by 11:00 pm Friday-Saturday.
8. Outdoor activities associated with a “bar”, “eating establishment”, “indoor recreation”, “outdoor recreation” or “personal service” use shall be located at least 50 feet from the following properties: Lot 4, Lot 6, Lot 7 and Lot 8 as shown on that plat recorded in Book of Maps 1915, Page 004, Wake County Registry.
9. During any calendar year, there shall not be more than 4 events with more than 150 guests or attendees.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature: _____ **Print Name:** _____

Exhibit A - Continued

Conditional Use District Zoning Conditions

Date: December 28, 2018

Existing Zoning: R-10

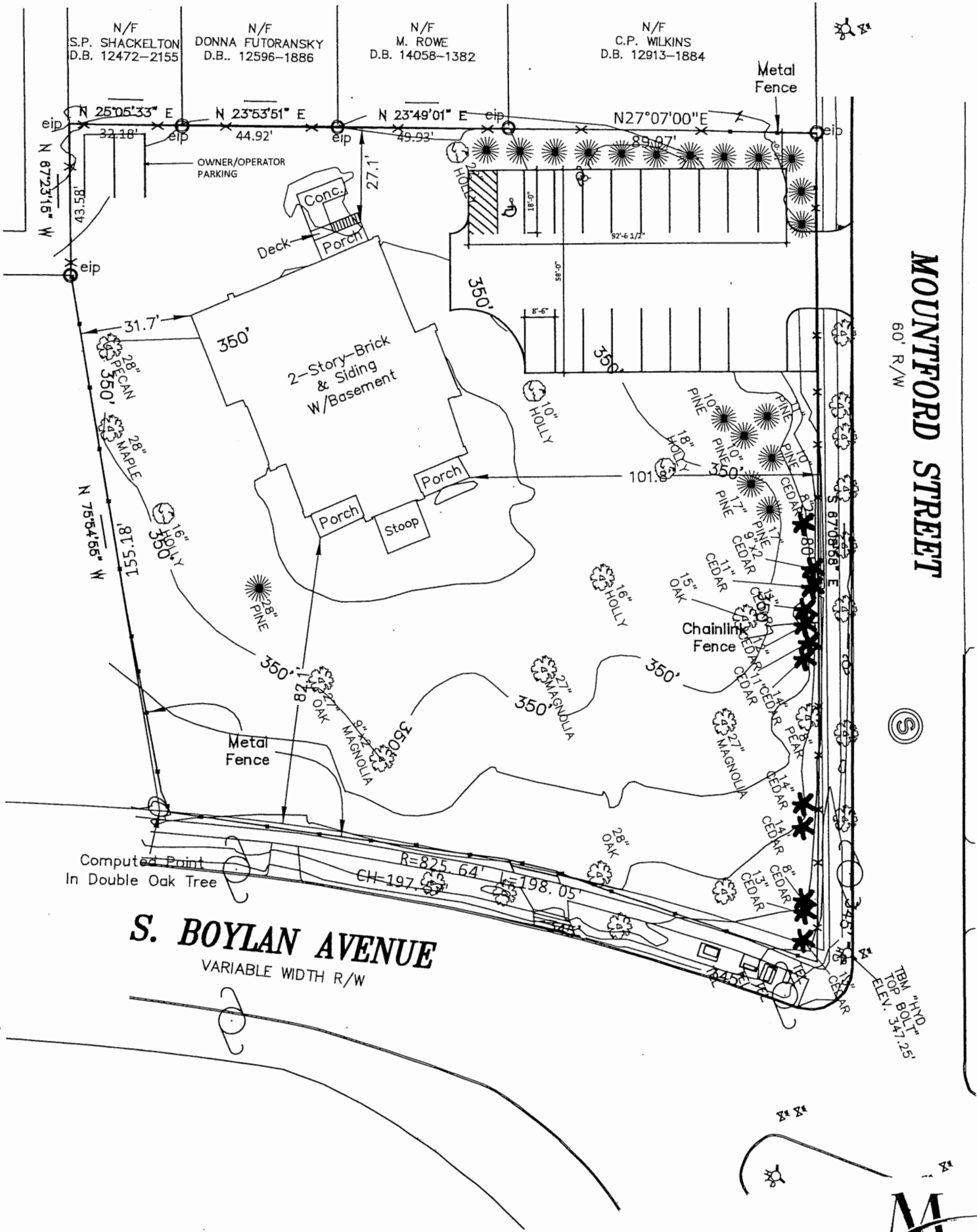
Proposed Zoning: CX-3-CU

Narrative of Zoning Conditions Offered:

10. The hours of service for trash and/or recycling facilities by private contracted service provider shall be limited to the hours of 8:00 am to 7:00 pm Monday-Friday, and 9:00 am to 5:00 pm Saturday-Sunday.
11. The off-street parking area shall be screened in accordance with the planting plan attached hereto as Exhibit A.
12. Any pole-mounted lights for the off-street parking area on the Property shall be limited to a maximum height of 15 feet.
13. Prior to holding the first event with a total number of guests in excess of 100 guests, the owner shall secure rights to use at least 20 off-site parking spaces.
14. No off-street parking area on the property, excluding drop-off or drive-through areas, shall be located closer to Boylan Avenue than the closest part of the existing primary structure to the Boylan Avenue right-of-way.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature: _____ **Print Name:** _____



MOUNTFORD STREET
60' R/W



1BM "IND" TOP BOLT ELEV. 3747.25'



308 S. BOYLAN AVE

NTS

10.26.18

EXHIBIT A TO CONDITIONS

REZONING OF PROPERTY CONSISTING OF +/- 0.99 ACRES
LOCATED AT THE INTERSECTION OF
MOUNTFORD STREET AND SOUTH BOYLAN AVENUE

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
AUGUST 20, 2018

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Monday, August 20, 2018 at 6:30 p.m. The property considered for this potential rezoning totals approximately 0.99 acres, and is located at the intersection of Mountford Street and South Boylan Avenue, in the City of Raleigh, having Wake County Parcel Identification Number 1703-37-5717. This meeting was held at the Top Greene Community Center, located at 401 Martin Luther King Jr. Blvd., Raleigh, NC 27601. All owners of property within 500 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE



Michael Birch
Email: mbirch@longleaflp.com
Direct: (919) 645-4317

1015 Beasley Avenue, Suite 201
Raleigh, NC 27607
Tel: (919) 645-4317
Fax: (919) 645-4317
longleaflp.com

To: Neighboring Property Owner
From: Michael Birch
Date: August 3, 2018
Re: Neighborhood Meeting for Potential Rezoning of 308 S Boylan Avenue

We are counsel for a developer that is considering rezoning the 1-acre parcel of land located south of the intersection of Mountford Street and South Boylan Avenue, with an address of 308 South Boylan Avenue and Parcel Identification Number 1703-37-5717 (the "Property"). The Property is sometimes referred to as Montfort Hall. The Property is currently zoned R-10, and the developer is considering rezoning the Property IX-3-CU. The purpose of the potential rezoning is to allow the Property to be restored and operated as a boutique hotel and event space.

You are invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Monday, August 20, 2018 at 6:30 p.m. This meeting will be held in the banquet room at the John P. "Top" Greene Community Center located at 401 Martin Luther King Jr. Blvd., Raleigh, NC 27601.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 500 feet of the Property prior to filing a rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919.645.4317 and mbirch@longleaflp.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at 919.996.2180 or rezoning@raleighnc.gov.

EXHIBIT B – NOTICE LIST

| PIN | Owner | Mail Address 1 | Mail Address 2 | Mail Address 3 |
|------------|---|-----------------------------|-------------------------|-----------------------|
| 1703275977 | NORTH CAROLINA STATE OF | STATE PROPERTY OFFICE | 116 W JONES ST | RALEIGH NC 27603-1300 |
| 1703279365 | KILPATRICK, KENT | 336 SUMMIT AVE | RALEIGH NC 27603-2852 | |
| 1703279586 | MASON STREET LLC | 115 S MASON ST | APEX NC 27502-1916 | |
| 1703285693 | NC RAILROAD COMPANY | 2809 HIGHWOODS BLVD STE 100 | RALEIGH NC 27604-1000 | |
| 1703370277 | 410 CUTLER LLC | 310 S HARRINGTON ST | RALEIGH NC 27603-1818 | |
| 1703370362 | RUSSELL, MELINDA E | 404 CUTLER ST | RALEIGH NC 27603-1922 | |
| 1703370377 | HOBBS, EDWARD | 402 CUTLER ST | RALEIGH NC 27603-1922 | |
| 1703370497 | SEAL, CYNTHIA G | 2421 GLENWOOD AVE | RALEIGH NC 27608-1331 | |
| 1703371503 | MCBERKOWITZ, WILLIAM MCBERKOWITZ, MELISSA | 322 CUTLER ST | RALEIGH NC 27603-1920 | |
| 1703371519 | SHACKLETON, SCOTT | PO BOX 28123 | RALEIGH NC 27611-8123 | |
| 1703371634 | BEAM, ROBERT RUSH LANE, ERIN STEFFEN | 318 CUTLER ST | RALEIGH NC 27603-1920 | |
| 1703371659 | MURPHY, SUE RANA, JOSEPH M | 316 CUTLER ST | RALEIGH NC 27603-2186 | |
| 1703371774 | VAN, BERKEL DEREK BRENT MYERS, CARRIE LEE | 312 CUTLER ST | RALEIGH NC 27603-1920 | |
| 1703372251 | ROARK, DAWSON L III ROARK, LEA DAVIS | 415 CUTLER ST | RALEIGH NC 27603-1921 | |
| 1703372256 | STATON, MATTHEW DAVID STATON SIMMONS, JENNIFER CLAIRE | 411 CUTLER ST | RALEIGH NC 27603-1921 | |
| 1703372351 | DARROCH, STEVEN R DARROCH, KIMBERLY J | 407 CUTLER ST | RALEIGH NC 27603-1921 | |
| 1703372366 | DELBORNE, JASON AARON DELBORNE, TONYA J. | 711 MCCULLOCH ST | RALEIGH NC 27603-1939 | |
| 1703372563 | MCBRIDE, NANCY R | 1916 REID ST | RALEIGH NC 27608-2247 | |
| 1703372820 | ADAMS, DENO | 310 CUTLER ST | RALEIGH NC 27603-1920 | |
| 1703373467 | HAVELKA, GEORGE FRANCIS REGAN, BARBARA LYNN | 352 BACHMAN CT | LOS GATOS CA 95030-5219 | |
| 1703373508 | ZIRKLE, MICHAEL WALKER, MARY GAIL | 317 CUTLER ST | RALEIGH NC 27603-1919 | |
| 1703373523 | PROCTOR, CHERYL Y | 708 MCCULLOCH ST | RALEIGH NC 27603-1940 | |
| 1703373634 | MARSHALL, DAVID J | 315 CUTLER ST | RALEIGH NC 27603-1919 | |
| 1703373648 | LEE, RICHARD EUGENE | 311 CUTLER ST | RALEIGH NC 27603-1919 | |
| 1703373754 | SHACKLETON, SCOTT P | PO BOX 28123 | RALEIGH NC 27611-8123 | |
| 1703373767 | FUTORANSKY, DONNA | 307 CUTLER ST | RALEIGH NC 27603-1919 | |
| 1703373882 | ROWE, MATTHEW ROWE, TRACI | 305 CUTLER ST | RALEIGH NC 27603-1919 | |
| 1703373899 | CAMPBELL, KEVIN S | 2805 NC 97 HWY | WENDELL NC 27591-6986 | |
| 1703374115 | PALMER, DONALD D MAY, LEILA S | 414 S BOYLAN AVE | RALEIGH NC 27603-1910 | |
| 1703374205 | BRADSHAW, SUSAN H | 3812 CITY OF OAKS WYND | RALEIGH NC 27612-5305 | |
| 1703374210 | CREECH, JAMES EDWARD WEEDY, MARY CHRISTINE | 412 S BOYLAN AVE | RALEIGH NC 27603-1910 | |
| 1703374300 | MCCALLISTER, STEVEN KEPNER MCCALLISTER, AMY PARR | 408 S BOYLAN AVE | RALEIGH NC 27603-1910 | |
| 1703374316 | GOING, VIRGINIA LEE HENDERSON, THOMAS RANNEY | 402 S BOYLAN AVE | RALEIGH NC 27603-1910 | |
| 1703374457 | MEEKER, CHARLES CARPENTER | 324 S BOYLAN AVE | RALEIGH NC 27603-1908 | |
| 1703374566 | ZAYTOUN REALTY GROUP LLC | 320 S BOYLAN AVE STE A | RALEIGH NC 27603-1908 | |
| 1703374673 | WHELAN, ANDREW EDWARD KREMER, DARLA J | 316 S BOYLAN AVER | RALEIGH NC 27603 | |
| 1703374838 | WILKINS, CHARLES P JR | 626 W JONES ST | RALEIGH NC 27603-1575 | |
| 1703375717 | MH BOYLAN LLC | 308 S BOYLAN AVE | RALEIGH NC 27603-1908 | |
| 1703375997 | MOUNTFORD AVENUE ASSOCIATES | 706 MOUNTFORD ST | RALEIGH NC 27603-1944 | |
| 1703376147 | PRISON AFTERCARE CHRISTIAN MINISTRIES | PO BOX 18332 | RALEIGH NC 27619-8332 | |
| 1703376241 | KOCHERSBERGER, ROBERT C JR | 415 S BOYLAN AVE | RALEIGH NC 27603-1909 | |

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| 1703376245 | FAZEKAS, DAVID CARL | 407 S BOYLAN AVE | RALEIGH NC 27603-1957 |
| 1703376341 | ZALOOM, JOHN A ZALOOM, VALERIE | 405 S BOYLAN AVE | RALEIGH NC 27603-1909 |
| 1703376356 | GORDON, MICHAEL R GORDON, LAURIE | 401 S BOYLAN AVE | RALEIGH NC 27603-1909 |
| 1703376452 | SMITH, RICHARD L SMITH, RANDE E | 323 S BOYLAN AVE | RALEIGH NC 27603-1907 |
| 1703376487 | HYMAN, ETHAN D NILSEN, KIM E | 319 S BOYLAN AVE | RALEIGH NC 27603-1907 |
| 1703376583 | ZAYTOUN, ADAM MABE ZAYTOUN, SARAH JENSEN | 317 S BOYLAN AVE | RALEIGH NC 27603-1907 |
| 1703377195 | ROBINSON, HAROLD LEE ROBINSON, LAURA MICHELLE | 5940 WINTERGREEN DR | RALEIGH NC 27609-3656 |
| 1703377518 | WOOSTER, ANDREW WOOSTER, DONNA | 315 S BOYLAN AVE | RALEIGH NC 27603-1907 |
| 1703377648 | WARD, CAITLIN HARTWELL | 521 W CABARRUS ST | RALEIGH NC 27603-1911 |
| 1703377911 | WAZEE PROPERTIES LLC | C/O RILEY LEWIS GENERAL CONTRACTORS | PO BOX 6481 RALEIGH NC 27628-6481 |
| 1703377957 | HARTSFIELD, WILLIAM RONALD SR | 2004 LUCY LEE LN | APEX NC 27539-9783 |
| 1703378201 | DURHAM, JAMES M | 902 S WALNUT DR | SMITHFIELD NC 27577-3732 |
| 1703378218 | MOTSINGER, DAVID L | 408 KINSEY ST | RALEIGH NC 27603-1934 |
| 1703378324 | BRYAN, CHASE | 406 KINSEY ST | RALEIGH NC 27603-1934 |
| 1703378430 | JONES, PEGGY JO CALDWELL | 404 KINSEY ST | RALEIGH NC 27603-1934 |
| 1703378455 | OAKLEY, KARLA M PETTY, NANCY E | 402 KINSEY ST | RALEIGH NC 27603-1934 |
| 1703378553 | CORBIN, DENNIS E CORBIN, BRENDA S | 400 KINSEY ST | RALEIGH NC 27603-1934 |
| 1703378616 | MENCONI, DAVID L MENCONI, LEIGH W | 102 DUPONT CIR | RALEIGH NC 27603-1924 |
| 1703378663 | MARSHALL, HENRY F HEIRS | WANDA M CREECH EXECUTRIX | 2000 PETWORTH CT RALEIGH NC 27615-4428 |
| 1703379600 | PHILLIPS, ROBERT D PHILLIPS, KATHY S | 2415 FAIRVIEW RD | RALEIGH NC 27608-1325 |
| 1703379838 | FONVILLE VENTURES II LLC | 1000 SAINT ALBANS DR STE 400 | RALEIGH NC 27609-7348 |
| 1703383445 | CASH, W BRUCE CASH, SYLVIA M | 12705 WATERMAN DR | RALEIGH NC 27614-8002 |
| 1703384404 | SNOWLAND LLC | 1720 CAPITAL BLVD | RALEIGH NC 27604-1362 |
| 1703385421 | LANE BUILDING OFFICE CONDOMINIUM | JOHN BRUCKEL | 2413 ANDERSON DR RALEIGH NC 27608-1405 |
| 1703385421 | HARGETT WEST, LLC | 123 GEORGETOWN RD | RALEIGH NC 27608-2615 |
| 1703385421 | ACLU OF NC LEGAL FOUNDATION INC | 727 W HARGETT ST STE 103 | RALEIGH NC 27603-1669 |
| 1703385421 | ACLU OF NC LEGAL FOUNDATION | PO BOX 28004 | RALEIGH NC 27611-8004 |
| 1703385421 | ACLU OF NC LEGAL FOUNDATION | PO BOX 28004 | RALEIGH NC 27611-8004 |
| 1703385421 | AMERICAN CIVIL LIBERTIES UNION OF NORTH CAROLINA LEGAL FOUNDATION IN | 727 W HARGETT ST STE 109 | RALEIGH NC 27603-1669 |
| 1703385421 | KALIBI PROPERTIES LLC | 727 W HARGETT ST STE 209 | RALEIGH NC 27603-1669 |
| 1703385421 | OPUS TOO LLC | 1021 W SOUTH ST | RALEIGH NC 27603-2161 |
| 1703385421 | OPUS TOO LLC | 1021 W SOUTH ST | RALEIGH NC 27603-2161 |
| 1703385421 | HUNG JURY LLC | 2604 CHURCHILL RD | RALEIGH NC 27608-1906 |
| 1703385421 | HUNG JURY LLC | 2604 CHURCHILL RD | RALEIGH NC 27608-1906 |
| 1703385421 | KALIBI PROPERTIES LLC | RUSSELL & PRESSLEY | 727 W HARGETT ST STE 109 RALEIGH NC 27603-1669 |
| 1703385421 | KALIBI PROPERTIES LLC | RUSSELL & PRESSLEY | 727 W HARGETT ST STE 109 RALEIGH NC 27603-1669 |
| 1703388229 | BLOOMSBURY ESTATES LLC | PO BOX 17281 | RALEIGH NC 27619-7281 |
| 1703388410 | BLOOMSBURY ESTATES LLC | PO BOX 17281 | RALEIGH NC 27619-7281 |
| 1703388410 | KOWALKE, CINDY R KOWALKE, DAVID M | 710 INDEPENDENCE PL UNIT 106 | RALEIGH NC 27603-1855 |
| 1703388410 | BRYAN, STEPHEN COLLIER BRYAN, KAYE TEW | 104 DEERBORN DR | GOLDSBORO NC 27534-8976 |
| 1703388410 | PEPE, MATTHEW J | 710 INDEPENDENCE PL UNIT 108 | RALEIGH NC 27603-1855 |
| 1703388410 | LARSEN, SCOTT T LARSEN, RACHELLE C | 710 INDEPENDENCE PL UNIT 101 | RALEIGH NC 27603-1855 |
| 1703388410 | SAWAIA, MITCHELL JAMES | 710 INDEPENDENCE PL UNIT 102 | RALEIGH NC 27603-1855 |
| 1703388410 | PFEIFER, JEFFREY S HOFFERT, RYAN L | 710 103 INDEPENDENCE PL | RALEIGH NC 27603-1855 |
| 1703388410 | HERING, GUENTHER HERING, BIRGIT | 710 INDEPENDENCE PL UNIT 104 | RALEIGH NC 27603-1855 |

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| 1703388410 | HAMM, GREGORY ALAN | 710 INDEPENDENCE PL UNIT 105 | RALEIGH NC 27603-1855 |
| 1703388410 | BRYAN, AMELIA F | 710 INDEPENDENCE PL UNIT 704 | RALEIGH NC 27603-1863 |
| 1703388410 | GABOR, PETER I GABOR, CAROL E | 710 INDEPENDENCE PL UNIT 206 | RALEIGH NC 27603-1856 |
| 1703388410 | HOWARD, PAUL O JR HOWARD, JON ANNE M | 3612 PINNACLE DR | CARY NC 27518-8922 |
| 1703388410 | GAMBLE, RAYMOND H | 710 208 INDEPENDENCE PL | RALEIGH NC 27603-1856 |
| 1703388410 | RYOTI, DEREK J RYOTI, HEATHER A | 710 INDEPENDENCE PL UNIT 209 | RALEIGH NC 27603-1856 |
| 1703388410 | WILLIAMS, OLGA WILLIAMS, MACKBERTH | PO BOX 177 | LILLINGTON NC 27545-0177 |
| 1703388410 | ASHRAF, MOHAMMAD | 710 INDEPENDENCE PL UNIT 202 | RALEIGH NC 27603-1856 |
| 1703388410 | DAVIERO, ROBERT P JR | 710 INDEPENDENCE PL UNIT 203 | RALEIGH NC 27603-1856 |
| 1703388410 | YVORNE PROPERTIES LLC | 204 FOREST RD | RALEIGH NC 27605-1758 |
| 1703388410 | INMAN, CHRISTOPHER R | 710 INDEPENDENCE PL UNIT 306 | RALEIGH NC 27603-1858 |
| 1703388410 | COBB, PAUL R SATTERFIELD, CHARLES W | 710 INDEPENDENCE PL UNIT 307 | RALEIGH NC 27603-1858 |
| 1703388410 | WESTERVELT, PETER WESTERELT, JULI | 710 INDEPENDENCE PL UNIT 308 | RALEIGH NC 27603-1858 |
| 1703388410 | GRAY, JENNIFER | 710 309 INDEPENDENCE PL | RALEIGH NC 27603-1854 |
| 1703388410 | MEKALA, PRAVEEN | 710 301 INDEPENDENCE PL | RALEIGH NC 27603-1857 |
| 1703388410 | HEINSOHN, SARAH H. | 710 INDEPENDENCE PL UNIT 302 | RALEIGH NC 27603-1857 |
| 1703388410 | HILBERT, DIANE L | 710 INDEPENDENCE PL UNIT 303 | RALEIGH NC 27603-1857 |
| 1703388410 | MCINERNEY, JOHN J WEDEL, JANICE E | 710 INDEPENDENCE PL UNIT 304 | RALEIGH NC 27603-1858 |
| 1703388410 | WANG, CHONLY | 710 INDEPENDENCE PL UNIT 406 | RALEIGH NC 27603-1859 |
| 1703388410 | SCHNAAK, ROBERT N SCHNAAK, JEAN C | 710 INDEPENDENCE PL UNIT 407 | RALEIGH NC 27603-1859 |
| 1703388410 | ROSA, PAOLO E | 710 INDEPENDENCE PL UNIT 408 | RALEIGH NC 27603-1859 |
| 1703388410 | ODOWD, PATRICK FRANCIS ODOWD, TRACY LYNN | 922 STRATHORN DR | CARY NC 27519-8842 |
| 1703388410 | CHRISTENSEN-MERTENS, JILL MERTENS, PAUL | 1308 FILMORE ST | RALEIGH NC 27605-1213 |
| 1703388410 | PEARSON, ROBERT HUGH JR PEARSON, KATHY | 710 402 INDEPENDENCE PL | RALEIGH NC 27603-1859 |
| 1703388410 | JOHNSTON, JONATHAN L STROUPE, AMBER N | 710 INDEPENDENCE PL UNIT 403 | RALEIGH NC 27603-1859 |
| 1703388410 | RUSSELL, ANDREW S | 710 INDEPENDENCE PL UNIT 404 | RALEIGH NC 27603-1859 |
| 1703388410 | WITT, PATRICIA C | 1543 CARR ST | RALEIGH NC 27608-2301 |
| 1703388410 | MEENTEMEYER, ROSS K MEENTEMEYER, VERNON G | 710 507 INDEPENDENCE PL | RALEIGH NC 27603-1861 |
| 1703388410 | PETERSON, ELMOR L PETERSON, MIRIAM M | 8821 CYPRESS LAKES DR UNIT 404 | RALEIGH NC 27615-2137 |
| 1703388410 | HELING, KEVIN HELING, MARY KAY | 710 INDEPENDENCE PL UNIT 509 | RALEIGH NC 27603-1861 |
| 1703388410 | HIGGINS, ROBERT CRAIG HIGGINS, KELLI HARGETT | 764 FLAG CIR | HOOVER AL 35226-4917 |
| 1703388410 | CROSSNO, ROBERT SETH II | 710 INDEPENDENCE PL UNIT 502 | RALEIGH NC 27603-1860 |
| 1703388410 | KELLUMS, LOUISE ANN KELLUMS, RACHAEL ELIZABETH | 710 INDEPENDENCE PL UNIT 503 | RALEIGH NC 27603-1860 |
| 1703388410 | HAMILTON, DOUGLAS R | 710 INDEPENDENCE PL UNIT 504 | RALEIGH NC 27603-1860 |
| 1703388410 | DOCTORS MAKING HOUSE CALLS LLC | 32405 ARCHDALE | CHAPEL HILL NC 27517-8398 |
| 1703388410 | WALLIS, LAWRENCE WALLIS, SANDRA | 710 INDEPENDENCE PL UNIT 607 | RALEIGH NC 27603-1862 |
| 1703388410 | PEEL, EVERETT COLLIN JR | 710 INDEPENDENCE PL UNIT 603 | RALEIGH NC 27603-1862 |
| 1703388410 | HIGH, CASEY L | 710 INDEPENDENCE PL UNIT 609 | RALEIGH NC 27603-1862 |
| 1703388410 | ZOMBKE, ANTHONY ZOMBKE, DEBRA S | 117 JASMINE DR | CLAYTON NC 27527-7547 |
| 1703388410 | KNOTT, SARAH TUCKER | C/O BARKER REALTY | 1401 SUNDAY DR STE 113 RALEIGH NC 27607-5173 |
| 1703388410 | SCHMIDT, SARAH S | 710 603 INDEPENDENCE PL | RALEIGH NC 27603-1862 |
| 1703388410 | WARNER, KIRK WARNER, DIANE | 710 604 INDEPENDENCE PL | RALEIGH NC 27603-1862 |
| 1703388410 | WELLS, LOREN B | 710 INDEPENDENCE PL UNIT 706 | RALEIGH NC 27603-1863 |
| 1703388410 | FARRELL, KEVIN G FARRELL, DALE S | 710 INDEPENDENCE PL UNIT 707 | RALEIGH NC 27603-1863 |
| 1703388410 | KAPAT, CHETAN PAI, VINAYA | 710 INDEPENDENCE PL UNIT 708 | RALEIGH NC 27603-1863 |

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| 1703388410 | KIPKE, RICHARD JAMES III | 710 INDEPENDENCE PL UNIT 709 | RALEIGH NC 27603-1863 |
| 1703388410 | BUCKLEY, CATHY ANN | 710 701 INDEPENDENCE PL | RALEIGH NC 27603-1863 |
| 1703388410 | MORROW, MARILYN RUTLEDGE MORROW, DONALD J | 103 LIONS GATE DR | CARY NC 27518-8708 |
| 1703388410 | MCDOWELL, CANDICE MARTIN MCDOWELL, KEVIN SEAN | 710 INDEPENDENCE PL UNIT 703 | RALEIGH NC 27603-1863 |
| 1703470336 | SENIOR, MARK T SENIOR, MARY LYNN | 405 KINSEY ST | RALEIGH NC 27603-1933 |
| 1703470451 | MEYER, PAUL A REGISTER, CARON E | 403 KINSEY ST | RALEIGH NC 27603-1933 |
| 1703470477 | RITZMAN, ROSEMARY L | 401 KINSEY ST | RALEIGH NC 27603-1933 |
| 1703470573 | WARD, DONNA GREEN | 618 W CABARRUS ST | RALEIGH NC 27603-1914 |
| 1703470579 | PUGH, ELIZABETH YVONNE | PO BOX 28630 | RALEIGH NC 27611-8630 |
| 1703470664 | STEPHENS, ELIZABETH S POWERS, JAMES N | 307 KINSEY ST | RALEIGH NC 27603-1931 |
| 1703470735 | BRENNAN, JADE K | 305 KINSEY ST | RALEIGH NC 27603-1958 |
| 1703470813 | FONVILLE VENTURES II LLC | 1000 SAINT ALBANS DR STE 400 | RALEIGH NC 27609-7348 |
| 1703471757 | FONVILLE VENTURES II LLC | 1000 SAINT ALBANS DR STE 400 | RALEIGH NC 27609-7348 |
| 1703472505 | JTH HOLDINGS LLC MCW HOLDINGS LLC | PO BOX 1311 | RALEIGH NC 27602-1311 |
| 1703472722 | JTH HOLDINGS LLC MCW HOLDINGS LLC | PO BOX 1311 | RALEIGH NC 27602-1311 |
| 1703481161 | NC DEPARTMENT OF TRANSPORTATION | 1546 MAIL SERVICE CTR | RALEIGH NC 27699-1500 |

EXHIBIT C – ITEMS DISCUSSED

1. Current owners and previous owners and uses
2. Whether the house is currently occupied
3. The project's relationship with the National Park Service
4. Possible noise from events, and how noise could be mitigated
5. Whether an owner will live on-site or have a caretaker on-site
6. The amount and location of parking available for event attendees
7. Responsibility for drafting and approving zoning conditions
8. Location of on-site parking
9. Future of Mountford Street bridge
10. Details of the roof renovation work
11. The extent of the exterior restoration
12. The size of events with respect to parking and noise
13. The idea of removing the front fence and improved landscaping to improve visibility of the home from Boylan Avenue
14. The timeline for renovations and the rezoning
15. The boutique inn's business plan and its optimal number of rooms
16. Alternative zoning districts to IX
17. Rights and processes for alterations and demolition of structure
18. The funding of renovations
19. Impact of the project on neighbors' quality of life and property values
20. Possible accessory uses and accessory structures
21. Preservation of mature trees and vegetation
22. Pedestrian access through the Boylan Heights neighborhood
23. City's standards for remote parking

EXHIBIT D – MEETING ATTENDEES

1. Tom Henderson
2. Ginny Going
3. Rosemary Ritzman
4. Jade Brennan
5. David Fazekas
6. Derek Van Berkel
7. Carrie Myers-Van Berkel
8. Laura Weisle
9. Adam Zaytoun
10. Anne McLaurin
11. Charles Meeker
12. Melissa Bailey
13. Travis Bailey
14. Darla Kremer
15. Andrew Whelan
16. Sandra Simpson
17. Joe Rana
18. Peter Gabor
19. Lyman Collins
20. Don Davis
21. Matt Daniels
22. Brenda Corbin
23. Dennis Corbin