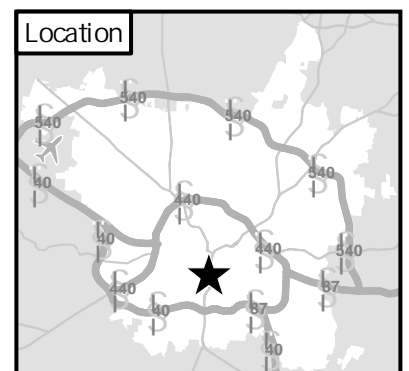


# Existing Zoning

# Z-34-2023



Property	309 & 327 Hillsborough St
Size	0.79 acres
Existing Zoning	DX-20-SH
Requested Zoning	DX-40-SH-CU



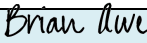


# Rezoning Application and Checklist

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

Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 18 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Rezoning Request				
Rezoning Type	General Use	X Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: DX	Height: 20	Frontage: SH	Overlay(s):	
Proposed zoning base district: DX	Height: 40	Frontage: SH	Overlay(s):	
<b>Helpful Tip:</b> View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 309 & 327 Hillsborough Street		
Property PIN: 1703594065 & 1703593172		
Deed reference (book/page): 17087 / 1046		
Nearest intersection: Hillsborough St & S Harrington St		Property size (acres): 0.79
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Property owner email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Property owner phone: 919.890.3318		
Applicant name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Applicant email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Applicant phone: 919.890.3318		
Applicant signature(s):  <small>DocuSigned by: 21C54F6F01D5492...</small>		
Additional email(s):		

**RECEIVED**

By Robert Tate at 9:17 am, Jun 21, 2023



## Rezoning Application Addendum #1

### Comprehensive Plan Analysis

The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.

### Office Use Only

Rezoning case #  
\_\_\_\_\_

## Statement of Consistency

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

1. The proposed rezoning is consistent with the Future Land Use Map designation for the properties of the Central Business District (CBD). The CBD category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. CBD recognizes Downtown as the "heart of the city" with high-intensity office, retail, housing, institutional, cultural and visitor-serving uses. DX is the primary district for the CBD.
2. The properties are within the Downtown designation and Frequent Transit Area of the Urban Form Map, which supports the proposed continuation of the shopfront frontage. Consequently, the rezoning will enhance the streets in this area, providing amenities for pedestrians and visitors. The proposed rezoning meets a number of Urban Design policies, including Policy UD 2.1 (Building Orientation), Policy UD 2.3 (Activating the Street) and Policy UD 3.4 (Enhanced Streetwalls).
3. The proposed height of 40 stories is consistent with policies contained in Table LU-2 as a core/transit area within the Central Business District. The site is in the core of the Urban Form Map UD-1, and consequently, the proposed height is appropriate.
4. The proposed rezoning would facilitate the redevelopment of underutilized sites in downtown (Policy DT 1.3). Importantly, it meets several economic development policies, including DT 1.6 (Supporting Retail Growth), and policies related to transit oriented development, including DT 2.12 (Development Around Major Transit Facilities), and DT 3.8 (Downtown as a Regional Center). The proposal is supported by housing policy H 1.8 (Zoning for Housing).

## Public Benefits

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

The rezoning is reasonable and in the public interest because it provides greater zoning flexibility, and permits additional housing downtown, on a site that is ripe for development given its current underutilization.

The rezoning request is reasonable and in the public interest because it will facilitate the potential redevelopment of property in close proximity to major transit.

**Rezoning Application Addendum #2**

<b>Impact on Historic Resources</b>	<b>Office Use Only</b> Rezoning case #  _____
The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	

**Inventory of Historic Resources**

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

N/A

**Public Mitigation**

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

N/A

## 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", "Mixed-Use Center", or "Transit Station Areas", 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.

Policy UD 7.3:

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The Applicant must respond to the **Downtown Urban Design Guidelines** contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

Please [click here](#) to download the Design Guidelines Addendum if required.

Urban Form Designation: Downtown

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

Please continue to the next page for the Rezoning Checklist Submittal Requirement.

## Downtown Urban Design Guidelines

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

- a) The property to be rezoned is within "Downtown" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Policy DT 7.18:

The design guidelines in Table DT-1 shall be used to review rezoning, alternative means of compliance, special use permits, and planned development master plan applications in downtown.

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

1	Fayetteville Street should be free of service elements, including loading docks, mechanical equipment, and driveways.
	<b>Response:</b> N/A
2	Loading or service entrances should be embedded within the block where possible. If embedding the loading dock is not possible, the loading dock should be located to the side or rear of a building. The width should be minimized and doors or gates should shield the loading docks from view. Roll-down gates should be decorative if facing the public realm.
	<b>Response:</b> This factor will inform the future design of this site.
3	Surface and structured parking should be landscaped, emphasizing interior tree canopies in surface lots, formal borders, and street trees to reinforce the streetwall.
	<b>Response:</b> Based on the proposed Shopfront frontage, there shall be no surface parking between any building and the street.
4	Mechanical equipment, satellite or microwave dishes, elevator penthouses, and other utilitarian equipment should be screened from view by a structure that complements the design of the building through the use of similar materials, colors, finishes, and architectural details. Views from buildings above should also be considered when designing rooftop mechanical equipment.
	<b>Response:</b> The owner's intent is to design the project so rooftop utilities do not detract from the views of the development.
5	The widths of all curb cuts at parking deck entrances should be minimized. Design techniques should be used (such as lane splits within the deck to encourage consolidated single exit or entrance lanes at the street side, and/or columns between lanes to reduce the perceived size of the openings), while maintaining adequate ingress and egress capacity to provide efficient operations and meet air quality conformity.
	<b>Response:</b> Based on the Shopfront frontage, curb cuts shall be minimized.
6	Building entries should be emphasized with architectural features, changes in roofline, different massing, or unique materials.
	<b>Response:</b> Based on the Shopfront frontage, buildings shall have street facing entrances. The owner intends to emphasize these elements.

7	<p>The primary pedestrian building entrances should be located along the store front. For buildings that front on three streets, the primary pedestrian entrances should be located on the axial street or the corner if the building is located at an intersection.</p> <p><b>Response:</b></p> <p>Based on the Shopfront frontage, the buildings shall have street facing entrances.</p>
8	<p>Building entries should be at grade.</p> <p><b>Response:</b></p> <p>The owner intends to provide grade-level building entries.</p>
9	<p>The level of architectural detail should be most intense at street level, within view of pedestrians on the sidewalk.</p> <p><b>Response:</b></p> <p>The owner intends to emphasize the street level architectural details.</p>
10	<p>The use of solid roll-down security gates is discouraged.</p> <p><b>Response:</b></p> <p>There are no plans for solid roll-down security gates.</p>
11	<p>Façades should be broken into distinct 20-30 foot modules or bays from side to side to prevent a monolithic edge to the street.</p> <p><b>Response:</b></p> <p>Based on UDO building type requirements, facades shall be broken up and blank walls avoided.</p>
12	<p>Large unarticulated walls are discouraged and should have a window or functional public access at least every 10 feet.</p> <p><b>Response:</b></p> <p>Based on the UDO's requirements, the building shall have sufficient transparency and articulation.</p>
13	<p>The articulation of the façade should be designed to appear more vertical than horizontal.</p> <p><b>Response:</b></p> <p>This factor will inform the future design of the facade.</p>
14	<p>Entries that provide access to a building's upper floors should be located along a street to promote street life. They should be designed as separate entries and distinguished from ground level spaces with different architectural details, materials, colors, lighting, signage, and/or paving so that it is clear which entries are public and which are private.</p> <p><b>Response:</b></p> <p>Based on the Shopfront Footage, buildings shall provide pedestrian accessible street facing entrances.</p>
15	<p>Recessed entries are encouraged. They should be no wider than one-third of the width of the storefront or 20 feet, whichever is less. Recessed entries should be a minimum of 4 feet deep, except where necessary to meet fire code.</p> <p><b>Response:</b></p> <p>It is anticipated that entrances will be recessed.</p>



16	A minimum of 2/3 of the first story façade should be windows. Of the total amount of glass on the first-floor façade, a minimum of 85 percent must be transparent. Tinted or reflective glass is discouraged. First-story windows should be located a maximum of three (3) feet above the adjacent sidewalk.
	<p><b>Response:</b></p> <p>Based on UDO building type requirements, any new building shall have substantial transparency on the first floor facade.</p>
17	Windows should be used to display products and services and maximize visibility into storefronts. Windows should not be obscured with elements that prevent pedestrians from seeing inside.
	<p><b>Response:</b></p> <p><b>This factor will inform the future design of the facade.</b></p>
18	The first-story, floor-to-floor height of any new building on Fayetteville Street should be a minimum of twenty (20) feet.
	<p><b>Response:</b></p> <p><b>N/A</b></p>
19	If ceilings must be lowered below the height of ground level windows, provide an interior, full-height, three (3) foot minimum deep space immediately adjacent to the window before the drop in the ceiling.
	<p><b>Response:</b></p> <p><b>The owner has no intent to have ceilings below ground level height.</b></p>
20	The use of deep awnings and canopies on the first story is recommended to help mitigate wind, reduce glare, and shade ground level spaces.
	<p><b>Response:</b></p> <p><b>This factor will inform the future design of the facade.</b></p>
21	Arcades, colonnades, and galleries are discouraged within the public right-of-way.
	<p><b>Response:</b></p> <p>The owner has no intent to have arcades, colonnades, or galleries within the public right-of-way.</p>
22	Stairs and stoops in the public right-of-way are discouraged along Fayetteville Street in order to make entries more accessible.
	<p><b>Response:</b></p> <p><b>The owner does not intend to have stairs and stoops in the public right-of-way.</b></p>
23	An outdoor ground plane that abuts or is adjacent to the public right-of-way should be paved with terrazzo, concrete pavers, concrete, stone, brick, tile, or another high-quality hardscape material. Asphalt and loose paving materials such as gravel are discouraged. The paving design and materials should complement the building or storefront architecture.
	<p><b>Response:</b></p> <p>The owner intends to have any outdoor ground plane of high-quality material that does not include asphalt or loose materials.</p>

24	<p>In larger courtyard style spaces visible from the public right-of-way, use groundcovers, shrubs, and flowers to accent and fill blank areas with interest. Minimize the use of bare mulch and rocks. Areas of bare earth are discouraged.</p> <p><b>Response:</b> The owner intends to have courtyard spaces, if any, with ground covers, shrubs, etc and avoid bare earth, bare mulch and rocks.</p>
25	<p>Walls of buildings should parallel the orientation of the street grid.</p> <p><b>Response:</b> The owner intends for the walls of any building to be parallel to the orientation of the street grid.</p>
26	<p>Towers or high-rise buildings should have three zones: a streetwall or base zone, a tower transition zone, and a tower top zone. Cornices should be considered to separate base zone from tower transition zone.</p> <p><b>Response:</b> <b>The owner intends to have variable vertical articulation.</b></p>
27	<p>Distance between towers on different blocks should be a minimum of 100 feet to ensure access to light and air.</p> <p><b>Response:</b> Based on UDO standards for tall buildings, there shall be adequate spacing for light and air.</p>
28	<p>Public art, performance facilities, and/or civic monuments should be an integral part of any building plan.</p> <p><b>Response:</b> <b>Public art is assured by a proposed zoning condition.</b></p>
29	<p>Fences, railings, and walls are discouraged except to screen surface parking lots and unimproved lots, to protect pedestrians from grade changes, and to delineate a private courtyard. Fences are preferred over walls except where designed to hold grade.</p> <p><b>Response:</b> <b>The owner does not intend to have fences, railings, or walls.</b></p>
30	<p>Fences should be a minimum of 36 inches and a maximum of 42 inches tall and a minimum of 70 percent open. Railings should be 42 inches tall. Solid walls should be a minimum of 18 inches and a maximum of 32 inches tall.</p> <p><b>Response:</b> <b>The owner does not intend to have any fences or solid site walls.</b></p>
31	<p>Fences, railings, and walls should be designed to complement the adjacent architecture through the use of similar materials, colors, finishes, and architectural details.</p> <p><b>Response:</b> The owner intends to design any fences, railings, and walls to complement the adjacent architecture.</p>

32	<p>Designs should be contextual to adjacent buildings, including their cornice lines and horizontal banding.</p> <p><b>Response:</b> The owner intends for the design to be contextual to adjacent buildings.</p>
33	<p>Innovative design and unusual lighting of the exterior of the building is important to emphasize the monumentality of government buildings.</p> <p><b>Response:</b> N/A</p>
34	<p>The principal building entrance should be easily identified by building features and landscape elements; additional public entrances should be provided at every street face.</p> <p><b>Response:</b> The owner intends that the building entrances shall be easily identified.</p>
35	<p>Building materials should be of stone, brick, or similar durable, high quality materials. Building form, articulation, and materials should respect and be sympathetic to the major governmental and institutional buildings in the area.</p> <p><b>Response:</b> The owner intends to use high quality materials that will respect major buildings in the area.</p>
36	<p>Preferred materials (other than glass) include metal, brick, stone, concrete, plaster, and wood trim; discouraged materials include vinyl siding, pressed wood siding, and exterior insulated finishing systems (EIFS).</p> <p><b>Response:</b> The owner intends to use a mixture of one or more of the following: metal, brick, stone, concrete, plaster, and wood trim.</p>
37	<p>Materials covering original architectural features of historic or architecturally significant buildings are discouraged.</p> <p><b>Response:</b> The owner does not intend to cover architectural features of historic or architecturally significant buildings.</p>
38	<p>A minimum of 35 percent of each upper story should be windows.</p> <p><b>Response:</b> Based on UDO requirements, upper stories shall have substantial transparency.</p>
39	<p>Building corners that face an intersection should strive for a distinctive form and high level of articulation.</p> <p><b>Response:</b> The owner intends for corners that face an intersection to be distinctive and have high level articulation.</p>
40	<p>Buildings may step back further at intersections in order to articulate the corners.</p> <p><b>Response:</b> This factor will inform the future design of the site.</p>

41	Buildings downtown and in Pedestrian Business Overlays should have stepbacks and articulated facades to mitigate wind effects and increase light and air. Buildings should step back 10 to 15 feet at the 60-foot point above the ground on a wide street and 15 feet on a narrow street. A wide street is 75 feet in width or more.
	<p><b>Response:</b></p> <p>Based on UDO standards for tall buildings, stepbacks will be wide enough to mitigate wind and increase light and air.</p>
42	<p>Flat roof buildings should have decorative parapets with elements, such as detailed cornices, corbeling, applied medallions, or other similar architectural treatments.</p> <p><b>Response:</b></p> <p><b>This factor will inform the future design of the site.</b></p>
43	<p>Signage should be compatible in scale, style, and composition with the building or storefront design as a whole.</p> <p><b>Response:</b></p> <p>Based on signage requirement in the UDO, the signage shall be compatible with the building or storefront design as a whole.</p>
44	<p>Diverse graphic solutions are encouraged to help create the sense of uniqueness and discovery found in an urban, mixed-use environment.</p> <p><b>Response:</b></p> <p>The owner intends to have diverse graphics, creating a sense of uniqueness and discovery.</p>
45	<p>All mechanical and electrical mechanisms should be concealed.</p> <p><b>Response:</b></p> <p>The owner intends for all mechanical and electrical mechanisms to be concealed.</p>
46	<p>Signs should not obscure a building's important architectural features, particularly in the case of historic buildings.</p> <p><b>Response:</b></p> <p>The owner intends for signs to not obscure the building's architectural features.</p>
47	<p>Signs should be constructed with durable materials and quality manufacturing.</p> <p><b>Response:</b></p> <p>The owner intends for signs to be constructed of durable materials and quality manufacturing.</p>
48	<p>Sign bands above transom and on awnings are preferred signage locations.</p> <p><b>Response:</b></p> <p>The owner intends to utilize a signage plan in keeping with the high quality of the building design.</p>
49	<p>Only the business name, street address, building name, and logo should be on an awning or canopy. The lettering should not exceed 40 percent of the awning area.</p> <p><b>Response:</b></p> <p>The owner intends to utilize a signage plan in keeping with the high quality of the building design.</p>

50	<p>Illuminated signs should avoid the colors red, yellow, and green when adjacent to a signal controlled vehicular intersection.</p> <p><b>Response:</b> The owner intends for signs to utilize a signage plan in keeping with the high quality of the building design.</p>
51	<p>Allowed sign types: channel letter signs, silhouette signs (reverse channel), individualized letter signs, projecting signs, canopy/marquee signs, logo signs, awning signs, and interior window signs.</p> <p><b>Response:</b> Based on the UDO signage requirements, the buildings will only have allowed sign types.</p>
52	<p>Discouraged sign types: signs constructed of paper, cardboard, styrofoam-type materials, formed plastic, injected molded plastic, or other such materials that do not provide a sense of permanence or quality; signs attached with suction cups or tape; signs constructed of luminous vacuum-formed plastic letters; signs with smoke-emitting components. Changeable copy signs are prohibited.</p> <p><b>Response:</b> The owner intends to utilize a signage plan in keeping with the high quality of the building design.</p>

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

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

Date: April 21, 2023

Re: Neighborhood Meeting regarding 309 and 327 Hillsborough Street (collectively, the “Property”)

Dear Neighbors:

You are invited to attend a neighborhood meeting on **May 3, 2023, from 6 pm to 7 pm**. The meeting will be held at 301 Hillsborough Street, 9<sup>th</sup> floor, Raleigh, NC.

The purpose of this meeting is to discuss a potential rezoning of the Property, located at 309 and 327 Hillsborough Street. This Property is currently zoned Downtown Mixed-Use, up to 20 stories, Shopfront (DX-20-SH) and is proposed to be rezoned to Downtown Mixed-Use, up to 40 stories, Shopfront (DX-40-SH). The purpose of the zoning request is to increase the maximum number of stories allowed. Our goal is to gather comments through your participation in this neighborhood meeting or, alternatively, through your written comments to the City of Raleigh Planning Department. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed. Any other person attending the meeting can submit written comments about the meeting or the request in general, but to be included in the Planning Commission agenda packet written comments must be received at least 10 days prior to the date of the Planning Commission meeting where the case is being considered.

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

Information about the rezoning process is available online; visit [www.raleighnc.gov](http://www.raleighnc.gov) and search for “Rezoning Process.” If you have further questions about the rezoning process, please contact:

Robert Tate  
Raleigh Planning & Development  
(919) 996-2235  
[Robert.Tate@raleighnc.gov](mailto:Robert.Tate@raleighnc.gov)

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

Molly M. Stuart  
Morningstar Law Group  
919-890-3318  
[mstuart@mstarlaw.com](mailto:mstuart@mstarlaw.com)

Sincerely,

A handwritten signature in blue ink, appearing to be 'MS', is located at the bottom of the page.



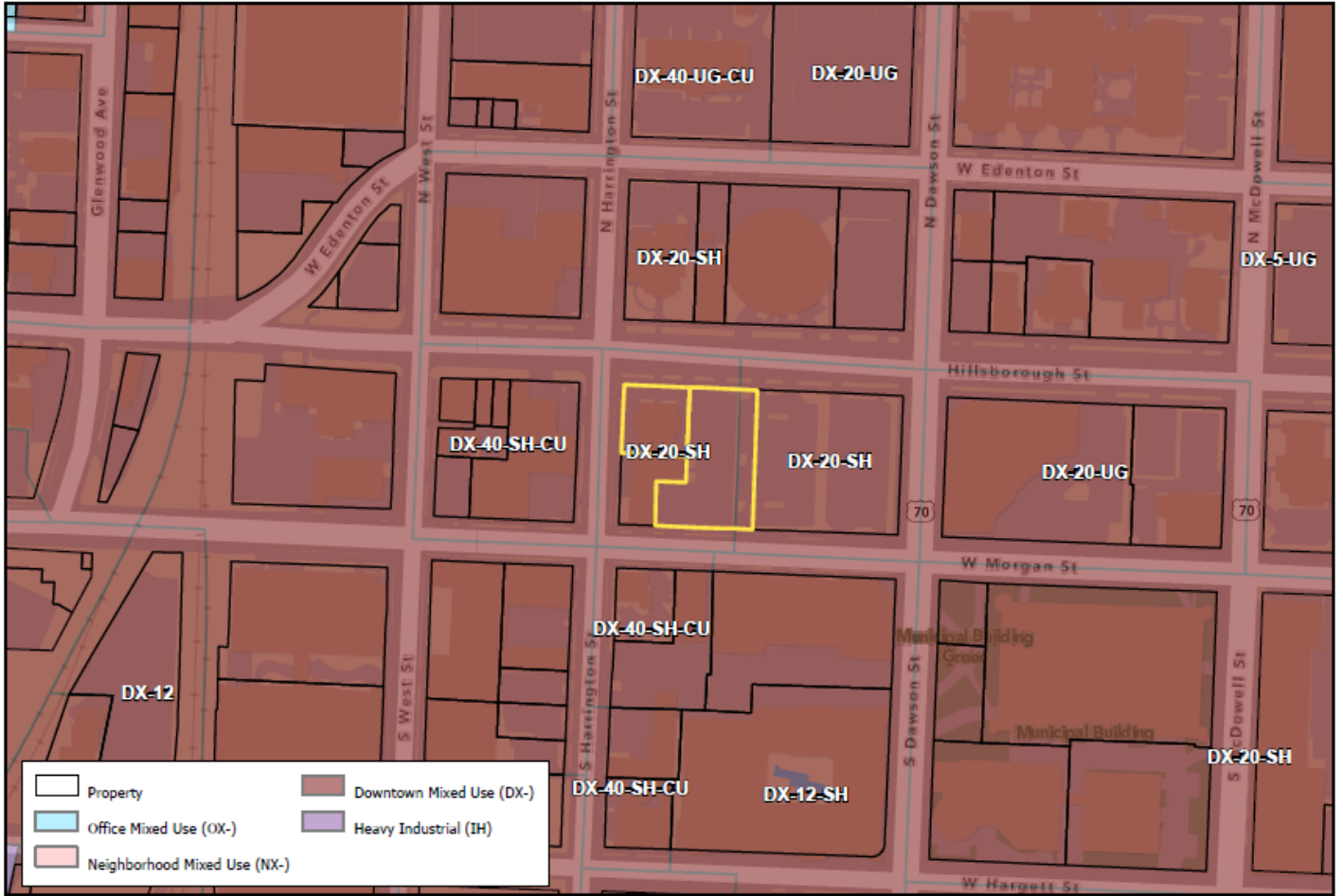
## **Neighborhood Meeting Agenda**

- I. Introductions
- II. The rezoning process
- III. The project
- IV. Question and answer period

Aerial



## Zoning





# Rezoning Application and Checklist

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

Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 18 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Rezoning Request				
Rezoning Type	General Use	<input checked="" type="checkbox"/> Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: DX	Height: 20	Frontage: SH	Overlay(s):	
Proposed zoning base district: DX	Height: 40	Frontage: SH	Overlay(s):	
<b>Helpful Tip:</b> View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 309 & 327 Hillsborough Street		
Property PIN: 1703594065 & 1703593172		
Deed reference (book/page): 17087 / 1046		
Nearest intersection: Hillsborough St & S Harrington St		Property size (acres): 0.79
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Property owner email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Property owner phone: 919.890.3318		
Applicant name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Applicant email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Applicant phone: 919.890.3318		
Applicant signature(s):		
Additional email(s):		



Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: DX-20-SH	Proposed zoning: DX-40-SH	

**Narrative of Zoning Conditions Offered**

1. If requested by the City of Raleigh, prior to, or as a part of, any subdivision or site plan for development of any portion of the property, the owner shall dedicate to the City an easement sufficient to accommodate a bikeshare station of up to 8 docks.

2. Upon the development of the subject properties involving a tier three administrative site review, one public art installation shall be located upon the development of the properties and visible from the public right of way. The Raleigh Arts Commission through its Public Art Design Board shall be consulted on the scope of the public art project. If the required installation consists of a mural, it shall be no smaller than 120 square feet in area, and, if a three-dimensional installation, no less than 10 feet in height or no less than 10 feet in width, not including any base or pedestal supporting such installation. If more than one public art installation is provided on the subject site, the applicant shall designate which art installation is the one required by this condition. The public art installation shall have received permitting or City approval (if required) prior to the issuance of a Certificate of Occupancy for any new principal structure.

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

Property Owner(s) Signature: \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

Date: May 10, 2023

Re: Neighborhood Meeting regarding 309 and 327 Hillsborough Street (collectively, the “Property”)

Dear Neighbors:

You are invited to attend a neighborhood meeting on **May 22, 2023, from 6 pm to 7 pm**. The meeting will be held at Morningstar Law Group, 421 Fayetteville Street, Suite 530, Raleigh, NC. **This meeting is being re-noticed due to an error on the tenant notice signs. The information shared will be identical to the information already provided at the May 3, 2023 neighborhood meeting.**

The purpose of this meeting is to discuss a potential rezoning of the Property, located at 309 and 327 Hillsborough Street. This Property is currently zoned Downtown Mixed-Use, up to 20 stories, Shopfront (DX-20-SH) and is proposed to be rezoned to Downtown Mixed-Use, up to 40 stories, Shopfront (DX-40-SH). The purpose of the zoning request is to increase the maximum number of stories allowed. Our goal is to gather comments through your participation in this neighborhood meeting or, alternatively, through your written comments to the City of Raleigh Planning Department. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed. Any other person attending the meeting can submit written comments about the meeting or the request in general, but to be included in the Planning Commission agenda packet written comments must be received at least 10 days prior to the date of the Planning Commission meeting where the case is being considered.

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

Information about the rezoning process is available online; visit [www.raleighnc.gov](http://www.raleighnc.gov) and search for “Rezoning Process.” If you have further questions about the rezoning process, please contact:

Robert Tate  
Raleigh Planning & Development  
(919) 996-2235  
[Robert.Tate@raleighnc.gov](mailto:Robert.Tate@raleighnc.gov)

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

Molly M. Stuart  
Morningstar Law Group  
919-890-3318  
[mstuart@mstarlaw.com](mailto:mstuart@mstarlaw.com)  
Sincerely,



## **Neighborhood Meeting Agenda**

- I. Introductions
- II. The rezoning process
- III. The project
- IV. Question and answer period

Aerial





# Zoning





# Rezoning Application and Checklist

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

Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 18 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Rezoning Request				
Rezoning Type	General Use	X Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: DX	Height: 20	Frontage: SH	Overlay(s):	
Proposed zoning base district: DX	Height: 40	Frontage: SH	Overlay(s):	
<b>Helpful Tip:</b> View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 309 & 327 Hillsborough Street		
Property PIN: 1703594065 & 1703593172		
Deed reference (book/page): 17087 / 1046		
Nearest intersection: Hillsborough St & S Harrington St		Property size (acres): 0.79
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Property owner email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Property owner phone: 919.890.3318		
Applicant name and address: TFC Hillsborough LLC, The Fallon Company, 1 Marina Park Dr, Boston, MA 02210-1832		
Applicant email: <a href="mailto:mstuart@morningstarlawgroup.com">mstuart@morningstarlawgroup.com</a>		
Applicant phone: 919.890.3318		
Applicant signature(s):		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: DX-20-SH	Proposed zoning: DX-40-SH	

**Narrative of Zoning Conditions Offered**

1. If requested by the City of Raleigh, prior to, or as a part of, any subdivision or site plan for development of any portion of the property, the owner shall dedicate to the City an easement sufficient to accommodate a bikeshare station of up to 8 docks.

2. Upon the development of the subject properties involving a tier three administrative site review, one public art installation shall be located upon the development of the properties and visible from the public right of way. The Raleigh Arts Commission through its Public Art Design Board shall be consulted on the scope of the public art project. If the required installation consists of a mural, it shall be no smaller than 120 square feet in area, and, if a three-dimensional installation, no less than 10 feet in height or no less than 10 feet in width, not including any base or pedestal supporting such installation. If more than one public art installation is provided on the subject site, the applicant shall designate which art installation is the one required by this condition. The public art installation shall have received permitting or City approval (if required) prior to the issuance of a Certificate of Occupancy for any new principal structure.

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

Property Owner(s) Signature: \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

SUMMARY OF ISSUES

A neighborhood meeting was held on May 3, 2023 & May 22, 2023 (date) to discuss a potential rezoning located at **309 & 327 Hillsborough Street** (property address). The neighborhood

Meeting was held at 301 Hillsborough Street, 9th Fl. & 421 Fayetteville St. Ste. 530 respectively (location). There were approximately 10 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

<p>Fallon Company introduction – Discussed work done in Raleigh. Discussed rezoning process in depth. Discussed that we are at the first neighborhood meeting.</p>
<p>Discussed current zoning – Downtown Mixed Use District (DX-20-SH). Discussed Future Land Use Map – Discussed Central Business District – What CBD is intended to do – enhance downtown as the heart of the city – heights as high as 40 stories.</p>
<p>Discussed map of currently zoned 40 stories and discussed those that have been conditioned down. Discussed the Shopfront frontage – How the building relates to the street. Shopfront is the most urban frontage there is. Most appropriate for downtown.</p>
<p>Discussed proposed rezoning in depth. Participant who lives across the street – appreciates the team being inclusive and cooperative. His biggest concern is we are the only residential neighbors – We see the loading zone,</p>
<p>entrance to the parking deck. Please be mindful of the neighbors when you design. Participant discussed noise and light. Commented fondly on the building and the way his concerns are being handled. Response: Please keep in touch with the building manager to assist.</p>
<p>We are glad to hear that he is reaching out to try to assist with the noise. Participant asked if there is planning for one building or two buildings? Response: Only one building, residential only.</p>
<p>Participant asked where residential will be located. Response: The building will be all residential. Participant asked where ingress and egress will be. Response: It will potentially be joined with the current parking deck.</p>
<p>Participant discussed his major concern with the current building is that the neighbors were brought into the process too late. Response: It makes for a better building when the neighbors provide input. Participant discussed potential shade issues but acknowledged that would be the case with either the currently allowed 20 stories or proposed 40 stories.</p>

SUMMARY OF ISSUES

A neighborhood meeting was held on May 3, 2023 & May 22, 2023 (date) to discuss a potential rezoning located at 309 & 327 Hillsborough Street (property address). The neighborhood

Meeting was held at 301 Hillsborough Street, 9th Fl. & 421 Fayetteville St. Ste. 530 respectively (location). There were approximately 10 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

<p>Participant discussed open space at the ground level and upper levels. Participant who lives on at the Dawson, discussed that she stares at the dumpsters and the door is always open. She asked if there is something that could be done to the extent she does not have to</p>
<p>stare down dumpsters. Response: We will look into that. Participant discussed they are currently working with the light <del>pollution</del>. Participant discussed issues with building parking decks based on the height of the building because</p>
<p>people will have less cars in the future. It is time to recognize that the building will be up for a long time and we do not need these decks. Participant asked if there is a formula or what is driving parking. Response: Tenant demand is</p>
<p>now what is driving parking. A lot of it is market dependent. That is why the city dropped the parking requirements. Participant asked if trash pick-up will continue on W. Martin? Response: Yes, that is correct.</p>
<p>Participant discussed there is a traffic situation on Morgan Street. There is a distinct pattern of issues for those at the Dawson who are trying to make a left into their parking. Participant discussed the screening on the parking structure and that one side of the building is very</p>
<p>different than the other. Also discussed the gaps in the panel screening. Participant discussed there are some garages that you cannot tell it is a parking garage. Response: This is a great comment and we would love to discuss it with you further.</p>
<p>Participant discussed that he gets disappointed that the Dawson got the back end of the building as a visual. Response: Let's have a discussion on what we can do for this building to make that better. Participant asked if these will be rental uses. Response: Yes, it is market driven.</p>
<p>Participant asked why not condos for sale. Response: In our experience, banks get nervous about lending based on the market. Participant asked if there is any movement on the retail for the ground floor.</p>

SUMMARY OF ISSUES

A neighborhood meeting was held on May 3, 2023 & May 22, 2023 (date) to discuss a potential rezoning located at **309 & 327 Hillsborough Street** (property address). The neighborhood

Meeting was held at 301 Hillsborough Street, 9th Fl. & 421 Fayetteville St. Ste. 530 respectively (location). There were approximately 10 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

<p>Response: We have a number of prospects. We really want the ground floor retail and uses to be good for the building and the area. Participant discussed that when the building was being built, they had their building power washed.</p>
<p>We would like to have it done again but the impact of breaking ground on the new building would cause an impact. There is a lot of dirt that accumulates. Response: Timing for construction would be governed by the rezoning and an additional 8 – 10 months on design.</p>
<p>Participant discussed concerns around the community that is being impacted. She is concerned about the sun being something only enjoyed by the elite. Participant discussed concerns about impact on land.</p>
<p>Participant discussed there are not a lot of people that are creating foot traffic. Trends are moving away from the downtown lifestyle and will this building do anything for the community. Response: Discussed the green strip &amp; green space, walking to work &amp; home and not relying on cars.</p>
<p>We are trying to create a home that will allow everyone to be able to enjoy a walkable community. Participant asked who are you building for. Response: We are attracting people who want to be downtown who may be living in the broader Raleigh area and the suburbs.</p>
<p>Participant asked if there will be a certain percentage to allocate for affordable housing? Response: It is a developing discussion with the City at large and we expect we will hear specific feedback on that. Response: We go above and beyond where we can and our buildings are always looking at how we</p>
<p>push the envelope on sustainability. Participant discussed that this area is very popular. Do we have the infrastructure to actually support this? I am not seeing that. Response: There are a lot of factors that need to come together for it to</p>
<p>work cohesively. The biggest driver is having residence, grocery stores, and retail. Once you have those different uses it does reduce traffic. Putting people downtown is environmentally friendly. <del>The first steps are a little awkward.</del></p>

SUMMARY OF ISSUES

A neighborhood meeting was held on May 3, 2023 & May 22, 2023 (date) to discuss a potential rezoning located at **309 & 327 Hillsborough Street** (property address). The neighborhood

Meeting was held at 301 Hillsborough Street, 9th Fl. & 421 Fayetteville St. Ste. 530 respectively (location). There were approximately 10 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Participant discussed pedestrian traffic accidents and deaths and Glenwood South being the highest area where these accidents occur. Participant discussed downtown is not a family friendly place. The parks nearby do not have full
playgrounds and there is nowhere for kids to go. Things need to be more educational and interactive for children. For instance, maybe an aquarium. Participant discussed that if it is young people that you are attracting, this will bring trauma you cannot
measure. Response: Thank you for your comments. Participant asked when the next meeting will be. Response: We will be filing the application and once the application is reviewed and finalized, we will hold another neighborhood meeting.
Response from Applicant: If you think about more things you would like to discuss, please let us know, please reach out and we will be happy to discuss.
A resident suggested an aquarium would be a beneficial use for families and would be very popular; restaurants and businesses focusing on the environment, such as plant-based restaurants or juice bars, would benefit the city; and rooftop gardens could provide growing space to community members or supply nearby restaurants.
A resident suggested a pollinator garden would be a benefit.
A resident suggested better community input opportunities are needed, and that the community needs to address trauma as well as housing needs; we could make better community decisions if individual trauma could be addressed.







