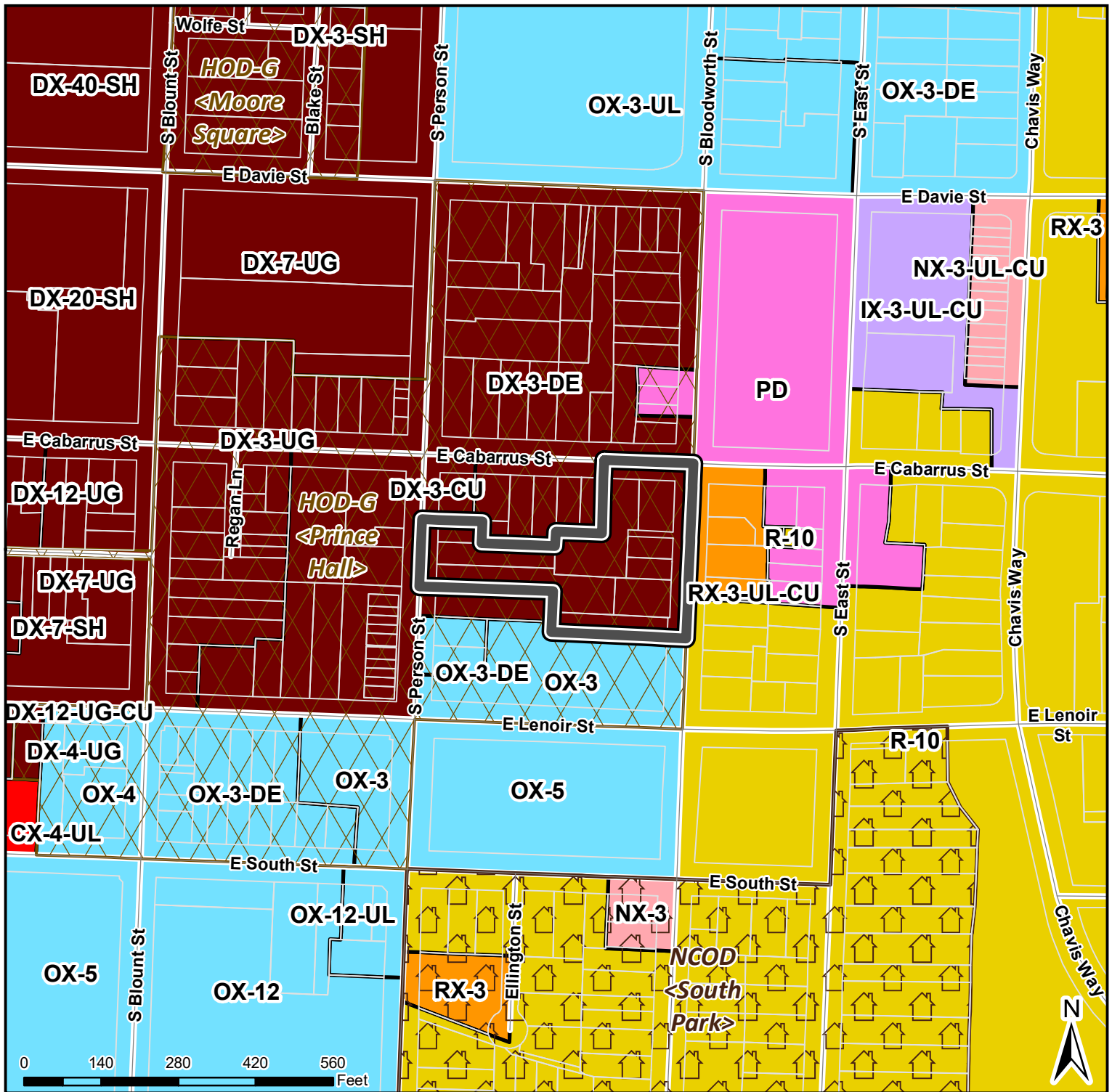


Existing Zoning

Z-41-2021



Property	322 E Cabarrus St; 502, 512, 514, 516, 518, & 520 S Bloodworth St; 507, 509, & 513 S Person St
Size	1.69 acres
Existing Zoning	DX-3-DE w/HOD-G
Requested Zoning	DX-3-UG-CU

Location

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Ira Mabel, AICP, Senior Planner
Department	Planning and Development
Date	February 7, 2022
Subject	City Council agenda item for March 1, 2022 – Z-41-21

On January 18, 2022, City Council authorized the public hearing for the following item:

Z-41-21 Bloodworth Street, approximately 1.69 acres located at [502, 512, 514, 516, 520 S. Bloodworth Street; 322 E. Cabarrus Street; 507, 509, 513 S. Person Street](#).

Signed zoning conditions provided on June 21, 2021 prohibit ten uses otherwise permitted in DX districts.

Current zoning: Downtown Mixed Use-3 Stories-Detached with Historic Overlay District-General (DX-3-DE w/ HOD-G).

Requested zoning: Downtown Mixed Use-3 Stories-Urban General (DX-3-UG).

The request is **inconsistent** 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 denial of the request (5 – 2).

The Raleigh Historic Development Commission recommends denial (7 – 0).

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13090

CASE INFORMATION: Z-41-21 BLOODWORTH ST & CABARRUS ST

Location	At the southwest corner of the intersection of S. Bloodworth Street and E. Cabarrus Street, stretching westward the entire width of the block to S. Person Street. Address: 502, 512, 514, 516, 520 S. Bloodworth St; 322 E. Cabarrus St; 507, 509, 513 S. Person St PINs: 1703865639, 1703866736, 1703866649, 1703866645, 1703866620, 1703865565, 1703862792, 1703863658, 1703864622 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-3-DE w/ HOD-G
Requested Zoning	DX-3-UG
Area of Request	1.69 acres
Corporate Limits	The subject site is within the city's corporate limits.
Property Owner	Beginning and Beyond Child Development Center, Inc; Bobby & Rosalind Sanders; Wyatt S. Cumbo, Jr.
Applicant	Mack Paul, Morningstar Law Group
Council District	C
PC Recommendation Deadline	January 22, 2022

SUMMARY OF PROPOSED CONDITIONS

1. The following principal uses shall be prohibited: cemeteries; adult establishments; heliports; detention center; jail; prison; self-service storage; vehicle repair; vehicle sales; pawnshops; and vehicle fuel sales.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown; Core Transit Area
Consistent Policies <i>Key policies are marked with a dot (●)</i>	<ul style="list-style-type: none"> ● LU 1.2—Future Land Use Map and Zoning Consistency ● UD 7.3—Design Guidelines
	DT 1.3—Underutilized Sites in Downtown
	DT 1.12—Downtown Edges

<i>Area Specific Guidance policies are marked with a square (□)</i>	●	DT 1.14—Downtown Transition Areas
	●	DT 7.19—Downtown Design Guideline Consistency
	□	AP-SP 1—South Park Downtown Transition
Inconsistent Policies	●	LU 5.1—Reinforcing the Urban Pattern
	●	LU 8.12—Infill Compatibility
		HP 2.4—Protecting Historic Neighborhoods
	●	UD 1.1—Protecting Neighborhood Identity
	●	UD 1.10—Frontage
		HP 1.2—Cultural and Historic Resource Preservation
	●	HP 2.7—Mitigating Impacts on Historic Sites
		HP 3.1—Adaptive Use
		HP 3.2—Retention Over Replacement
	□	AP-SP 4—Character of South Park Infill
	□	AP-SP 5—South Park Historic Preservation

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

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
5/26/2021 4 attendees	8/18/2021 16 attendees	11/23/2021 1/11/2022	1/18/2022

REZONING ENGAGEMENT PORTAL RESULTS

Views	Participants	Responses	Comments
61	0	0	0
Summary of Comments: N/A			

PLANNING COMMISSION RECOMMENDATION

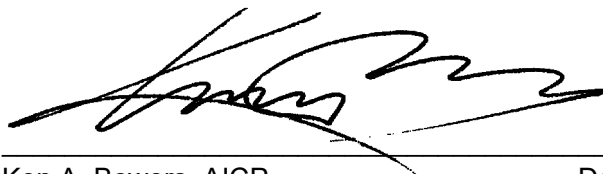
The rezoning case is **Consistent** with the Future Land Use Map and **Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Denial** is reasonable and in the public interest because:

Reasonableness and Public Interest	The request is not reasonable and in the public interest because it request would severely weaken the protections for an important historic area of Raleigh.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Denial
Motion and Vote	Motion: Bennett; Second: Rains In Favor: Bennett, Dautel, Fox, Lampman, and Rains Opposed: Miller and O'Haver
Reason for Opposed Vote(s)	The request is reasonable and in the public interest because it would allow more intense development in the urban core of Raleigh with high access to transit and employment options.

ATTACHMENTS

1. Staff Report
2. Original Conditions
3. Rezoning Application

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.



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 1/11/2022

Staff Coordinator: Ira Mabel: (919) 996-2652; Ira.Mabel@raleighnc.gov



ZONING STAFF REPORT – CASE Z-41-21

Conditional Use District

OVERVIEW

This request is to rezone approximately 1.69 acres from Downtown Mixed Use-3 Stories-Detached with Historic Overlay District-General (DX-3-DE w/ HOD-G) to Downtown Mixed Use-3 Stories-Urban General (DX-3-UG). The HOD is proposed to be removed from the site. Proposed conditions prohibit ten uses otherwise permitted in DX districts.

There are specific requirements for rezoning requests that change the boundaries of a Historic Overlay District, per [UDO section 10.2.4.D.4](#). For those cases, the Raleigh Historic Development Commission (RHDC) must prepare a report describing the significance of the buildings and changes in boundaries. This report must be referred to the North Carolina Department of Cultural Resources, who has up to 30 days to review it. RHDC reviewed such a report prepared by staff on September 21, 2021, and the City Council referred it to the state on October 5, 2021. The NC State Historic Preservation Office provided comments on November 5, which are attached.

Excerpts from the report that describe the history and intent of the historic district include:

“In 2000, City Council recognized the historic significance of the 500 block of South Person and South Blount streets by including a historic preservation element in the city-adopted 500 Block S. Person/S. Blount Area Redevelopment Plan. The plan specifically notes historic overlay district zoning as a tool to stabilize the historic character of the neighborhood, also ‘maintain[ing] the residential character of this area.’

Little is documented about the area’s development prior to the Civil War, and the Reconstruction period marks the beginning of the area’s development as part of an African American neighborhood. The availability of cheap land and the emergence of three prominent Black institutions—Second Baptist Church (now Tupper Memorial), Shaw Collegiate Institute (now Shaw University) and the School for the Negro Deaf, Dumb and Blind (formerly on Bloodworth, demolished in the 1990s)—helped to spark the development of the neighborhood. The period of significance dates from ca 1855 (the construction of the Rogers-Bagley-Daniels- Pegues House) to about 1960.

The subject site consists of nine parcels at the southwest corner of the intersection of S. Bloodworth Street and E. Cabarrus Street, stretching westward the entire width of the block to S. Person Street. There are five buildings on the site, all contributing resources to the historic district as described in the RHDC report. The site is also within the East Raleigh/South Park National Register Historic District, which covers approximately 208 acres and 708 buildings.

The majority of the site is used by the Beginning and Beyond Child Development Center as a daycare, with associated playground and parking. The purpose of the rezoning expressed by

the applicant is to expand this use. Besides the daycare, the remainder of the block fronting Cabarrus Street contains six detached houses. To the north are also detached houses and one surface parking lot. To the west are a mix of detached, townhouse, and apartment units, plus small-scale commercial uses. To the south are detached houses and Shaw University's Center for Early Childhood Education, Development, and Research. All of these areas are also within the HOD-G. To the east are primarily detached houses not in the HOD-G, about half of which were the subject of a recent rezoning approved in April of 2021 (Z-48-20).

This area functions as a transitional zone between downtown and more residential neighborhoods to the east. For the most part, the neighborhood is residential in nature, with historic detached houses and newly constructed townhouse and apartment units. A Shaw University dormitory is one block to the south; Transfer Co. Food Hall is two blocks to the northeast.

The subject site is generally positioned to the southeast of Moore Square. It is designated as Central Business District on the Future Land Use Map, as is all the nearby land to the north and west. FLUM designations to the southeast are primarily Moderate Density Residential.

The Urban Form Map also follows this pattern; the site and land to the north and west are located within the Downtown Center and the Core Transit Area. This classification suggests an urban frontage approach, which is included in the request through the Urban General. Many other zoning districts nearby include a Detached frontage, which is not one of the urban options.

The site is within the boundaries of the Downtown Transition Zone of the South Park Small Area Guidance, which encourages small scale mixed-use development at this location.

Update for January 11, 2022 Planning Commission

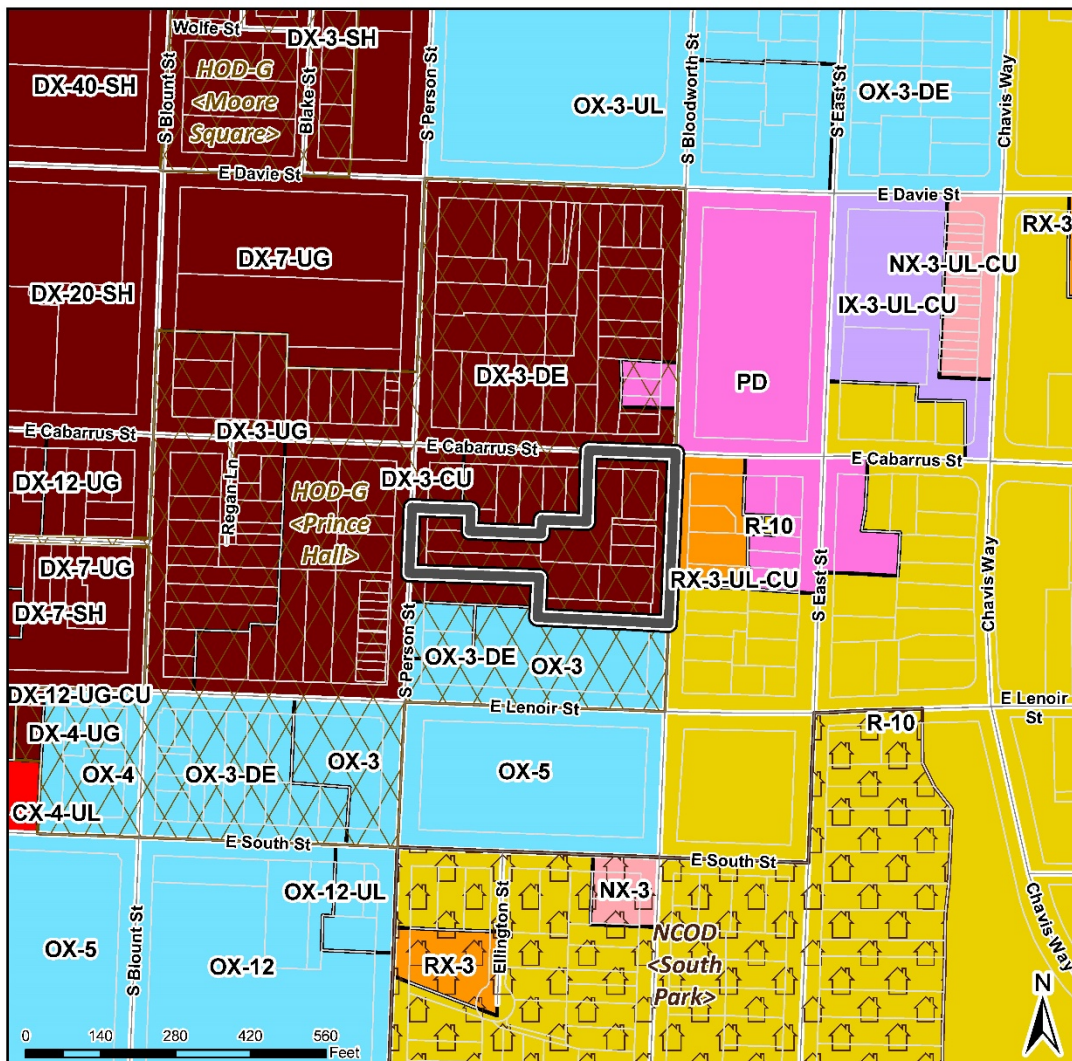
On November 23, 2021 Planning Commission deferred this item to allow the Raleigh Historic Development Commission time to make a formal recommendation. A memo from RHDC is included in the item backup. No other changes have been made to the request.

OUTSTANDING ISSUES

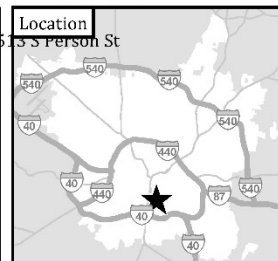
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
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Existing Zoning

Z-41-2021



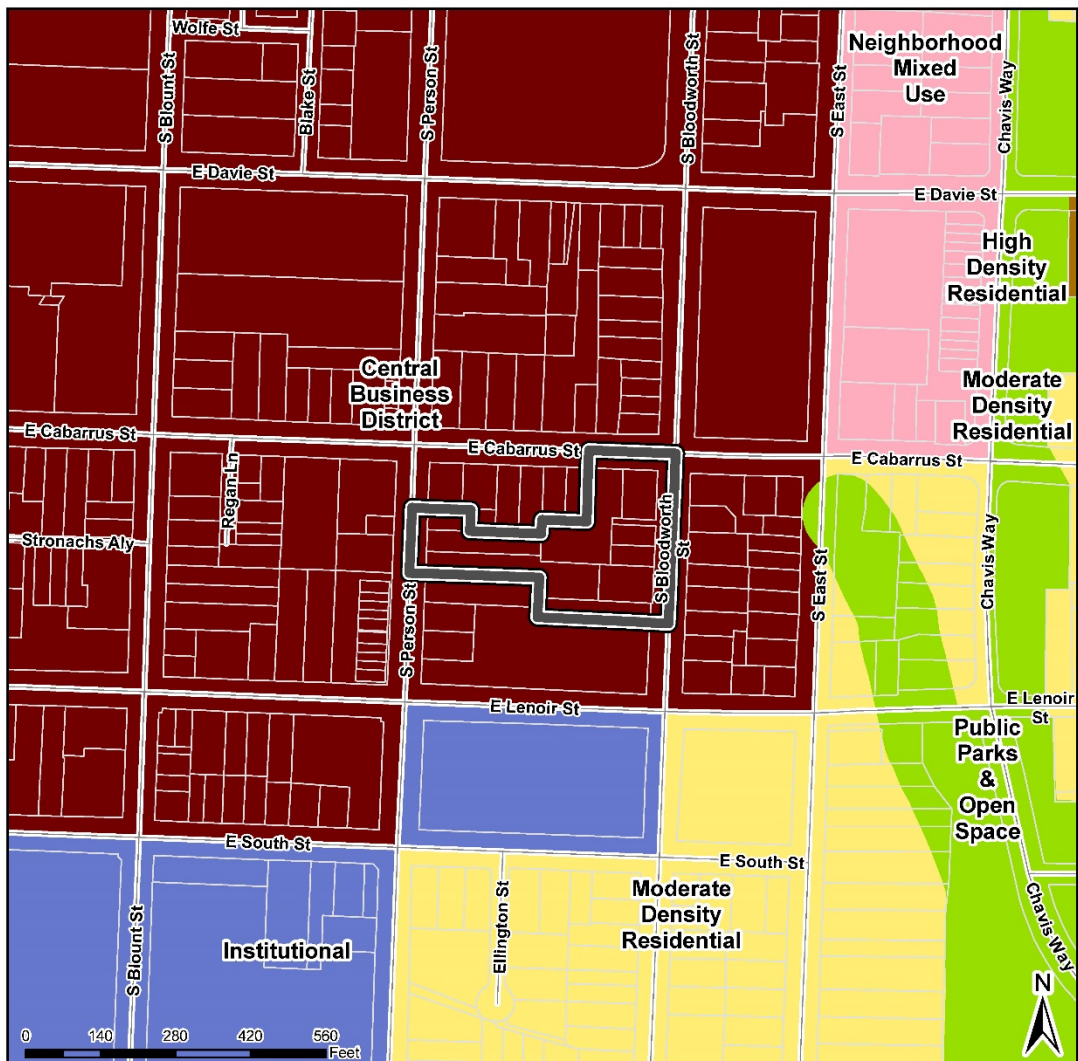
Property	322 E Cabarrus St; 502, 512, 514, 516, 518, & 520 S Bloodworth St; 507, 509, & 511 S Person St
Size	1.69 acres
Existing Zoning	DX-3-DE w/HOD-G
Requested Zoning	DX-3-UG-CU



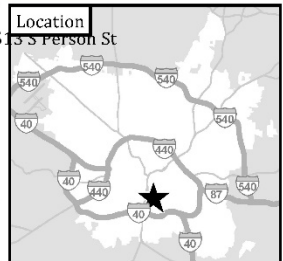
Map by Raleigh Department of Planning and Development (mansolf); 7/1/2021

Future Land Use

Z-41-2021



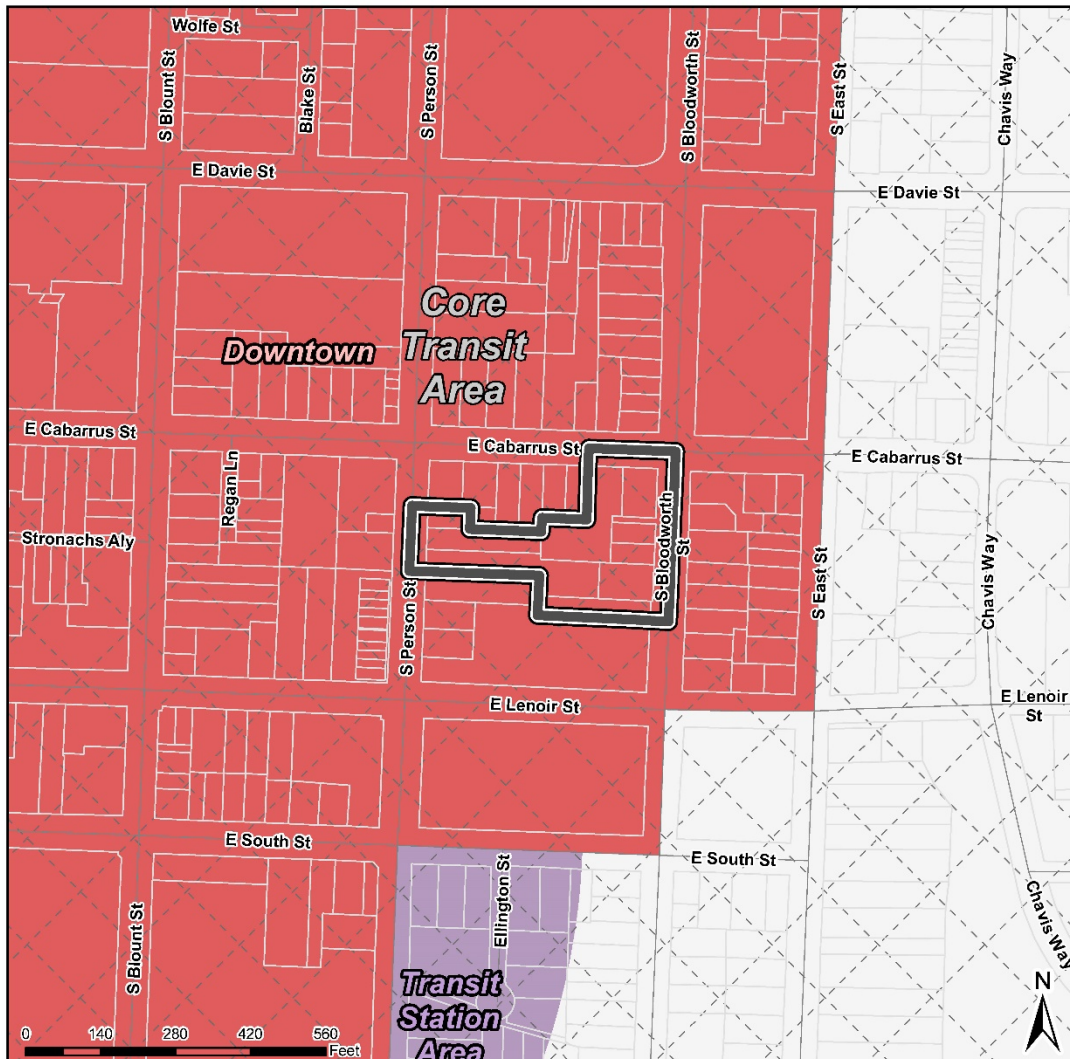
Property	322 E Cabarrus St; 502, 512, 514, 516, 518, & 520 S Bloodworth St; 507, 509, & 511 S Person St
Size	1.69 acres
Existing Zoning	DX-3-DE w/HOD-G
Requested Zoning	DX-3-UG-CU



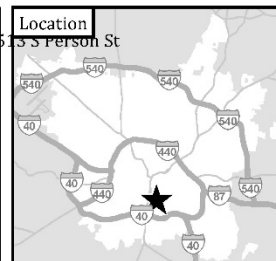
Map by Raleigh Department of Planning and Development (mansolf); 7/1/2021

Urban Form

Z-41-2021



Property	322 E Cabarrus St; 502, 512, 514, 516, 518, & 520 S Bloodworth St; 507, 509, & 511 S Person St
Size	1.69 acres
Existing Zoning	DX-3-DE w/HOD-G
Requested Zoning	DX-3-UG-CU



Map by Raleigh Department of Planning and Development (mansolf): 7/1/2021

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?

Overall, the request is inconsistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Coordinating Land Use and Transportation** vision theme. This theme envisions higher density residential and mixed-use development to support new local and regional public transit services. The subject site, approximately 1/3 of a mile from GoRaleigh Station at Moore Square, will have some of the best access to transit anywhere in the city. Removing the DE frontage and the HOD would likely allow more intense development at this location.

However, the request is inconsistent with **Growing Successful Neighborhoods and Communities** vision theme. This theme advocates for conserving older neighborhoods through careful infill development that complements existing character, as well as protecting places of historic and architectural significance. Although the request could potentially result in infill development that is compatible with the neighborhood, removing the DE frontage and the HOD severely weakens the protections for the existing structures on the site that contribute to the local historic district.

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

Yes. The subject site is classified as Central Business District on the Future Land Use Map, which is intended to enhance downtown as a mixed-use center and supports the Downtown Mixed Use zoning district.

- 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?

N/A

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

Yes. Community facilities and streets appear to be sufficient to serve the proposed use.

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

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

☐ **Inconsistent**

The subject site is classified as Central Business District on the Future Land Use Map, which recommends the Downtown Mixed Use zoning district.

Urban Form

Urban Form designation: Downtown, Core Transit Area

The rezoning request is

☒ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Overview: The site is located within the Downtown Center and the Core Transit Areas, which suggest an urban frontage. The request includes an Urban General (UG) frontage, which is one of the urban frontage options.

Impact: The Urban General frontage is intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk, but higher street wall continuity is required than the Urban Limited Frontage.

The primary street build-to in UG is 0 – 20 feet, with a minimum of 70% of the building width being within that range for the primary street, and 35% for a side street. Street-facing entrances are required.

Compatibility: The Urban General designation is compatible with neighboring properties and the general context of the area. Other DX zoning districts near the site also have Detached frontages, which also prohibits parking between buildings and the street.

Compatibility

The proposed rezoning is

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The density and building types permitted in DX districts are compatible with the built form of this part of the city. There is a broad range of zoning districts nearby, including R-10, RX-3, OX-3, and DX-3, as well as a range of building types, with detached houses, apartment, and general building types existing currently. Overall, the request is generally compatible with the property and the surrounding area and can potentially be established without adversely impacting neighboring properties.

Public Benefits of the Proposed Rezoning

- The request would allow more intense development in the urban core of Raleigh with high access to transit and employment options.

Detriments of the Proposed Rezoning

- The request would severely weaken the protections for this historic area of Raleigh.

Policy Guidance

Key policies are directly related to changes in zoning and are used to evaluate rezoning request consistency. They are marked with an orange dot (●).

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

● **LU 1.2—Future Land Use Map and Zoning Consistency**

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

- The request is consistent with the Future Land Use Map designation of Central Business District, which envisions a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses. The requested Downtown Mixed Use zoning corresponds to this designation.

● **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.

- The proposed Urban General frontage is an urban frontage that is consistent with the Urban Design Guidelines. The relation of the building to the street in the UG frontage conforms to Urban Design Guidelines 6, 7, 8, and 24. The required build-to on two streets will ensure a defined urban space that provides interest to pedestrians and has a primary entrance on the primary public street. The transparency requirement of the DX district conforms with guideline 25.

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.
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 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.
Guideline 24	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.
Guideline 25	The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.

DT 1.3—Underutilized Sites in Downtown

Encourage the redevelopment of underutilized sites in downtown, included but not limited to vacant sites, surface parking lots, and brownfield sites.

- Approximately 45% of the rezoning site currently contains either surface parking or vacant. Removal of the HOD will potentially facilitate the redevelopment of the site with substantial amounts of residential, office, and/or retail space

DT 1.12—Downtown Edges

Appropriate transitions in height, scale, and design should be provided between Central Business District land uses and adjacent residential districts.

● DT 1.14—Downtown Transition Areas

In areas where the Downtown Section boundaries are located in proximity to established residential neighborhoods, residential densities should taper to be compatible with adjacent development. Non-residential uses with the greatest impacts—such as theaters, concentrated destination nightlife and retail, and sports and entertainment uses—should be directed away from these transition areas. Where existing zoning overlays are mapped, the height guidance in these districts should not be changed outside of an area planning process.

- The request at this location of 3 stories and limiting the highest-impact commercial uses would create a reasonable transition between the building heights of downtown and the lower height recommendations in the FLUM, South Park Area Specific Guidance, and South Park NCOD southeast of the site.

● DT 7.19—Downtown Design Guideline Consistency

Development projects in downtown should implement and be consistent with the design guidelines in Table DT-1 to the maximum extent practicable.

- The Urban General frontage will require that future development have an activated and pedestrian oriented streetscape. This frontage also supports walkability by requiring pedestrian entrances and transparency, as well as by restricting the location of parking.

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

● LU 5.1—Reinforcing the Urban Pattern

New development should acknowledge existing buildings, and, more generally, the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

● LU 8.12—Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

HP 2.4—Protecting Historic Neighborhoods

Protect the scale and character of the city's historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.

- Although the request could potentially result in infill development that is compatible with the neighborhood, the removal of the HOD eliminates the existing guarantee through the Certificate of Appropriateness (COA) process the any development proposal would be reviewed for compatibility with the height, massing, setback, and materials of the neighborhood

UD 1.1—Protecting Neighborhood Identity

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

- This request would remove an existing HOD.

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.

- A Downtown Center and Core Transit Area urban form designation suggests an urban frontage option, which was included with this request via Urban General. However, the majority of zoning districts near the site have Detached (DE) frontages, which is not one of the urban frontage options but does limit parking between buildings and the streets similar to UG.

HP 1.2—Cultural and Historic Resource Preservation

Identify, preserve, and protect cultural and historic resources, including buildings, neighborhoods, designed and natural landscapes, cemeteries, streetscapes, view corridors, and archaeological resources.

HP 2.7—Mitigating Impacts on Historic Sites

Development proposals adjacent to or including historic sites should identify and minimize or mitigate any negative development impacts on those sites

HP 3.1—Adaptive Use

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

HP 3.2—Retention Over Replacement

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

- The rezoning site is within the East Raleigh/South Park National Register Historic District and contains five structures that are contributing to the district. Removing the DE frontage and the HOD severely weakens the protections for this historic area of Raleigh, including the 365 day waiting period for demolition permits.

Area Plan Policy Guidance

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

AP-SP 1—South Park Downtown Transition

Encourage mixed-use development (small scale Office, Retail, and/or Residential uses) in the area bounded by Cabarrus, East, Lenoir, and Wilmington streets.

- The requested zoning would permit small scale mixed-use development in the area described.

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

Policy AP-SP 4—Character of South Park Infill

Infill residential development should reflect the existing historic building types in the South Park study area

Policy AP-SP 5—South Park Historic Preservation

Emphasize the historic significance of the South Park neighborhood through the promotion and protection of contributing historic elements.

- The request would eliminate the existing protection of the historic structures and would permit mixed-use and commercial building types which differ from the historic pattern of detached and attached buildings in the area.

EQUITY AND CLIMATE CHANGE ANALYSIS

Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	31	91	The walk score for the site is much higher than the citywide average.
Transit Score	30	76	The transit score for the site is much higher than the citywide average.
Bike Score	41	88	The bike score for the site is much higher than the citywide average.
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	88	Downtown has some of the lowest transportation costs in Raleigh.
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	97	Downtown has some of the highest access to jobs in Raleigh.

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. HUD index scores are percentiles indicating how well the subject tract performs compared to all other census tracts in the United States. A higher percentile for Low Transportation Cost or Jobs Proximity indicates a lower the cost of transportation and higher access to jobs in the nearby area, respectively.

Housing Energy Analysis

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.

Housing Supply and Affordability

Does the proposal add or subtract from the housing supply?	Adds	The potential residential entitlement will increase from 44 to 81 units.
Is naturally occurring affordable housing present on the site?	Unlikely	The majority of the lots in the rezoning request are owned by the same owners of the daycare center.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The proposed district permits 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	The site is within walking distance of outbound routes 5, 13, and 22; inbound routes 5, 13, 20, 22, 40X, and 55X; and 1/3 of a mile from GoRaleigh Station at Moore Square

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

Demographic Indicators from EJSCREEN*

Indicator	Site Area	Raleigh
Demographic Index** (%)	35	36
People of Color Population (%)	41	39
Low Income Population (%)	29	33
Linguistically Isolated Population (%)	0	4
Population with Less Than High School Education (%)	10	13
Population under Age 5 (%)	2	6
Population over Age 64 (%)	10	15
% change in median rent since 2015	35.3	25.6

*Environmental Justice Screening and Mapping Tool from the Environmental Protection Agency (<https://www.epa.gov/ejscreen>)

**The Demographic Index represents the average of the percentage of people who are low income and the percentage of people who are minorities

Health and Environmental Analysis

What is the life expectancy in this census tract? Is it higher or lower than the city average*?	81.8 (yrs)	Slightly higher than citywide average
Are there known industrial uses or industrial zoning districts within 1,000 feet?	No	
Are there hazardous waste facilities are located within one kilometer?	Possibly	There is one hazardous waste site marked on Shaw University's campus.
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	
Is this area considered a food desert by the USDA?	No	However, the Census tract south of Lenoir street is marked as a food desert.

*Raleigh average = 79.9; Wake County average = 80.3

Land Use History

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	Yes	This site was included in the original Christmas Plan of 1792.
Has the area around the site ever been the subject of an urban renewal program?*	Yes	The site is included in the city's South Park redevelopment plan.
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	None found	
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	None found	

*The response to this question is not exhaustive, and additional information may be produced by further research. Absence of information in this report is not conclusive evidence that no such information exists.

Analysis Questions

1. Does the rezoning increase the site's potential to provide more equitable access to housing, employment, and transportation options? Does the rezoning retain or increase options for housing and transportation choices that reduce carbon emissions?

Response: The rezoning request would increase potential housing supply. Due to the change from a -DE to a -UG frontage, the types of housing that could be built would also be denser options. The cost per housing unit on any particular site generally does decrease when more units can be constructed. The request would also facilitate the expansion of the existing day care, which is an important service provider for the community.

2. Is the rezoning in an area where existing residents would benefit from access to lower cost housing, greater access to employment opportunities, and/or a wider variety of transportation modes? Do those benefits include reductions in energy costs or carbon emissions?

Response: The existing residents of the area display a slightly lower degree of economic vulnerability as the average Raleigh resident, according to the gathered demographic data.

3. Have housing costs in this area increased in the last few years? If so, are housing costs increasing faster than the city average?

Response: Housing costs in this area rose more quickly between 2015 and 2020 than they have in Raleigh as a whole. The median rent increased 35.3% between 2015 and 2019, compared to 25.6% for the city.

4. Are there historical incidences of racial or ethnic discrimination specific to this area that have deprived Black, Indigenous, and People of Color (BIPOC) of access to economic opportunity, public services, or housing? If so, does the rezoning request improve any current conditions that were caused, associated with, or exacerbated by historical discrimination?

Response: According to RHDC's report, this area lies within the original limits of the City of Raleigh as established in 1792. Little is documented about the area's development prior to the Civil War. The Reconstruction period marks the beginning of the area's development as part of an African American neighborhood.

5. Do residents of the area have disproportionately low life expectancy, low access to healthy lifestyle choices, or high exposure to environmental hazards and/or toxins? If so, does the rezoning create any opportunities to improve these conditions?

Response: The collected indicators suggest nearby residents have better opportunities for healthy lifestyles and outcomes than the average resident of Raleigh.

IMPACT ANALYSIS

Historic Resources

1. The site is located within the East Raleigh - South Park National Register Historic District and the Prince Hall Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: As part of “one of the largest and most historic, relatively intact urban black residential and cultural concentrations in North Carolina,” the removal of these properties from the Prince Hall Historic Overlay District would be in conflict with long-established planning policies, threatens the overall vitality of the district, and the heritage it represents.

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 John Chavis Memorial Park (0.2 miles) and Chavis Way Park (0.3miles).
3. Nearest existing greenway trail access is provided by the Little Rock Greenway Trail (0.2 miles).
4. Current park access level of service in this area is graded an A letter grade.

Impact Identified: None.

Public Utilities

1. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

Impact Identified: None

Stormwater

1. Site subject to Stormwater regulations under UDO 9.2 for runoff and nitrogen. No floodplain exists onsite. No Neuse Buffers exist. No impacts identified.

Impact Identified: None.

Transportation

1. **Location:** The Z-41-21 site is located in Downtown Raleigh, on the southwest corner of South Bloodworth Street and East Cabarrus Street.
2. **Area Plans:** The Z-41-21 site is located within the adopted Downtown Plan boundaries. The plan includes a collection of policies intended to address downtown-specific issues and ways to encourage downtown investment to address vibrancy, walkability and connectivity, and place making
3. **Other Projects in the Area:** Approximately a half mile north of the site, is the Wake BRT: New Bern project. This project will be constructing dedicated transit lanes between GoRaleigh Station and Wake Med Hospital and a multiuse path along the southern side of New Bern Avenue. The service will extend beyond the I-440 beltway. The project is currently in the final design phase and is anticipated to start construction Summer 2022. Construction is anticipated to be completed Summer 2024.

Directly east of the site, is the Blount Person Two-Way Conversion project. It includes converting Blount Street and Person Street from their current one-way operation into two streets with two-way traffic between Edenton Street and Wake Forest Road, enhancing the bike lanes along the corridor, and adding traffic calming measure in some areas. The project is currently in the design phase. A construction date has not been determined at this time.

4. **Streets:** The Z-41-21 site has frontage on South Bloodworth Street and East Cabarrus Street. Both streets are designated as Main Street with parallel parking in Map T-1 of the Comprehensive Plan (the Street Plan). Both streets are maintained by the City of Raleigh. The subject property also has frontage on South Person Street which is designated Avenue 4-Lane with parallel parking. It is maintained by NCDOT.

In accordance with UDO section 8.3.2, the maximum block perimeter is 2,000 feet for DX zoning districts. The current block perimeter for the site is approximately 1,700 feet.

5. **Pedestrian Facilities:** Sidewalks are complete in the vicinity of the subject property. Development of the site through a subdivision or a tier three site plan will result in sidewalks conforming to streetscape requirements in Article 8.5 of the UDO.
6. **Bicycle Facilities:** There are existing Shared Lane markings ("Sharrows") on East Cabarrus Street. Directly east of the site is a southbound conventional bike lane on South Person Street, with a northbound counterpart on South Person Street. South Bloodworth Street is designated as a neighborhood bikeway in the Long-Term Bike Plan.

The Little Rock Greenway Trail is located approximately 0.12 miles east of the site.

There are several Bikeshare stations are operational near the Z-41-21 site, including the Chavis Way at East Davie Street station and Chavis Park station. The closest station is located approximately 0.2 miles from the site at the intersection of East South Street and South Person Street.

7. **Transit:** The Z-41-21 site is well served by existing public transit. GoRaleigh routes 5,13 and 22 operate every 30 minutes during peak on East Lenior Street and East Street. The nearest stop is located approximately 450 feet of the site. GoRaleigh routes 13 and 20 operate 30 minutes during peak on South Person Street with the nearest stop located approximately 900 feet of the site. GoRaleigh routes 17, which operates every 30 minutes, and route 18, which operates every 60 minutes, both run along East Martin Street. The nearest stop for route 17 and route 18 is located a quarter of a mile from the site.
8. **Access:** Access to the subject site is on South Person Street, South Bloodworth Street and East Cabarrus Street.
9. **Traffic Impact Analysis (TIA):** Based on the Envision results, approval of case Z-41-21 would increase the amount of projected vehicular peak hour trips to and from the site as indicated in the table below. The proposed rezoning from DX-3-DE w/ HOD-G to DX-3-UG is projected to generate 71 new trips in the AM peak hour and 130 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. A TIA may be required during site permit review.

Z-41-21 Existing Land Use Day Care and Residential	Daily	AM	PM
	427	76	76
Z-41-21 Current Zoning Entitlements Day Care and Downtown Mixed Use	Daily	AM	PM
	427	76	76
Z-41-21 Proposed Zoning Maximums Downtown Mixed Use	Daily	AM	PM
	1,826	148	206
Z-41-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,435	71	130

Impact Identified: None.

Urban Forestry

1. Proposed zoning and conditions offered do not alter Tree Conservation Area requirements or street tree requirements of the UDO from the existing zoning.

Impact Identified: None.

Impacts Summary

- The request would facilitate the demolition of historic resources and permit new constructions that is not required to be reviewed against the historic context of the neighborhood.

Mitigation of Impacts

- The applicant could add zoning conditions that guarantee certain design criteria that fit the historic character of the district.

CONCLUSION

This request is to rezone nine parcels totaling approximately 1.69 acres from Downtown Mixed Use-3 Stories-Detached with Historic Overlay District-General (DX-3-DE w/ HOD-G) to Downtown Mixed Use-3 Stories-Urban General (DX-3-UG). Proposed conditions prohibit ten uses otherwise permitted in DX districts.

The request is **inconsistent** with Comprehensive Plan overall; **consistent** with the Future Land Use Map; and **consistent** with the Urban Form Map. The request is **inconsistent** with the South Park Area Specific Guidance.

The request is **consistent** with Comprehensive Plan policies regarding development downtown. The request is **inconsistent** with policies regarding infill compatibility and historic preservation.

The request would support the Vision Theme of *Coordinating Land Use and Transportation* but would not support the *Growing Successful Neighborhoods and Communities* theme.

CASE TIMELINE

Date	Action	Notes
7/23/2021	Submitted application	
9/21/2021	Raleigh Historic Development Commission (RHDC)	Received staff's report
10/5/2021	City Council	Received RHDC's recommendation, forwarded staff's report to the state
11/23/2021	Planning Commission	
12/21/2021	RHDC	Made recommendation
1/11/2022	Planning Commission	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-3-DE	DX-3-DE	OX-3, OX-3-DE	DX-3-DE, R-10	RX-3-UL-CU
Additional Overlay	HOD-G	HOD-G	HOD-G	-	HOD-G
Future Land Use	Central Business District	Central Business District	Central Business District	Central Business District	Central Business District
Current Land Use	Day care	Detached residential	Day care	Detached and attached	Multi-family, retail
Urban Form	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	DX-3-DE w/ HOD-G	DX-3-UG
Total Acreage	1.69	1.69
Build-to's:		
Primary street	N/A	0'/20', 70%
Side street	N/A	0'/20', 35%
Building Types Allowed	Detached, attached, townhouse, apartment	Townhouse, apartment, general, mixed use
Residential Density:	26.04	47.93
Max. # of Residential Units	44	81
Max. Gross Building SF	52,616	156,825
Max. Gross Office SF	4,000	156,825
Max. Gross Retail SF	4,000	52,270
Max. Gross Industrial SF	-	-
Potential F.A.R	0.71	2.13

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

The following uses shall be prohibited as principal uses on the property: cemeteries; adult establishments; heliports; detention center; jail; prison; self-service storage; vehicle repair; vehicle sales; pawnshops; and vehicle fuel sales.

Property Owner(s) Signature: Rosalind Blair
A6F935E8A13F414...

raleighnc.gov

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case #
Existing zoning: DX-3-DE	Proposed zoning: DX-3-UG	

Narrative of Zoning Conditions Offered	
<p>The following uses shall be prohibited as principal uses on the property: cemeteries; adult establishments; heliports; detention center; jail; prison; self-service storage; vehicle repair; vehicle sales; pawnshops; and vehicle fuel sales.</p>	

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. DocuSigned by:

additional space is needed.

DocuSigned by:

Property Owner(s) Signature: *Bobby Sanders*

46F035F8413E4114

Printed Name: Bobby L. Sanders

RECEIVED

By Carmen Kuan at 10:18 am, Jun 21, 2021



Rezoning Application and Checklist

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

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

Rezoning Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan
	<input type="checkbox"/> Text change to zoning conditions		
Existing zoning base district: DX		Height: 3	Frontage: DE
Proposed zoning base district: DX		Height: 3	Frontage: UG
			Overlay(s): HOD-G
			Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: See Attachment A		
Property PIN: See Attachment A		
Deed reference (book/page): See Attachment A		
Nearest intersection: See Attachment A		Property size (acres): See Attachment A
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: See Attachment A		
Property owner email: See Attachment A		
Property owner phone: See Attachment A		
Applicant name and address: Beginning and Beyond Child Development Center		
Applicant email: rozandbobby@aol.com		
Applicant phone: 919.624.0314		
Applicant signature(s): <i>Rosalind Blair</i>		DocuSigned by: <i>Bobby Sanders</i>
Additional email(s):		

RECEIVED

By Carmen Kuan at 10:17 am, Jun 21, 2021

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 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 institutional, cultural and visitor-serving uses. DX is the primary district for the CBD.
2. The properties are within the Urban Form Map, which supports the proposed urban 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 three stories is consistent with policies contained in the Downtown element of the Comprehensive Plan. DT 1.11 (Downtown Edges) and Policy DT 1.13 (Downtown Transition Areas) call for appropriate transitions in height, scale and design adjacent to residential districts. As the lowest height available for mixed use districts, three stories 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 Policy ED 2.4 (Attracting Investment to Emerging Neighborhoods) and Action ED 5.2 (Targeted Economic Development Plans) given the properties location in the Downtown East target area.

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 would allow local business owners who provide an essential service to low wealth families in East Raleigh to continue and to expand their child care services in the community.

The rezoning meets the intent of the new equity policies under review by the City by resolving the Government Alliance for Race and Equity (GARE) questions in a way that mitigate racial impacts, burdens, benefits, root causes of disparities and unintended consequences flowing from the imposition of the Historic Overlay District on the properties long after the child care business was established.

The rezoning is reasonable and in the public interest because it meets RHDC’s Special Character of the Prince Hall Historic District , which states Shaw University attracted African Americans to the neighborhood to settle and start thriving businesses that came to define this area. The existing daycare is family-owned and managed by Raleigh residents who have long and continuing connections with Shaw University and this community.

Rezoning Application Addendum #2

Impact on Historic Resources

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

OFFICE USE ONLY

Rezoning case #

Inventory of Historic Resources

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

There are three contributing structures to the Prince Hall Historic District situated on the properties to be rezoned. They include 322 E. Cabarrus Street, 516 S. Bloodworth Street and 518 S. Bloodworth Street. 322 E. Cabarrus Street has a two-story flat roof building dating from 1930. The structure saw extensive renovations in the 1980s. 516 S. Bloodworth Street contains a single-story frame residence with vinyl siding, asphalt shingled roof, 3/1 and 6/6 windows, and a front porch with (apparently salvaged) square posts with heavy molded caps dating from the late 19th century or early 20th century. 518 S. Bloodworth Street has on it situated Cumbo's Barber Shop. The rezoning will impact the historic resource to the extent it will eliminate the HOD from the zoning. The HOD requires a Certificate of Appropriateness (COA) for new development.

Proposed Mitigation

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

The rezoning will retain the base district (DX) and height (3 stories) on the properties. Those designations are appropriate and consistent with the scale and uses of the historic district. In addition, the urban frontage (UG) is consistent with the built form in the period of relevancy of the historic district. Further, it will prohibit any parking between buildings and the street. The rezoning will facilitate the development of a community center on the properties. That building will require removal of the structures at 322 E. Cabarrus Street and 516 S. Bloodworth Street. The structure at 518 S. Bloodworth Street will remain. The community center will ensure the continued operation of a child care center serving area residents and one that has operated on the properties for nearly 30 years.

Urban Design Guidelines

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

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

Urban form designation:

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

1

All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.

Response:

N/A

2

Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.

Response:

N/A

3

A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial.

Response:

N/A

4

Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.

Response:

N/A

5

New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.

Response:

N/A

6

A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.

Response:

N/A

7	<p>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.</p> <p>Response: N/A</p>
8	<p>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.</p> <p>Response: N/A</p>
9	<p>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.</p> <p>Response: N/A</p>
10	<p>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.</p> <p>Response: N/A</p>
11	<p>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.</p> <p>Response: N/A</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Response: N/A</p>
13	<p>New public spaces should provide seating opportunities.</p> <p>Response: N/A</p>

14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Response: N/A</p>
15	<p>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.</p> <p>Response: N/A</p>
16	<p>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.</p> <p>Response: N/A</p>
17	<p>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.</p> <p>Response: N/A</p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response: N/A</p>
19	<p>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.</p> <p>Response: N/A</p>
20	<p>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.</p> <p>Response: N/A</p>

21	<p>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.</p> <p>Response: N/A</p>
22	<p>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.</p> <p>Response: N/A</p>
23	<p>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.</p> <p>Response: N/A</p>
24	<p>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.</p> <p>Response: N/A</p>
25	<p>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.</p> <p>Response: N/A</p>
26	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response: N/A</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 Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 Fee Guide 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 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"/>
For properties requesting a Conditional Use District:					
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"/>
If applicable, see page 11:					
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"/>
For properties requesting a Planned Development or Campus District:					
13. Master plan (see Master Plan submittal requirements).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:					
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 checked="" type="checkbox"/>	<input 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 Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh.	<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: May 14, 2021

Re: Properties:

PIN	Address
1703865639	322 E CABARRUS ST
1703866736	502 S BLOODWORTH ST
1703866649	512 S BLOODWORTH ST
1703866645	514 S BLOODWORTH ST
1703866620	516 S BLOODWORTH ST
1703866620	518 S BLOODWORTH ST
1703865565	520 S BLOODWORTH ST
1703862792	507 S PERSON ST
1703863658	509 S PERSON ST
1703864622	513 S PERSON ST

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Wednesday, May 26th, 2021 from 5:30pm to 7:30pm. The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 5pm and will be followed by an opportunity for questions and answers. Depending on attendance, the programmed portion of the meeting is likely to end between 6 and 6:30pm. The additional time is intended to allow for a late start in the event of any technical issues related to the virtual meeting, and your flexibility is appreciated. Once the meeting has been successfully completed, the online meeting, including the telephone dial-in option, will remain open until 7pm, and we will be happy to review the proposal or answer additional questions during this time.

The purpose of this meeting is to discuss a potential rezoning of the properties listed above. The current zoning is DX-3-DE with HOD-G and the proposed zoning designation is DX-3-UG. The purpose of the zoning request to facilitate the redevelopment of the existing childcare center to continue as a day care center inclusive of a community center with cultural facilities.

Our goal is to gather comments through your participation in this virtual 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.

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

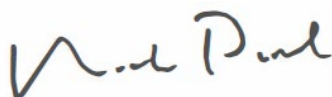
Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf
Raleigh Planning & Development
(919)996-2180
JP.Mansolf@raleighnc.gov

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

Mack Paul
Morningstar Law Group
919-590-0377
mpaul@mstarlaw.com

Sincerely,



Summary of Cabarrus Neighborhood Meeting

Mack Paul

Discussed Process of Rezoning

Discussed Beginning and Beyond Child Development Center as a business and owners' ties to this area.

Showed maps of project site and explained zoning.

Discussed proposed zoning and removal of Historic Overlay District (HOD).

Discussed proposed prohibited uses.

Discussed Urban General frontage and how it relates to this project.

Discussed Future Land Use Map and how this project relates to it.

Ted Van Dyk

Discussed project and what is best for proposed use.

Discussed prior buildings and uses in the area and how they relate to what is currently required.

Discussed buildings being demolished, left as is, or moved. Showed picture of proposed project.

Discussed practicality of why rezoning is being requested and removing historic overlay.

Showed picture of playground area.

Mack Paul

Discussed owners' vision of the project from currently just young children up to pre-college age, and possibly up to adult and senior services.

Owners

Owners discussed their desire to expand and provide quality programs to the community so the center can serve more families who live and work in the Downtown area.

Topic area:

Participant asked whether it is necessary to include all lots in the rezoning petition. It was discussed that all properties in the rezoning request relate to the proposed community center and their inclusion in the application avoids future conflicts.

Participant asked whether RHDC can assist with the COA process so that the project can proceed within the HOD. It was discussed that the COA process began in fall 2020. The applicant realized after months of meetings that the project's time horizon cannot be accomplished within the confines of the COA process. Applicant encouraged participants to communicate need to ensure non-residential projects can be reviewed appropriately under the COA process in the future.

Participant expressed concern about removal of nine properties from historic district. Participant asked about potential redevelopment for other uses. Applicant pointed out the base zoning and uses are not

changing with the rezoning. The rezoning application will limit uses as compared to those allowed currently.

Applicant reviewed and responded to email questions as follows:

How many families/owners of the properties? There is one owner, except for one parcel currently under contract that the applicants are purchasing.

What does current zoning not allow them to do? The current zoning has no bearing on the use, height and program of the proposed community center. However, there is an Historic Overlay District (HOD) in place that requires an additional process for new development. The owners have been pursuing a Certificate of Appropriateness (COA) pursuant to the HOD.

Which properties are being included? All those listed in the notice for neighborhood meeting.

Share/show respective designs/plans for redevelopment? The applicant showed some of the plans prepared for the COA process.

What kind of community center is this, who does it serve, hours? Beginning and Beyond Child Development Center currently serves infant through 12 years of age. The owners would like to expand the age group to high school and provide wrap-around services up. Those services could include art programs and college preparatory classes. Eventually, it could offer programming for adults. The community center would include a gymnasium. The hours of operation are 7 a.m. to 6 p.m.

Will alcohol be served? No. The proposed redevelopment will be for educational purposes and cultural and community activities.

Is there a plan to develop into condos/town homes? No. The community center will be dedicated to childcare and expanded services.

Is there a plan to work with Shaw University adjacent to develop into affordable housing? The owners have a very close relationship Shaw University and its leadership. Bobby Sanders has served in a number of roles with the university, including on the Board of Trustees and as a coach. The owners have helped Shaw with its initiatives, including Shaw's adjacent childcare facility to make sure they are complementary activities. There are no plans for affordable housing. It is solely for childcare and educational purposes.

This is located to the right of my property 501 S. Person, what is the plan for it? The plan is for owner's mother to continue to live there.

Please discuss why this is being removed from historic district due to it being too much work? Applicant discussed efforts to obtain a COA from RHDC. Given the commercial nature of the community center proposal and the lack of non-residential buildings remaining in the HOD, even though there were many during the period of relevancy, a COA process has been costly, time consuming and uncertain in duration and outcome. Applicant noted that the owners owned these properties before the establishment of the historic district.

Can it stay a historic district without obtaining a COA? Applicant spent months on a process with no definitive answers. There is no mechanism to expedite the process through RHDC.

Participant stated any property in the district should go COA process.

Another participant said he understands to difficulty of the COA process and that it is not set up for commercial development. Many practical situations are not covered in the RHDC handbook and require discretion by the commissioners. It makes for uncertainty in the process.

Participant asked whether it was possible to leave just the contributing properties in the HOD? Applicant stated that this was discussed in the RHDC meeting. However, the purpose of the new community center is to replace the existing building, which has a number of issues, including lead. Otherwise, most of the properties are vacant.

Participant expressed concern about removing the properties from the HOD in terms of the overall impact on the district.

Participants expressed support from the project but would prefer efforts be made to reform the COA process so that non-residential and residential projects can get through the process.

Participant expressed a willingness to work with RHDC to change the COA process. Applicant urged participants to reach out to RHDC and let them know there needs to be reform in the COA process.

Participant asked if there is a plan for adequate off-street parking? Applicant stated the city code no longer requires parking in DX. Nevertheless, the owners will provide on-site parking for the community center. It was noted that with a daycare, kids are dropped off and not using much parking.

[illegible]

REZONING OF PROPERTY CONSISTING OF +/- 1.69 ACRES
LOCATED AT CABARRUS STREET, BLOODWORTH STREET, AND PERSON STREET
IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
AUGUST 18, 2021

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Thursday, August 19, at 6:30 p.m. The property considered for this potential rezoning totals approximately 1.69 acres and is located at Cabarrus Street, Bloodworth Street, and Person Street (see list below), in the City of Raleigh, having Wake County Parcel Identification Number (see list below). This meeting was held at the Chavis Park Community Center. All owners of property within 1000 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. Attached hereto as **Exhibit C** is a summary of the items discussed at the meeting and attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

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1703865639	322 E CABARRUS ST
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1703863658	509 S PERSON ST
1703864622	513 S PERSON ST

EXHIBIT C – ITEMS DISCUSSED

1. Participant asked about properties included in the rezoning request. It was stated that 507 S. Person Street is included in it.
2. Participant asked about plans for the open space on the site that faces Person Street. It was stated that the playground area for the childcare center will remain as is.
3. Participant asked about drop off and circulation on site. The project architect explained circulation within the new parking area and that many students arrive by bus.
4. Participants asked about reasons for removal of Historic Overlay District. The project architect discussed the challenges encountered with the Certificate of Appropriateness process based on the project's non-residential use and function.
5. Participant asked whether the properties would need to go through a recombination process. It was stated that a recombination will be needed for the project.
6. Participant asked about the access points and limiting development to a right-in/right-out on Bloodworth Street. There was discussion about the City Transportation's comments on the rezoning.
7. Participant asked about commitment of the owner to maintaining a childcare center on site. The owner described her decades-long commitment to operating a childcare center and her vision for the new building.
8. Participant described the demolition process with Historic Districts.
9. There was a discussion about the condition of the existing building and programs available for lead abatement.
10. Owner discussed the costs associated with renovating an older property rather than building new.

Attendance Roster	
Name	Address
TED VAN DYK	
Edna R. Rich - Ballantine	219, 223, 227, 311, 311 1/2 E. Cabaniss St
Heavenly Singleton	428 Apt B South Sofin Street
Ronald Young	
Rosalind Blair Sanders	524 Sherrybrook Dr.
Bobby Lee Sanders	524 Sherrybrook Dr.
Yvonne Blair Burnette	507 South Person St
CHARLENE FREDERICK	301 North St.
Collette Kinane - COR staff	314 W Jones St
Ira Mabel	COR Planning & Dev.
Erin Morton	COR Planning
Lynn Reynolds	313 S. Bloodworth St.
Jenny Harper	312 E. Cabaniss St
CRAIG Ralph	504 S. Person St.
Ashkan Hosseini	517 S. Person St.
Kevin Sullivan - SHAW U	118 E. South St