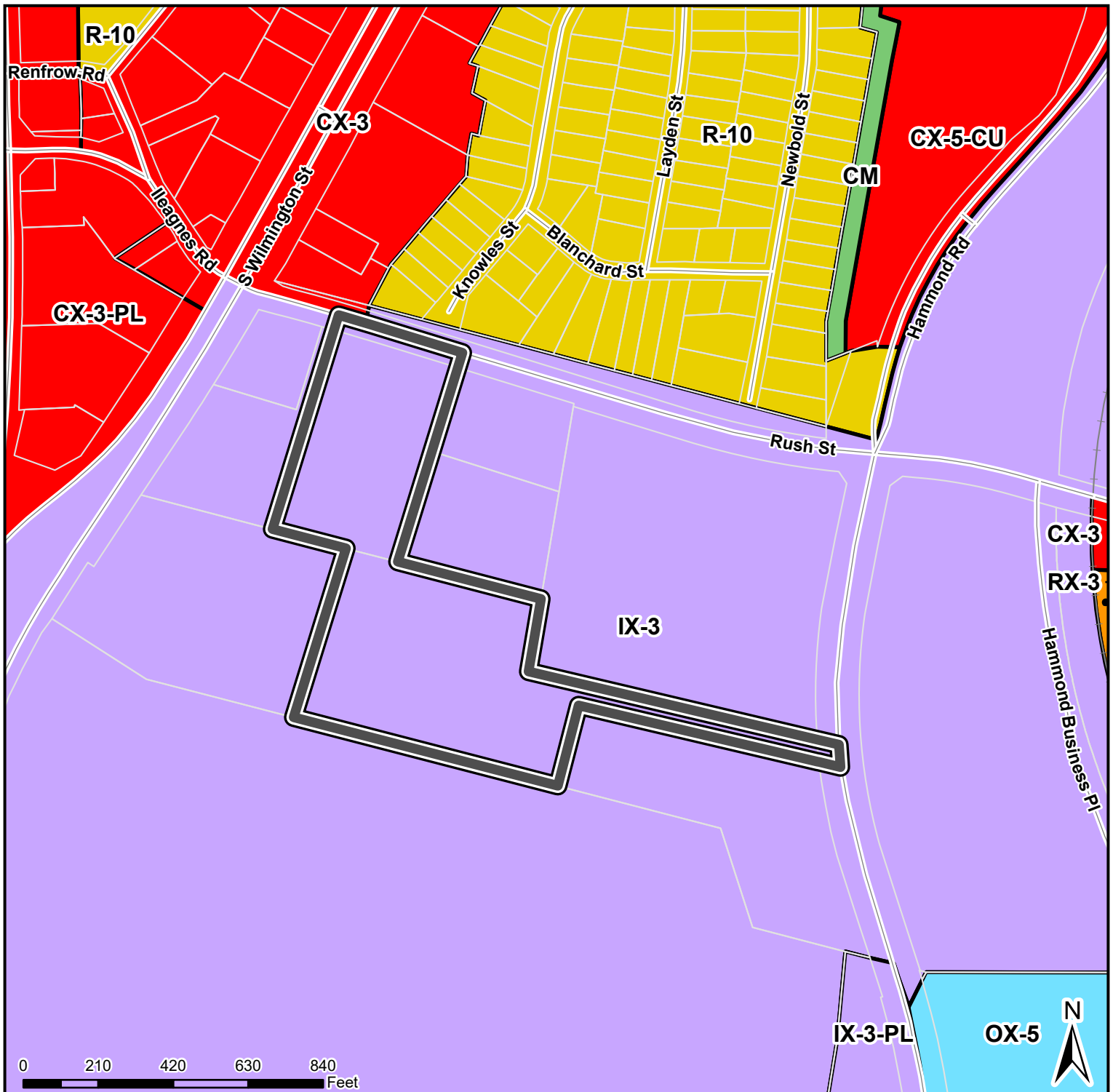
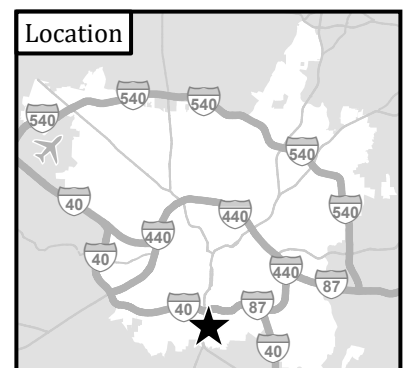


Existing Zoning

Z-48-2022



Property	120 & 140 Rush St
Size	16.46 acres
Existing Zoning	IX-3
Requested Zoning	RX-7-CU






Rezoning Application and Checklist

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

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

Rezoning Request				
Rezoning Type	General Use	<input checked="" type="checkbox"/> Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: IX	Height: 3	Frontage:	Overlay(s):	
Proposed zoning base district: See attached	Height: See attached	Frontage:	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: May 20, 2022	Date amended (1):	Date amended (2):	
Property address: 120 and 140 Rush Street			
Property PIN: 1702552422 and 1702545910			
Deed reference (book/page): DB 10429, PG 1770			
Nearest intersection: S Wilmington St and Rush St		Property size (acres): 4.80 and 11.66 (16.46 total)	
For planned development applications only	Total units:	Total square footage:	
	Total parcels:	Total buildings:	
Property owner name and address: Rush Street Associates LLC; PO Box 27705, Raleigh, 27611			
Property owner email:			
Property owner phone:			
Applicant name and address: Toby Coleman			
Applicant email: tcoleman@smithlaw.com			
Applicant phone: 919.821.6778			
Applicant signature(s):		<small>DocuSigned by:</small>  <small>B2C07230D9264B9...</small>	
Additional email(s):			

RECEIVED

By Sarah Shaughnessy at 10:02 am, Jun 02, 2022

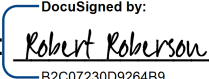
Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: IX-3	Proposed zoning: IX-3/RX-7-CU	

Narrative of Zoning Conditions Offered

1. For that portion of the Property being rezoned RX-, the following Principal Uses as listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the RX- District shall be prohibited: Cemetery, Outdoor sports or entertainment facility (>250 seats),
2. Prior to, or as part of, any site plan for development of any portion of the property zoned RX- that would result in a Tier 3 level site plan, a location on the property or adjacent right-of-way shall be provided and solidified through a recorded and dedicated easement, to accommodate a City bikeshare station with no fewer than 8 docks and, which shall be installed by the property owner if the closest existing bikeshare station is within 0.5 miles from the site at the time of site plan review. The usual dock to bike ratio used in Raleigh is 1.6 to 1; suggesting that an additional 5 electric-assist bikes for the system are appropriate and will be provided by the property owner with installation of the station.

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:  _____
B2C07230D9264B9...

Printed Name(s): Robert Roberson

RECEIVED

By Sarah Shaughnessy at 10:02 am, Jun 02, 2022

ATTACHMENT TO REZONING APPPLICATION FOR 120 & 140 RUSH ST.

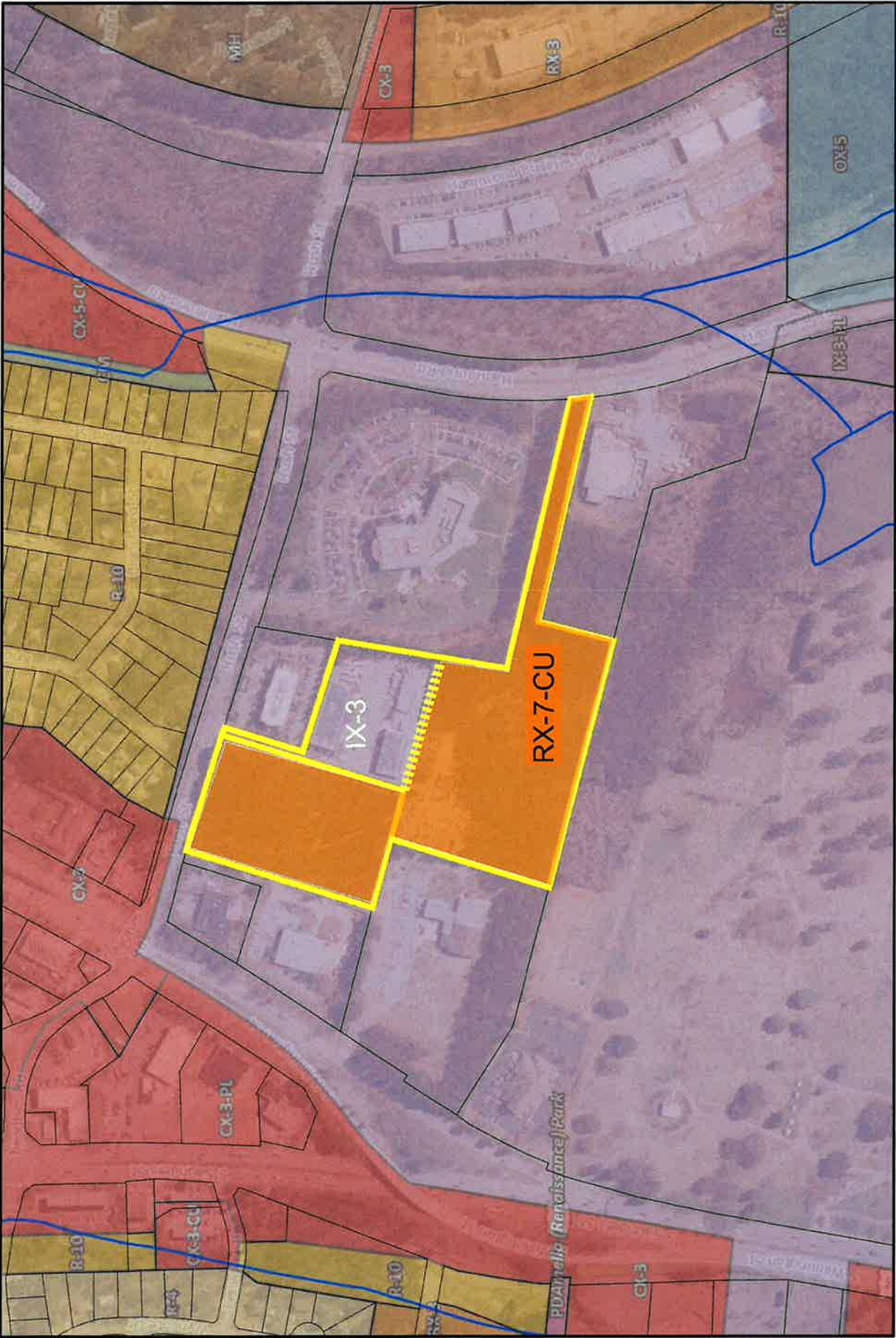
Existing Zoning:


IX-3

Proposed Zoning:

IX-3 (portion of 140 Rush St. shown on attached map)

RX-7-CU (remainder of Property)





Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

880 ft

440

220

0

1 inch = 400 feet

Rezoning Application Addendum #1**Comprehensive Plan Analysis****Office Use Only**Rezoning case #

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.

Statement of Consistency

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

1. The request is to rezone the bulk of the property to Residential Mixed Use. The property is classified as Office & Residential Mixed Use on the City's Future Land Use Map. RX zoning is consistent with this designation.
2. The Urban Form Map shows that the subject site is within a Transit Station Area. Table LU-5 of the Comprehensive Plan identifies the Transit Station Area Type as an Emerging Urban Center and Table LU-2 of the Comprehensive Plan recommends heights of between two and twelve stories on property designated Office & Residential Mixed Use located in an Emerging Urban Center.
3. The proposed rezoning is consistent with the following Comprehensive Plan policies: LU 1.2 (Future Land Use Map and Zoning Consistency), LU 1.3 (Conditional Use District Consistency), LU 2.5 (Healthy Communities), LU 2.6 (Zoning and Infrastructure Impacts), LU 4.4 (Reducing Vehicle Miles Traveled Through Mixed-Use), LU 4.5 (Connectivity), LU 4.7 (Capitalizing on Transit Access), LU 4.9 (Corridor Development), LU 5.1 (Reinforcing the Urban Pattern), LU 6.2 (Complementary Land Uses and Urban Vitality), LU 6.3 (Mixed-use and Multimodal Transportation), LU 8.1 (Housing Variety), LU 8.17 (Zoning for Housing Opportunity and Choice), EP 1.1 (Greenhouse Gas Reduction), and H 1.8 (Zoning for Housing).

Public Benefits

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

The request will permit additional housing to be built in a transit supportive area of the City. This will allow more people to live in an emerging mixed-use and urban center of the City with convenient access to jobs, educational, and recreational amenities.

Mixed-use residential development in this area of the City will allow more people to live with reduced automobile reliance, likely reducing per capita carbon emissions for residents of any future development on the site, thus advancing the City's goals of addressing climate change.

The site has low transportation costs and high access to jobs and other commercial uses. Residential density under the proposed rezoning would allow more people to benefit from those qualities than under existing zoning.

Rezoning the property would expand housing access by permitting apartments on the property in close proximity to transportation opportunities. Encouraging the development of residential uses in this area will allow more people to take advantage of those transit opportunities and encourage residential development in an area currently lacking those opportunities.

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.

N/A

Public Mitigation

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

N/A

Design Guidelines

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

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

Policy UD 7.3:

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

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

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

Policy DT 7.18:

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

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

Urban Form Designation: Transit Station Area

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

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



Urban Design Guidelines Addendum

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

Urban Design Guidelines

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

- a) The property to be rezoned is within a "City Growth Center", "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.

Urban Form Designation: Transit Station Area

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

1	All mixed-use developments should generally provide retail (such as eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian-friendly form.
	Response: The proposed rezoning allows a mix of uses in a compact and pedestrian-friendly form with access to future fixed-guideway transit.
2	Within all mixed-use areas, buildings that are adjacent to lower density neighborhoods should transition (height, design, distance, and/or landscaping) to the lower heights or be comparable in height and massing.
	Response: There are no adjacent residential uses that are not separated by a right of way.
3	A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major street. Preferred and discouraged street networks.
	Response: There are no direct connections from the property to a neighborhood road network, but access is provided by the Rush Street right of way.
4	Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Street Plan. Streets should connect adjacent developments.
	Response: There are no dead-end or cul-de-sac roads contemplated for the development of the property. Street stubs, if required by the City, could be provided to adjacent open land.

5	New development should be composed of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.
	Response: New development would be composed of blocks of public and/or private streets, including sidewalks as may be required by the UDO. The property is uniquely shaped, make traditional block development challenging. The proposed block face of the RX district along Rush street is less than 415 feet.
6	A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.
	Response: There are a variety of potential frontage options for development of the property to encourage physical definition of streets and public spaces as places of shared use.
7	Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.
	Response: Specific development plans for the property are still in development, but the applicant expects there will be opportunities to locate off-street parking behind or beside buildings.
8	If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.
	Response: The site is not located at a street intersection.
9	To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.
	Response: Future development will be designed to take into account location, views, and sun exposure.
10	New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.
	Response: Future development will be designed to take into account location, access, and points of entry for pedestrians.
11	The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.
	Response: The proposed RX- rezoning would permit such uses on the property adjacent to Rush Street.
12	A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor “room” that is comfortable to users.
	Response: Future development will be designed to create properly defined urban open space that is comfortable to users.

13	New public spaces should provide seating opportunities.
	Response: Future development will provide seating opportunities consistent with the UDO.
14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.
	Response: Future development will take into account that parking lots should not dominate the frontage, interrupt pedestrian routes, or negatively impact surrounding developments.
15	Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.
	Response: Future development will be aimed at locating parking to the rear or interior of a block whenever possible and will comply with UDO frontage requirements.
16	Parking structures are clearly an important and necessary element of the overall urban infrastructure, but, given their utilitarian elements, can have serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would. Care in the use of basic design elements can make a significant improvement.
	Response: Future development will take care to incorporate design elements to avoid negative visual effects.
17	Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.
	Response: The property is within walking distance of future transit and a zoning condition to provide bikesharing to encourage viable alternatives to automobile use.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.
	Response: The property is located on Rush Street with pedestrian access to the surrounding areas.
19	All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.
	Response: There are no known sensitive natural resources on this property.
20	All development should incorporate high-quality, productive landscapes that serve multiple functions. Such functions include noise mitigation and absorption; capturing and cleaning of particulate matter; collection and filtering of stormwater; and reduction of the urban heat island effect. Strategies include green walls, trellises, carefully planted trees, green infrastructure, and green roofs.
	Response: Future development will be designed to take into account this guidance.

21	It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the city and should be scaled for pedestrians.
	Response: No new public streets are proposed as part of this rezoning. Future development of internal drives within the area to be zoned RX- will take into account this guidance.
22	Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and other areas where walkability is a focus should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising, and outdoor seating.
	Response: Sidewalks will be provided consistent with the UDO.
23	Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree canopy, which shadows both the street and sidewalk and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 ¼" caliper and should be consistent with the city's landscaping, lighting, and street sight distance requirements.
	Response: Street trees will be provided in accordance with the UDO.
24	Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.
	Response: Future development will ensure that the development along Rush Street is consistent with this guideline.
25	The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.
	Response: Future development will ensure that the development along Rush Street is consistent with this guideline.
26	The ground level of the building should offer pedestrian interest along sidewalks. This includes windows, entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.
	Response: Future development will ensure that the development along Rush Street is consistent with this guideline.
27	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.
	Response: Sidewalks will comply with the applicable UDO standards, consistent with this guideline.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input 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 18:	Yes	N/A	Yes	No	N/A
12. Proof of Power of Attorney or Owner Affidavit	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

OFFICES
Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

TOBY R. COLEMAN
DIRECT DIAL: (919) 821-6778
E-Mail: tcoleman@smithlaw.com

May 6, 2022

MAILING ADDRESS
P.O. Box 2611
Raleigh, North Carolina
27602-2611
TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

Re: Notice of neighborhood meeting to discuss proposed rezoning of lands located at 120 and 140 Rush Street, Raleigh, NC 27603 (PIN: 1702552422 and 1702545910) (collectively, the "Property")

Dear Neighbors:

We are writing to invite you to a Neighborhood Meeting to discuss a proposed rezoning of the Property.

The neighborhood meeting will be held on May 17, 2022 at 6 p.m. in the Sanderford Road Community Center located at 2623 Sanderford Road, Raleigh, North Carolina 27610.

The Property is currently zoned Industrial Mixed Use-3 (IX-3), and is proposed to be rezoned to IX-3 and Residential Mixed Use-7 (RX-7). The enclosed maps show the location of the Property and the current zoning of the neighborhood.

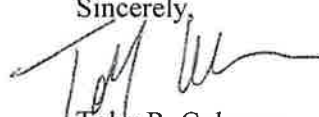
At the Neighborhood Meeting, we will discuss the proposed rezoning, including the potential zoning conditions for the development of the Property.

Prior to submitting the rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners, residents, or tenants within 500 feet of the property requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

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:

Sarah Shaughnessy
Raleigh Planning & Development
(919) 996-2234
Sarah.Shaughnessy@raleighnc.gov

If you have any concerns or questions about this potential rezoning, please do not hesitate to contact me. I can be reached via my office phone at 919-821-6778 or via email at tcoleman@smithlaw.com.

Sincerely,

Toby R. Coleman

enclosures

MEETING AGENDA

1. Meeting Welcome and Introductions of Speakers.
2. Project Presentation
3. Question and Answer



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 18 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

Rezoning Request				
Rezoning Type	General Use	<input checked="" type="checkbox"/> Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: IX	Height: 3	Frontage:	Overlay(s):	
Proposed zoning base district: See attached	Height: See attached	Frontage:	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: Z-27B-2014				

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 120 and 140 Rush Street		
Property PIN: 1702552422 and 1702545910		
Deed reference (book/page): DB 10429, PG 1770		
Nearest intersection: S Wilmington St and Rush St		
Property size (acres): 4.80 and 11.66 (16.46 total)		
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Rush Street Associates LLC; PO Box 27705, Raleigh, 27611		
Property owner email:		
Property owner phone:		
Applicant name and address: Toby Coleman		
Applicant email: tcoleman@smithlaw.com		
Applicant phone: 919.821.6778		
Applicant signature(s):		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: IX-3	Proposed zoning: IX-3/RX-7-CU	

Narrative of Zoning Conditions Offered
<p>1. Prior to, or as part of, any site plan for development of any portion of the property that would result in a Tier 3 level site plan, a location on the property or adjacent right-of-way shall be provided and solidified through a recorded and dedicated easement, to accommodate a City bikeshare station with no fewer than 8 docks and, which shall be installed by the property owner if the closest existing bikeshare station is within 0.5 miles from the site at the time of site plan review. The usual dock to bike ratio used in Raleigh is 1.6 to 1; suggesting that an additional 5 electric-assist bikes for the system are appropriate and will be provided by the property owner with installation of the station.</p>

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

Property Owner(s) Signature: _____

Printed Name(s): _____

ATTACHMENT TO REZONING APPPLICATION FOR 120 & 140 RUSH ST.

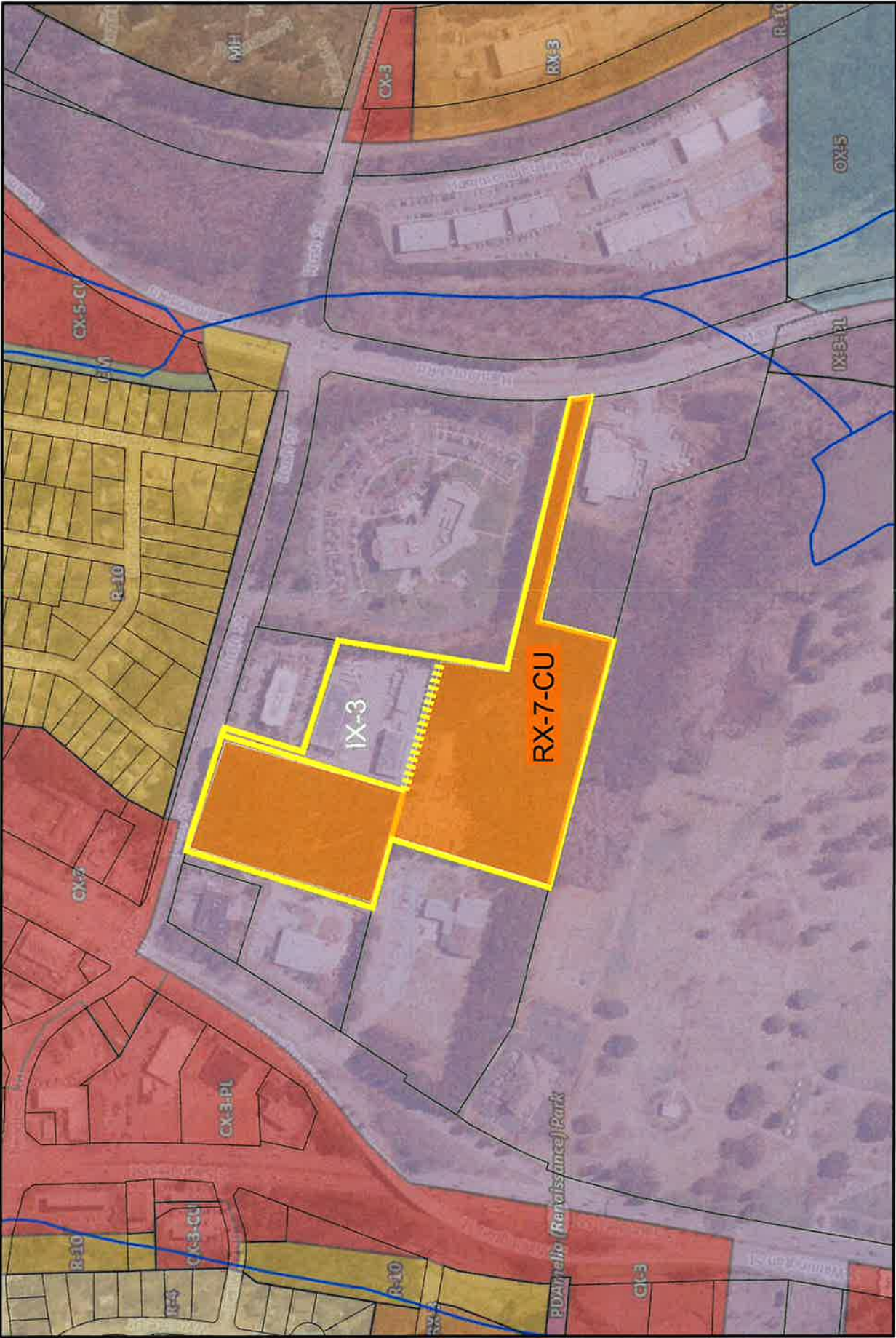
Existing Zoning:


IX-3

Proposed Zoning:

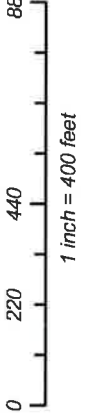
IX-3 (portion of 140 Rush St. shown on attached map)

RX-7-CU (remainder of Property)

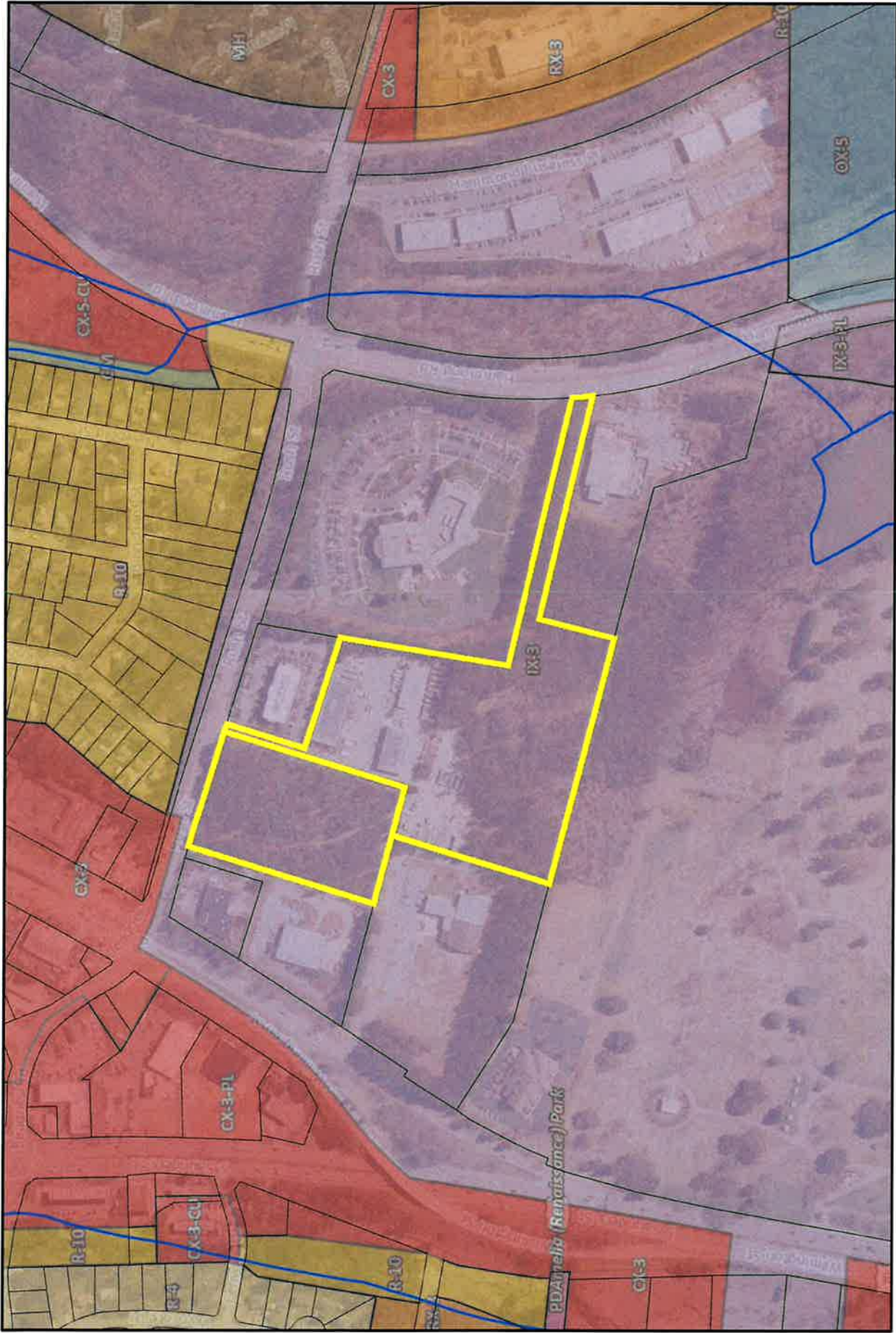




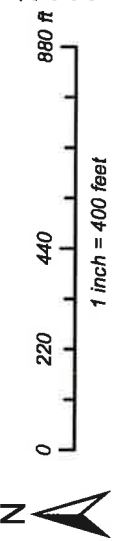
Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



0 220 440 880 ft
1 inch = 400 feet



Disclaimer
Maps make every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes and are NOT surveys. No warranties expressed or implied are provided for the data therein its use or its interpretation.



1 inch = 400 feet





T
**TENANT
NOTICE**

NEIGHBORHOOD MEETING
MAY 17, 2022 AT 6 PM
Sanderford Road Community Center
2623 Sanderford Road, Raleigh, NC 27610

**REZONING OF 120 RUSH STREET
and 140 RUSH STREET**

Applicant Email: tcoleman@smithlaw.com
Applicant Phone: (919) 821-6778

**CHANGES ARE COMING
TO YOUR COMMUNITY**
Want to know more?

  **Raleigh**
919-996-2682
planning@raleighnc.gov
raleighnc.gov/development

Property Owners and Tenants within 500' of 120 and 140 Rush Street

PIN	Owner	Mail Address 1	Mail Address 2	Mail Address 3	Site Address
1702557646	HAMMOND ROAD PROPERTIES EAST, LLC	PO BOX 566	GREENVILLE NC 27835-0566		0 RUSH ST
1702559766	MURRAY, CHRISTOPHER MURRAY, BRADLEY	100 BLANCHARD ST	RALEIGH NC 27603-2502		100 BLANCHARD ST
1702456972	ANDREWS, DAVID R JR	5405 CHASSCOT CT	RALEIGH NC 27606-5702		103 ILEAGNES RD
1702650736	HUDSON, JAMES A HUDSON, KIMBERLY W	104 BLANCHARD ST	RALEIGH NC 27603-2502		104 BLANCHARD ST
1702650774	COLNER, ELIZABETH	108 BLANCHARD ST	RALEIGH NC 27603-2502		108 BLANCHARD ST
1702552422	RUSH STREET ASSOCIATES LLC	PO BOX 27705	RALEIGH NC 27611-7705		120 RUSH ST
1702545910	RUSH STREET ASSOCIATES LLC	PO BOX 27705	RALEIGH NC 27611-7705		140 RUSH ST
1702545910	Current Resident	140 Rush St	RALEIGH NC 27603		140 RUSH ST
1702545910	Current Resident	144 Rush St	RALEIGH NC 27603		140 RUSH ST
1702545910	Current Resident	148 Rush St	RALEIGH NC 27603		140 RUSH ST
1702545910	Current Resident	3010 Hammond Rd	RALEIGH NC 27603		140 RUSH ST
1702556419	RUSH STREET ASSOCIATES LLC	PO BOX 27705	RALEIGH NC 27611-7705		150 RUSH ST
1702556419	Current Resident	150 RUSH ST	RALEIGH NC 27603		150 RUSH ST
1702556419	Current Resident	150 Rush St UNIT 203	RALEIGH NC 27603		150 RUSH ST
1702651082	Current Resident	160 RUSH ST	RALEIGH NC 27603		160 RUSH ST
1702651082	DUKE ENERGY PROGRESS INC	TAX DEPT - DEC41B	550 S TRYON ST	CHARLOTTE NC 28202-4200	160 RUSH ST
1702568035	Current Resident	201 BLANCHARD ST	RALEIGH NC 27603		201 BLANCHARD ST
1702568035	DUMONT PROPERTIES	303 BATHGATE LN	CARY NC 27513-5565		201 BLANCHARD ST
1702557848	LEWIS, LISA	204 BLANCHARD ST	RALEIGH NC 27603-2504		204 BLANCHARD ST
1702557870	OAKLEY, MICHAEL E OAKLEY, EVA C	208 BLANCHARD ST	RALEIGH NC 27603-2504		208 BLANCHARD ST
1702558747	BATTEN, RYAN FRANKLIN	212 BLANCHARD ST	RALEIGH NC 27603-2504		212 BLANCHARD ST
1702559717	KING, JENNIFER	216 BLANCHARD ST	RALEIGH NC 27603-2504		216 BLANCHARD ST
1702562175	Current Resident	2729 S WILMINGTON ST	RALEIGH NC 27603		2729 S WILMINGTON ST
1702562175	SANT INC	BUDGET INN	2729 S WILMINGTON ST	RALEIGH NC 27603-2551	2729 S WILMINGTON ST
1702561040	FARMAND, VAHIDULLAH ROHANI, GITA ROUHOLLAH	5042 ISABELLA CANNON DR	RALEIGH NC 27612-4804		2731 S WILMINGTON ST
1702561040	Current Resident	2731 S WILMINGTON ST	RALEIGH NC 27603		2731 S WILMINGTON ST
1702467270	CITADEL AUTOMOTIVE GROUP INC	2734 S WILMINGTON ST	RALEIGH NC 27603-2552		2734 S WILMINGTON ST
1702551920	FARMAND, VAHIDULLAH ROHANI, GITA ROUHOLLAH	5042 ISABELLA CANNON DR	RALEIGH NC 27612-4804		2735 S WILMINGTON ST
1702467093	CITADEL AUTOMOTIVE GROUP INC	2736 S WILMINGTON ST	RALEIGH NC 27603-2552		2736 S WILMINGTON ST
1702567161	Current Resident	2751 KNOWLES ST	RALEIGH NC 27603		2751 KNOWLES ST
1702567161	MILANO, JULIAN TYLER	3021 QUINCEMOOR RD	DURHAM NC 27712-1040		2751 KNOWLES ST
1702565183	COLLINS, DONALD C	406 HILLTOP AVE	GARNER NC 27529-3610		2800 KNOWLES ST
1702565183	Current Resident	2800 KNOWLES ST	RALEIGH NC 27603		2800 KNOWLES ST
1702556998	Current Resident	2801 KNOWLES ST	RALEIGH NC 27603		2801 KNOWLES ST
1702556998	WINDSOR CREST PROPERTIES INC	10014A CHAPEL HILL RD	MORRISVILLE NC 27560-9399		2801 KNOWLES ST
1702459667	Current Resident	100 Rush St	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 101	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 103	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 105	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 107	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 109	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	Current Resident	2801 S Wilmington St UNIT 119	RALEIGH NC 27603		2801 S WILMINGTON ST
1702459667	ROBERT ROBERSON 2801 LLC	ROBERT C ROBERSON	PO BOX 27705	RALEIGH NC 27611-7705	2801 S WILMINGTON ST
1702565039	HERNANDEZ-CERVANTES, AMADO M VIRGINIA	2804 KNOWLES ST	RALEIGH NC 27603-2556		2804 KNOWLES ST

Property Owners and Tenants within 500' of 120 and 140 Rush Street

PIN	Owner	Mail Address 1	Mail Address 2	Mail Address 3	Site Address
1702556849	Current Resident	2805 KNOWLES ST	RALEIGH NC 27603		2805 KNOWLES ST
1702556849	KIZAR, ELIZABETH G HEIRS	MARY BLAKE	217 NORHAM DR	CARY NC 27513-4812	2805 KNOWLES ST
1702564093	HERMENEGILDO, ALFONSO	2808 KNOWLES ST	RALEIGH NC 27603-2556		2808 KNOWLES ST
1702454941	Current Resident	2727 S Saunders St	RALEIGH NC 27603		2808 S WILMINGTON ST
1702454941	Current Resident	2729 S Saunders St	RALEIGH NC 27603		2808 S WILMINGTON ST
1702454941	Current Resident	2808 S Wilmington St	RALEIGH NC 27603		2808 S WILMINGTON ST
1702454941	TOP SHOP PROPERTIES II LLC	6101 QUAIL SIDE CT	RALEIGH NC 27603-9447		2808 S WILMINGTON ST
1702554958	Current Resident	2812 KNOWLES ST	RALEIGH NC 27603		2812 KNOWLES ST
1702554958	HARING, BERNADETTE JOAN	4290 ARABELLA WAY	LITTLE RIVER SC 29566-7647		2812 KNOWLES ST
1702651692	PHIPPS, JESSIE BEATRICE THOMPSON, JAMES WILLIAM JR	2814 NEWBOLD ST	RALEIGH NC 27603-2522		2814 NEWBOLD ST
1702458471	Current Resident	2815 S WILMINGTON ST	RALEIGH NC 27603		2815 S WILMINGTON ST
1702458471	Current Resident	110 Rush St	RALEIGH NC 27603		2815 S WILMINGTON ST
1702458471	NMS WILMINGTON LLC	411 SE OSCEOLA ST STE 201	STUART FL 34994-2509		2815 S WILMINGTON ST
1702554923	Current Resident	2816 KNOWLES ST	RALEIGH NC 27603		2816 KNOWLES ST
1702554923	HARING, BERNADETTE DICKENS, ADONNA	4290 ARABELLA WAY	LITTLE RIVER SC 29566-7647		2816 KNOWLES ST
1702553889	Current Resident	2820 KNOWLES ST	RALEIGH NC 27603		2820 KNOWLES ST
1702553889	FISH, GLORIA W FISH, THOMAS J	2724 KNOWLES ST	RALEIGH NC 27603-2554		2820 KNOWLES ST
1702555880	GILMORE, ERIC GILMORE, CAITLIN CARY	2821 KNOWLES ST	RALEIGH NC 27603-2555		2821 KNOWLES ST
1702553815	Current Resident	2824 KNOWLES ST	RALEIGH NC 27603		2824 KNOWLES ST
1702553815	WITHROW PROPERTIES LLC	3405 GEMINI DR	RALEIGH NC 27604		2824 KNOWLES ST
1702540913	Current Resident	2821 S Wilmington St	RALEIGH NC 27603		2825 S WILMINGTON ST
1702540913	Current Resident	2825 S Wilmington St	RALEIGH NC 27603		2825 S WILMINGTON ST
1702540913	Current Resident	2827 S Wilmington St	RALEIGH NC 27603		2825 S WILMINGTON ST
1702540913	VICTORY CHURCH INTERNATIONAL, INC	MITCHELL HORTON	1250 AVERSBORO RD	GARNER NC 27529-4225	2825 S WILMINGTON ST
1702454614	Current Resident	2840 S WILMINGTON ST	RALEIGH NC 27603		2840 S WILMINGTON ST
1702454614	GARDNER, LENNIE T JR GARDNER, CHRISTINE B	6101 QUAIL SIDE CT	RALEIGH NC 27603-9447		2840 S WILMINGTON ST
1702542021	Current Resident	2911 S WILMINGTON ST	RALEIGH NC 27603		2911 S WILMINGTON ST
1702542021	STONEMOR NORTH CAROLINA LLC	C/O STONEMOR OPERATING LLC	3600 HORIZON BLVD STE 100	TREVOSE PA 19053-4965	2911 S WILMINGTON ST
1702740671	1 SIGN REQUIRED	3010 HAMMOND BUSINESS PL	RALEIGH NC 27603		3010 HAMMOND BUSINESS PL
1702740671	HAMMOND ROAD PROPERTIES EAST LLC	PO BOX 566	GREENVILLE NC 27835-0566		3010 HAMMOND BUSINESS PL
1702642495	CELLCO PARTNERSHIP	VERIZON WIRELESS	PO BOX 2549	ADDISON TX 75001-2549	3020 HAMMOND RD
1702642495	Current Resident	3020 HAMMOND RD	RALEIGH NC 27603		3020 HAMMOND RD
1702642495	Current Resident	3022 HAMMOND RD	RALEIGH NC 27603		3020 HAMMOND RD

SUMMARY OF ISSUES

A neighborhood meeting was held on **May 17, 2022** (date) to discuss a potential rezoning located at **120 and 140 Rush Street** (property address). The neighborhood Meeting was held at Sanderford Road Community Center, 2623 Sanderford Road (location). There were approximately **1** (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Types of residential and non-residential uses on the property.

Property owner's/applicant's plans for redevelopment. The property owner/applicant does not have a se

Ingress and egress points from the property.

[illegible]

Certificate Of Completion

Envelope Id: CCC858CFB91748A4A423AF06CF18838E

Status: Completed

Subject: Please DocuSign: Rezoning Application - 120 and 140 Rush Street--Final for Signature 10171690_1.PDF

Source Envelope:

Document Pages: 26

Signatures: 2

Envelope Originator:

Certificate Pages: 5

Initials: 0

Bertha Dixon

AutoNav: Enabled

PO Box 2611

Enveloped Stamping: Enabled

Raleigh, NC 27602

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

bdixon@smithlaw.com

IP Address: 99.37.52.39

Record Tracking

Status: Original

Holder: Bertha Dixon

Location: DocuSign

5/27/2022 12:39:33 PM

bdixon@smithlaw.com

Signer Events

Robert Roberson

robertroberson@davidallen.com

Robert Roberson, Manager

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:



B2C07230D9264B9...

Signature Adoption: Pre-selected Style

Signed by link sent to

robertroberson@davidallen.com

Using IP Address: 12.174.132.226

Timestamp

Sent: 5/27/2022 12:46:36 PM

Viewed: 5/31/2022 6:11:14 AM

Signed: 5/31/2022 7:46:27 AM

Electronic Record and Signature Disclosure:

Accepted: 5/31/2022 6:11:14 AM

ID: d391c2f9-1723-47bb-85af-a1f569dd1853

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Toby Coleman

tcoleman@smithlaw.com

Security Level: Email, Account Authentication
(None)

Sent: 5/27/2022 12:46:36 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

5/27/2022 12:46:36 PM

Certified Delivered

Security Checked

5/31/2022 6:11:14 AM

Signing Complete

Security Checked

5/31/2022 7:46:27 AM

Completed

Security Checked

5/31/2022 7:46:27 AM

Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: RUSH STREET ASSOCIATES LLC

SECRETARY OF STATE ID NUMBER: 0501205

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2022

AMENDING DOC ID

Filing Office Use Only
E - Filed Annual Report
0501205
CA202206801008
3/9/2022 09:45

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: ROBERSON, ROBERT C

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

150 Rush Street

150 Rush Street

Raleigh, NC 27603-3594 Wake County

Raleigh, NC 27603-3594

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: 1

2. PRINCIPAL OFFICE PHONE NUMBER: (919) 821-7100

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

150 Rush St

PO Box 27705

Raleigh, NC 27603-3594

Raleigh, NC 27611-7705

6. Select one of the following if applicable. (Optional see instructions)



The company is a veteran-owned small business



The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: ROBERSON PROPERTY ENTERPRISES LLC

NAME: C Arthur Odom

NAME: O. David Roberson

TITLE: Member

TITLE: Manager

TITLE: Manager

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

P.O. Box 27705

204 Northchester Way

112 Waxwood Lane

Raleigh, NC 27611-7705

Raleigh, NC 27614

Cary, NC 27511

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

ROBERSON PROPERTY ENTERPRISES LLC, by Robert Roberson Manager

3/9/2022

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

ROBERSON PROPERTY ENTERPRISES LLC, by Robert Roberson Manager

Member

Print or Type Name of Company Official

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200.00

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

SECTION E: ADDITIONAL COMPANY OFFICIALS

NAME: <u>Martin L. Howard</u>	NAME: _____	NAME: _____
TITLE: <u>Manager</u>	TITLE: _____	TITLE: _____
ADDRESS: _____ <u>2333 Clayette Court</u> <u>raleigh, NC 27612</u>	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____
NAME: _____	NAME: _____	NAME: _____
TITLE: _____	TITLE: _____	TITLE: _____
ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____
NAME: _____	NAME: _____	NAME: _____
TITLE: _____	TITLE: _____	TITLE: _____
ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____
NAME: _____	NAME: _____	NAME: _____
TITLE: _____	TITLE: _____	TITLE: _____
ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____
NAME: _____	NAME: _____	Name: _____
TITLE: _____	TITLE: _____	TITLE: _____
ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____
NAME: _____	NAME: _____	NAME: _____
TITLE: _____	TITLE: _____	TITLE: _____
ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____	ADDRESS: _____ _____ _____



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: ROBERSON PROPERTY ENTERPRISES LLC

SECRETARY OF STATE ID NUMBER: 0515424 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2022 AMENDING DOC ID # _____

Filing Office Use Only
E - Filed Annual Report
0515424
CA202206800771
3/9/2022 09:30

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: ROBERSON, ROBERT C

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

150 Rush St

150 Rush St

Raleigh, NC 27603-3594 Wake County

Raleigh, NC 27603-3594

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Rental Real Estate

2. PRINCIPAL OFFICE PHONE NUMBER: (919) 821-7100

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

150 Rush St

P.O. Box 27705

Raleigh, NC 27603-3594

Raleigh, NC 27611-7705

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: ROBERT C ROBERSON

NAME: _____

NAME: _____

TITLE: Manager

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

PO Box 27705

Raleigh, NC 27611

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

ROBERT C ROBERSON

3/9/2022

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

ROBERT C ROBERSON

Manager

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525