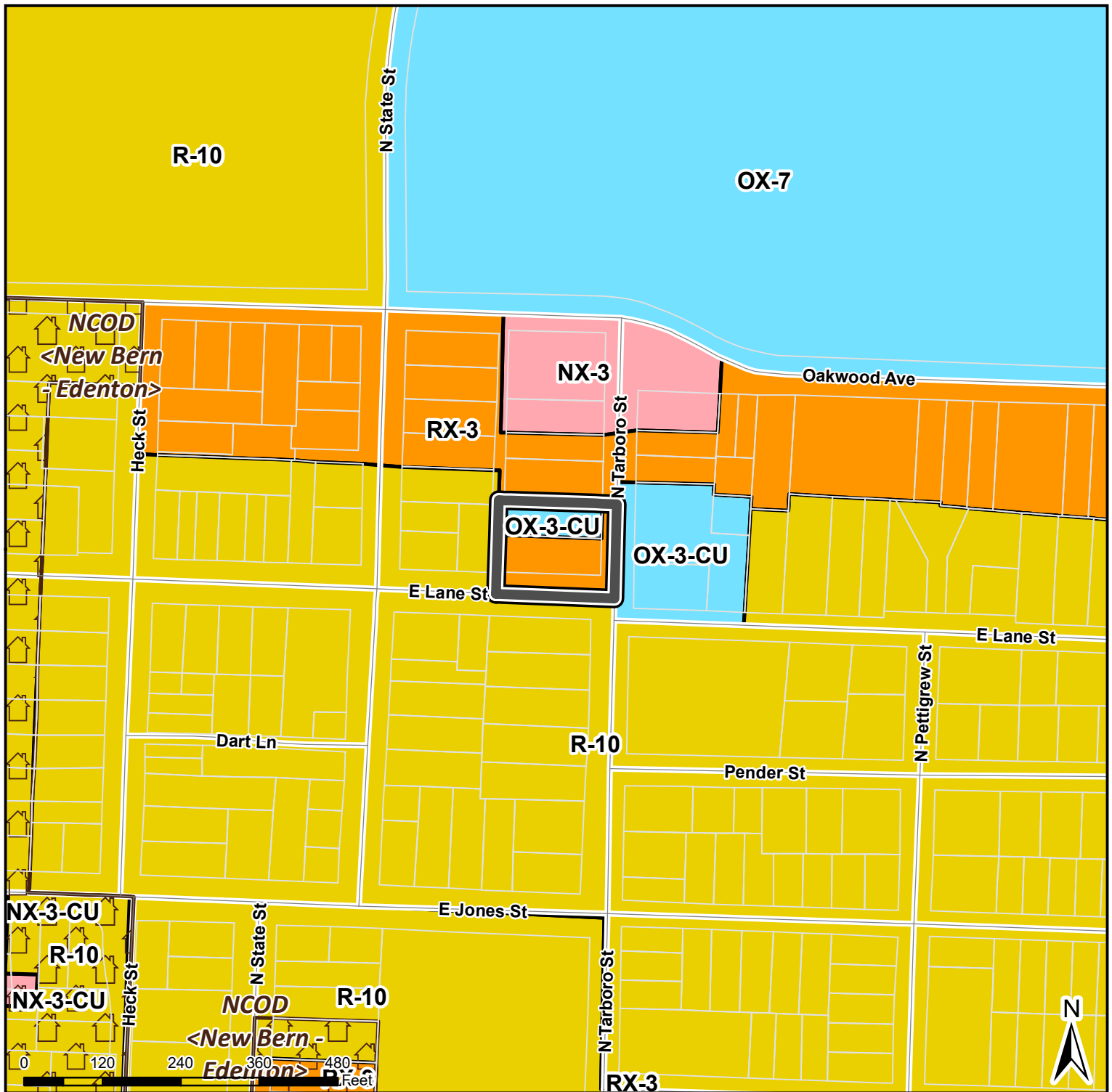
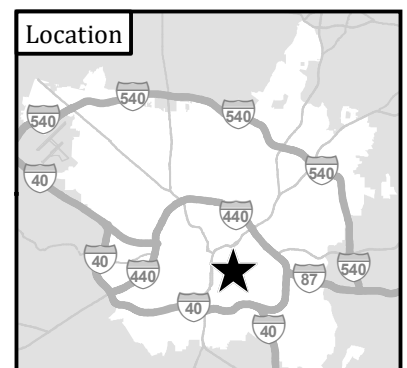


# Existing Zoning

# Z-38-2020



Property	309 & 311 N Tarboro St
Size	0.37 acres
Existing Zoning	RX-3 & OX-3-CU
Requested Zoning	NX-3-UL-CU





Raleigh

## MEMO

TO: Ruffin Hall, City Manager  
THRU: Ken Bowers, AICP, Director  
FROM: Sara Ellis, Senior Planner  
DEPARTMENT: Planning and Development  
DATE: December 01, 2020

**SUBJECT: City Council agenda item for December 01, 2020 – Z-38-20**

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On December 01, 2020, City Council authorized the public hearing for the following item:

**Z-38-20 Tarboro Street**, approximately 0.37 acres located at [309 & 311 N. Tarboro Street](#).

Signed zoning conditions provided on November 12, 2020 prohibit the following uses: bar, nightclub, tavern and lounge.

**Current zoning:** Office & Residential Mixed Use-3 with Conditions (OX-3-CU) and Residential Mixed Use-3 (RX-3)

**Requested zoning:** Neighborhood Mixed Use-3 with Conditions and an Urban Limited Frontage (NX-3-CU-UL)

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

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

The request is **consistent** with the Urban Form Map.

The Planning Commission recommends approval/denial of the request (10 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), 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)



# RALEIGH PLANNING COMMISSION

## CERTIFIED RECOMMENDATION

CR# 12057

### CASE INFORMATION: Z-38-20 309 & 311 N. TARBORO ST

Location	At the northwestern intersection of N. Tarboro Street and E. Lane Street. Approximately a quarter mile north of the intersection of N. Tarboro and New Bern Avenue.  Address: 309 & 311 N. Tarboro Street  PINs: 1714109269 & 1714109364  <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
Current Zoning	OX-3-CU & RX-3
Requested Zoning	NX-3-CU-UL
Area of Request	0.37 acres
Corporate Limits	The subject property is within and completely surrounded by the corporate limits of the city
Property Owner	St. Augustine's College Community Development Corporation
Applicant	James Montague of Falcons Point LLC c/o St. Augustine's College Community Development Corporation 311 North Tarboro Street, Raleigh NC 27610
Council District	C
PC Recommendation Deadline	Monday, December 21, 2020

### SUMMARY OF PROPOSED CONDITIONS

1. The following uses are prohibited: bar, nightclub, tavern, lounge.

### COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Neighborhood Mixed Use
Urban Form	Core Transit Area
Consistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 2.2 Compact Development Policy LU 4.7 Capitalizing on Transit Access Policy LU 7.6 Pedestrian-Friendly Development Policy H 1.8 Zoning for Housing Policy UD 1.10 Frontage Policy UD 7.3 Design Guidelines

<b>Inconsistent Policies</b>	Policy LU 8.3 Conserving, Enhancing and Revitalizing Neighborhoods
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## **FUTURE LAND USE MAP CONSISTENCY**

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

## **COMPREHENSIVE PLAN CONSISTENCY**

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

## **PUBLIC MEETINGS**

<b>First Neighborhood Meeting</b>	<b>Second Neighborhood Meeting</b>	<b>Planning Commission</b>	<b>City Council</b>
July 23, 2020 6 Attendees	10/15/2020 6 Attendees	09/22/2020 (Consent), 11/10/2020	11/17/2020 12/01/2020

## **PLANNING COMMISSION RECOMMENDATION**

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

<b>Reasonableness and Public Interest</b>	The request is reasonable and in the public interest because it is consistent with the Future Land Use Map and Comprehensive Plan overall and with policies relating to compact development, capitalizing on transit access and zoning for housing.
<b>Change(s) in Circumstances</b>	N/A
<b>Amendments to the Comprehensive Plan</b>	N/A
<b>Recommendation</b>	Approval
<b>Motion and Vote</b>	Motion: Fox Second: Winters

	In Favor: Bennett, Fox, Hicks, Lampman, Mann, McIntosh, Miller, O'Haver, Tomasulo and Winters
Reason for Opposed Vote(s)	N/A

## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions

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.

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Planning Director                      Date

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



# **ZONING STAFF REPORT – CASE Z-38-20**

## **Conditional Use District**

### **OVERVIEW**

Case Z-38-20 is a request to rezone approximately 0.37 acres from Residential Mixed Use-3 stories (RX-3) and Office & Residential Mixed Use-3 stories with Conditions (OX-3-CU) to Neighborhood Mixed Use-3 stories with an Urban Limited Frontage and Conditions (NX-3-UL-CU ). Proposed zoning conditions prohibit the following uses: bar, nightclub, tavern and lounge.

The subject site is two parcels located at 309 and 311 N. Tarboro Street, at the corner of N. Tarboro and E. Lane Street approximately a quarter of a mile north of the intersection of N. Tarboro and New Bern Avenue. There is a single detached home on the 311 N. Tarboro parcel that is being used as an office for the applicant/ property owner, the St. Augustine's College Community Development Corporation. The parcel at 309 N. Tarboro is currently undeveloped and is mostly grass with a few trees. The topography on the site is relatively flat, sloping gently upwards from the southwest to the northeast front corner of the properties. The 311 N Tarboro parcel was rezoned under Z-101-99 Tarboro Street to Office & Institution-1 with Conditions (O&I-1-CU) and included the following zoning conditions: the only uses permitted are a school or single family detached dwelling, school and office; the hours of operation are limited from 8am – 10pm; off-street parking is prohibited between the building and the street; in the case the existing structure be demolished the following design conditions must be met: a pitched roof (minimum 4/12 pitch), maximum building height is 30 feet, maximum lot coverage is 25 percent; building materials of brick or clapboard and requires 75 percent of the fenestration be double hung windows. The current request only retains the condition prohibiting parking between the building and the street by virtue of the Urban Limited Frontage, no other conditions will be retained.

The neighborhood to the west and the south of the site is predominately residential and zoned R-10. The parcel directly behind the subject site contains the David & Ernestine Weaver House which is a City of Raleigh Historic Landmark. The area to the north of the site is generally zoned RX-3 along Oakwood Avenue between Heck Street and Hill Street, and St. Augustine University is located on the north side of Oakwood Avenue. At the corner of Tarboro and Oakwood, about 100' north of the site, is small commercial node with three properties zoned NX-3 containing neighborhood serving retail uses. To the east of the site is the St. Augustine Tuttle Health Center, which is zoned OX-3-CU and was rezoned in 2017.

The rezoning site is located within a Core Transit Area, which is a designation on the Urban Form map for areas within a quarter mile of corridors proposed for bus rapid transit and recommends the application of an urban or hybrid frontage. The rezoning site is located a

quarter mile north of New Bern Avenue, which is currently undergoing station area planning for bus rapid transit, with final designs expected to be completed in 2021. The request includes an Urban Limited Frontage, which is consistent with this guidance.

The site is designated Neighborhood Mixed Use on the Future Land Use Map (FLUM), as are the parcels to the north along N Tarboro until Oakwood Avenue. North of Oakwood Avenue, parcels are designated Institutional, including the St. Augustine campus. The FLUM to the west of the site is a mixture of Moderate and Medium Density Residential. To the east, the parcels are designated Medium Density Residential immediately across from the rezoning site and transition to Neighborhood Mixed Use. The parcels to the south are Moderate Density Residential which is a designation shared by the surrounding neighborhood.

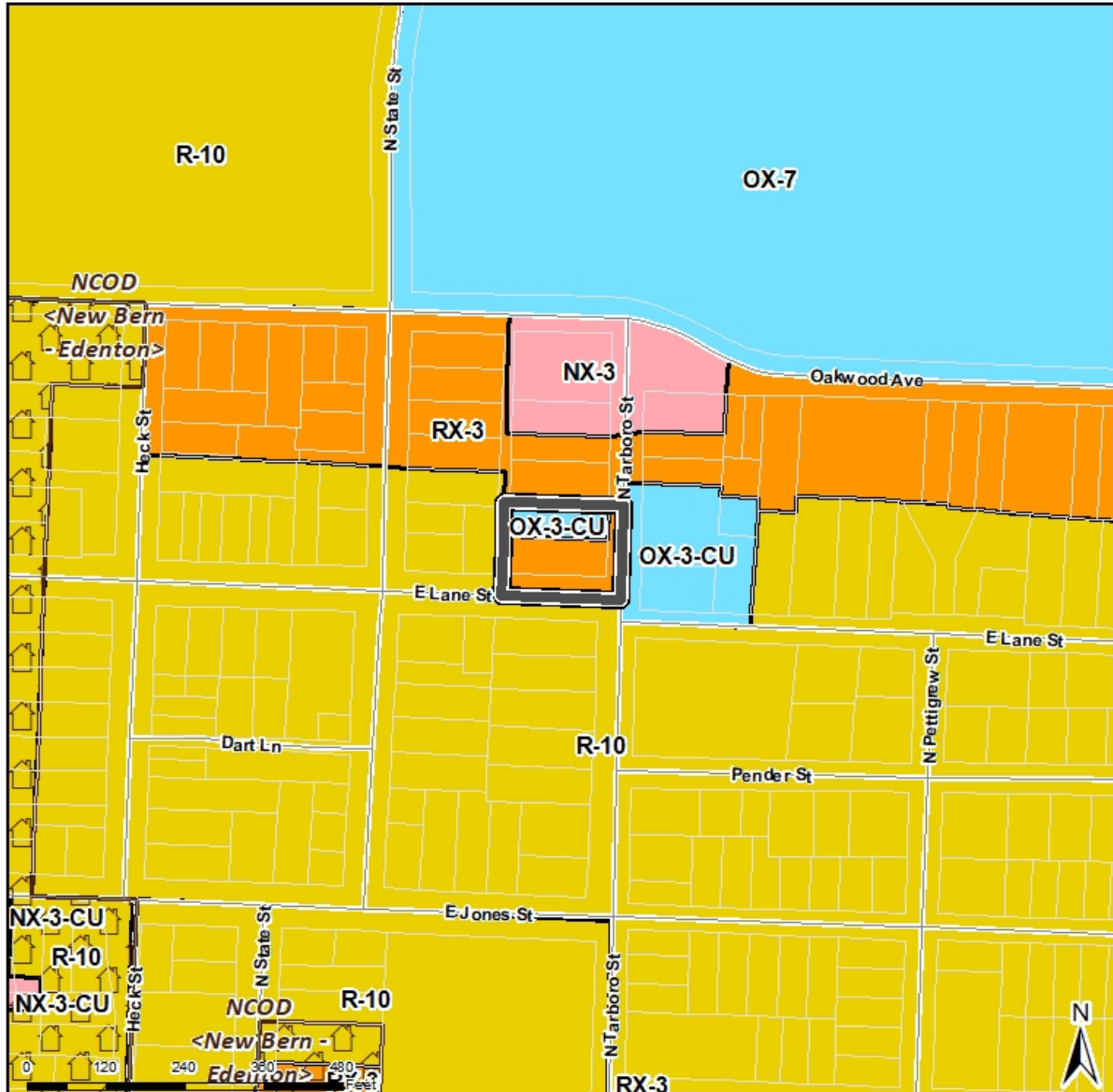
The requested change from RX-3 and OX-3-CU to NX-3-UL-CU would permit a sizable increase in the number of residential units allowed on the site from approximately 8 to approximately 27. The request would also increase the permitted retail square footage from a currently allowed 4,000 square feet to a permitted 6,000 square feet as it would remove the limited use standards in RX. The request would also permit a large increase in the office square footage from a currently allowed just under 4,000 square feet to a permitted 14,000 square feet, this is in part due to the limited use standards in RX and the removal of the zoning conditions limiting the lot coverage. The request would also increase the permitted uses on the site, by removing the existing conditions on the 311 N Tarboro parcel, and would allow personal service, retail and indoor recreation on the 309 N Tarboro parcel currently zoned RX-3.

## OUTSTANDING ISSUES

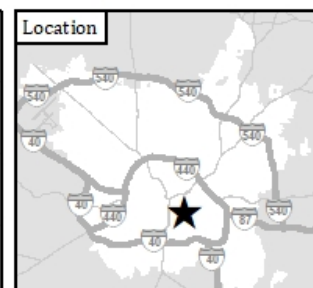
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
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# Existing Zoning

Z-38-2020



<b>Property</b>	309 & 311 N Tarboro St
<b>Size</b>	0.37 acres
<b>Existing Zoning</b>	RX-3 & OX-3-CU
<b>Requested Zoning</b>	NX-3-UL-CU

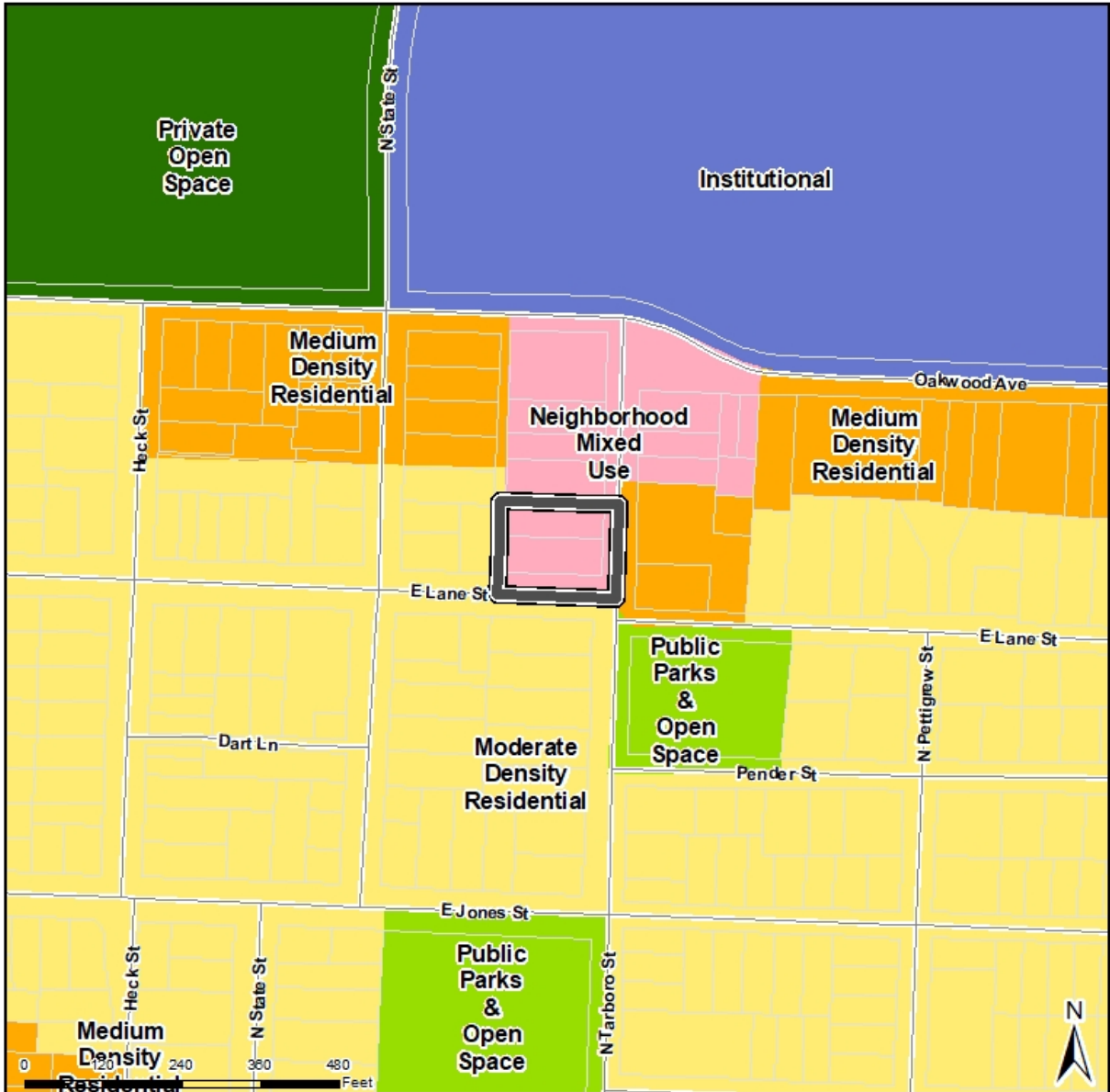


Map by Raleigh Department of City Planning (mansell); 8/12/2020

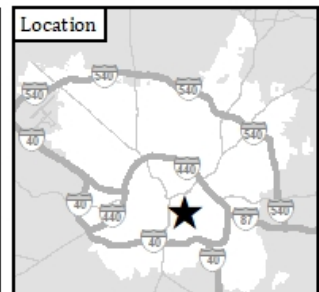


## Future Land Use

**Z-38-2020**



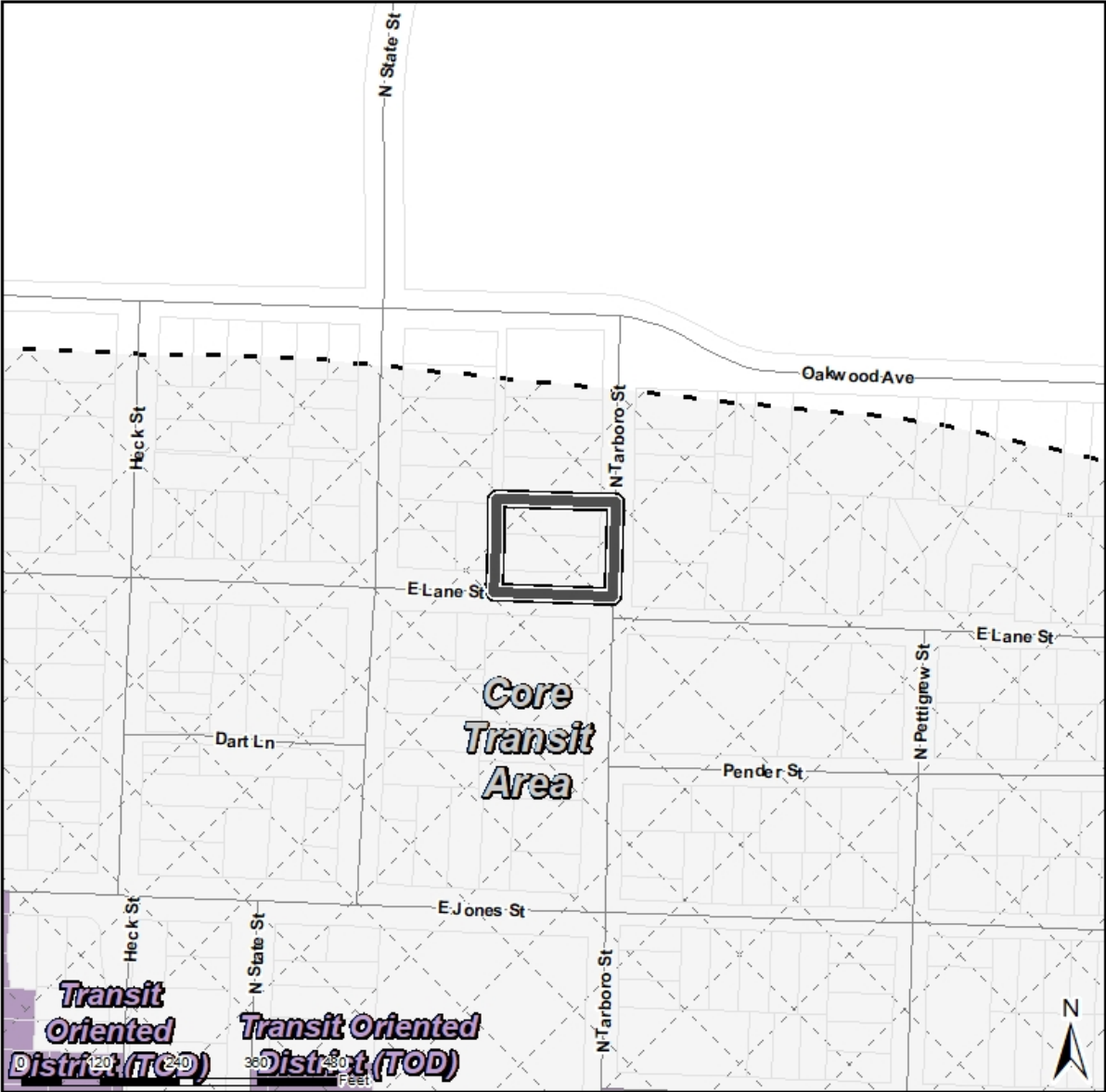
<b>Property</b>	309 & 311 N Tarboro St
<b>Size</b>	0.37 acres
<b>Existing Zoning</b>	RX-3 & OX-3-CU
<b>Requested Zoning</b>	NX-3-UL-CU



Map by Raleigh Department of City Planning (mansolf): 8/12/2020

Urban Form

Z-38-2020



Property	309 & 311 N Tarboro St	<div>Location</div>
Size	0.37 acres	
Existing Zoning	RX-3 & OX-3-CU	
Requested Zoning	NX-3-UL-CU	

Map by Raleigh Department of City Planning (mansd@): 8/12/2020

# 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 policies and visions themes contained in the 2030 Comprehensive Plan including the vision theme of Expanding Housing Choices because it would increase the number of housing units permitted on the site from eight units to an estimated twenty seven units.

The request is consistent with the Coordinating Land Use and Transportation and Managing Our Growth vision themes as it will allow for an increase in residential and commercial density within walking distance of an area planned for bus rapid transit service.

The request is also consistent with the Future Land Use Map, and Comprehensive Plan policies including compact development, zoning for housing, pedestrian-friendly development and capitalizing on transit access.

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

Yes, the request to rezone to Neighborhood Mixed Use (NX) is consistent with the Future Land Use Map designation of Neighborhood Mixed Use.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

The use is specifically designated on the Future Land Use Map.

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

Streets and community facilities are available to adequately serve the proposed use.

## Future Land Use

**Future Land Use designation:** Neighborhood Mixed Used

**The rezoning request is**

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

☐ **Inconsistent**

The Neighborhood Mixed Use category is assigned to neighborhood-oriented shopping centers and aligns closest to NX- zoning districts. The request is for NX-3-UL-CU and is consistent with the FLUM.

## Urban Form

**Urban Form designation:** Core Transit Area

**The rezoning request is**

- ☒ **Consistent**
- ☐ **Inconsistent**
- ☐ **Other**

**Overview:** The Urban Form Map identifies the subject site as located within a Core Transit Area, which recommends an urban or hybrid frontage. This request includes an Urban Limited Frontage, which is consistent with the guidance of the Urban Form Map.

**Impact:** The Urban Limited Frontage is intended for areas where parking between the building and the street is not allowed and a high level of walkability is desirable. This site is located approximately a quarter mile north of New Bern Avenue, which is slated to receive Bus Rapid Transit service and would be supported by a high level of walkability in the area.

**Compatibility:** The request is compatible with the surrounding area as it is located approximately 100' south of an existing Neighborhood Mixed Use node. The height entitlement on the 309 N Tarboro parcel would remain unchanged, and due to the removal of existing zoning conditions the height of the 311 N Tarboro parcel would increase by 20' to permit a three-story building. The request would also permit smaller setbacks than exist currently, however due to the small lot sizes the difference would be minimal and the built character similar to the existing NX node to the north.

## Compatibility

**The proposed rezoning is**

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

The subject site is located in an area where the contiguous zoning districts share the maximum three-story height designation, however the majority of surrounding developed properties are one to two stories. The surrounding area is a mixture of office, residential and neighborhood serving retail, and the request to rezone to NX would be consistent with existing development patterns.

The Urban Limited Frontage would mark a departure from the current built character of the area which generally has building setbacks in the 10' – 20' range, the UL Frontage would allow a 0' or 20' setback.

### Public Benefits of the Proposed Rezoning

- The request will increase the amount of housing permitted in an area with sufficient infrastructure to serve it.
- The request will permit an increase in density in an area within walking distance of a planned bus rapid transit route.

### Detriments of the Proposed Rezoning

- There request may increase the traffic.
- The request may mark a change in the built character of the area by allowing an increase in residential and commercial density.

### Policy Guidance

*The rezoning request is **consistent** 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 Future Land Use Map designates the rezoning site as Neighborhood Mixed Use, a category that supports pedestrian-oriented retail, residential, and mixed-use development. The requested district NX-3-UL-CU permits these uses and is specified as the most appropriate zoning districts for these areas.

#### **Policy LU 2.2 Compact Development**

*New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and noncontinuous development.*

The requested NX-3-UL-CU would remove the zoning condition on the 311 N Tarboro parcel that limits the uses to single family dwelling, school or office. This would allow an increase in the residential density on that parcel from about 5.5 units per acre to up to 70 units per acre (the site is 0.37 acres which would yield an estimated 27 total units under this request). The request would also permit an increase in the office and retail density permitted on both parcels within a quarter mile of a planned bus rapid transit route.

**Policy LU 4.7 Capitalizing on Transit Access**

*Sites within walking distance of existing and proposed rail and bus rapid transit stations should be developed with intense residential and mixed uses to take full advantage of and support investment in transit infrastructure.*

The site is located within a quarter mile of the planned New Bern Avenue bus rapid transit route and is located within a Core Transit Area. The request would permit an increase in residential, retail and office density in an area with sufficient infrastructure to serve it.

**Policy LU 7.6 Pedestrian-Friendly Development**

*New and redeveloped commercial and mixed-use developments should be pedestrian friendly.*

The request includes an Urban Limited Frontage (UL) Frontage, which requires primary street-facing entrances and a maximum of 75' between entrances. The UL Frontage also requires the build-to be either 0' or 75' to create an active pedestrian realm along the street.

**Policy LU 8.10 Infill Development**

*Encourage infill development on vacant land within in the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp physical changes.*

The request may facilitate the development of a vacant lot in an urbanized area with sufficient road and utility infrastructure to serve the proposed increase in density. The request would not increase the height entitlement on the 309 N Tarboro parcel, and by the removal of existing zoning conditions would increase the height entitlement on the 311 N Tarboro parcel by 20' allowing a three story building, which is consistent with the surrounding RX-3 parcels.

**Policy H 1.8 Zoning for Housing**

*Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well-supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing. In areas characterized by detached houses, accommodations should be made for additional housing types while maintaining a form and scale similar to existing housing.*

The request would permit a large increase in the number and type of residential units allowed on the site by removing the zoning condition on 311 N Tarboro which limits that parcel to a single-family dwelling unit. The number of residential units permitted on both parcels would increase from an estimated 8 units to an estimated 27 units.

### Policy UD 1.10 Frontage

*Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.*

The request includes an Urban Limited Frontage, which is not shared by surrounding parcels. However the request would allow for setbacks of 0' – 20', that is consistent with the current built setbacks of the NX node approximately 100' north of the site.

### Policy UD 7.3 Design Guidelines

*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.*

Guideline 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 to be comparable in height and massing.	The request would permit a maximum of 3 stories, a height similar to adjacent residential areas on all sides of the property.
Guideline 6 – A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared-use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.	The request includes an Urban Limited Frontage (UL) which does not allow parking between the primary building and the street.
Guideline 7 – Buildings should be located close to the pedestrian-oriented street (within 25-feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a	The Urban Limited Frontage included in the request would require a 0' or 20' build to, which is consistent with this guideline. It would also prohibit parking between the building and the street.

high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.	
Guideline 8 -If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.	The site is located at the corner of N Tarboro and E Lane Streets. The request includes an Urban Limited Frontage (UL) which prohibits parking between the building and the street.
Guideline 11 - The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.	The request includes an Urban Limited Frontage (UL) which requires active uses on the ground floor of the building that can include residential, commercial, office or civic space.
Guideline 14 – Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.	The request includes an Urban Limited Frontage (UL) which does not allow parking between the primary building and the street.
Guideline 15 – Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.	The request includes an Urban Limited Frontage (UL) which does not allow parking between the primary building and the street.
Guideline 17 – Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.	The request would permit higher building density, and the subject site is within walking distance of multiple transit stops.



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

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**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 request may mark a change to the built character of the area by allowing a significant increase in the permitted residential and office density on the site. The area is characterized by single family dwellings and single-story retail, though the Future Land Use Map for these areas has a more intense designation than the current entitlement.

# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	56	Higher than city-wide average.
Walk Score	30	54	Higher than city-wide average.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

**Summary:** The rezoning site is better served by transit compared to the citywide average. The site is presently served by the 10 Longview, which has 37-minute peak service seven days a week, and the nearest bus stop is located about 240 feet west of the site. The plans for bus rapid transit will also increase the level of transit service in the immediate area.

## Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

**Summary:** The requested NX zoning district permits all housing types, including the more efficient apartment type units.

## Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The request would increase the total permitted housing from 8 units to approximately 27 units.
Does it include any subsidized units?	No	No subsidized units were included with this request.
Does it permit a variety of housing types beyond detached houses?	Yes	The zoning conditions on the 311 N Tarboro parcel only permit the single family dwelling unit as a residential use, this request would permit all housing types.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	Yes, the site is located about 240' from a bus stop served by the 10 Longview, and within a quarter mile of a planned bus rapid transit corridor.

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

**Summary:** The rezoning request would provide an increase in the number of permitted housing units on the site, in a location well served by current and future transit. It would also increase the types of housing permitted on the 311 N Tarboro lot, which is only currently permitted single family residential per the zoning conditions.

# IMPACT ANALYSIS

## Community Development

The site is located in the College/Idlewild Redevelopment Area. Housing and Neighborhoods is supportive of the rezoning and proposed new development.

**Impact Identified:** None.

## Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include any National Register individually-listed properties or Raleigh Historic Landmarks. The site is adjacent to the David and Ernestine Weaver House, a Raleigh Historic Landmark.

**Impact Identified:** None.

## 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 O'Rorke-Catholic Cemetery (100 ft) and Tarboro Rd Park (0.1 miles).
3. Nearest existing greenway trail access is provided by Little Rock Greenway Trail (0.9 miles).
4. Current park access level of service in this area is graded an A letter grade.

**Impact Identified:** None.

## Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	1,750	6,750
Waste Water	0	1,750	6,750

### **Impact Identified:**

1. The proposed rezoning would add approximately 6,750 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 Developed

## Stormwater

Floodplain	n/a
Drainage Basin	Pigeon House
Stormwater Management	UDO Article 9
Overlay District	n/a

**Impact Identified:** No downstream structural impacts.

## Transit

This site is well served by public transit. GoRaleigh route 15 has frequent service and operates on New Bern Avenue and East Edenton Street. Route 10 operates every 30 minutes during peak times and hourly on East Lane Street and North Tarboro Street. There is an inbound stop on the Z-38-20 frontage and an outbound stop approximately 150 feet west of the site on East Lane Street. This site is less than one quarter mile from a planned bus rapid transit station for the eastern Wake BRT corridor. This project is currently in design.

**Impact Identified:** None

## Transportation

### **Site Location and Context**

#### *Location*

The Z-38-20 site is located in east Raleigh at the northeast corner of the intersection of North Tarboro Street and East Lane Street, south of St. Augustine's University.

#### *Area Plans*

The Z-38-20 site is located near the study area of the New Bern Corridor Study, which is focused on the design of New Bern Avenue and its frontage.

### **Other Projects in the Area**

The City of Raleigh has programmed transportation projects to install bus rapid transit service on New Bern Avenue and construct bicycle and pedestrian facilities on New Bern Avenue.

### **Existing and Planned Infrastructure**

#### *Streets*

East Lane Street is designated as a neighborhood street on map T-1 of the comprehensive plan. North Tarboro Street is not designated in map T-1. Both streets are maintained by the City of Raleigh.

In accordance with UDO section 8.3.2, the maximum block perimeter for an RX-3 zoning district is 3,000 feet. The existing block perimeter is approximately 1,350 feet.

#### *Pedestrian Facilities*

The Z-38-20 has sidewalks along both street frontages. Sidewalks are complete on North Tarboro Street, but are missing from some local streets in the area.

#### *Bicycle Facilities*

There are shared lane markings ("sharrows") on North Tarboro Street and nearby Oakwood Avenue. The St. Augustine's University bikeshare station less than 300 feet from the site at the intersection of North Tarboro Street and Oakwood Avenue.

#### *Access*

Vehicle access to the subject property will be via on East Lane Street, North Tarboro Street.

### **TIA Determination**

Based on the Envision results, approval of case Z-38-20 would increase the amount of projected vehicular peak hour trips for the site as indicated in the table below. The

proposed rezoning from OX-3-CU and RX-3 to NX-3-UL-CU is projected to have 13 new trips in the AM peak hour and 15 new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-38-20 Existing Land Use	Daily	AM	PM
Vacant	0	0	0
Z-38-20 Current Zoning Entitlements	Daily	AM	PM
OX-3-CU and RX-3	101	7	11
Z-38-20 Proposed Zoning Maximums	Daily	AM	PM
NX-3-UL-CU	255	20	27
Z-38-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	<b>153</b>	<b>13</b>	<b>15</b>

**Impact Identified:** Development allowed by the proposed zoning may increase the number of vehicle trips on nearby streets.

### Urban Forestry

The site is less than two acres in size, and as such does not have tree conservation requirements. It is mostly unforested, but the three to four existing trees may be removed, however this is still the case under the current entitlement.

**Impact Identified:** None.

### Impacts Summary

The request may permit an increase in traffic, but overall impacts are minimal.

### Mitigation of Impacts

No mitigation required.

## CONCLUSION

The request is to rezone two parcels of land totaling approximately 0.37 acres in size from Office & Mixed Use -3 stories with Conditions (OX-3-CU) and Residential Mixed Use-3 stories to Neighborhood Mixed Use-3 stories with an Urban Limited Frontage and Conditions (NX-3-UL-CU). Associated zoning conditions prohibit bars, nightclubs, taverns and lounges. The request would increase residential entitlement by removing conditions that limit residential development to a single-family dwelling. The requested district would also remove limited use standards in RX and OX and conditions that limit office development, thus increasing the commercial entitlement as well.

The request is **consistent** with the Comprehensive Plan overall and **consistent** with the Future Land Use Map.

The request is **consistent** with the Comprehensive Plan policies regarding compact development, capitalizing on transit access, pedestrian friendly development, zoning for housing and urban design guidelines. The request is inconsistent with policies regarding frontage and neighborhood conservation.

The request would support the Vision Themes of *Expanding Housing Choices*, *Coordinating Land Use and Transportation* and *Managing Our Growth* vision themes.

## CASE TIMELINE

Date	Action	Notes
8/3/2020	Application submitted	Outstanding issues with conditions
8/26/2020	Initial Staff Review Provided	Outstanding issues with conditions noted.
9/30/2020	Revised zoning conditions submitted.	Outstanding issue with conditions resolved.
10/30/2020	Revised zoning conditions submitted.	Prohibiting tavern and lounge.



# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	OX-3-CU & RX-3	RX-3	R-10	OX-3-CU	R-10
Additional Overlay	None	None	None	None	None
Future Land Use	Neighborhood Mixed Use	Neighborhood Mixed Use	Moderate Density Residential	Medium Density Residential	Moderate Density Residential
Current Land Use	Vacant & Office building	Vacant	Vacant	Office/Medical	Vacant home
Urban Form	Core Transit	Core Transit	Core Transit	Core Transit	Core Transit

## CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	OX-3-CU & RX-3	NX-3-CU-UL
Total Acreage	.37	.37
Setbacks:	(OX Detached House)	(NX-UL Apartment)
Front	10'	0' or 20'
Side	10'	5'
Rear	20'	0' or 6'
Residential Density:	37.84	72.97
Max. # of Residential Units	8	27
Max. Gross Building SF	9,450	29,994
Max. Gross Office SF	2,606	14,037
Max. Gross Retail SF	10,262	6,320
Max. Gross Industrial SF	--	--
Potential F.A.R	.98	1.86

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

# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

## REZONING REQUEST

☐ General Use      ☒ Conditional Use      ☐ Master Plan

Existing Zoning Base District Rx-3 & 0x-3 Height \_\_\_\_\_ Frontage \_\_\_\_\_  
Overlay(s) \_\_\_\_\_

Proposed Zoning Base District N-X3 Height 3 story Frontage UL Overlay(s) \_\_\_\_\_

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

### OFFICE USE ONLY

Rezoning Case # \_\_\_\_\_

If the property has been previously rezoned, provide the rezoning case number:  
Z-101-1999

## GENERAL INFORMATION

Date July 8, 2020

Date Amended (1) \_\_\_\_\_

Date Amended (2) \_\_\_\_\_

Property Address  
309 N. Tarboro St., Raleigh, NC 27610  
311 N. Tarboro St., Raleigh, NC 27610

Property PIN  
#1714109364 – 309 N. Tarboro St.  
#1714109269 – 311 N. Tarboro St.

Deed Reference (book/page)  
11206 2350 – 309 N. Tarboro St.  
11206 2356 – 311 N. Tarboro St.

Nearest Intersection  
New Bern Avenue

Property Size (acres)  
.19 acreage – 309 N. Tarboro St.  
.18 acreage – 311 N. Tarboro St.

For Planned  
Development  
Applications Only:

Total Units      Total Square Footage

Total Parcels      Total Buildings

Property Owner Name/Address  
Saint Augustine's University  
Community Development Corporation  
311 North Tarboro Street  
Raleigh, NC 27610

Phone  
919-977-6015

Fax

Email  
naasauat@gmail.com

Applicant Name/Address  
Falcons Point, LLC  
311 North Tarboro Street  
Raleigh, NC 27610

Phone  
919-796-2546

Fax

Email  
montesF7@gmail.com

Applicant\* Signature(s)

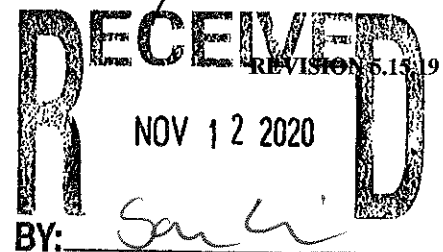
*James E. Montes*  
*Kathryn Brown*

Email  
MontesF7@gmail.com

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number	Z-38-20	OFFICE USE ONLY Transaction #  Rezoning Case #
Date Submitted	Sept. 30, 2020	
Existing Zoning	RX-3 & OX-3      Proposed Zoning      N-X3	
Narrative of Zoning Conditions Offered		
1.	The following uses are prohibited: bar, nightclub, tavern, lounge	
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/Registered Agent Signature *Patty Brown* Print Name Patty Brown





SAINT AUGUSTINE'S  
UNIVERSITY

*Community Development Corporation*

UNANIMOUS CONSENT TO ACTION VIA EMAIL MEETING  
OF THE BOARD OF DIRECTORS OF  
SAINT AUGUSTINE'S UNIVERSITY  
COMMUNITY DEVELOPMENT CORPORATION

December 3, 2019

The Board of Directors of Saint Augustine's University Community Development Corporation, a North Carolina non-profit corporation ("the CDC"), acting pursuant to the Bylaws of the CDC and the provisions of Chapter 55A of the North Carolina General Statutes, do hereby adopt the following resolutions, such resolution to have the same force and effect as though taken by the unanimous vote of the Board of a meeting duly called for such purpose, effective for all purposes of the date hereof.

Resolved:

- 1). The CDC hereby authorizes Pattye Brown, Chairman and principal executive officer of the Corporation, to sign any leases, deeds, mortgages, bonds, contracts, or other instruments, which the Board of Directors has authorization to be executed.
- 2). This resolution shall be ongoing in nature and remain in force until rescinded by this Board.

IN WITNESS WHEREOF via email:

Tyrone Lindsey  
Craig Reed  
Brenda Washington  
Dr. Steven Lyons  
Yumekia Thompson  
Carole Ingram  
Eric Edwards  
Dennis Davis  
Chandra Grant  
Pattye Brown

  
Carole J. Ingram, Secretary

  
Pattye Brown, Chair

<b>REZONING APPLICATION ADDENDUM #1</b>	
<b>Comprehensive Plan Analysis</b>	<b>OFFICE USE ONLY</b>
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.	<b>Rezoning Case #</b>
<b>STATEMENT OF CONSISTENCY</b>	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
The rezoning request is consistent with the city's Comprehensive Plan.	
<b>PUBLIC BENEFITS</b>	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
A community survey was conducted in September 2019 to identify what community goods and services were most needed and wanted.	



**REZONING APPLICATION ADDENDUM #2****Impact on Historic Resources****OFFICE USE ONLY****Rezoning Case #**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

**INVENTORY OF HISTORIC RESOURCES**

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

N/A

**PROPOSED MITIGATION**

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

N/A

## URBAN DESIGN GUIDELINES

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

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation

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

- |    |   |
|----|---|
| 1. | <p><i>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.</i></p> <p><b>Response:</b></p>   |
| 2. | <p><i>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.</i> <b>Response:</b></p>   |
| 3. | <p><i>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.</i></p> <p><b>Response:</b></p>  |
| 4. | <p><i>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.</i></p> <p><b>Response:</b></p> |
| 5. | <p><i>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.</i></p> <p><b>Response:</b></p>   |
| 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> <b>Response:</b></p>  |

7.	<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. <b>Response:</b></i>
8.	<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. <b>Response:</b></i>
9.	<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. <b>Response:</b></i>
10.	<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. <b>Response:</b></i>
11.	<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. <b>Response:</b></i>
12.	<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. <b>Response:</b></i>



13.	<i>New public spaces should provide seating opportunities.</i> <b>Response:</b>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> <b>Response:</b>
15.	<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> <b>Response:</b>
16.	<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> <b>Response:</b>
17.	<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> <b>Response:</b>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> <b>Response:</b>
19.	<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> <b>Response:</b>

20.	<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. <b>Response:</b></i>
21.	<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. <b>Response:</b></i>
22.	<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. <b>Response:</b></i>
23.	<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. <b>Response:</b></i>
24.	<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. <b>Response:</b></i>
25.	<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. <b>Response:</b></i>
26.	<i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function. <b>Response:</b></i>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY 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"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see <a href="#">Fee Schedule</a> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<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"/>			
<b>For properties requesting a conditional use district:</b>					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<b>If applicable (see Page 11):</b>					
10. Proof of power of attorney or owner affidavit	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting a Planned Development (PD) or Campus District (CMP):</b>					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input type="checkbox"/>			
<b>For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):</b>					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input type="checkbox"/>			



MASTER PLAN SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the <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 type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

[illegible]

## SUMMARY OF ISSUES

A neighborhood meeting was held on July 23, 2020 (date) to discuss a potential rezoning located at 309 & 311 North Tarboro Street (property address).  
The neighborhood meeting was held at Virtual (location).  
There were approximately 6 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

- |   |
|---|
| <ul style="list-style-type: none"><li>• Type of building to be constructed: How many stories will the construction consist of?</li></ul>              |
| <ul style="list-style-type: none"><li>• Occupants: What tenants would occupy the different floors?</li></ul>  |
| <ul style="list-style-type: none"><li>• Parking: Will parking be on the street or in the rear of the building?</li></ul>                              |
| <ul style="list-style-type: none"><li>• Timeline for completion: If project is approved what is the time line from beginning to completion?</li></ul> |
|   |
|   |
|   |
|   |

[illegible]

## SUMMARY OF ISSUES

A neighborhood meeting was held on October 15, 2020 (date) to discuss a potential rezoning located at 309 & 311 North Tarboro Street (property address).

The neighborhood meeting was held Virtually (location).

There were approximately 6 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

- Parking: Attendees were concerned about parking issues, specifically for Lane Street residents.
- Attendees were concerned about the impact of additional traffic in the area.





**AGENDA ITEM (E) 4: Z-38-20 – 309 & 311 N. Tarboro Street**

This case is located 309 & 311 N Tarboro Street approximately a quarter mile north of its intersection with New Bern Avenue.

Approximately 0.37 acres are requested to be rezoned by Falcons Point, LLC on behalf of St. Augustine's College Community Development Corporation. Conditions dated August 30, 2020 prohibit adult establishments, bars and nightclubs.

Planner Ellis presented this case.

Patty Brown representing the applicant gave an overview of the case of the proposed mixed-use facility and the culture change she wants for the neighborhood to benefit the citizens and the students of Saint Augustine's College. She stated they have received support from Harvey & Associates and neighbor Nick Meeker.

James Montague also representing the applicant gave a brief overview of the case.

There was no public comment.

There was discussion regarding the public comment from neighborhood meetings. Ms. Brown responded that there were 2 meetings and she stated this is how they came up with the condition to remove taverns and bar and the like.

Ms. Winters responded that she was excited about the project and the addition of project like this support the neighborhood and the students of Saint Augustine's University.

There was further discussion regarding the units to be removed; limiting hours of operation and limit of parking between building and the street.

Mr. Montague addresses the concerns of the neighbors of the hours of operation and adding a condition to limit hours of operation until 11pm.

Ms. Winters asked where dumpsters would go and visibility to neighborhood to not be a distractions and screening enclosures.

Mr. Montague responded that the dumpster would be totally hidden to not be seen from either street.

There was further discussion regarding other permissive or restrictive uses in the area such as pawn shops; adult establishments.

Planner Ellis responded that they wouldn't be allowable in NX designation therefore there was no need to mention in the condition.

Mr. Montague responded regarding this being work force housing; commercial on bottom and residential on top 2 floors and wouldn't be used for dormitories.

**Ms. Fox made a motion to recommend approval the case as it consistent with Comprehensive Plan and Future Land Use Map. Ms. Winters seconded the motion.**

**Commissioners how do you vote?**

**Bennett (Aye), Fox (Aye), Hicks (Aye), Lampman (Aye), Mann (Aye), McIntosh (Aye), Miller (Aye) O'Haver (Aye), Chair Tomasulo (Aye) and Winters (Aye). The vote was unanimous 10-0.**