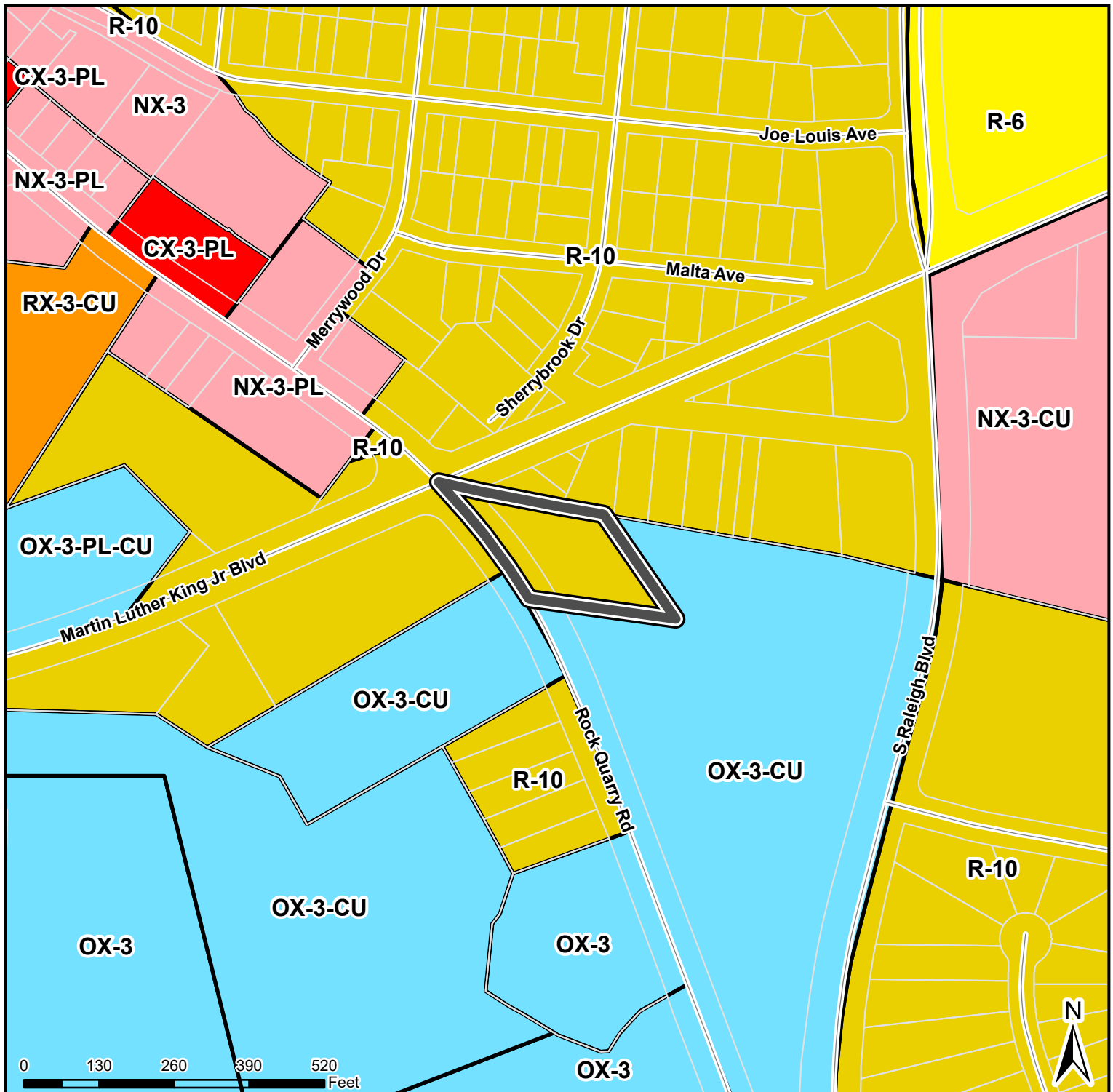
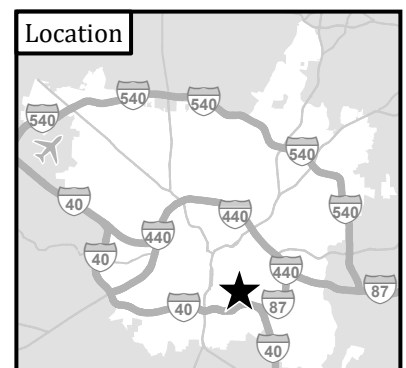


# Existing Zoning

# Z-56-2022



Property	909 Rock Quarry Rd
Size	0.74 acres
Existing Zoning	R-10
Requested Zoning	NX-3-UL-CU



# Rezoning Application and Checklist

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



Raleigh

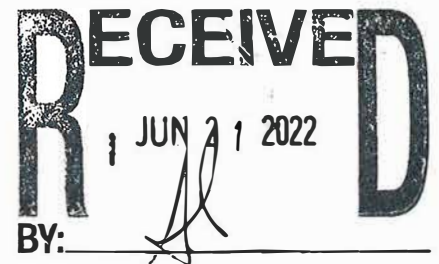
Please complete all sections of the form and upload via the Permit and Development Portal ([permitportal.raleighnc.gov](http://permitportal.raleighnc.gov)). Please see page 8 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email [rezoning@raleighnc.gov](mailto: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:	R-10	Height:	Frontage:	Overlay(s):
Proposed zoning base district:	NX-3	Height:	Frontage: UL	Overlay(s):
<b>Helpful Tip:</b> 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: 9/12/16	Date amended ( 1):	Date amended (2):
Property address: 909 Rock Quarry Road, Raleigh NC 27610		
Property PIN: 1713348719		
Deed reference (book/page): 016528/0561		
Nearest intersection: Rock Quarry & MLK Blvd		Property size (acres): 0.74
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: James Montague & Donnie McQueen 918 Rock Quarry Rd, Raleigh NC 27610		
Property owner email: montesf7@gmail.com Torchlight.director@gmail.com		
Property owner phone: 919-796-2546 919-538-8060		
Applicant name and address: James Montague 918 Rock Quarry Rd, Raleigh NC 27610		
Applicant email: montesf7@gmail.com		
Applicant phone: 919-796-2546		
Applicant signature(s):		
Additional email(s): Pattye Brown: naasauat@gmail.com		



**Conditional Use District Zoning Conditions**

Zoning case #:

Date submitted:

**Office Use Only**

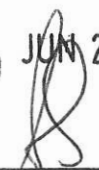
Rezoning case #

Existing zoning: R-10

Proposed zoning: NX-3

**Narrative of Zoning Conditions Offered**

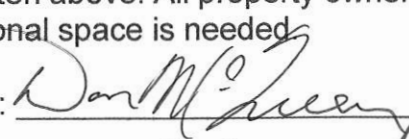
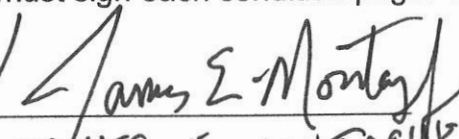
The following uses are prohibited: bar, night club, tavern, lounge

**RECEIVED**  
JUN 21 2022  
BY: 

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):

   
DONALIG M. E. QUEEN JAMES E. MONTAGUE JR.



**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 rezoning request is consistent with the City's Comprehensive Plan.

**Public Benefits**

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

The rezoning request is reasonable and in the public interest as we will build much needed workforce housing.

## 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



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 <a href="#">Development Fee Guide</a> 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design or downtown design guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:	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 checked="" 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 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 checked="" 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.

### 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 21st, day of January, 2022. 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

1/21/2022  
\_\_\_\_\_  
Date

**RECEIVED**  
JUN 21 2022  
BY: 





918 Rock Quarry Road  
Raleigh, NC 27610

January 21, 2022

RE: 909 Rock Quarry Road

Neighboring Property Owners & Tenants:

You are invited to attend a neighborhood meeting on Monday, January 31, 2022 at 7:00 PM. The meeting will be held virtually. You can participate online or by telephone.

To participate online, visit:

<https://us02web.zoom.us/j/82118159273?pwd=VFg4KzhRcnJtd1B3OVFscE1oUWtBdz09>

Meeting ID: 821 1815 9273

Passcode: 723983

To participate by phone, dial

+1 929 205 6099 US (New York)

Meeting ID: 8211815927

Passcode: 723983

The purpose of this meeting is to discuss a potential rezoning of the property located at 909 Rock Quarry Road. This site is currently zoned Residential-10( R10) and is proposed to be rezoned to Neighborhood Mixed Use – up to 3 stories (NX-3).

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

Information about the rezoning process is available online; visit [www.raleighnc.gov](http://www.raleighnc.gov) and search for “Rezoning Process.” If you have further questions about the rezoning process, please contact:

Carmen Kuan  
Raleigh Planning Development  
(919)996-2235

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

James Montague or Wonza Montague  
919-796-2546 or montesf7@gmail.com

Thank you.



City of Raleigh Zoning Map



This map shows the zoning in the City of Raleigh

City of Raleigh, NC CGIA, Maxar, Microsoft

City of Raleigh Zoning Map



This map shows the zoning in the City of Raleigh

City of Raleigh, NC CGIA, Maxar, Microsoft

### SUMMARY OF ISSUES

A neighborhood meeting was held on January 31, 2022 (date) to discuss a potential rezoning located at 909 Rock Quarry Road, Raleigh NC 27610 (property address). The neighborhood Meeting was held at virtually (location). There were approximately 3 (number) neighbors in attendance. The general issues discussed were:

#### Summary of Issues:

Will tenants have to move?
How far back from the creek can the building be?
Would the entrance be from Rock Quarry Road
Will the parking lot be paved or gravel?
Will there be shared parking?



[illegible]



WAKE COUNTY, NC 230  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
09/12/2016 16:27:38  
STATE OF NC REAL ESTATE  
EXCISE TAX: \$240.00  
BOOK:016528 PAGE:00561 - 00564

**NORTH CAROLINA  
GENERAL WARRANTY DEED**

Excise Tax: \$240.00

Recording Time, Book and Page

Tax Map No.

Parcel Identifier No. 1713348719

Mail after recording to: Bowens Law Group, PLLC, 1130 Situs Court, Suite 240, Raleigh, North Carolina 27606

This instrument was prepared by: Stephon J. Bowens, Attorney at Law

THIS DEED made this 12th day of September, 2016 by and between

**GRANTOR**

Nordan Property Holdings, LLC  
1208 Linton Court  
Cary, North Carolina 27511

**GRANTEE**

James E. Montague and Donnie McQueen  
916 Rock Quarry Road, Suite 113  
Raleigh, North Carolina 27610

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

See attached Exhibit A, which is incorporated herein by reference, which more particularly describes the property commonly known as 909 Rock Quarry Road, Raleigh, North Carolina 27610 that has a Parcel Identification Number of 1713348719.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 15200, Page 1754, Wake County Registry.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, and referenced within this instrument.

The above described property ☐ does ☒ does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

#### NORDAN PROPERTY HOLDINGS, LLC

(ENTITY NAME)

Kay Nordan Campbell

By: Kay Nordan Campbell

Title: Managing Member

By: \_\_\_\_\_ (SEAL)

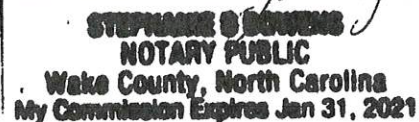
Title: \_\_\_\_\_

\_\_\_\_\_ (SEAL)

#### NORTH CAROLINA WAKE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Kay Nordan Campbell, Managing Member of Nordan Property Holdings, LLC. Witness my hand and official stamp or seal, this the 12 day of September, 2016.

My Commission Expires: January 31, 2021



[Signature]  
Notary Public

Print Notary Name: STEPHANIE B BOWENS

#### NORTH CAROLINA WAKE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: \_\_\_\_\_. Witness my hand and official stamp or seal, this the 12 day of September, \_\_\_\_\_.  
2016

My Commission Expires: January 31, 2021

[Signature]  
Notary Public

Print Notary Name: STEPHANIE B BOWENS

## Exhibit A

BEGINNING at a point on the northerly line of the most westerly parcel of Grantor's lands in said Wake County, said point being 30 feet easterly at right angles from the center line of the Rock Quarry Road (also known as the Smithfield Road or the Old Raleigh-Garner Road), and 38.28 chains, more or less, northerly from Walnut Creek, as measured along or near the easterly line of said Rock Quarry Road; thence, along said northerly line of Grantor's lands, South 77 degrees 45' East 220.0 feet to a point; thence in a southerly direction, parallel to the center line of said Rock Quarry Road, 220.0 feet to a point; thence, parallel to said northerly line of Grantor's lands, North 77 degrees 45' West 220.0 feet to a point 30 feet easterly at right angles from the center line of said Rock Quarry Road; thence in a northerly direction, parallel to the center line of said Rock Quarry Road and 30 feet easterly therefrom, 220.0 feet to the point of beginning; containing 1.06 acres, more or less; together with all improvements located thereon. Said property that is herein being conveyed is more commonly known by its physical address of 909 Rock Quarry Road, Raleigh, North Carolina 27610 and has a Wake County Parcel Identification Number of 1713348719.



## Urban Design Guidelines

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

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

Urban form designation:

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

**1**

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

**Response:**

Development will include retail, commercial and residential units.

**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:**

Development will be comparable in height and massing as required.

**3**

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

**Response:**

Road network will be in line with connecting into neighborhood and surrounding community.

**4**

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

**Response:**

Streets will be planned with due regard to the designed corridors as shown on the City's Thoroughfare Plan.

**5**

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

**Response:**

Development will comply with requirements for public/private streets.

**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:**

Development will incorporate shared use of spaces.

7	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p><b>Response:</b></p> <p>Development will adhere to building location and parking recommendations.</p>
8	<p>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</p> <p><b>Response:</b></p> <p>Development will adhere to building location, parking, loading and service restrictions.</p>
9	<p>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p><b>Response:</b></p> <p>Development will be in compliance with urban open space.</p>
10	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p><b>Response:</b></p> <p>Development will comply with requirements of access from different streets.</p>
11	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p><b>Response:</b></p> <p>Development will comply with the required perimeter of urban open spaces.</p>
12	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p><b>Response:</b></p> <p>Development will comply with properly defined open space.</p>
13	<p>New public spaces should provide seating opportunities.</p> <p><b>Response:</b></p> <p>Development will provide seating opportunities.</p>



14	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p><b>Response:</b></p> <p>Development will comply with location of parking lots.</p>
15	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p><b>Response:</b></p> <p>Development will comply with location of parking lots.</p>
16	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</p> <p><b>Response:</b></p> <p>Development will merit same level of materials and finishes for parking lot as the principal building.</p>
17	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p><b>Response:</b></p> <p>Development will be in walking distance of public transit.</p>
18	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p><b>Response:</b></p> <p>Development will provide comfortable pedestrian access between public transit and entrance to building.</p>
19	<p>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</p> <p><b>Response:</b></p> <p>Development will respect natural resources.</p>
20	<p>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</p> <p><b>Response:</b></p> <p>Development will adhere to the street guidelines as desired by the City.</p>



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