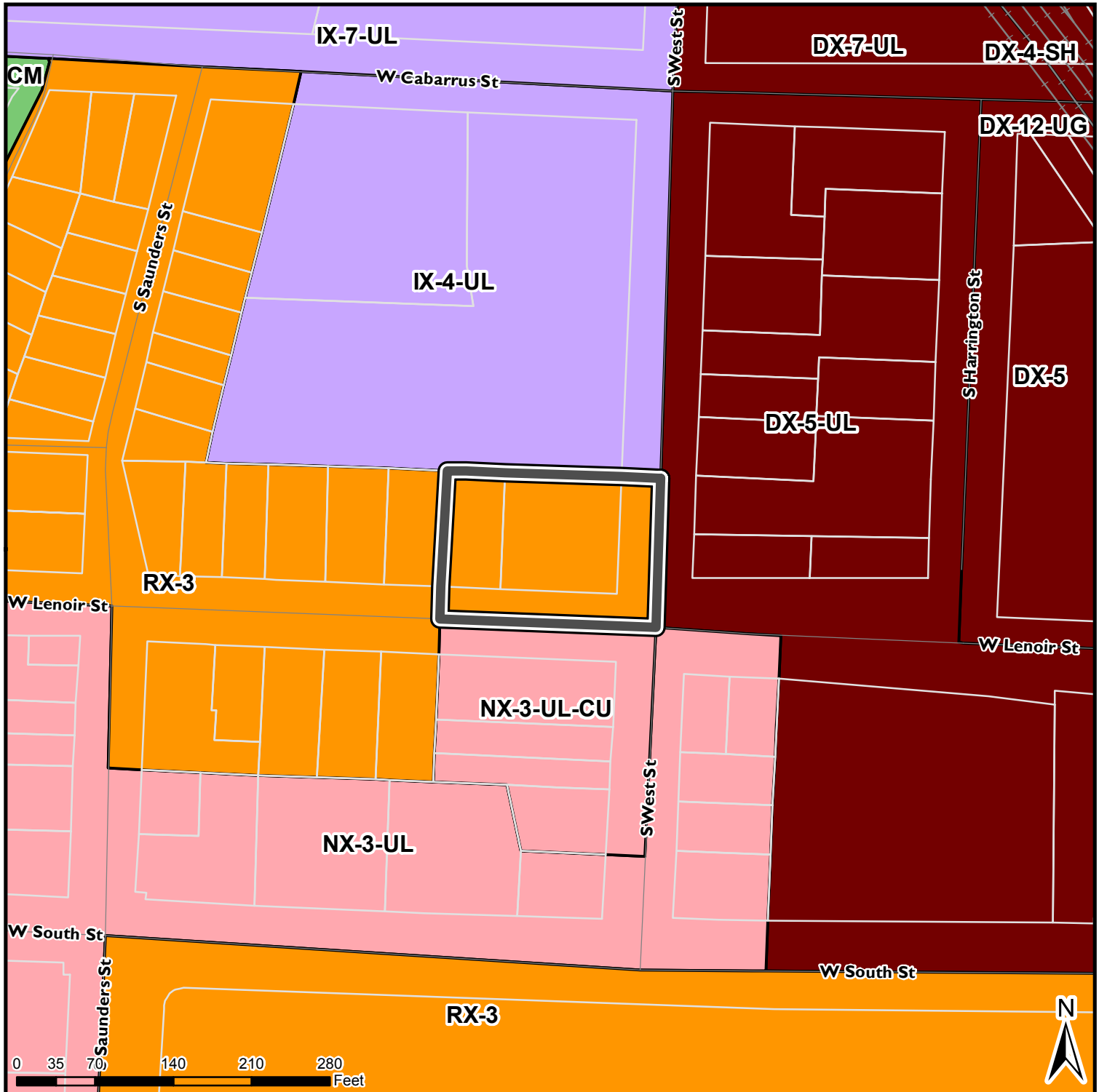


Existing Zoning Map

Z-46-2015

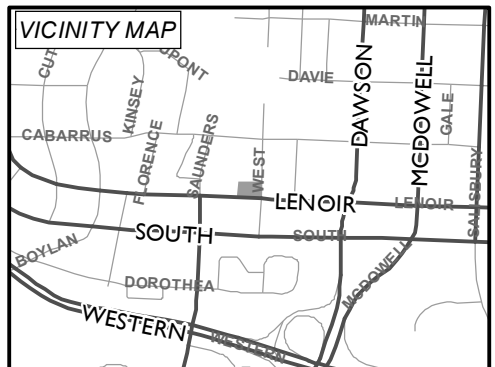


**Submittal
Date**

12/15/2015

Request:

**0.37 acres from
R-20
to IX-4-UL-CU**





Certified Recommendation

Raleigh Planning Commission

CR# 11691

Case Information Z-46-15 - 502, 514 West Lenoir St.

<i>Location</i>	North side, west side of S. West St.; NW corner of intersection of S. West St. and W. Lenoir St. Address: 502, 514 West Lenoir Street PIN: 1703468620, 1703467650
<i>Request</i>	Rezone property from Residential-20 (R-20)* to Industrial Mixed Use, 4 stories, with Urban Limited frontage and conditions (IX-4-UL-CU) *Effective 2/14/2016, property is zoned RX-3
<i>Area of Request</i>	0.37 acres
<i>Property Owner</i>	Silverplate Properties, LLC 801 Oberlin Rd. Suite 335 Raleigh, NC 27605
<i>Applicant</i>	Ben Kuhn Ragsdale-Liggett 2840 Plaza Place Ste. 400 Raleigh, NC 27605
<i>Citizens Advisory Council (CAC)</i>	Central Frances Lonnette Williams, Chairperson flonnetewms@bellsouth.net
<i>PC Recommendation Deadline</i>	May 9, 2016

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Moderate Density Residential
<i>URBAN FORM</i>	Downtown, ½ Mile Transit Buffer
<i>CONSISTENT Policies</i>	Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.7 Capitalizing on Transit Access Policy LU 4.8 Station Area Land Uses Policy LU 5.4 Density Transitions Policy ED 2.1 – Neighborhood Reinvestment Policy UD 2.4 Transitions in Building Intensity Policy UD 6.1 Encouraging Pedestrian Oriented Uses Policy DT 1.11 Downtown Edges Policy AP-DWG 2 Mixed-Use Development
<i>INCONSISTENT Policies</i>	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency AP-DWG 1 Zoning Consistency

Summary of Proposed Conditions

1. Prohibits a number of uses and establishes additional requirements for otherwise permitted uses.
2. Establishes maximum overall density for any multi-unit living residential use to 30 units/acre
3. Establishes maximum gross floor area for medical uses (1.21 FAR)
4. Establishes maximum gross floor area for office uses (1.21 FAR)

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
12/1/2105	2/1/2016 (Y-12, N-0)* 3/7/2016^ (Y-18, N-0, Abs-3)	2/9/2016; 3/8/2016	

*The Central CAC voted in favor of the proposal on 2/1/16 on the condition that the applicant revise conditions to restrict hours of operation for restaurant/bar, tavern, lounge, and eating establishment uses to 7:00 am to 11:00 pm.

^The Central CAC voted in favor of the proposal on 3/7/16 on the condition that no use shall remain open beyond 11 pm Mon-Sun.

☐ **Valid Statutory Protest Petition (Date Filed:)**

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	Approve with conditions City Council may now schedule this proposal for Public Hearing or refer it to committee for further study and discussion
<i>Findings & Reasons</i>	<ul style="list-style-type: none"> The proposal, though inconsistent with the Future Land Use Map, is consistent with pertinent policies of the Comprehensive Plan. The proposed rezoning is reasonable and in the public interest. The proposal would allow for the development of a mix of uses consistent with the Downtown West Gateway Plan and the Saunders North Area Redevelopment Plan The proposal is compatible with the surrounding area. Conditions provide a range of measures to mitigate impacts on adjacent and surround uses, including limits on uses, noise and development intensities.
<i>Motion and Vote</i>	Motion: Swink Second: Braun In Favor: Braun, Fluhrer, Hicks, Schuster, Swink, Terando, Tomasulo and Whitsett

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.

Planning Director Date

Planning Commission Chairperson 3/8/16
Date

Staff Coordinator: Charles Dillard: (919) 996-2651; charles.dillard@raleigh.nc.gov



Zoning Staff Report – Z-46-15

Conditional Use District

Case Summary

Overview

The subject site is composed of two parcels totaling 0.37 acres in size, located at the northwest corner of the intersection of W. Lenoir St. and S. West St. The two parcels are currently used as an automobile service center, which occupies the site's main building, a 1948 concrete and steel garage with front office. An accessory storage structure is also located on site. The site's northern and western edges are lined with a mixture of deciduous and evergreen trees that serve as a buffer between the existing use and adjacent properties. The site is generally flat without any significant topographic changes.

The site is bounded on the north by a 1.82 acre auto repair use at 518 S. West St., which has been rezoned under the UDO Remapping effort to Industrial Mixed Use – 4 stories, with Urban Limited Frontage (IX-4-UL). Furthermore, additional properties to the north along West St. are zoned IX. To the west of the site is a row of single family residential properties that have been rezoned to Residential-Mixed Use – 3 stories as part of the UDO Remapping. Properties to the east, along S. West St., have been rezoned to Downtown Mixed Use, 5 stories, with Urban Limited Frontage (DX-5-UL).

The site is designated Moderate Density Residential on the Future Land Use Map (FLUM). As such, the proposal is inconsistent with the Future Land Use Map. Regarding the Urban Form Map the property is within the Downtown center, as well as within a half-mile transit stop buffer. The offer of Urban Limited frontage (-UL) is consistent with these Urban Form Map designations.

Additional policy guidance comes from the Saunders North Area Redevelopment Plan and the Downtown West Gateway Area Plan. The subject site is part of the Saunders North Residential District in the Plan, which calls for a mixture of Residential Business and Single Family Infill development. The Saunders plan also generally calls for height limits of two to three stories, and a scale that is compatible with existing context. Regarding commercial structures, the Plan recommends that existing structures maintain the appearance of early twentieth-century storefronts, while new construction should mimic those same standards.

The Downtown West Gateway Area Plan calls for mixed use development throughout the study area, with increased height and densities around the proposed transit station and the Convention Center. This Area Plan

The proposal was submitted prior to the UDO remapping approval of RX-3 zoning for the site. Previously, the parcels were zoned R-20. The UDO Remapping proposal of RX-3 expanded the permitted uses on the site from the R-20 zoning to include commercial and office uses. The current RX-3 zoning does not include a frontage designation for these properties.

Conditions offered with the proposal would i) prohibit a number of otherwise permitted uses, ii) provide additional restrictions on a number of uses, iii) limit residential density in multi-unit uses to 30 units/acre, and iv) limit medical uses to 20,000 gross square feet. The prohibited uses include a number of uses permitted in industrial-mixed use areas that would be inconsistent with the

surrounding residential uses. The restrictions on permitted uses pertain to hours of operation and are aimed at mitigating potential impacts of non-residential uses. City Planning staff and the City Attorney's office have advised the applicant that a potential brewery use is only permitted if there is no accompanying retail/restaurant use that sells product made on-site. Multiple revisions to the conditions have been offered. Only technical changes to the submitted conditions are outstanding.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. Sewer and fire flow capacities may need to be addressed upon development.2. Technical language issues regarding conditions remain.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. Address sewer and fire flow capacities at the site plan stage.2. Provide revised conditions.
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Adopted Zoning Map

Z-46-2015

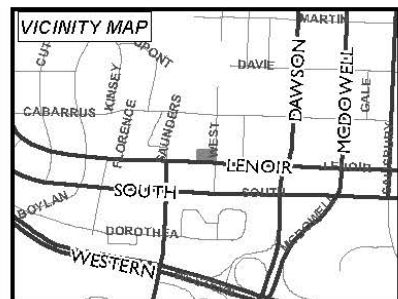


**Submittal
Date**

12/15/2015

Request:

**0.37 acres from
R-20
to IX-4-UL-CU**



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Prior Zoning</i>	R-20	R-20	NX-3-UL-CU	IND-2	R-20
<i>Current Zoning</i>	RX-3	IX-4-UL	No Change	DX-5-UL	RX-3
<i>Additional Overlay</i>	N/A	N/A	N/A	N/A	N/A
<i>Future Land Use</i>	Moderate Density Residential	Community Mixed Use	Moderate Density Residential	Central Business District	Moderate Density Residential
<i>Current Land Use</i>	Auto Service Station	Auto Repair and sales	Vacant	Auto Supply Store	Single Family Residential
<i>Urban Form (if applicable)</i>	Downtown, ½ mile transit buffer	Downtown, ½ mile transit buffer	Downtown, ½ mile transit buffer	Downtown, ½ mile transit buffer	Downtown, ½ mile transit buffer

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning (RX-3)	Proposed Zoning (IX-4-UL-CU)
<i>Residential Density:</i>	18.92 units/acres (18 units total)	29.73 units/acre (11 units total)
<i>Setbacks:</i>		
<i>Front:</i>	20'	5'
<i>Side:</i>	5' (15' aggregate) 20' (street-facing side)	5' (side street) 0' or 6'
<i>Rear:</i>	20'	0' or 6'
<i>Retail Intensity Permitted:</i>	4,000 sq. ft.	10,000 sq. ft.
<i>Office Intensity Permitted:</i>	4,000 sq. ft.	25,900 sq. ft.

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	0.37 acres	0.37 acres
<i>Zoning</i>	RX-3	IX-4-UL
<i>Max. Gross Building SF (if applicable)</i>	19,800 sq. ft.	25,900 sq. ft.
<i>Max. # of Residential Units</i>	18	11

<i>Max. Gross Office SF</i>	4,000 sq. ft.	25,900 sq. ft.
<i>Max. Gross Retail SF</i>	4,000 sq. ft.	10,000 sq. ft.
<i>Max. Gross Industrial SF</i>	10,000 sq. ft.	10,000 sq. ft.
<i>Potential F.A.R</i>	1.23	1.61

*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 proposed rezoning is:

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

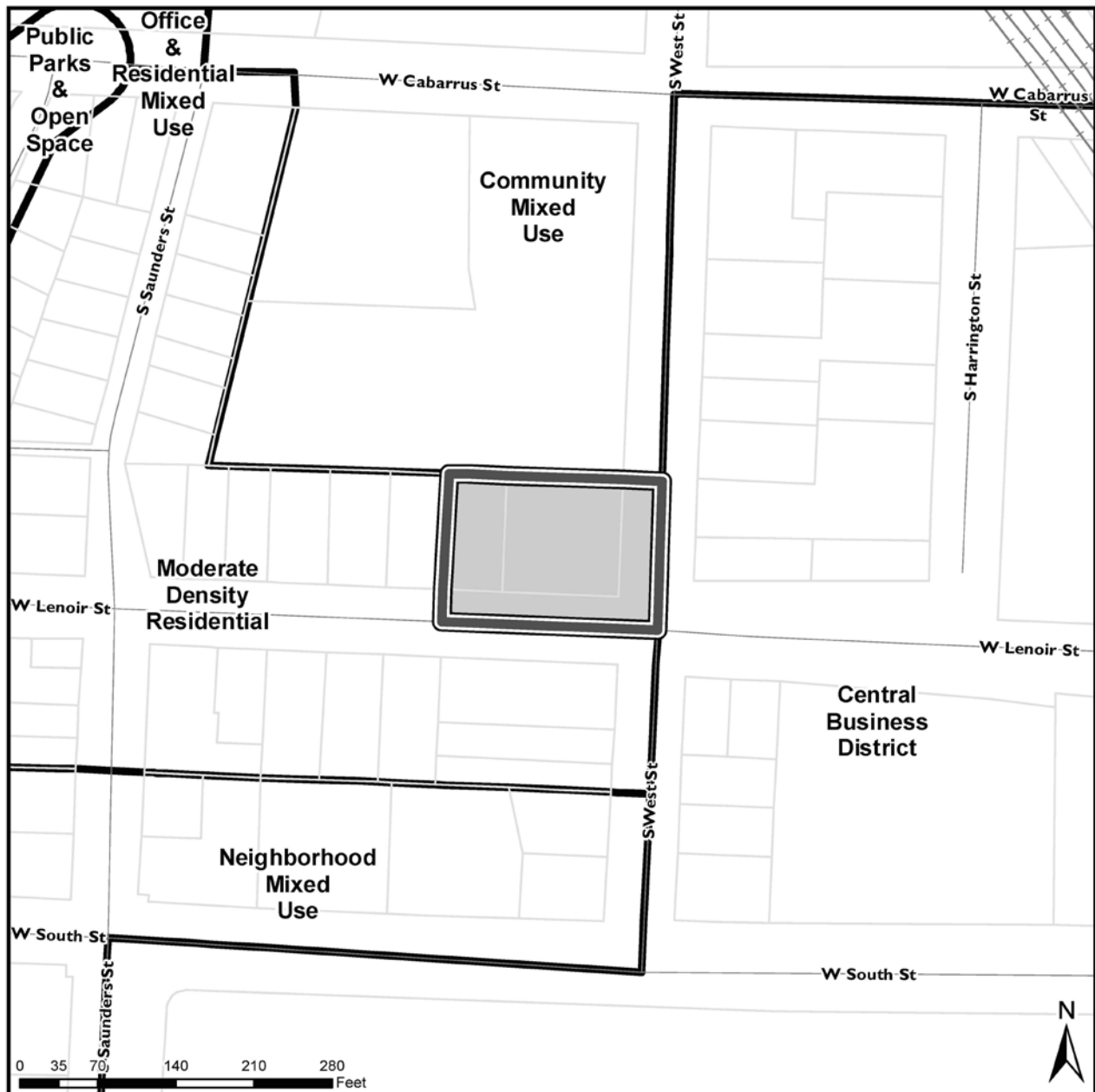
The proposal would allow for a mix of uses, including light industrial and manufacturing, adjacent to existing residential properties, all of which are zoned RX-3. Many of those adjacent properties have been considered blighted, and are recommended for redevelopment in the Saunders North Area Redevelopment Plan. The proposed rezoning would permit uses that could continue ongoing reinvestment in this area. Conditions offered with the proposal mitigate potential impacts on the surrounding area.

☐ **Incompatible.**

Analysis of Incompatibility:

Future Land Use Map

Z-46-2015



**Submittal
Date**

12/15/2015

Request:

0.37 acres from
RX-3
to **IX-4-UL-CU**



Urban Form Map

Z-46-2015



**Submittal
Date**

12/15/2015

Request:

0.37 acres from
RX-3
to **IX-4-UL-CU**



2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal, though inconsistent with the Future Land Use Map designation for the property, can be considered consistent with the vision, themes, and policies contained in the Comprehensive Plan. The site is located directly adjacent to an area that has been rezoned to IX-4-UL, the same as proposed here, and is part of an area that is undergoing a planned redevelopment and revitalization. As the site is located on an existing bus route, and within close proximity to the future Union Station, the proposal is consistent with a number of policies promoting transit use in the Downtown core.

The proposed rezoning would permit a range of uses, including commercial, office, residential, and industrial. Existing RX-3 zoning also permits commercial and office uses, in addition to residential use. With regard to industrial uses, the rezoning creates opportunities for the diversification of Downtown's economic profile, a core theme of the Downtown Element of the Comprehensive Plan as well as the new Downtown Plan. Furthermore, the proposal is consistent with policies intended to promote growth in the "creative industries."

Community facilities and streets appear sufficient to accommodate the redevelopment possible under the proposed rezoning. Upon development, the property owner may be required to provide additional sanitary sewer analysis.

2.2 Future Land Use

Future Land Use designation: Moderate Density Residential

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The Comprehensive Plan recommends only residential land uses, with density not exceeding 14 units per acre, within areas designated Moderate Density Residential. The proposal for IX-4-UL would permit non-residential uses and would allow residential densities of approximately 30 units per acre, or 11 units total.

It should be noted that adjacent properties to the north and south have been rezoned in a manner that is also inconsistent with the Future Land Use Map.

2.3 Urban Form

Urban Form designation:

☐ **Not applicable** (no Urban Form designation)

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

2.4 Policy Guidance

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

- 1. Policy LU 1.2 Future Land Use Map and Zoning Consistency**
2. Policy LU 1.3 Conditional Use District Consistency

1. The proposal is inconsistent with the FLUM designation for the property – Moderate Density Residential. See above for further analysis.
2. The proposal includes conditions that are not consistent with the Comprehensive Plan's Future Land Use Map guidance for the property.

2.5 Area Plan Policy Guidance

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

- 1. AP-DWG 1 Zoning Consistency**

1. This Downtown West Gateway Area Plan Policy calls for evaluation of zoning proposals using the Future Land Use Map. The policy states that the guidance within the Area Plan controls in cases of conflict between the Comprehensive Plan and the Area Plan.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The proposal provides conditions that would mitigate many potential impacts of the permitted uses, particularly with respect to adjacent residential properties
- The proposal provides for a mix of uses in the Urban Form Map-designated Downtown center, as well as within close proximity to the future Union Station
- The proposal would permit some industrial uses, thereby providing opportunities for the diversification of Downtown's economy
- The proposal would provide for development supportive of both local, regional, and interstate transit services

3.2 Detriments of the Proposed Rezoning

- The proposal would permit some industrial uses directly adjacent to properties zoned Residential Mixed-Use (RX).
- The proposal would allow for the removal of an existing structure that was identified in the Saunders North Redevelopment Plan as a potential sensitive rehab/retrofit
- The proposal provides no guarantees regarding future design standards, which is in conflict with design and development guidelines in the Saunders North Redevelopment Plan. These guidelines recommend that "new commercial or mixed use structures should generally maintain the appearance of early twentieth century storefronts;" additional guidelines for rehabilitation call for "renovations to be complementary to other redevelopment efforts in the plan area."

4. Impact Analysis

4.1 Transportation

1. The site is located in the northwest quadrant of W. Lenoir Street and S. West Street, just outside the Downtown Overlay District. Lenoir Street is classified as a Neighborhood street in the UDO Street Plan Map. West Street is classified as a Main Street with parallel parking. Both streets are maintained by the City. There are no CIP projects planned for W. Lenoir Street or S. West Street. There are no state STIP projects in the vicinity of the Z-46-2015 site.
2. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. In accordance with the Raleigh Street Design Manual section 6.5.3., driveways must be placed at least 50 feet away from the intersection of the Lenoir Street right-of-way and the Cabarrus Street right-of-way. The block perimeter bounded by the rights-of-way for Cabarrus, West, Lenoir and Saunders Street is 1,650 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for IX-3 zoning is 4,000 feet.
3. Approval of rezoning case Z-46-2015 could result in an expected increase in peak hour trips of 35 veh/hr. Daily volumes would increase by approximately 500 veh/day. A traffic impact analysis report is Not required for Z-46-2015.

Impact Identified: None

4.2 Transit

1. GoRaleigh Route 11 Avent Ferry travels outbound along this section of Lenoir St and is anticipated to continue to do so
2. There is a current GoRaleigh stop on the NE corner of Lenoir/West with good ridership
3. Increased development will increase demand for transit

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present.
<i>Drainage Basin</i>	Rocky
<i>Stormwater Management</i>	UDO Article 9.2
<i>Overlay District</i>	None.

1. If lots are recombined, they will be subject to stormwater requirements. The existing site contains a significant amount of impervious area that may be used to claim a substitution of impervious area upon development.

Impact Identified: No major impacts identified.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	3,885 gpd	11,250 gpd
<i>Waste Water</i>	3,885 gpd	11,250 gpd

1. The proposed rezoning would add approximately 7,365 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.
2. The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.
3. Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

Impact Identified: Additional analysis may be required upon site plan review/building permitting

4.5 Parks and Recreation

1. Site is not adjacent to existing or planned greenway corridor, trail, or connector.
2. Nearest trail access is 0.3 miles (Rocky Branch Trail).
3. A proposed trail, Rosengarten greenway trail is in design which will provide trail access within 0.1 miles.
4. Park services are provided by Lenoir Street Park, 0.1 miles away.

Impact Identified: None

4.6 Urban Forestry

1. This site once recombined will be less than 2 acres and not subject to UDO Article 9.1 Tree Conservation.
2. This site will have to comply with UDO Article 8.5 regarding streetscape improvements.

Impact Identified: None

4.7 Designated Historic Resources

The site is located within 1,000 feet of the Boylan Heights National Register Historic District and Raleigh Historic Overlay District and the Depot National Register Historic District?

Impact Identified: None

4.8 Community Development

1. Parcels are with the Saunders North Redevelopment Area, the Plan for which was adopted in 2004. The buildings on the site were designated as blighted (and ripe for redevelopment) as part of the redevelopment planning process.
2. The site was addressed in the Saunders North Redevelopment Plan specifically on page 13: "The existing nonresidential structure at the northwest corner of S. West Street and W. Lenoir Street could remain as a sensitively rehabilitated residential business uses, or a combination of residential and residential business uses."

3. The Redevelopment Plan contains design and development guidelines for new construction that “new commercial or mixed use structures should generally maintain the appearance of early twentieth century storefronts; guidelines for rehabilitation call for “renovations to be complementary to other redevelopment efforts in the plan area.”

Impact Identified: None

4.9 Impacts Summary

- Sanitary sewer and fire flow capacity analysis may be required at site plan and/or building permitting stages of development

4.10 Mitigation of Impacts

- Address sewer and fire flow capacity matters at site plan stage.

5. Conclusions

The proposal, though inconsistent with the Future Land Use Map, is consistent with a number of Comprehensive Plan policies, as well as with the Urban Form Map. The proposal provides an opportunity for a mix of uses in the Downtown area, as well as within close proximity to the future Union Station. Furthermore, the entitlement of some industrial uses allows for the potential diversification of the Downtown economy. Conditions provide mitigation of a number of potential impacts future uses could have on surrounding residential uses. The Central CAC twice voted in support of the case on the condition that the applicant provide conditions limiting business hours to between 7 am and 11 pm. Conditions would allow Restaurants/Eating Establishments to remain open until 2 am. The CAC votes notwithstanding, a member of the CAC voiced support of the proposal at both Planning Commission public meetings.



Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan Existing Zoning Classification: R-20 (RX-3 under new UDO Remapping effective 2/14/2016) Proposed Zoning Classification: Base District: IX Height: 4 Frontage: UL If the property has been previously rezoned, provide the rezoning case number. N/A; Unknown. Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. See Pre-Submittal Conference Form attached.	Transaction Number

GENERAL INFORMATION		
Property Address: 502 W. Lenoir Street and 514 W. Lenoir Street		Date: December 15, 2015
Property PIN: 1703468620 and 1703467650	Deed Reference (Book/Page): Deed Book 15666, Page 2471.	
Nearest Intersection: West St. and Lenoir St.		Property size (in acres): .37
Property Owner/Address: James Goodnight, Jr., Manager and Member Silverplate Properties, LLC 801 Oberlin Rd, Suite 335 Raleigh, NC 27605	Phone: See Project Contact	Fax: See Project Contact
	Email: james.goodnight@sas.com	
Project Contact Person/Address: Ben Kuhn, Ragsdale Liggett, 2840 Plaza Place, Ste 400, Raleigh, NC 27612	Phone: 919.881.2201	Fax: 919-783-8991
	Email: bkuhn@rl-law.com	
Owner/Agent Signature: _____	Email: james.goodnight@sas.com	

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



Planning & Development

**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number: Z-___-15		Transaction Number 437418
Date Submitted: December 15, 2015		Z-46-15
Existing Zoning: R-10 (RX-3 under new UDO Remapping effective 2/14/2016)	Proposed Zoning: IX-4-UL -CU	

NARRATIVE OF ZONING CONDITIONS OFFERED	
	See Narrative of Zoning Conditions Offered Which is Attached Hereto as Exhibit A and Incorporated Herein by Reference as if Fully Set Forth.

The zoning conditions attached hereto as Exhibit A have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

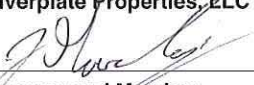
Owner/Agent Signature Silverplate Properties, LLC  Manager and Member	Print Name: James Goodnight, Jr.
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EXHIBIT A TO REZONING APPLICATION

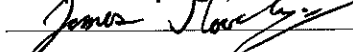
NARRATIVE OF ZONING CONDITIONS OFFERED

- | | |
|------|--|
| 1.a. | <p>The Following Uses Shall be <u>Prohibited</u> on the Properties to be Rezoned:</p> <ul style="list-style-type: none">1) all Group Living uses;2) all Social Service uses;3) all Public and Institutional uses (with the exception of places of worship and fire stations which shall be permitted, and a School, public or private K-12 which may be permitted as a Limited Use and subject to additional requirements and conditions outlined below in zoning condition 1.b.7));4) all Major Utilities uses;5) all Day Care uses;6) all Telecommunication Tower (less than 250 feet) uses;7) all Telecommunication Tower (250 feet and more) uses;8) all Passenger Terminal uses;9) the following Personal Service uses: funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, and pet crematorium.10) all Detention center, jail, prison uses;11) all Self Service Storage uses; and12) Bar, nightclub, tavern, and lounge uses. |
| 1.b. | <p>The Following Uses Shall be Permitted on the Properties to be Rezoned as Either a Permitted Use or Limited Use as designated in the Allowed Principal Use Table set forth in Section 6.1.4 of the City of Raleigh Unified Development, upon compliance with (i) the applicable definitional terms and use standards set forth in the UDO, (ii) if applicable, zoning conditions 2, 3, and 4 below, and (iii) upon the further satisfaction of additional requirements and conditions as to the following uses:</p> <ul style="list-style-type: none">1) <u>Restaurant as defined in G.S. 18B-1000(6) and Eating Establishment (UDO § 6.4.10.C.):</u><ul style="list-style-type: none">i. Hours of operation limited on Mondays through Saturdays from 7 am to 2:00 am;ii. Hours of operation limited on Sundays from 11 am to 2:00 am;iii. All garbage and recycling storage containers shall be screened from view from any adjacent property via an opaque wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;iv. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays;v. Drive-thru or drive-in facilities are not allowed; andvi. Indoor music or audio shall be permitted until 2:00 am Mondays through Sundays, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698) (which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009. |

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

Owner/Agent Signature

Silverplate Properties, LLC



Print Name: James Goodnight, Manager and Member

Exhibit A to Rezoning Application

EXHIBIT A TO REZONING APPLICATION

2) Food Truck (UDO § 6.4.10.D.):

- i. No more than one (1) food truck shall be permitted to operate on the property to be rezoned at any time;
- ii. Hours of operation limited on Mondays through Saturdays from 10 am to 10 pm;
- iii. Hours of operation limited on Sundays from 11 am to 10 pm;
- iv. Any food truck shall be located no closer than 40 feet from a single family residential structure which is located on property zoned RX at the time the subject property is rezoned; and
- v. Any food truck shall be located at and adjacent to the northern lot line of the property at 514 W. Lenoir Street (PIN 1703467650; Deed Book 15666, Page 2471 (Tract 2)), provided that it shall be outside of any rear yard setback.

3) Retail Sales (UDO § 6.4.11.A. & C.):

- i. The following retail sales use shall be prohibited: fuel (including gasoline and diesel fuel).
- ii. Must be located on the ground floor of a building on the property to be rezoned;
- iii. The maximum overall intensity for any Retail Sales use shall not be in excess of a Floor Area Ratio ("FAR") equivalent of 0.604;
- iv. Hours of operation limited on Mondays through Saturdays from 7 am to 11 pm;
- v. Hours of operation limited on Sundays from 11 am to 7 pm;
- vi. All garbage and recycling storage containers shall be screened from view from any adjacent property via an opaque wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;
- vii. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays;
- viii. Drive-thru or drive-in facilities are not allowed; and
- ix. Indoor music or audio shall be permitted until 11:00 pm Mondays through Saturday, and until 7:00 pm on Sundays, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698) (which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009.

4) Light Industrial:

- i. The following light industrial use shall be prohibited: bus or rail transit vehicle maintenance or storage facility.
- ii. The maximum overall intensity for any Light Industrial use shall not be in excess of a FAR equivalent of 0.604;
- iii. Hours of operation limited on Mondays through Saturdays from 7 am to 11 pm;
- iv. Hours of operation limited on Sundays from 11 am to 7 pm;
- v. All garbage and recycling storage containers shall be screened from view from any adjacent property via an opaque wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;
- vi. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays; and
- vii. indoor music or audio shall be permitted until 11:00 pm Mondays through Saturday, and until 7:00 pm on Sundays, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698)(which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009.

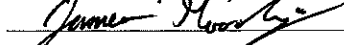
5) Light Manufacturing (UDO § 6.5.3):

- i. The maximum overall intensity for any Light Manufacturing use shall not be in excess of a FAR equivalent of 0.604;
- ii. Hours of operation limited on Mondays through Saturdays from 7 am to 11 pm;
- iii. Hours of operation limited on Sundays from 11 am to 7 pm;
- iv. All garbage and recycling storage containers shall be screened from view from any adjacent property via an opaque

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

Owner/Agent Signature

Silverplate Properties, LLC



Print Name: James Goodnight, Manager and Member

Exhibit A to Rezoning Application

EXHIBIT A TO REZONING APPLICATION

	<p>wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;</p> <ul style="list-style-type: none">v. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays; andvi. Indoor music or audio shall be permitted until 11:00 pm Mondays through Saturday, and until 7:00 pm on Sundays, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698)(which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009. <p>6) <u>Research and Development (UDO § 6.5.4):</u></p> <ul style="list-style-type: none">i. The maximum overall intensity for any Research & Development use shall not be in excess of a FAR equivalent of 0.604;ii. Hours of operation limited on Mondays through Saturdays from 7 am to 11 pm;iii. Hours of operation limited on Sundays from 11 am to 7 pm;iv. All garbage and recycling storage containers shall from view from any adjacent property via an opaque wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;v. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays; andvi. Indoor music or audio shall be permitted until 11:00 am Mondays through Saturday, and until 7:00 am on Sundays, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698)(which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009. <p>7) <u>School, Public or Private (K-12) (UDO § 6.3.2.A. & E.):</u></p> <ul style="list-style-type: none">i. The maximum overall intensity for any School use shall not be in excess of a FAR equivalent of 1.21;ii. Hours of operation limited on Mondays through Saturdays from 7 am to 9 pm;iii. No hours of operation on Sundays;iv. All garbage and recycling storage containers shall screened from view from any adjacent property via an opaque wooden fence or such other material as may be approved in writing by the Planning Director as an acceptable substitute therefore;v. No outdoor playground or other outdoor equipment shall be located closer than 50' from any property zoned R-2 though R-20 at the time the subject property is rezoned;vi. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9 am or after 9 pm Mondays through Saturdays, nor prior to 1 pm or after 6 pm on Sundays; andvii. Indoor music or audio shall be permitted until 9:00 pm Mondays through Saturday, on the condition that such music or audio shall not exceed the lowest level of urban ambient sound (which shall be defined as 40 decibels) by more than 20 decibels at the nearest property line of 516 W. Lenoir Street (PIN 1703467600; Deed Book 5924, Page 236) and 515 W. Lenoir Street (PIN 1703466493; conveyed by Will in Estate File 14-E-2698)(which properties shall hereinafter be referred to as the "Nearest Adjacent Property Zoned RX"). The complaints of two (2) or more persons, at least one (1) of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of a duly authorized investigating person with a documented sound level reading in excess of 60 decibels at the property line of the Nearest Adjacent Property Zoned RX shall be prima facie evidence that such indoor music or audio is a loud and annoying, frightening, loud and disturbing, unreasonably loud or unnecessary noise in violation of City Code Section 12-5009.
2.	Maximum overall density for any multi-unit living residential use shall be limited to 30 units per acre.

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.

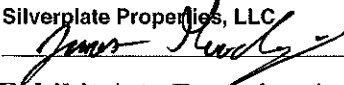
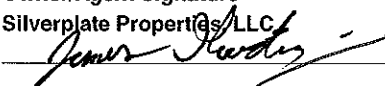
<p>Owner/Agent Signature Silverplate Properties, LLC </p>	<p>Print Name: James Goodnight, Manager and Member</p>
<p>Exhibit A to Rezoning Application</p>	

EXHIBIT A TO REZONING APPLICATION

3.	Maximum overall intensity for medical, dental office or chiropractor, osteopath, physician, medical practitioner, and medical clinic uses shall not be in excess of a FAR equivalent of 1.21.
4.	Maximum overall intensity for office uses (UDO Section 6.4.4.A) shall not be in excess of a FAR equivalent of 1.21.

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

Owner/Agent Signature Silverplate Properties LLC 	Print Name: James Goodnight, Manager and Member
Exhibit A to Rezoning Application	



Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction Number
	Zoning Case Number

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.	<p>The subject properties are classified as Moderate Density Residential on the Future Land Use Map, which diverges from the land use designation of adjacent tracts currently zoned and used for industrial purposes (including almost all other properties on both sides of the 500 block of S. West Street) and classified on the Future Land Use Map for Central Business District use that is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. The Central Business District category recognizes the area's role as the heart of the city, supporting a mix of high intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses. This Application seeks rezoning to IX-4-UL-CU which, together with the proposed context-sensitive and appropriate zoning conditions, is consistent with the surrounding urban form and land use patterns.</p> <p>The proposed IX-4-UL-CU rezoning request including an Urban Limited frontage is consistent with the Future Land Use Map designations for surrounding properties and adopted area plans (Saunders North Area Redevelopment Plan) because it permits a mix of moderate density of mixed neighborhood-oriented light industrial, commercial, service/retail, and residential uses at an appropriate contextual height and scale. The intensities will be limited by the height, frontage, and parking requirements. The proposed rezoning would further ensure the efficient and predictable use of land capacity, guide growth and development, protect public and private property investments from incompatible land uses, and efficiently coordinate land use and infrastructure needs in the downtown core area. Under the proposed new UDO zoning district, the properties achieve greater flexibility to meet the needs of their recommended future land uses. Thus, the proposed rezoning is consistent with <i>Policy LU 1.1 Future Land Use Purpose</i>, <i>Policy LU 1.2 Future Land Use Map and Zoning Consistency</i> and <i>Policy DT 1.1 Downtown Future Land Use Map</i>.</p>
2.	The rezoning request is consistent with the urban form map.
3.	<p>The proposed rezoning is consistent with the following policies of the Comprehensive Plan:</p> <p><i>Policy LU 2.1 Place-making</i>, as the proposed zoning and its permitted uses serve the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.</p> <p><i>Policy LV 2.2 Compact Development</i>, as mixed use zoning allows for compact, integrated development pattern closer to the Downtown core. Such land use patterns support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the impacts of low intensity and non-contiguous development.</p> <p><i>Policy LU 2.6 Zoning and Infrastructure Impacts</i>, as no major impacts to infrastructure are anticipated as a result of this rezoning. In fact, the use may require extending public storm water facilities to the subject properties which will help make such public facilities available to other nearby properties in the future as the area develops. The proposed zoning also retains the height limit and scale of the nearby properties which are zoned for mixed industrial use along the 500 block of S. West Street, and serves as a transition from properties zoned DX-5-UL across S. West within the Downtown Core area that can be developed up to five (5) stories in height and higher. Accordingly, height of buildings in the nearby Downtown Core area would transition to four (4) stories for properties zoned IX along the 500 block of West Street and then transition further to three (3) stories toward Boylan Heights where properties are zoned RX-3 and R-10 which permits three story structures. Also, nearby properties to the south are zoned to permit Neighborhood Mixed uses with heights up to 3 stories, reinforcing the concept that the edge of the Downtown Core is where heights transition downward away from building heights of five (5) stories and more the further away from the Downtown Core the property is situated.</p>

Policy LV 3.2 Location of Growth as the rezoning promotes the development of under-utilized property within the city limits and promotes more compact and orderly growth. Providing a more flexible zoning at an appropriate scale and density encourages effective redevelopment and/or rehabilitation of the subject properties and the existing structures located thereon which are and have been underutilized for many years, and can now be re-purposed for uses more in keeping with downtown, transit, and pedestrian oriented uses.

Policy LV 4. 4 Reducing VMT through Mixed Use, as mixed uses allowed by the proposed rezoning supports reduced vehicles miles traveled by providing a range of uses within a short distance of residences, transit, downtown, and other supportive commercial and retail uses.

Policy LV 4.5 Connectivity, as the proposed zoning supports the redevelopment and/or rehabilitation of the site, as well as the existing structure located thereon, for a compact, mixed-use development providing for increased pedestrian and vehicular connectivity to nearby neighborhoods, to downtown, the Union Station transit station, and thus to locations which may be accessed via regional and interstate rail transit.

Policy LV 5.1 Reinforcing the Urban Pattern, as the proposed zoning district controls the height and frontage to maintain the existing urban fabric without adverse impacts on the local historic character and appearance of any nearby contributing buildings or structures

Policy LV 5.4 Density Transitions, Policy LV 5.5 Transitional and Buffer Zone Districts, and Policy LV 5.6 Buffering Requirements, as the proposed zoning provides an appropriate transition zone between the intense uses of Downtown Core and the surrounding residential uses. Additionally, the proposed IX-4-UL-CU zoning for the subject properties abuts other properties which are being zoned industrial (IX-4-UL) and residential uses (RX-3) along the northern and western edges under the UDO remapping draft, and NX-3-UL-CU on the southern boundary across W. Lenoir Street. To the west, across S. West Street, properties are designated to be zoned DX-5-UL. Under this context, the UDO's neighborhood transition requirements will be applied when the subject properties are developed and thus ensure adequate protection for the adjacent single-family uses.

Policy LV 6.1 Composition of Mixed-Use Centers and Policy LV 6.2 Complementary Uses and Urban Vitality, as a mix of development on the subject property and on adjacent tracts would bring people together and provide opportunities for active urban living and interaction. Allowing mixed uses throughout this area will tend to drive more customers to the businesses in the area and attract new home buyers to surrounding areas as well.

Policy LV 7.1 Encouraging Nodal Development, as the proposed zoning encourages pedestrian-oriented nodes of commercial and/or residential development at key locations while respecting the integrity and character of surrounding uses.

Policy LV 7.6 Pedestrian Friendly Development, as the mixed use district and urban limited frontage is supportive of a more pedestrian-oriented environment.

Policy LV 8.1 Housing Variety, Policy LV 8.2 Neighborhood Revitalization and Policy LV 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods, as the proposed rezoning supports redevelopment of a property and rehabilitation of existing structures located thereon for mixed uses that would revitalize a property which has long been under-utilized, and/or blighted, while encouraging a variety of use types thereon if and/or when re-developed in the future. The rezoning and diversity of mixed uses permitted will help reverse the conditions of decline and deterioration that has affected the South and Southeast Raleigh neighborhood area, and the properties located at the intersection of S. West Street and W. Lenoir Street in particular, and will therefore allow for economic and equitable growth to build and grow in an area which will benefit more than other faster growing areas of the City which do not suffer from the negative attributes historically ascribed to this area.

Policy LU 8.10 Infill Development, as the proposed rezoning will encourage infill development and rehabilitation of existing structures on property that is currently under-utilized and/or blighted in an area within the city where gaps exist in the urban fabric, and will therefore help to retain, knit together, promote and establish the predominant character of a mixed industrial, commercial and/or residential street.

Policy LU 8.11 Development of Vacant Sites, as the rezoning will facilitate the development and/or productive utilization of an existing vacant tract by offering greater flexibility and making it more attractive for developers and persons seeking to work and live in and near the downtown core area.

Policy ED 1.2 Mixed-Use Redevelopment, as encouraged by the proposed rezoning enhances economic development and creates transit and pedestrian-friendly environments.

Policy UD 1.4 Maintaining Facade Lines and Policy UD 4.5 Improving the Street Environment, as the proposed rezoning seeks to establish an appropriate urban limited frontage that fits within the context of the existing street environment and future density desired in and adjacent to the downtown core.

Policy UD 1.10 Frontage, as the proposed zoning seeks an urban limited frontage that coordinates frontages across multiple sites to create cohesive places and maintain desired facade lines along the block within and adjacent to the downtown core.

Policy UD 2.1 Building Orientation and Policy UD 3. 7 Parking Lot Placement, as the proposed rezoning with the urban limited frontage discourages the placement of parking between the street and building facade, and seeks to maintain a building facade more

	<p>conducive to an urban environment supportive of pedestrian activities.</p> <p><i>Policy UD 2.3 Activating the Street</i>, as the proposed mixed-use zoning should help activate the pedestrian environment of the street frontage in addition to internal pedestrian networks and connections.</p> <p><i>Policy UD 4.5 Improving the Street Environment</i>, as the proposed zoning and urban limited frontage helps create attractive and interesting streetscapes by promoting desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoid windowless facades and gaps in the street wall.</p> <p><i>Policy UD 5.1 Contextual Design</i>, as the proposed zoning respects the scale, height, and character of the surrounding uses and will help transition the area within the nearby downtown core to appropriate heights and frontage to promote a walkable and pedestrian downtown core environment, while also respecting the nearby residential neighborhoods with context-sensitive and appropriate conditions to limit external impacts from mixed industrial, commercial, and/or residential uses on the site.</p> <p><i>Policy UD 6.1 Encouraging Pedestrian-Oriented Uses</i>, as the proposed zoning encourages rehabilitation of existing structures on the site, new development, streetscape, and building improvements in and near the downtown core to promote high intensity, pedestrian-oriented uses, and discourage automobile-oriented and drive-through uses.</p> <p><i>Policy UD 6.2 Enhancing Pedestrian Comfort and Convenience</i>, as the proposed urban limited frontage is more conducive to a pedestrian-oriented development.</p> <p><i>Policy DT 1.2 Vertical Mixed Use and Policy DT 1.3 Underutilized Sites in Downtown</i> as the proposed rezoning encourages vertical mixed uses on a very under-utilized location in and near Downtown and its edge area with appropriate heights and massing, as well as context-sensitive and appropriate conditions to limit external impacts from mixed industrial, commercial, and/or residential uses on the site.</p> <p><i>Policy DT 1.5 Supporting Retail Growth and Policy DT 1.6 Providing Downtown Development Opportunities</i>, as the rezoning encourages the appropriate scale and intensity of development needed for the area and ensures a suitable development site through the rezoning and assistance with site assembly of the two (2) subject properties. Encouraging a mixed-use zoning on the property, along with context-sensitive and appropriate conditions to limit external impacts from mixed industrial, commercial, and/or residential uses on the site, will help attract neighborhood-oriented retail services into the area.</p>
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PUBLIC BENEFITS

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

1.	Rezoning of the properties to IX-4-UL-CU is consistent with the policies of the Comprehensive Plan, and the Urban Form Map, and will offer greater flexibility for development of the property, while respecting the scale, character, and future growth of the area. In light of the context-sensitive and appropriate conditions to limit external impacts from mixed industrial, commercial, and/or residential uses on the site, the rezoning request is consistent with the future land use recommendations as well. The appropriate mix of uses permitted would make the property more attractive to the owner and/or developers who can productively develop and/or rehabilitate the existing under-utilized and blighted lots to begin adding mixed uses and/or walkable pedestrian oriented uses in close proximity to the downtown core area. The proposed conditions restrict certain deleterious uses which would be inappropriate for these properties and the immediate area.
2.	The proposed rezoning is consistent with the mix of industrial, neighborhood service/retail, and residential uses called for in the Downtown West Gateway Land Use and Urban Form plan (See Map AP-DWG1).
3.	The proposed rezoning is consistent with the Saunders North Area Redevelopment Plan (Numbered Item 5, page 9, dated 9/21/2004) which calls for a mix of residential and neighborhood business uses in the area referred to as the "W. Lenoir Street Mixed Use Residential Business Area."
4.	<p>The proposed rezoning offers numerous Public Benefits to the City of Raleigh and surrounding area/residents by providing:</p> <ul style="list-style-type: none"> a) consistency with Future Land Use Map designation and developed area plans. b) predictable use of land capacity, guidance for growth and development on the property and in the area, and protection for public and private property investments from incompatible land uses. c) the best fit with the surrounding plots of land which are currently zoned IND-2, OX-3-UL-CU, Business, and R-20 (and after 2/14/2016 new UDO zoning of surrounding properties will be IX-4, DX-5, NX-3-UL-CU, and RX). d) prompt development of vacant lands within the city limits first. e) redevelopment and rehabilitation of blighted and vacant buildings and lots, which may serve to help spur other such properties to be redeveloped with further investment. f) visual integration with adjacent buildings, and more generally with the surrounding area, which are zoned IND-2, OX-3-UL-CU, Business, and R-20 (and after 2/14/2016 new UDO zoning of surrounding properties will be IX-4, DX-5, NX-3-UL-CU, and RX).

- g) opportunities to bring people together and provide places for active living and interaction in the downtown core community.
- h) infill sites within existing neighborhoods to be developed with design elements, including height, setbacks, and massing through the use of zoning tools to further shape and develop this area to serve pedestrian-oriented living spaces within the downtown core area, along with context-sensitive and appropriate conditions to limit external impacts from mixed industrial, commercial, and/or residential uses on the site.
- i) opportunities for additional light industrial, office and/or retail uses in and near the downtown core area when many are seeking to develop residential uses.
- j) removal of blighted conditions that have persisted for 20 years in the area.
- k) economic development of south/southeast Raleigh on account of the substantial monetary and human capital to be invested in this property, and in the area, which will be made more attractive by this rezoning.
- l) investment spurred by pro-active and context sensitive zoning so as incentivize development throughout the Saunders North Area in a manner that respects its unique character and the residents who call it home.

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a “mixed use center” or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

N/A

SUMMARY OF ISSUES

A neighborhood meeting was held on December 1, 2015 to discuss the potential rezoning of property located at 502 and 514 West Lenoir Street. The neighborhood meeting was held at the Greene Community Center at 401 Martin Luther King, Jr. Blvd, Raleigh, NC 270601. The meeting began at approximately 6:30 p.m. Attendees of the meeting, including two (2) representatives of the rezoning applicant, are included on the Attendance Roster attached to this document. A copy of the neighborhood meeting notices sent to surrounding neighbors is also attached hereto.

The general issues discussed at the neighborhood meeting were:

- A summary of the subject properties, existing zoning districts, and the new UDO zoning district classifications;
- City of Raleigh remapping efforts to update the zoning of the property from the Part 10 "Legacy Districts" to new UDO zoning classifications;
- The proposed rezoning to IX-4-UL zoning with protective conditions to allow context-sensitive uses on the subject properties in a manner that will make possible the use of the existing structure to help revitalize and rehabilitate this corner and bring uses to the neighborhood that can serve residents and businesses alike.

Questions were asked about the general nature of the proposed uses, and about impacts on traffic and parking. We advised that the applicant would be required to comply with parking requirements applicable within the IX zoning district based on the type of use. We also advised that the proposed conditions are designed to limit the secondary impact of any of the uses on the surrounding area and neighborhood, and that more intense uses otherwise allowed in the IX district were listed as prohibited in the conditions. The neighbor attending the meeting appeared in favor of the property's use changing to something that would contribute more to the neighborhood and help attract further redevelopment and investment within the area.

The meeting adjourned at approximately 6:55 p.m.



RAGSDALE LIGGETT PLLC
LAWYERS

Benjamin R. Kuhn | D 919.881.2201 | bkuhn@rl-law.com

November 17, 2015

SILVERPLATE PROPERTIES, LLC
801 OBERLIN RD STE 335
RALEIGH NC 27605-3100
(PIN 1703467650)

Re: 502 and 514 West Lenoir Street

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on December 1, 2015 in connection with the potential future rezoning of the above-referenced property which is located in close proximity to property that you own. The meeting will be held at John P. Greene Community Center, 401 Martin Luther King Jr. Blvd, Raleigh, NC 27601, and will begin at 6:30 p.m.

The purpose of this meeting is to discuss a potential rezoning of the property located at 502 and 514 West Lenoir Street. These two properties are currently zoned R-20 and are proposed to be rezoned to IX-4-UL-CUD to enable a mix of commercial, retail, and/or light industrial uses.

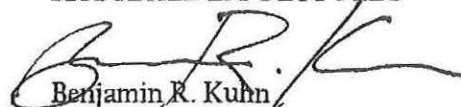
The City of Raleigh requires that prior to the submittal of any rezoning application, that the rezoning applicant schedule and hold a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning in order to receive feedback, comments, questions, and concerns in connection with the proposed rezoning and future uses.

If you have any concerns or questions I (we) can be reached at 919.881-2201 or via email at bkuhn@rl-law.com.

Thank you,

Very truly yours,

RAGSDALE LIGGETT PLLC



Benjamin R. Kuhn

BRK/awe

Neighborhood Meeting Attendance Roster

Rezoning Petition Concerning 502 and 514 West Lenoir Street

December 1, 2015, 6:30 p.m.
John P. "Top" Greene Community Center
401 Martin Luther King Jr. Blvd,

[illegible]