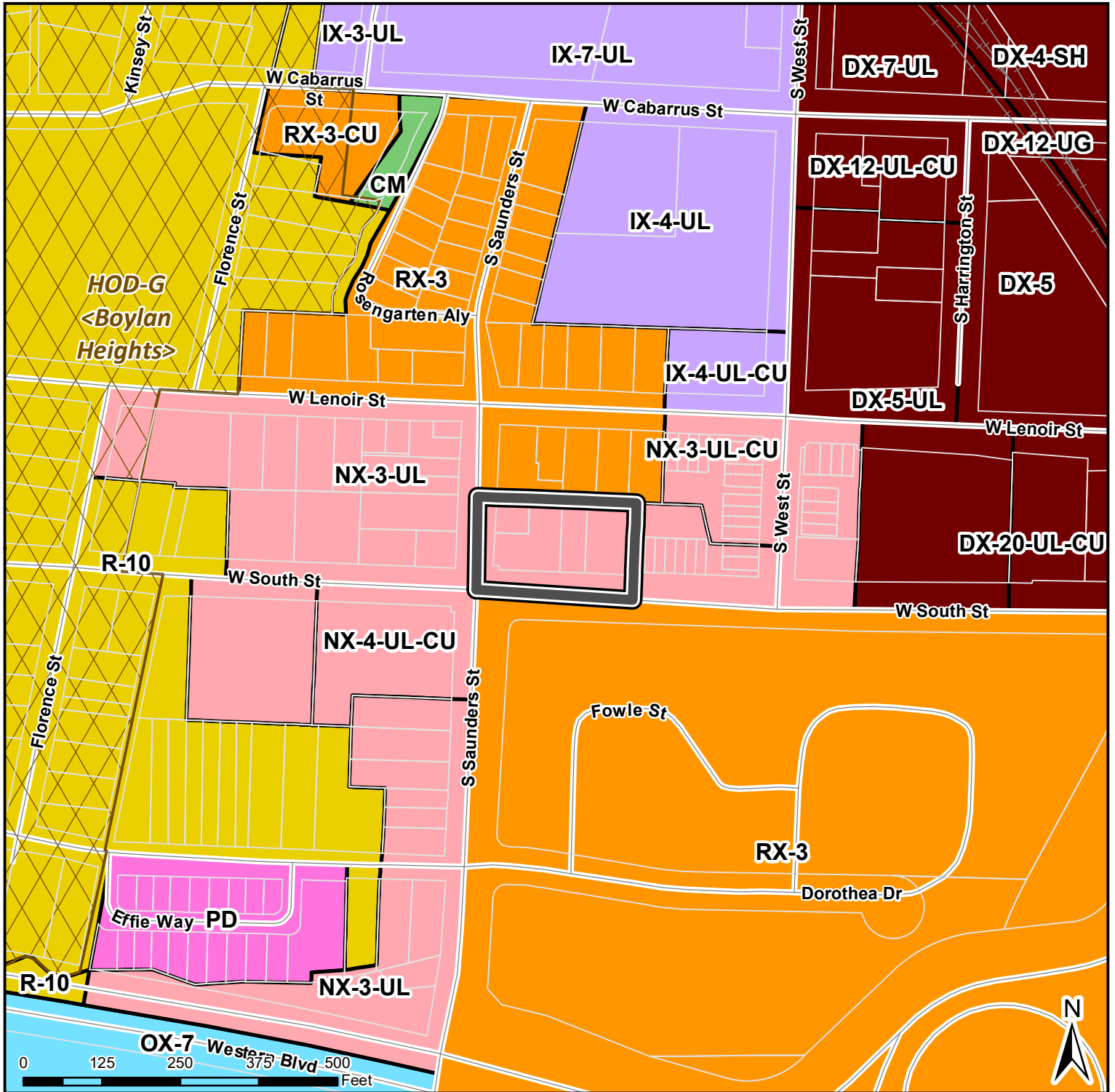
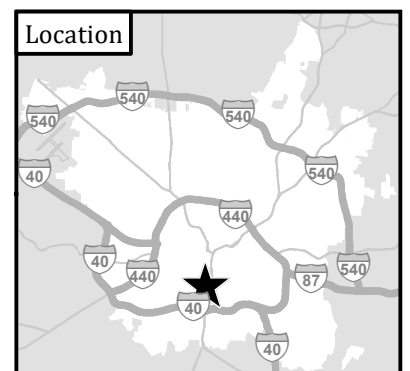


Existing Zoning

Z-46-2021



Property	611 S Saunders St; 516 1/2, 518, & 520 W South St
Size	0.61 acres
Existing Zoning	NX-3-UL
Requested Zoning	IX-3-UL-CU



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Matthew Klem
Department	Planning and Development
Date	October 20, 2021
Subject	City Council agenda item for November 2, 2021 – Z-46-21

City Council authorized the public hearing for the following item:

Z-46-21 Saunders and South, approximately 0.61 acres located at [611 South Saunders Street, 516 ½, 518, and 520 West South Street](#)

Signed zoning conditions provided on August 17, 2021 prohibit and restrict certain uses, require the construction of a fence, and require bicycle parking.

Current zoning: Neighborhood Mixed Use-3 stories-Urban Limited (NX-3-UL)

Requested zoning: Industrial Mixed Use-3 stories-Urban Limited-Conditional Use (IX-3-UL-CU)

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

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

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

The Planning Commission recommends approval/denial of the request (5 - 1).

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# 13062

CASE INFORMATION: Z-46-21 SAUNDERS AND SOUTH

Location	Northeast quadrant of the intersection South Saunders Street and West South Street. Address: 611 South Saunders Street, 516 ½, 518, and 520 West South Street PINs: 1703464385, 1703465311, 1703465372 & 1703466332 iMaps , Google Maps , Directions from City Hall
Current Zoning	NX-3-UL
Requested Zoning	IX-3-UL-CU
Area of Request	0.61 acres
Corporate Limits	The subject site is within the corporate limits of the City.
Property Owner	South Street Holdings, LLC
Applicant	South Street Holdings, LLC
Council District	District D (Forte)
PC Recommendation Deadline	November 13, 2021

SUMMARY OF PROPOSED CONDITIONS

1. Prohibited principal uses on the property: Dormitories, fraternities, sororities; emergency shelters type A and B; colleges, community colleges, and universities; adult establishments; outdoor recreation; passenger terminals; self-service storage; heliports; airfields, landing strip; pawn shops; car washes; warehouse and distribution; wholesale trade; light industrial uses (other than (i) bottling; (ii) brewery, winery, distillery, cidery; and (iii) food and beverage products except animal slaughter, stockyards); hotel; motel; inn; and hostel. Vehicle repair shall be a prohibited principal use on the property except that the existing vehicle repair use located on the property shall be a permitted use; upon discontinuance of such existing use for 180 consecutive days, vehicle repair shall be a prohibited principal use on the entire property.
2. Bars, nightclubs, taverns, lounges shall be permitted, provided that no live performances or dance floor shall be permitted and that outdoor, amplified music shall be prohibited beginning at (i) 10pm on Sunday through Thursday evenings and continuing until 11am the following day, and (i) 11pm on Friday and Saturday evenings and continuing until 11am the following day.

3.	Light manufacturing and research and development shall be permitted as primary uses on the property, provided that: <ul style="list-style-type: none"> Hours of operation shall be limited to 7am to 11pm Mondays through Saturdays and 11am to 7pm on Sundays. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9am or after 9pm on Mondays through Saturdays nor prior to 1pm or after 6pm on Sundays. No establishment shall occupy an area exceeding 2,000 gross square feet of building floor area.
4.	Prior to issuance of the first certificate of occupancy after the effective date hereof, an opaque fence, not less than 6 feet in height, shall be installed not more than ten feet from the eastern site boundary and extending, substantially parallel with such boundary, along the entire shared boundary between the property and that parcel having PIN 1703467343 (500 W. South Street) and most recently conveyed by deed recorded in Book 17414, Page 2290 in the Wake County Registry.
5.	The first site plan, of any tier, submitted for any portion of the property after the effective date hereof shall provide for not less than 4 short-term bicycle parking spaces.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Neighborhood Mixed Use
Urban Form	Downtown and Core Transit Area
Consistent Policies	<ul style="list-style-type: none"> LU 1.3 Conditional Use District Consistency LU 4.8 Station Area Land Uses LU 5.2 Managing Commercial Development Impacts LU 6.2 Complementary Land Uses and Urban Vitality LU 11.5 Mitigating Industrial Land Use ED 1.3 Gateway Reinvestment ED 2.4 Attracting Investment to Emerging Neighborhoods UD 1.10 Frontage AP-DW 1 Zoning Consistency AP-DW 17 Neighborhood Commercial Center DT 1.12 Downtown Edges DT 1.14 Downtown Transition Areas
Inconsistent Policies	<ul style="list-style-type: none"> LU 1.2 Future Land Use Map and Zoning Consistency H 1.8 Zoning for Housing

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
June 9, 2021 19 attendees	N/A	September 14, 2021 September 28, 2021	October 5, 2021

PLANNING COMMISSION RECOMMENDATION

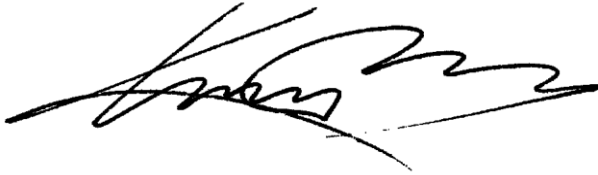
The rezoning case is **Consistent/Inconsistent** with the Future Land Use Map and **Consistent/Inconsistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval/Denial** is reasonable and in the public interest because:

Reasonableness and Public Interest	Allowing more employment generating uses in an area with very low cost of transportation and a relatively high low-income population will broaden access to economic opportunity.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	If approved, the Future Land Use Map will be amended as to the subject parcel(s) only from Neighborhood Mixed Use to Business and Commercial Services .
Recommendation	Approve
Motion and Vote	Motion: Rains; Second: Dautel; In favor: Dautel, Elder, Fox, Mann, and Rains; Opposed: Bennett
Reason for Opposed Vote(s)	The proposed zoning appears to be more for new residents and not existing residents.

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Comprehensive Plan Amendment Analysis

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report and Comprehensive Plan Amendment Analysis.



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 9/28/21

Staff Coordinator: Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT

Z-46-21 SAUNDERS AND SOUTH

Conditional Use District

OVERVIEW

The request is to rezone 0.61 acres from Neighborhood Mixed Use-3 stories-Urban Limited (NX-3-UL) to Industrial Mixed Use-3 stories-Urban Limited-Conditional Use (IX-3-UL-CU). Proposed zoning conditions prohibit and restrict certain uses, require the construction of a fence, and require bicycle parking.

The rezoning site comprises two properties located at 611 South Saunders Street, 516 ½, 518, and 520 West South Street. The four properties are developed with two structures: one is a vehicle repair shop; the other structure is currently under renovation for the development of a bar. Most of the acreage of the rezoning site is used as surface parking.

The balance of the block containing the rezoning site is developed with residential use, predominantly townhouse building types. The block to the north contains mostly light industrial structures that appear vacant; a restaurant, and 13 detached houses. The block to the east contains a bar, a self-service storage facility, two single-story office structures, and several vacant parcels. The block to the south contains Heritage Park, a 122-unit Raleigh Housing Authority property. The block to the west contains a mix of commercial uses, attached and detached residential structures, a church, and several vacant properties. These surrounding blocks more generally contain a wide range of residential and non-residential uses located at the southwest corner of Downtown Raleigh.

The zoning in these blocks is as assorted as their contained developments. The blocks contain Residential Mixed Use (RX-), Neighborhood Mixed Use (NX-), Industrial Mixed Use (IX-), and Downtown Mixed Use (DX-), with permitted building heights ranging from 3 to 5 stories. The four westernmost parcels on the western block are zoned Residential-10 (R-10).

The Future Land Use Map in this part of downtown prescribes a blend of Central Business District, Commercial Mixed Use, Moderate Density Residential, and Neighborhood Mixed Use, with a pattern that transitions from Downtown to the east and the Boylan Heights neighborhood to the west.

The rezoning site and surrounding blocks are also within the Downtown on the Urban Form Map, within a Transit Station Area, and the Core Transit Area. The subject site and surrounding blocks are identified as Downtown Transition Areas on Map DT-2 and within the Downtown West Gateway small area plan.

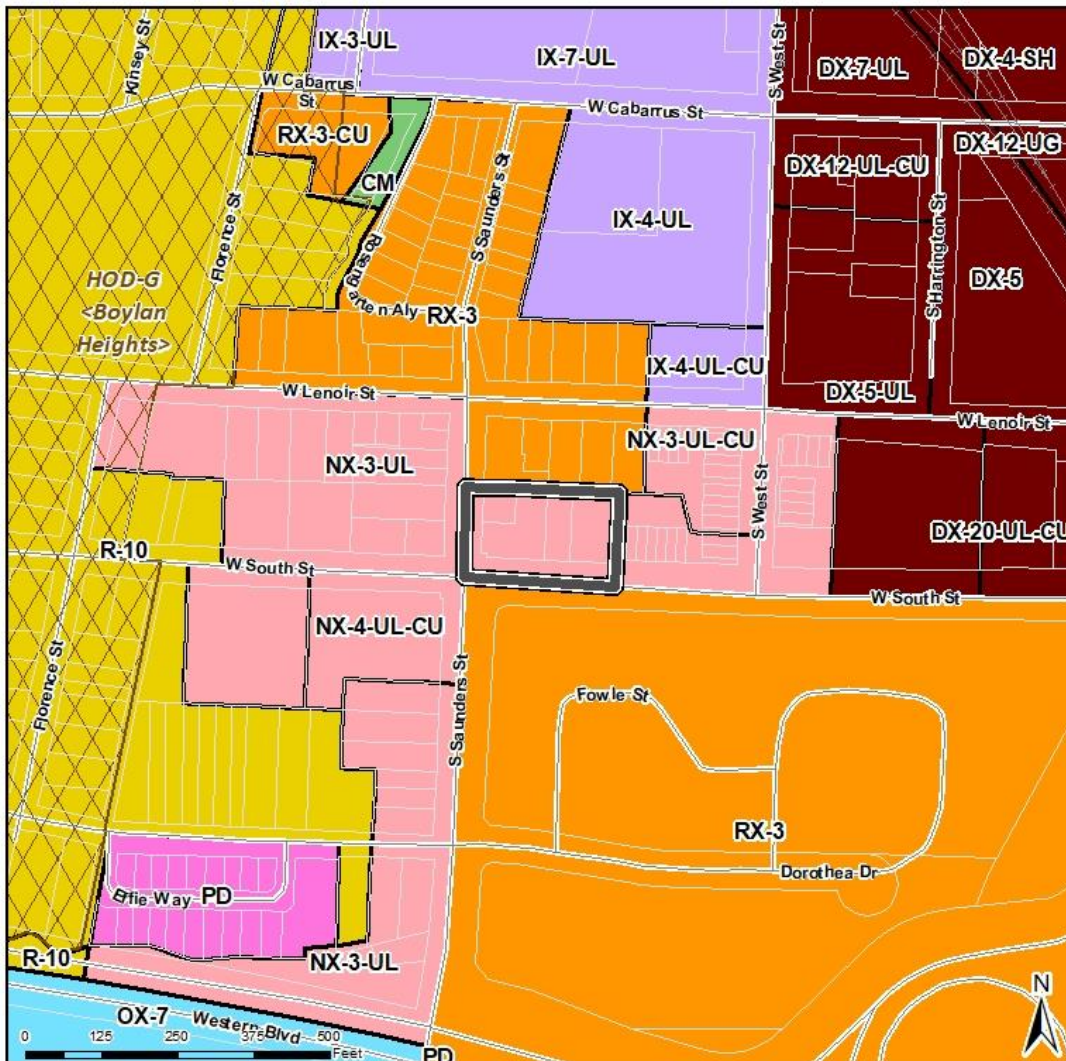
More generally, the subject site is on the south west corner of Downtown with a mostly low-slung mixed-use pattern with existing residential, commercial, office, and light industrial developments.

OUTSTANDING ISSUES

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

Z-46-2021



Property	611 S Saunders St; 516 1/2, 518, & 520 W South St	Location
Size	0.61 acres	
Existing Zoning	NX-3-UL	
Requested Zoning	IX-3-UL-CU	

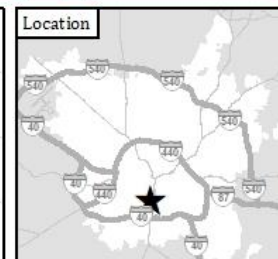
Map by Raleigh Department of Planning and Development (mansd@): 7/16/2021

Future Land Use

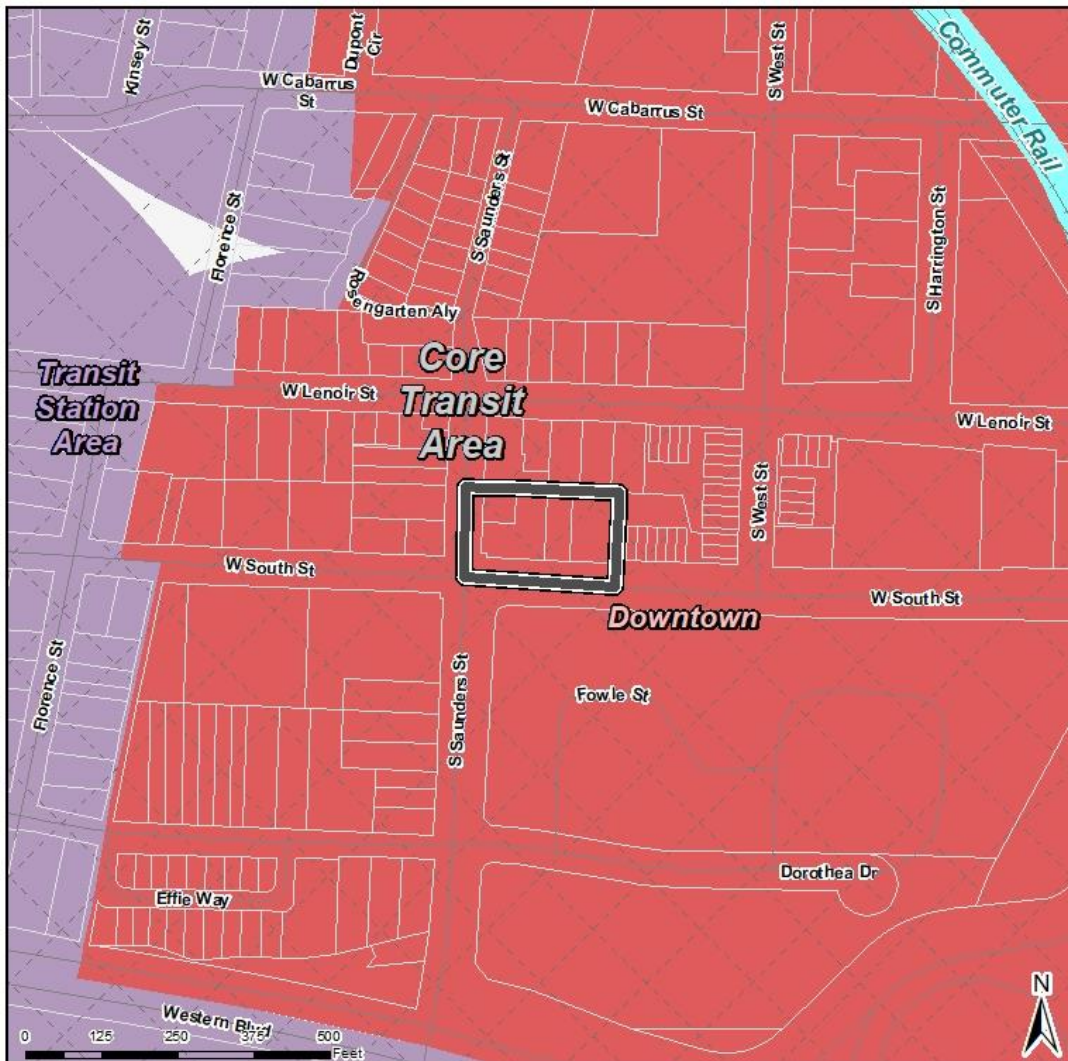
Z-46-2021



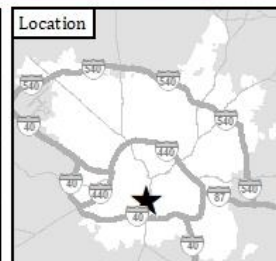
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Map by Raleigh Department of Planning and Development (mansd@): 7/16/2021



Property	611 S Saunders St; 516 1/2, 518, & 520 W South St
Size	0.61 acres
Existing Zoning	NX-3-UL
Requested Zoning	IX-3-UL-CU



Map by Raleigh Department of Planning and Development (mansel@): 7/16/2021

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?

Yes the request is consistent with the vision, themes, and policies contained in the 2030 Comprehensive Plan. The request is consistent with the **Managing Our Growth** and **Growing Successful Neighborhoods and Communities** theme by allowing for more uses to be permitted in a walkable mixed use neighborhood downtown while providing specific limitations to more the more intense land uses permitted. The request is also consistent with the **Economic Development and Prosperity** theme by allowing more employment generating uses in an area with very low cost of transportation and a high low-income population, broadening access to economic opportunity.

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

The requested zoning is inconsistent with the recommendations of the Future Land Use Map. The request is inconsistent because zoning conditions carve out bottling, brewery, cidery, and distillery as permitted uses, and also permit light manufacturing and research and development as limited uses. The Future Land Use Map recommends Neighborhood Mixed Use zoning on this site which would otherwise not permit those more intense uses.

- 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?

Yes, development under the requested zoning district can occur without adversely altering the recommended land use and character of the area which is typified by a mixed of residential, commercial, and light industrial developments.

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

Yes. Community facilities and streets are intended to adequately serve development under the proposed zoning district.

Future Land Use

Future Land Use designation: Neighborhood Mixed Use

The rezoning request is

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

☒ **Inconsistent**

The requested zoning is inconsistent with the recommendations of the Future Land Use Map. The request is inconsistent because zoning conditions carve out bottling, brewery, cidery, and distillery as permitted uses, and also permit light manufacturing and research and development as limited uses. The Future Land Use Map recommends Neighborhood Mixed Use (NX-) zoning on this site which would otherwise not permit those more intense uses.

Urban Form

Urban Form designation: Downtown and Core Transit Area

The rezoning request is

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

☐ **Inconsistent**

☐ **Other**

Overview: The Urban Form Map recommends an urban frontage in this area. The rezoning request maintains the existing Urban Limited frontage and is consistent with the guidance of the Urban Form Map.

Impact: The requested frontage prohibits parking between the sidewalk and new structures and requires buildings to be built close to the street to encourage walking, biking, and transit use.

Compatibility: The Urban Limited frontage is compatible with the site and surrounding blocks as much of the broader area is also mapped with the same designation.

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The rezoning request is compatible with the surrounding area as the additional uses permitted are generally well-suited for a walkable mixed use urban area. The more intense uses permitted in the request are limited in scope and operation which will limit their overall impact on the relatively low-intensity area.

Public Benefits of the Proposed Rezoning

- The request will permit a wider range of uses in Downtown Raleigh creating more opportunities for walkable destinations for employment in an area with a relatively high rate of low income residents.

Detriments of the Proposed Rezoning

- Some of the more intense land uses permitted may have impacts on the area including noise, odors, vibration, or other potential nuisances associated with newly permitted light manufacturing, research and development, and brewery uses.

Policy Guidance

Key policies are marked with an orange dot (●).

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

● LU 4.8 Station Area Land Uses

A complementary mix of uses, including multifamily residential, offices, retail, civic, and entertainment uses, should be located within transit station areas.

● LU 6.2 Complementary Land Uses and Urban Vitality

A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers to maintain the city's livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistently with this policy.

- The request will permit a broader range of commercial and employment uses in a downtown transit station area.

● LU 1.3 Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan

LU 5.2 Managing Commercial Development Impacts

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

LU 11.5 Mitigating Industrial Land Use

Mitigate the adverse impacts created by industrial uses through a variety of measures, including buffering, site planning and design, strict environmental controls, performance standards, and the use of a range of industrial zones that reflect the varying impacts of different kinds of industrial uses.

- Proposed zoning conditions restrict hours of operation of light industrial, research and development, and bar uses to minimize impact on the surrounding area.

● **UD 1.10 Frontage**

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

- The request maintains the Urban Limited frontage which is also mapped to surrounding properties.

● **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 provides use restrictions to high intensity uses at the edge of Downtown.

ED 1.3 Gateway Reinvestment

Focus reinvestment efforts on those commercial areas that also serve as key gateways to the city and downtown, such as Avent Ferry Road, Six Forks Road Corridor, and South Saunders Street (Southern Gateway Corridor Plan).

ED 2.4 Attracting Investment to Emerging Neighborhoods

In neighborhoods with little private investment and low social and economic indicators, encourage additional development and density to enhance these neighborhoods and create a larger market base to support more and better goods and services for existing and new residents.

- The request will permit additional employment generating uses, specifically the light manufacturing and research and development uses, in an area of the city with a high rate of low-income residents and very low cost of transportation. Allowing for employment generating uses in areas with these characteristics will broaden access to Raleigh's growing economy and provide more economic opportunity for nearby residents.

*The rezoning request is **inconsistent** 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 rezoning request will permit more intense uses than are recommended by the Future Land Use Map.

● **H 1.8 Zoning for Housing**

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

- The rezoning request will reduce the amount of permitted housing on the subject site. This is because the Industrial Mixed Use (IX-) prohibits residential uses on the ground floor of mixed use developments.

Area Plan Policy Guidance

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

AP-DW 17 Neighborhood Commercial Center

Encourage the revitalization and redevelopment of the W. South Street/S. Saunders Street commercial area as a neighborhood retail/mixed-use center serving not only the area residents, but also visitors to the nearby Convention Center and Performing Arts Center.

- The request will permit more uses, including employment generating uses, in the South Street and South Saunders Street area.

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

AP-DW 1 Zoning Consistency

Map AP-DW1 shall be used alongside the Future Land Use Map to evaluate the consistency of all proposed zoning maps amendments within the Downtown West Gateway plan boundaries. Where there is a conflict regarding preferred densities, the guidance in this Area Plan shall control.

- The requested zoning district would permit more intense uses than is envisioned in the Downtown West Gateway area plan.

EQUITY AND CLIMATE CHANGE ANALYSIS

Transportation Cost and Energy Analysis

	City Average	Site	Notes
Walk Score	30	64	Somewhat walkable. Some errands can be accomplished on foot.
Transit Score	30	68	Many nearby public transportation options.
Bike Score	41	77	Very bikeable.
HUD Low Transportation Cost Index	[N/A, index is expressed as a percentile.]	82	Transportation costs in this area are relatively low.
HUD Jobs Proximity Index	[N/A, index is expressed as a percentile.]	98	The area has very high access to jobs.

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	No
Townhouse	56.5	No
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?	Subtracts	Staff estimates that the requested rezoning would reduce the permitted amount of housing on the site from 31 units to 17 units. This is due to the fact that ground level residential uses are prohibited in the Industrial Mixed Use (IX-) zone.
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Is naturally occurring affordable housing present on the site?	No	The subject site is not developed with residential uses.
Does it include any subsidized units?	No	The rezoning request does not include any subsidized housing units.
Does it permit a variety of housing types beyond detached houses?	Yes	The IX- district would permit apartments in a mixed use building type.
If not a mixed-use district, does it permit smaller lots than the average? *	N/A	The request is for a mixed use district.
Is it within walking distance of transit?	Yes	There are several transit options nearby.

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

Demographic Indicators from EJSCREEN*

Indicator	Site Area	Raleigh
Demographic Index** (%)	75	36
People of Color Population (%)	79	46
Low Income Population (%)	70	30
Linguistically Isolated Population (%)	4	3
Population with Less Than High School Education (%)	23	9
Population under Age 5 (%)	6	6
Population over Age 64 (%)	6	11
% change in median rent since 2015	16	20.3

*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 zip code tract? Is it higher or lower than the State average?	72.5	The life expectancy in this area is 5.6 years less than the state average.
Are there known industrial uses or industrial zoning districts within 1,000 feet?	Yes	There is approximately 13-acres of industrial mixed use zoning within 1000 feet of the site.

Are there hazardous waste facilities are located within one kilometer?	Yes	There are two hazardous waste sites nearby. One in the block to the east and one in the block to the north.
Are there known environmental hazards, such as flood-prone areas, that may directly impact the site?	No	There is no FEMA flood plane mapped in this area.
Is this area considered a food desert by the USDA?	Yes	This tract has a relatively high number of households (172 of 860 total households(20%)) without vehicles that are more than one-half mile from a supermarket.

Land Use History

When the property was annexed into the City or originally developed, was government sanctioned racial segregation in housing prevalent?*	Yes	The existing structures on the site were established in 1940 and 1957 during a time where government sanctioned explicit racial segregation was a prevalent.
Has the area around the site ever been the subject of an urban renewal program?*	Yes	Heritage Park, a Raleigh Housing Authority subsidized affordable housing development, was an urban renewal project. Heritage Park is adjacent to the subject site, south of West South Street.
Has the property or nearby properties ever been subject to restrictive covenants that excluded racial groups?*	No	No records of recorded racially restrictive covenants were uncovered.
Are there known restrictive covenants on the property or nearby properties that restrict development beyond what the UDO otherwise requires?*	No	No records of recorded generally restrictive covenants were uncovered.

**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 will increase the amount of employment generating uses on the site and permit multifamily development in a mixed-use building.

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: Transportation costs in the area are very low and access to jobs is very high. This means people who live nearby can access employment opportunities at the subject site with relatively lower costs to travel.

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 have increased in the area by 16% this is less than the citywide average of 20.3%.

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: Heritage Park, a Raleigh Housing Authority subsidized affordable housing development, was an urban renewal project. Heritage Park is adjacent to the subject site, south of West South Street. While the rezoning request can do little to rectify the generational impacts of the urban renewal in Raleigh, increasing access to jobs in the area may help to improve access to economic opportunity.

5. Do residents of the area have disproportionately low life expectancy, low access to health insurance, 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: Residents in the area have a lower life expectancy than the state average. There are two hazardous sites within 1,000 feet of the rezoning site. There is also roughly 13 acres of industrial mixed use zoning within 1,000 feet of the rezoning site. The request is to rezone the site to an Industrial Mixed Use (IX-) with zoning conditions that prohibit most light industrial uses except for the brewery use, light manufacturing, and research and development.

IMPACT ANALYSIS

Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. Nearest existing park access is provided by Lenoir St. Park (400 ft) and Dorothea Dix Park (0.2 miles). 3. Nearest existing greenway trail access is provided by Rocky Branch Greenway Trail (0.2 miles). Current park access level of service in this area is graded an A letter grade.

Impact Identified: None

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	7,750	6,150
Waste Water	0	7,750	6,150

Impact Identified:

1. The proposed rezoning would add 6,150 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for Fire Flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

Stormwater

Floodplain	N/A
Drainage Basin	Rocky Branch
Stormwater Management	There are no documented flood complaints downstream.
Overlay District	N/A

Impact Identified: None

Transportation and Transit

Site Location and Context

Location

The Z-46-21 site is located in Downtown Raleigh, on northeast corner of South Saunders Street and West South Street.

Area Plans

The Z-46-21 site is located within the Downtown West Gateway Area Plan.

Policy AP-DWG 3 of this Area Plan calls for “Transportation Network Connectivity.” It suggests additional street, pedestrian, greenway, bicycle, and transit connections. Policy AP-DWG 5 calls for “broader pedestrian systems”. The plan specifically details the area surrounding the recently constructed Raleigh Union Station and the future Raleigh Union Bus Station, which are providing city and regional services. The plan suggests that this area should develop as a transit hub and downtown destination.

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

The site is located adjacent to, but outside of, the Dix Edge Area Plan, which is currently underway. The plan is anticipated to be adopted in Winter 2022.

Existing and Planned Infrastructure

Existing Streets

The subject property has frontage on West South Street and South Saunders Street. In the Street Plan (Map T-1 of the Comprehensive Plan), West South Street is designated as a 3-lane avenue with parallel parking. South Saunders Street designated as a 2-lane divided avenue south of West South Street and transitions to a Main Street, Parallel Parking south of Lake Wheeler Road. It is a local street north of W South Street. Both streets are maintained by the City of Raleigh.

Street Network

In accordance with UDO section 8.3.2, the maximum block perimeter for IX-3 Zoning districts is 4,000 feet. The existing block perimeter is approximately 1,400 feet.

Pedestrian Facilities

Sidewalks are complete in the vicinity of the Z-46-21 site. Development of the site under a tier 3 site plan or a subdivision would result in wider sidewalks conforming to Article 8.5 of the UDO. There are no similar requirements for tier 1 or 2 site plans. If the applicant would like to offer a condition providing for pedestrian improvements such as improved streetscapes and/or closed driveways, that condition would be consistent with Comprehensive Plan Policy T 5.3.

Bicycle Facilities

West South Street has bicycle lanes from South Saunders Street to South Dawson Street; west of Dawson Street, there are existing shared lane markings. Map T-3 in the Comprehensive Plan designates South Saunders Street for a separated bikeway and West South Street west of South Saunders Street as a bicycle lane.

The site is located approximately 0.2 miles north of an entrance to the Rocky Branch Greenway Trail.

There are two planned facilities within a quarter mile of the site. A separated bike facility is planned approximately 0.2 miles south of the site as part of the Lake Wheeler Improvement project from S Saunders Street to Maywood Avenue. Directly north of the Dix to Chavis connector, which is aimed at improving bicycle and pedestrian connectivity on Lenoir Street between Dix Park and Chavis Park.

Condition 5 offered by the applicant requiring bike parking for site plans of all tiers is consistent with Comprehensive Plan Policy T5.2.

Transit

The site is currently served by GoRaleigh Routes 7, 11, and 21, all with stops within 0.25 miles of the site. The site is also located 0.2 mile from the future Western BRT line, which is anticipated to have a stop at the Western Avenue overpass with an entrance from South Saunders Street.

Access

The Z-46-21 site may be accessed by South Saunders Street and West South Street.

Other Projects in the Area

Northeast of the site is the West Street Extension – South, which will extend West Street under the railroads to connect to portions of the street north and south of the tracks, connecting Union Station and the Warehouse District of Downtown Raleigh. This project is currently being designed, but the construction timeline will not be known until full construction funding for the project is identified.

Approximately 0.15 miles south of the site is the Wake BRT: Western Corridor project, which will operate in both dedicated transit lanes and mixed traffic between the GoRaleigh Station in downtown Raleigh, and the Cary Multimodal Center in downtown Cary. The project is

currently in the preliminary design phase. The estimated construction date remains to be determined.

Approximately 0.2 miles south of the site is the Lake Wheeler Improvement project, which will widen Lake Wheeler Road to a two-lane road with a center median and add various bicycle and pedestrian improvement from South Saunders Road to Maywood Avenue. The project includes the addition of sidewalks, a raised and separated bike facility, as well as intersection improvements along the corridor. The project is currently in the pre-design phase. The estimated construction date remains to be determined. The project will also include the realignment of the Lake Wheeler Road and South Saunders Street intersection called for in Map T-1.

Directly north of the site on is the Dix to Chavis connector, which is aimed at improving bicycle and pedestrian connectivity on Lenoir Street between Dix Park and Chavis Park. The project is currently in the planning phase. An estimated construction date has not yet been determined.

Traffic Impact Analysis (TIA) Determination

Based on the Envision results, approval of case Z-46-21 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 NX-3-UL to IX-3-UL-CU is projected to generate 6 new trips in the AM peak hour and no new trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-46-21 Existing Land Use	Daily	AM	PM
	26	3	4
Z-46-21 Current Zoning Entitlements	Daily	AM	PM
	263	22	29
Z-46-21 Proposed Zoning Maximums	Daily	AM	PM
	263	27	29
Z-46-21 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	0	6	0

Impact Identified: None

Urban Forestry

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

There are no anticipated impacts of the requested zoning district.

Mitigation of Impacts

None identified.

CONCLUSION

The request to rezone roughly 0.61 acres Neighborhood Mixed Use-3 stories-Urban Limited (NX-3-UL) to Industrial Mixed Use-3 stories-Urban Limited-Conditional Use (IX-3-UL-CU) is consistent with the 2030 Comprehensive Plan. Proposed zoning conditions prohibit and restrict certain uses to mitigate potential impacts and scale of additional light industrial uses. The rezoning request will permit additional employment generating uses in an area with very low transportation costs and a relatively high rate of low-income residents. Allowing for employment generating uses in areas with these characteristics will broaden access to Raleigh's growing economy and provide more economic opportunity for nearby residents.

The request is inconsistent with the Future Land Use Map because the requested zoning would permit a brewery, light manufacturing uses, and research and development uses which are not envisioned by the Neighborhood Mixed Use designation.

CASE TIMELINE

Date	Action	Notes
June 9, 2021	Neighborhood Meeting	19 attendees
September 14, 2021	Planning Commission – New Business	
September 28, 2021	Planning Commission – New Business	Recommend approval (5-1)
October 5, 2021	City Council – Report of Planning Commission	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	NX-3-UL	RX-3	RX-3	NX-3-UL	NX-3-UL
Additional Overlay	-	-	-	-	-
Future Land Use	Neighborhood Mixed Use	Moderate Density Residential	Central Business District	Neighborhood Mixed Use	Neighborhood Mixed Use
Current Land Use	Light Industrial/Vacant	Residential	Residential	Residential	Commercial
Urban Form	Downtown and Core Transit Area	Downtown and Core Transit Area	Downtown and Core Transit Area	Downtown and Core Transit Area	Downtown and Core Transit Area

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	NX-3-UL	IX-3-UL-CU
Total Acreage	0.61	0.61
Setbacks:		
Front	5'	5'
Side street	5'	5'
Side lot	0' or 6'	0' or 6'
Rear	0' or 6'	0' or 6'
Residential Density:	51 units/acre	28 units/acre
Max. # of Residential Units	31	17
Max. Gross Building SF	36,203	22,102
Max. Gross Office SF	22,102	22,102
Max. Gross Retail SF	13,434	13,434
Max. Gross Industrial SF	-	2,000
Potential F.A.R	1.36	0.83

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



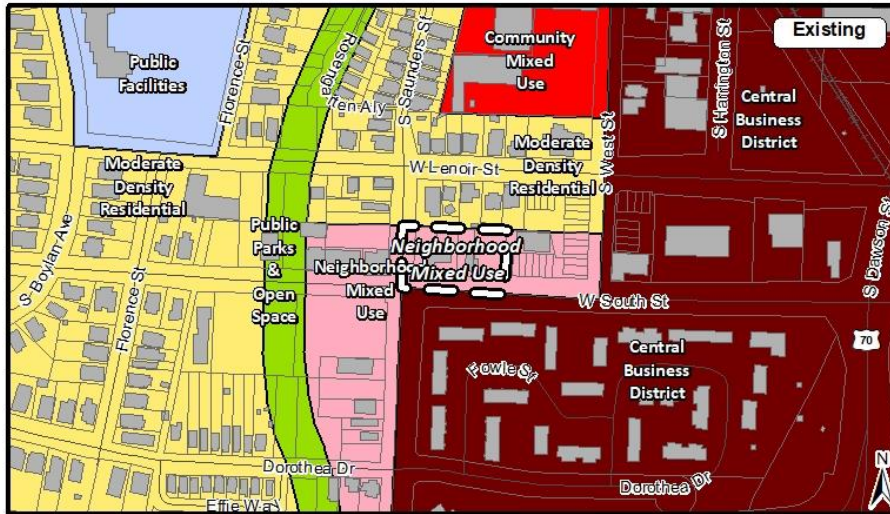
COMPREHENSIVE PLAN AMENDMENT ANALYSIS – CASE Z-46-21

OVERVIEW

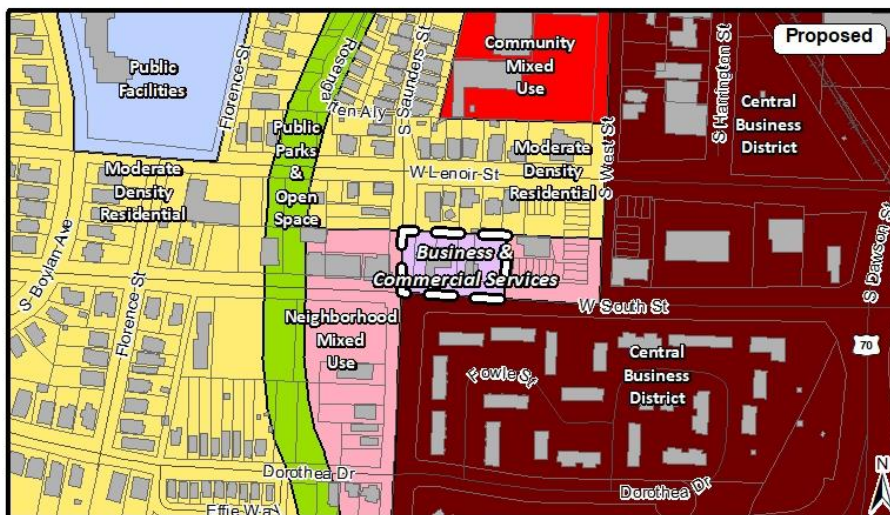
The Future Land Use Map will be amended from Neighborhood Mixed Use to Businesses and Commercial Services for the subject sites.

Z-46-2021: Required Amendment to the Future Land Use Map

Existing Designation: Neighborhood Mixed Use



Proposed Designation: Business & Commercial Services



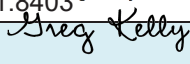


Rezoning Application and Checklist

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 8 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	Office Use Only Rezoning case # _____
	<input type="checkbox"/> Text change to zoning conditions			
Existing zoning base district: NX		Height: 3	Frontage: UL	Overlay(s):
Proposed zoning base district: IX		Height: 3	Frontage: UL	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: 611 S. Saunders St.; 520 W. South St.; 518 W. South St.; 516 1/2 W. South St.		
Property PIN: 1703464385; 1703465311; 1703465372; 1703466332		
Deed reference (book/page): 016613/2641; 016613/2602		
Nearest intersection: W. South Street and S. Saunders Street		Property size (acres): 0.61
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: South Street Holdings, LLC, 3402 Bradley Place, Raleigh, NC 27607		
Property owner email: greg@vaultcraftbeer.com		
Property owner phone: 919.781.8403		
Applicant name and address: South Street Holdings, LLC, 3402 Bradley Place, Raleigh, NC 27607		
Applicant email: greg@vaultcraftbeer.com		
Applicant phone: 919.781.8403		
Applicant signature(s): 		
Additional email(s): mstuart@mstarlaw.com		

RECEIVED

By Carmen Kuan at 10:22 am, Jul 14, 2021

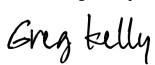
Conditional Use District Zoning Conditions

Zoning case #: Z-46-21	Date submitted: August 17, 2021	Office Use Only Rezoning case # _____
Existing zoning: NX-3-UL	Proposed zoning: IX-3-UL-CU	

Narrative of Zoning Conditions Offered

1. The following uses shall be prohibited as principal uses on the property: Dormitories, fraternities, sororities; emergency shelters type A and B; colleges, community colleges, and universities; adult establishments; outdoor recreation; passenger terminals; self-service storage; heliports; airfields, landing strip; pawn shops; car washes; warehouse and distribution; wholesale trade; light industrial uses (other than (i) bottling; (ii) brewery, winery, distillery, cidery; and (iii) food and beverage products except animal slaughter, stockyards); hotel; motel; inn; and hostel. Vehicle repair shall be a prohibited principal use on the property except that the existing vehicle repair use located on the property shall be a permitted use; upon discontinuance of such existing use for 180 consecutive days, vehicle repair shall be a prohibited principal use on the entire property.
2. Bars, nightclubs, taverns, lounges shall be permitted, provided that no live performances or dance floor shall be permitted and that outdoor, amplified music shall be prohibited beginning at (i) 10pm on Sunday through Thursday evenings and continuing until 11am the following day, and (i) 11pm on Friday and Saturday evenings and continuing until 11am the following day.
3. Light manufacturing and research and development shall be permitted as primary uses on the property, provided that:
 - a. Hours of operation shall be limited to 7am to 11pm Mondays through Saturdays and 11am to 7pm on Sundays.
 - b. No deliveries shall be scheduled or permitted by the owner of the subject property prior to 9am or after 9pm on Mondays through Saturdays nor prior to 1pm or after 6pm on Sundays.
 - c. No establishment shall occupy an area exceeding 2,000 gross square feet of building floor area.
4. Prior to issuance of the first certificate of occupancy after the effective date hereof, an opaque fence, not less than 6 feet in height, shall be installed not more than ten feet from the eastern site boundary and extending, substantially parallel with such boundary, along the entire shared boundary between the property and that parcel having PIN 1703467343 (500 W. South Street) and most recently conveyed by deed recorded in Book 17414, Page 2290 in the Wake County Registry.
5. The first site plan, of any tier, submitted for any portion of the property after the effective date hereof shall provide for not less than 4 short-term bicycle parking spaces.

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

Property Owner(s) Signature:  _____
DecuSigned by: 98210F6E8C5A4A8...

Printed Name(s): Greg Kelly

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.

The proposed zoning district, including the proposed zoning conditions, approximate the uses and intensities that would be permitted within the NX zoning district and supported by the Neighborhood Mixed Use FLUM designation, which is appropriate for its location between the Central Business District designation across South Street to the south and the Moderate Density Residential designation to the north, as well as its Neighborhood Service/Retail designation as part of the Downtown West Gateway Small Area Plan.

The proposal also supports a number of Comprehensive Plan policies, including ED 5.8 (Supporting Retail Infill and Reinvestment); ED 5.9 (Defining New Retail Niches); ED 5.12 (Equitable Development Around Transit); UD 1.10 (Frontage); UD 5.1 (Contextual Design); UD 5.4 (Neighborhood Character and Identity); DT 1.12 (Downtown Edges); and DT 1.14 (Downtown Transition Areas).

Public Benefits

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

The requested rezoning is narrowly designed to permit a small, neighborhood brewery and bar use, including outdoor seating while maintaining the existing height and frontage designations on the property and ensuring closure of two existing curb cuts along South Street. The proposed limitations will minimize impacts to neighbors while providing a neighborhood gathering place within walking and biking distance of many. The rezoning will permit the intended locally owned small business to move forward with its plans to open on the property and serve the neighborhood.

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.

While no landmark designation or historic overlay is applicable to the site, the proposed rezoning will permit continued use of the existing garage on the property, built in 1940, and it will also permit the intended use of the 1957 bank building on the property, designed by celebrated Raleigh modernist architect F. Carter Williams.

Public Mitigation

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

No negative impacts are anticipated.

Design Guidelines

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

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

Policy UD 7.3:

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

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

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

Policy DT 7.18:

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

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

Urban Form Designation: Downtown

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

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

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 Development 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 or downtown design guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners 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:	Yes	N/A	Yes	No	N/A
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 8:	Yes	N/A	Yes	No	N/A
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:	Yes	N/A	Yes	No	N/A
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:	Yes	N/A	Yes	No	N/A
14. Redline copy of zoning conditions with proposed changes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please continue to the next page for the Master Plan Submittal Requirements checklist.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Completed application submitted through Permit and Development Portal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Tree Conservation Plan (if site is two acres or more)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Who Can Initiate a Zoning Request?

If requesting to down-zone property, the rezoning application must be signed by all the property owners whose property is subject to the downzoning. Downzoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

1. The property owner;
2. An attorney acting on behalf of the property owner with an executed power of attorney; or
3. A person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purpose of initiating the request, by property owners or third-party applicants.

Temporary Option for Virtual Neighborhood Meetings

During times when in-person gatherings are restricted, this document consists of guidance and templates for conducting a virtual meeting that may satisfy the pre-submittal neighborhood meeting prerequisite for filing a rezoning request and, when required, the second neighborhood meeting prerequisite for Planning Commission review. All requirements related to notice and neighborhood meetings found in the UDO are still applicable and should be reviewed when preparing for a neighborhood meeting.

Raleigh Planning & Development staff are available to advise you in the preparation for virtual neighborhood meetings. For more information, contact JP Mansolf (919) 996-2180 or jp.mansolf@raleighnc.gov.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive community feedback regarding a rezoning prior to submittal to Raleigh Planning & Development or prior to Planning Commission review, per the standards found in [UDO Ch. 10](#). The intention of the meeting is to facilitate neighbor communication; identify issues of concern early on; and provide the applicant an opportunity to address neighbors' concerns about the potential impacts of the rezoning request at key steps in the rezoning process.

GUIDANCE FOR VIRTUAL NEIGHBORHOOD MEETINGS

The virtual neighborhood meeting option is available to applicants on a temporary basis during times when in-person gatherings are restricted. Above and beyond the requirements for neighborhood meetings found in the UDO, the following practices are strongly encouraged for virtual neighborhood meetings:

Verification of mailed notice for virtual neighborhood meetings can be completed by USPS or Raleigh Planning & Development staff.

Neighborhood meeting notification letters can be verified in one of two ways for virtual neighborhood meetings:

- By using USPS in compliance with [UDO Sec. 10.2.1.C.1.b](#).
- By coordinating with Raleigh Planning & Development staff.
 - When City of Raleigh facilities are open to the public, applicants may present stuffed, stamped, addressed, and unsealed neighborhood meeting notifications to Raleigh Planning & Development staff prior to the 10-day period for confirmation that the complete list of property owners is being noticed and that the notices contain adequate information to satisfy the requirements of the UDO and are in keeping with this guidance document.
 - When City of Raleigh facilities are closed to the public, applicants may present electronic documentation to city staff prior to the 10-day period for verification. Documentation should include: an electronic copy of the notification letter and any enclosures, the mailing list, photographs of the mailing that demonstrates the number of envelopes prepared for mailing, an attestation from the applicant that the mailing satisfies all UDO requirements and that acknowledges that false statements negate validity of the mailing.

The meeting should be held within specific timeframes and meet certain requirements.

The UDO requires that “the applicant shall provide an opportunity to meet with property owners of the development site and property owners within the mailing radius described in [UDO Sec. 10.2.1.C.1](#). In order to provide meaningful opportunity, a virtual neighborhood meeting should follow these guidelines:

- Electronically via an interactive online video conferencing software such as Microsoft Teams, Zoom, WebEx, or any similar platform of the applicant’s choice.
- The software must support a two-way conversation that allows for residents to ask questions and provide thoughts, as well as hear the applicant’s presentation.
- The software should provide an option for an individual to participate exclusively by telephone.
- The meeting should be conducted for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- The meeting should not be held on City of Raleigh or State of North Carolina recognized holidays.
- Just as with an in-person meeting, an attendance sheet must be completed to log known attendees of the virtual meeting. Note if no one attended.

Additional informational material should be provided by post to all invitees.

To help facilitate discussion during the meeting for all participants, especially those that may participate exclusively by telephone, informational material should be provided by post. A copy of all mailed materials should be included as part of the Neighborhood Meeting report required for the rezoning application. In addition to details required by [UDO Sec. 10.2.1.C.1](#), the following information should be mailed with the meeting notice:

- The date, time, and detailed instructions for how to participate in the virtual meeting either online or by telephone.
- A current aerial photograph of the area.
- A current zoning map of the area.
- A draft of the rezoning petition to be submitted.
- For a rezoning request to a district that requires a master plan ([UDO Art. 4.6](#) and [4.7](#)) preliminary or schematic plans of the proposed master plan should be provided to help facilitate discussion.

The meeting agenda should describe the action to be requested and the nature of the questions involved.

This information should be addressed during the meeting:

- Explanation of the rezoning process.
- Explanation of future meetings (additional neighborhood meetings, if any; Planning Commission review; City Council public hearing).
- Explanation of the development proposal, including proposed uses and zoning conditions; explanation of any proposed master plan; and any public information available about the property owner or buyer, developer or builder, and/or likely tenant.
- Questions or concerns by virtual attendees and responses by the applicant.
- Report of any questions and concerns received by the applicant in correspondence or phone call in advance of the meeting, along with any applicant-provided responses.

The applicant shall be responsible for notifying any neighbors who request to be kept up-to-date of any additional neighborhood meetings and the actual submittal date to the City of Raleigh Development Portal.

NOTIFICATION LETTER TEMPLATE

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE and TIME). The meeting will be held virtually. You can participate online or by telephone. To participate, visit:

(MEETING WEB ADDRESS)

Or call:

(MEETING PHONE NUMBER)

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is currently zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (ANY OTHER RELEVANT DETAILS OF THE REQUEST.)

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

Information about the rezoning process is available online; visit www.raleighnc.gov 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 (we) can be reached at:

(NAME)

(CONTACT INFO)

Sincerely,

ATTESTATION TEMPLATE

Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that that I did in fact deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the _____, day of _____, 2020. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

Signature of Applicant/Applicant Representative

Date

SUMMARY OF ISSUES

A neighborhood meeting was held on June 9, 2021 (date) to discuss a potential rezoning located at 611 S. Saunders St.; 520 W. South St.; 518 W. South St.; 516 1/2 W. South St. (property address). The neighborhood Meeting was held at [virtual] (location). There were approximately _____ (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Several attendees expressed strong support for the proposal.

A fence will be provided along the eastern property boundary.

Heritage Park residents were notified of the meeting.

Screening along the building rear was discussed.

Renderings of the proposed bank building renovation were presented.

Dogs will be permitted in the outdoor seating area.

raleighnc.gov