# **Rezoning Application and Checklist**





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

Rezoning Request						
Rezoning	General use Conditional use Master plan		OFFICE USE ONLY Rezoning case #			
Туре	Text cha	ange to zoning conditior				
Existing zoning base district: R-4		Height:	Frontage:	Overlay(s):		
Proposed zoning base district: R-10-(		Height:	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-36A-1989						

General Information								
Date: November 20, 2024	Date amended (1)	):	Date amended (2):					
Property address: 3716 and 3800 Pearl Road								
Property PIN: 1732-10-3537 and 1732-10-1385								
Deed reference (book/page): 19-E-1290 and 4649 / 45								
Nearest intersection: Pearl Road and F	Rock Quarry Road	Property size (ac	res): 4.43					
For planned development	Total units:		Total square footage:					
applications only:	Total parcels:		Total buildings:					
Property owner name and address: N	eal Hall, Rene Pearce, Ta	mmy Emerson, Cynthia	Dawn Arnold, Kimberly Holder, Sandra Akins					
Property owner email: <u>n_hall89@yahoo.com, rpea</u>	arce@mhfc.org, rtemerson01@gmail	l.com, dawnarnold57@gmail.com,	xholder2144@gmail.com, akins3801@gmail.com					
Property owner phone: Neal Hall - 919.7	795.2471 Rene Pearce - 9	919.612.0078 (Primary	Contacts)					
Applicant name and address: Worth	Vills, Longleaf Law Pa	artners; 4509 Creed	moor Road, Suite 302, Raleigh, NC 27612					
Applicant email: wmills@longleaflp.cor	n							
Applicant phone: (919) 645-4313								
Applicant signature(s):								
Additional email(s):								
Neal Hall, II dottoop verified 11/26/24 11:19 AM High-KCXI-PY3-BEX								
Rene Pearce     dotloop verified 11/26/24 11:09 AM EST IOTG-A3M4-GNYK-IQQY     Cynthia Dawn Arnold     dotloop verified 11/26/24 12:01 PM EST VEKY-IBZH-N9OL-DKTN     Sandra Akins     dotloop verified 11/26/24 11:11 AM EST GR0Y-QORD-IGSN-ZMKC								
Printed Names: Neal Hall, Rene Pearce, Tammy Emerson, Cynthia Dawn Arnold, Kimberly Holder, Sandra Akins								

Conditional Use District Zoning Conditions					
Zoning case #: TBD	Date submitted: November 20, 2024	OFFICE USE ONLY Rezoning case #			
Existing zoning: R-4	Proposed zoning: R-10-CU				

#### Narrative of Zoning Conditions Offered

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the R-10 district shall be prohibited: (i) Congregate care; (ii) Continuing care retirement community; (iii) Rest home; (iv) Cemetery; (v) School, public or private (K-12); (vi) Day care center; (vii) Golf course; (viii) Outdoor sports or entertainment facility; and (ix) Parking Facility.

2. An Apartment building type may not include dwelling units that are separated by a horizontal party wall, meaning that dwelling units in the same building must be separated by a vertical party wall. This shall not prohibit a dwelling unit from having multiple stories.

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.

Neal Hall, II	dotloop verified 11/26/24 11:19 AM EST 4OQZ-YMTW-1NXP-PI6R	Tammy Emerson	dotloop verified 11/26/24 11:20 AM EST 6STK-RXZY-QCZK-TLTU	Kimberly Holder	dotloop verified 11/26/24 11:16 AM EST QK0J-42MQ-ZKO7-ZMTU
Rene Pearce	dotloop verified 11/26/24 11:09 AM EST KZUF-CQNT-ORCL-ASLG	Cynthia Dawn Arnold	dotloop verified 11/26/24 12:01 PM EST YKPJ-ENBQ-8G37-B2JR	Sandra Akins	dotloop verified 11/26/24 11:11 AM EST GGNO-CE9U-AIJI-ZMGA

Printed Names: Neal Hall, Rene Pearce, Tammy Emerson, Cynthia Dawn Arnold, Kimberly Holder, Sandra Akins

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 consister designation, the urban form map, and any applicable policies contained with				
1. The Future Land Use Map designates the properties as Low Scale Res of housing type at a scale that follows the precedent established by existin situated between an existing single-family neighborhood and a newly built rezoning to R-10-CU would permit a variety of housing types, but prohibits a smooth land use transition from the subdivision to the apartment comple consistent with the Future Land Use Map.	g development. The property is apartment complex. The proposed stacked units. This helps to create			
2. The Urban Form Map designates Rock Quarry Road as a Transit Emph programmed for higher levels of bus service and include a hybrid approac a very small amount of frontage (approximately 25') along Rock Quarry Ro along Pearl Road (which has no Urban Form Map designation). Thus, the a frontage.	n to frontage. The property only has bad, with vast majority of its frontage			
3. The proposed rezoning is consistent with the following 2030 Comprehe Land Use Map and Zoning Consistency"; LU 1.3 "Conditional Use District Development"; LU 2.5 "Healthy Communities"; LU 5.1 "Reinforcing the Url Transitions"; LU 8.1 "Housing Variety"; LU 8.10 "Infill Development"; and L	Consistency"; LU 2.2 "Compact oan Pattern"; LU 5.4 "Density			
Public Benefits				
Provide brief statements explaining how the rezoning request is reasonable	and in the public interest.			
Provide brief statements explaining how the rezoning request is reasonable and the proposed rezoning would increase the housing variety along	•			
· • • • ·	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition</li> </ol>	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition neighborhood to the west and the apartment complexes to the east</li> <li>The proposed rezoning and development will further the City's pl</li> </ol>	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition neighborhood to the west and the apartment complexes to the east</li> <li>The proposed rezoning and development will further the City's pl</li> </ol>	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition neighborhood to the west and the apartment complexes to the east</li> <li>The proposed rezoning and development will further the City's pl</li> </ol>	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition neighborhood to the west and the apartment complexes to the east</li> <li>The proposed rezoning and development will further the City's pl</li> </ol>	Pearl Road. from the single-family			
<ol> <li>The proposed rezoning would increase the housing variety along</li> <li>The proposed rezoning would create a gentle land use transition neighborhood to the west and the apartment complexes to the east</li> <li>The proposed rezoning and development will further the City's pl</li> </ol>	Pearl Road. from the single-family			

Page **3** of **14** 

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 rea how the proposed zoning would impact the resource.	zoned. For each resource, indicate		
There are no known historic resources located on the property.			
Proposed Mitigation			
Provide brief statements describing actions that will be taken to mitigate all ne	egative impacts listed above.		
Not applicable.			

	Urban Design Guidelines
a) b)	e applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if: The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", OR; 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.
Urb	an form designation: Transit Emphasis Corridor Click here to view the Urban Form Map.
1	All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form. <b>Response:</b> The proposed rezoning is for residential uses only.
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. <b>Response:</b> The maximum building height in the proposed zoning is 3 stories and 45'.
3	A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial. <b>Response:</b> The development will facilitate the realignment of Pearl Road's intersection with Rock Quarry Road, which should improve mobility.
4	Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead- end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan. <b>Response:</b> The development will facilitate the realignment of Pearl Road's intersection with Rock Quarry Road, which should improve mobility.
5	New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets. <b>Response:</b> The development will likely be served by Pearl Road and private drives.
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. <b>Response:</b> The rezoning does not include a frontage because we are zoning to a residential district.

REVISION 10.30.24

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. <b>Response:</b> The development will abide by the setback standards in the R-10 district.
8	If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection. <b>Response:</b> The site has very little frontage near the Pearl Road and Rock Quarry Road intersection. The development will be oriented towards Pearl Road.
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. <b>Response:</b> The development will conform to the open space and outdoor amenity requirements for the R-10 district.
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. <b>Response:</b> The development will have direct access to Pearl Road, and will be required to construct sidewalks along the property's frontage.
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. <b>Response:</b> The development will conform to the open space and outdoor amenity requirements for the R-10 district.
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. <b>Response:</b> The development will conform to the open space and outdoor amenity requirements for the R-10 district.
13	New public spaces should provide seating opportunities. <b>Response:</b> The development will conform to the open space and outdoor amenity requirements for the R-10 district.

REVISION 10.30.24

14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments. <b>Response:</b> We do not anticipate expansive parking lots for this residential development.
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. <b>Response:</b> We do not anticipate expansive parking lots for this residential development.
16	Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements cane make a significant improvement. <b>Response:</b> No parking structures are contemplated here.
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. <b>Response:</b> The requested zoning does not permit intense or high-density development.
18	Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network. <b>Response:</b> The development will be responsible for sidewalk construction along its Pearl Road frontage.
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. <b>Response:</b> There is a Neuse River Steam buffer along the northwest property boundary, which will remain undisturbed.
20	It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians. <b>Response:</b> We anticipate these new homes to be served by a mix of public and private streets.

REVISION 11.08.24

Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating. <b>Response:</b>
The development is required to construct sidewalks along its Pearl Road frontage.
Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements. <b>Response:</b> Street trees will be provided in accordance with the UDO.
Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width. <b>Response:</b> The development will abide by the setback standards in the R-10 district.
The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade. <b>Response:</b> Each home will face a public or private street.
The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged. <b>Response:</b> The development is solely residential in nature.
The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function. <b>Response:</b> The development is required to construct sidewalks along its Pearl Road frontage.

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	
<ol> <li>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</li> </ol>	~					
2. Pre-application conference.	~					
3. Neighborhood meeting notice and report	~					
4. Rezoning application review fee (see Fee Guide for rates).	~					
5. Completed application submitted through Permit and Development Portal	~					
6. Completed Comprehensive Plan consistency analysis	~					
7. Completed response to the urban design guidelines	~					
8. Two sets of stamped envelopes addressed to all property owners and tenants of the rezoning site(s) and within 500 feet of area to be rezoned.						
9. Trip generation study		~				
10. Traffic impact analysis		~				
For properties requesting a Conditional Use District:						
11. Completed zoning conditions, signed by property owner(s).	~					
If applicable, see page 11:						
12. Proof of Power of Attorney						
For properties requesting a Planned Development or Campus District:						
13. Master plan (see Master Plan submittal requirements).		~				
For properties requesting a text change to zoning conditions:						
14. Redline copy of zoning conditions with proposed changes.						
15. Proposed conditions signed by property owner(s).		✓				

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 <b>Master Plan Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh.							
2. Total number of units and square feet							
3. 12 sets of plans							
4. Completed application; submitted through Permit & Development Portal							
5. Vicinity Map							
6. Existing Conditions Map							
7. Street and Block Layout Plan							
8. General Layout Map/Height and Frontage Map							
9. Description of Modification to Standards, 12 sets							
10. Development Plan (location of building types)							
11. Pedestrian Circulation Plan							
12. Parking Plan							
13. Open Space Plan							
14. Tree Conservation Plan (if site is 2 acres or more)							
15. Major Utilities Plan/Utilities Service Plan							
16. Generalized Stormwater Plan							
17. Phasing Plan							
18. Three-Dimensional Model/renderings							
19. Common Signage Plan							

#### 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 can grant power of attorney. This 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.

## NOTIFICATION LETTER TEMPLATE

Date:

Re: Potential (REZONING/TEXT CHANGE TO ZONING CONDITIONS) of (SITE LOCATION)

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on (MEETING DATE and TIME). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

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 and tenants within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online; visit <u>www.raleighnc.gov</u> and search for "Rezoning Process." If you have further questions about the rezoning process, please contact Raleigh Planning & Development at 919-996-2682 (option 2) or rezoning@raleighnc.gov.

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

(CONTACT INFO)

Sincerely,

### SUMMARY OF ISSUES

A neighborhood meeting was held on	(date) to discuss a potential rezoning
located at	(property address). The
neighborhood meeting was held at	(location).
There were approximately	(number) neighbors in attendance. The general issues discussed
were:	
	Summary of Issues:

ATTENDANCE ROSTER		
NAME	ADDRESS	