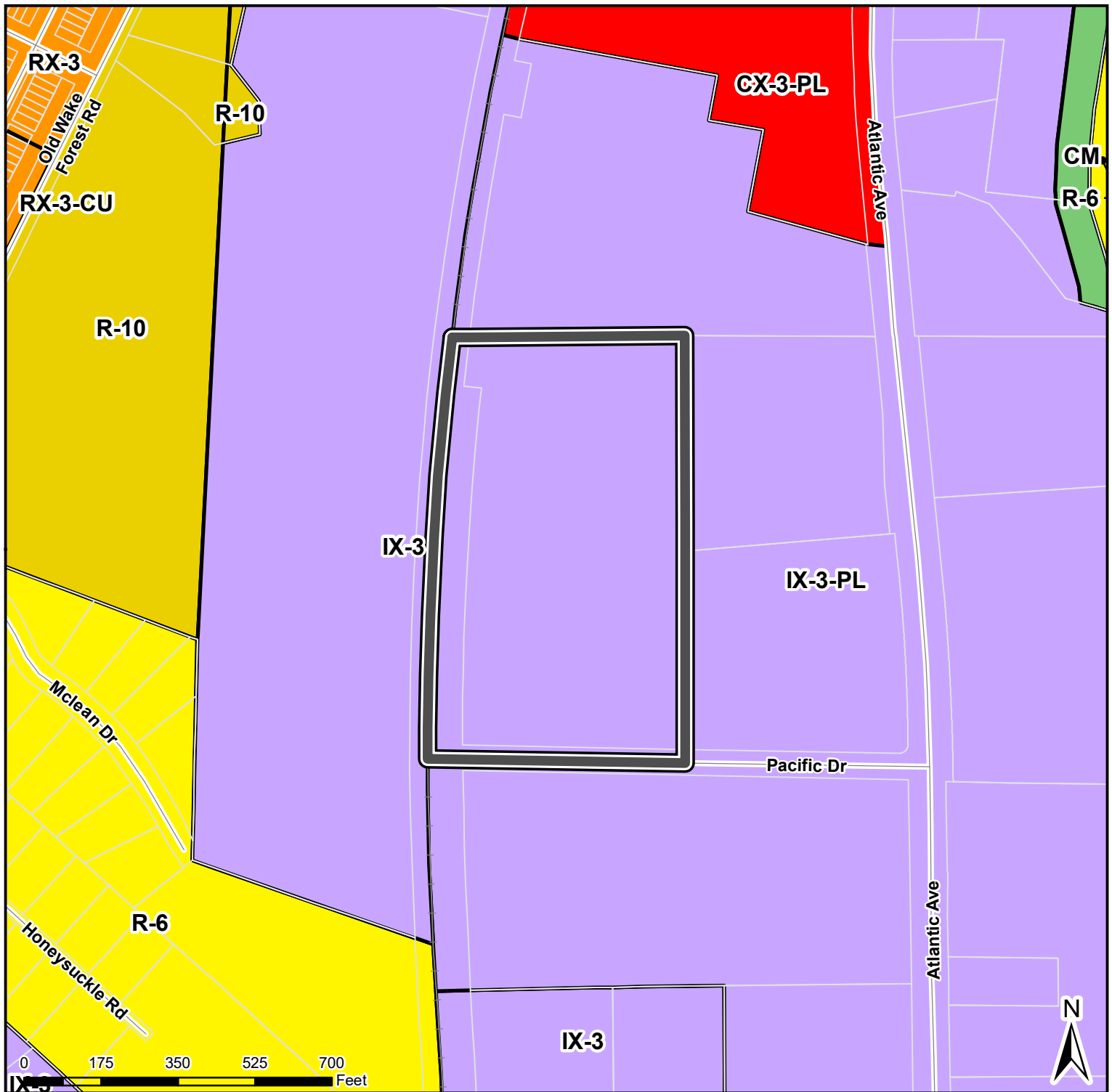
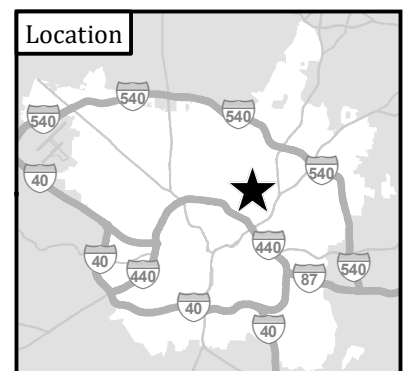


Existing Zoning

Z-61-2020



Property	2001 Pacific Dr
Size	10.54 acres
Existing Zoning	IX-3
Requested Zoning	RX-4-CU





Raleigh

MEMO

TO: Marchell Adams-David, City Manager

THRU: Patrick O. Young, AICP, Director

FROM: Sara Ellis, Senior Planner

DEPARTMENT: Planning and Development

DATE: March 15, 2021

SUBJECT: City Council agenda item for April 04, 2021 – Z-61-20

On March 2, 2021, City Council authorized the public hearing for the following item:

Z-61-20 2001 Pacific Drive, approximately 10.54 acres located at [2001 Pacific Drive](#).

Signed zoning conditions provided on February 23, 2021 prohibit outdoor sports and entertainment facilities; and specify the materials to be used for residential building types including the prohibition of vinyl siding.

Current zoning: Industrial Mixed Use-3 (IX-3)

Requested zoning: Residential Mixed Use-4 with Conditions (RX-4-CU)

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

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

The Planning Commission recommends approval/denial of the request (6 - 2).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report.

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 12087

CASE INFORMATION: Z-61-20; 2001 PACIFIC DRIVE

Location	North side of Pacific Drive, approximately 500 feet north of the intersection with Atlantic Avenue and just under half a mile south of E Millbrook Rd and Atlantic Avenue. Address: 2001 Pacific Drive PINs: 1716723524 iMaps , Google Maps , Directions from City Hall
Current Zoning	IX-3
Requested Zoning	RX-4-CU
Area of Request	10.54 acres
Corporate Limits	The site is located inside the ETJ, but not within Corporate City Limits and an annexation will be required to connect to City Services. The site is contiguous with City limits on the north, south and east.
Property Owner	Torchlight Academy Schools, LLC 5026 Red Cedar Road Raleigh, NC 27613
Applicant	Corigin Real Estate Group 505 Fifth Avenue, 22nd Floor New York, NY 10017
Council District	B
PC Recommendation Deadline	April 12, 2020

SUMMARY OF PROPOSED CONDITIONS

1. The following principle uses shall be prohibited on the property: outdoor sports or entertainment facilities.
2. The exterior of all buildings containing any residential use, excluding the roof and any window, door, porch, or other openings, shall consist of any one, or a combination of, the following materials: brick/masonry, cementitious material, and miratek or hardee material. Vinyl siding shall be prohibited on all structures on the property.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Office & Residential Mixed Use
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Urban Form	None
Consistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 8.1 Housing Variety Policy LU 8.10 Infill Development Policy LU 10.2 Retail in Industrial Zones Policy LU 10.3 Ancillary Retail Uses Policy LU 11.4 Rezoning/Development of Industrial Areas Policy H 1.8 Zoning for Housing
Inconsistent Policies	Policy LU 11.3 Commercial Uses in Industrial Areas

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
September 29, 2020, 11 Attendees	December 29, 2020 1 Attendee	January 12, 2021 (Consent), February 09, 2021, February 23, 2021	March 2, 2021 April 06, 2021

PLANNING COMMISSION RECOMMENDATION

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

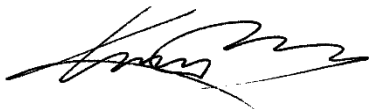
Reasonableness and Public Interest	The request is reasonable and in the public interest because it is consistent with the Future Land Use Map and 2030 Comprehensive Plan, and specifically policies LU 8.1 Housing Variety, Policy LU 11.4 Rezoning/Development of Industrial Areas and Policy H 1.8 Zoning for Housing. The request would
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	increase housing supply and variety while making productive use of a vacant parcel.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: Miller Second: O'Haver In Favor: Fox, Hicks, Lampman, Miller, O'Haver and Winters Opposed: Bennett and McIntosh
Reason for Opposed Vote(s)	The request is located in a census tract designated as a "Economic Development Priority Area", but does not include affordable units and does not meet the intent of that policy.

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions

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



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 2/23/21

Staff Coordinator: Sara Ellis: (919) 996-2234; Sara.Ellis@raleighnc.gov



ZONING STAFF REPORT – CASE Z-61-20

Conditional Use District

Update for February 23, 2021 Planning Commission Meeting

At the February 9, 2021 Planning Commission Meeting Commissioner Bennet requested additional information on the rezoning site's designation as an Economic Development Priority Area. Economic Development Priorities Areas are identified on Map ED-1 of the 2030 Comprehensive Plan and are areas in which 40% or more of the block group is zone for non-residential uses; and that are considered "high poverty" or are adjacent to "high poverty" block groups. Or that contains census block groups in which 40% or more of the Block Group are zoned for industrial use.

This parcel is located within the Census Block Group 527041, which encompasses the area including the parcel going north up until E Millbrook Road, east along Brockton Drive, up to New Hope Church Road to the south and bordered by the railroad tracks to the east. The census tracks bordering the site to the east, north and south share the Economic Development Priority Area Designation.

2001 Pacific Drive is included in the Economic Development Priority Area because more than 40% of the block group is zoned for industrial uses, and according to US Census American Community Survey 2019 5-year estimates, approximately 33% of the households in that block group are considered below poverty.

OVERVIEW

The request is to rezone approximately 10.54 acres from Industrial Mixed Use-3 (IX-3) to Residential Mixed Use-4 with Conditions (RX-4-CU). Proposed zoning conditions prohibit outdoor sports and entertainment facilities; and specify the materials to be used on the outside of the building. The rezoning site is a single parcel located at 2001 Pacific Drive in northeast Raleigh on the west side of Pacific Drive approximately half a mile south of the intersection of E. Millbrook Road and Atlantic Avenue. The site is located in the Extraterritorial Jurisdiction (ETJ) and annexation will be required to connect to City services including water, sewer, fire and police. The site is contiguous with Corporate City limits on its north, south and east sides. It is currently an undeveloped, forested lot with topography sloping downward from east to west by about 10', and a large drop of about 20' along the eastern border with the neighboring property.

The surrounding area to the north and south along Atlantic Avenue, just east of the site, is largely light industrial and zoned IX-3-PL. With the exception of a large parcel at the corner

of Atlantic Ave and Millbrook Road zoned CX-3-PL that contains a strip shopping center. This includes the parcels directly adjacent to the rezoning site to the north, south and east. The parcel bordering the site to the west is zoned IX-3 and contains a farm and is separated from the site by railroad tracks.

The site is located within a Priority Area for Economic Development on Map ED-1, which are areas in which 40% or more of the block group is zone for non-residential uses; and that are considered “high poverty” or are adjacent to “high poverty” block groups. Or that contains census block groups in which 40% or more of the Block Group are zoned for industrial use.

The site is located within the Midtown-St. Albans Small Area Plan, adopted earlier this year which recommends the extension of Pacific Drive from Wake Forest Road to the railroad tracks adjacent the site. This connection may facilitate improved east to west access and reduce the block perimeter.

The purpose of the rezoning is to facilitate development of the site for an apartment building.. The rezoning request would reduce the number of uses permitted on the site. The current zoning district IX-3 generally permits the same uses in other mixed-use districts with the exception of detached and attached housing. In IX residential uses are only permitted in the upper stories of the general building type. The request would permit all types of residential and would significantly increase the residential entitlement on the site. The request would also reduce the permitted retail and office to the maximum of 4,000 permitted in RX- zoning and would not permit any industrial uses.

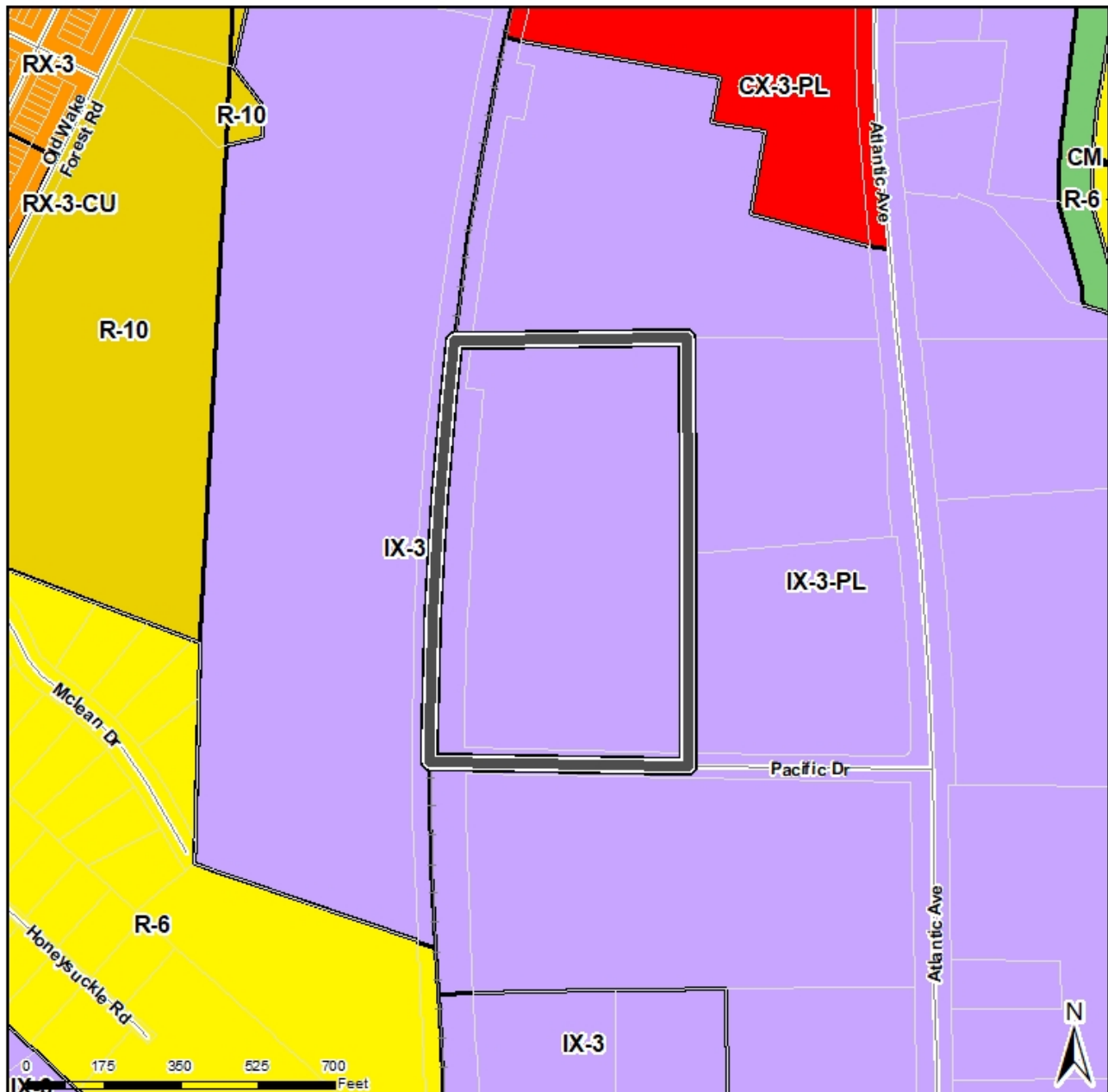
The rezoning site is designated as Office & Residential Mixed Use on the Future Land Use Map, which recommends OX- as the closest corresponding zoning district. The request to rezone to RX-4-CU is consistent with this request, as the RX- zoning district is a less intense district and does not permit uses that are prohibited in the OX- district and permits fewer uses overall. The request to rezone to RX-4-CU is consistent with Table LU-2 Recommended Height Designations, which recommends a maximum of 4 stories for residential and/or mixed use in Office & Residential FLUM designation.

OUTSTANDING ISSUES

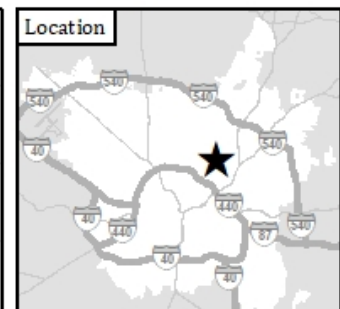
Outstanding Issues	1. None.	Suggested Mitigation	1. N/A
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Existing Zoning

Z-61-2020



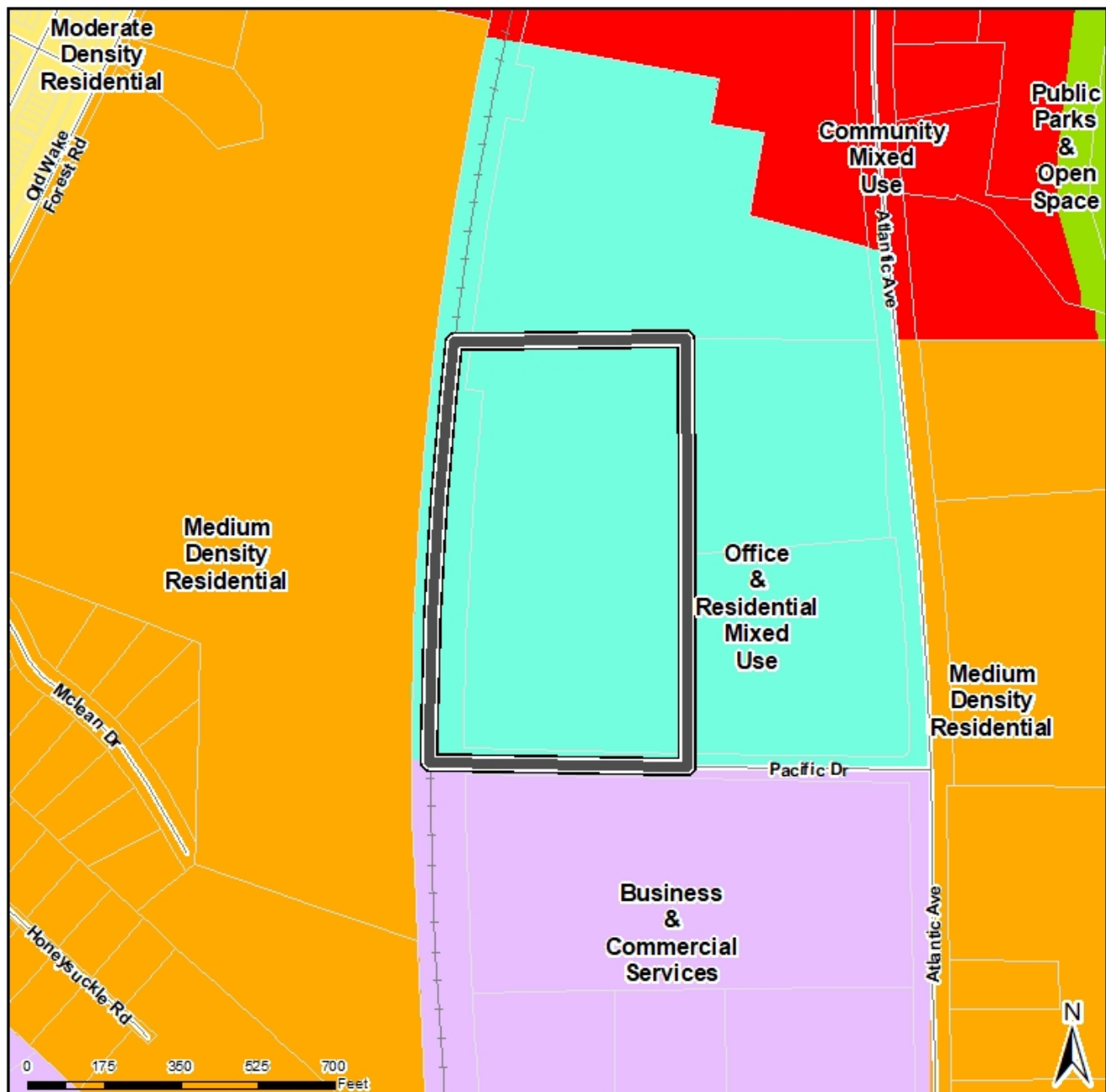
Property	2001 Pacific Dr
Size	10.54 acres
Existing Zoning	IX-3
Requested Zoning	RX-4-CU



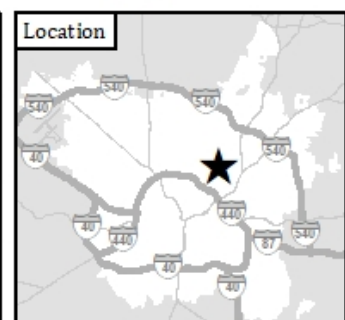
Map by Raleigh Department of City Planning (mansolf); 11/16/2020

Future Land Use

Z-61-2020



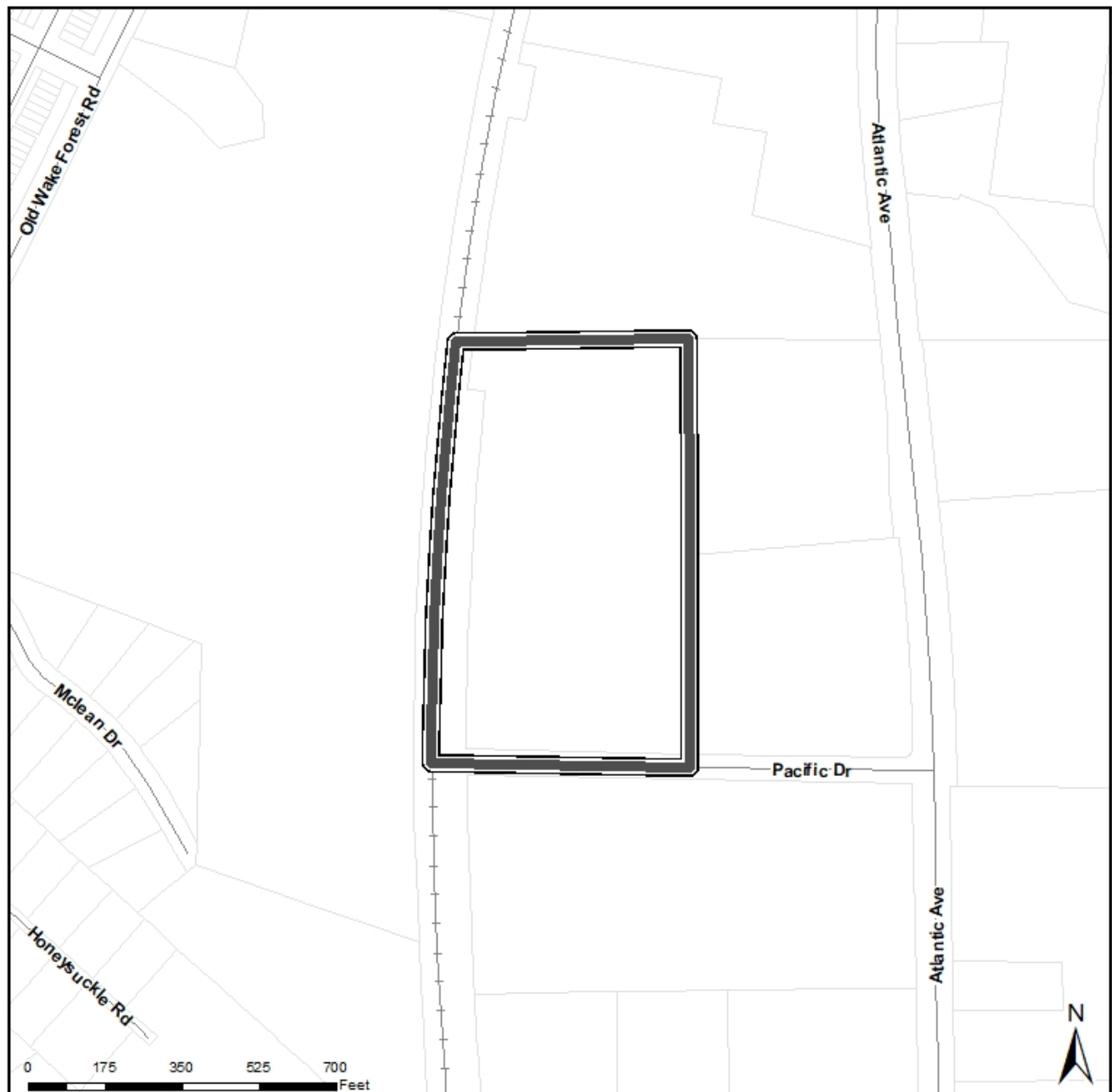
Property	2001 Pacific Dr
Size	10.54 acres
Existing Zoning	IX-3
Requested Zoning	RX-4-CU



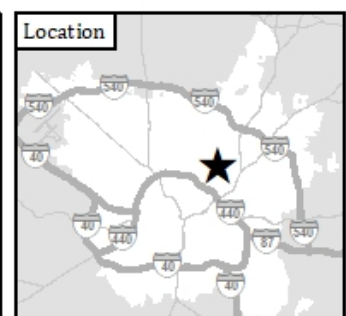
Map by Raleigh Department of City Planning (mansolf); 11/16/2020

Urban Form

Z-61-2020



Property	2001 Pacific Dr
Size	10.54 acres
Existing Zoning	IX-3
Requested Zoning	RX-4-CU



COMPREHENSIVE PLAN

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

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

Yes, the rezoning request is consistent with the policies contained in the 2030 Comprehensive Plan, including the Future Land Use Map and policies around housing variety, infill development, retail in industrial zones and ancillary retail uses. The request is also consistent with the vision themes of Expanding Housing Choices as it would increase the permitted density of residential uses; Managing Our Growth as it may facilitate the development of a vacant parcel located in the City's ETJ with sufficient infrastructure to serve it.

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

Yes, the Future Land Use Map designation is Office & Residential Mixed Use which most closely aligns with the OX- zoning district. However, this category encourages a mix of residential and office use, furthermore the 2030 Comprehensive Plan states that a less intense designation can be consistent. The request RX- zoning is less intense than the recommended OX- zoning district as it permits fewer uses, limits retail and office square footage, and is compatible with the designation.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

N/A

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

Community facilities and streets appear to be available to serve the proposed use.

Future Land Use

Future Land Use designation: Office & Residential Mixed Use

The rezoning request is

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

☐ **Inconsistent**

Office & Residential Mixed Use recommends office, residential and other compatible uses if ancillary. The requested RX- district would permit up to 4,000 square feet of office and retail space, and approximately 29 units per acre of residential. The RX-

zoning district is less intense than the recommended OX- zoning district, which is considered consistent with that FLUM designation.

Urban Form

Urban Form designation: None

The rezoning request is

- ☐ **Consistent** with the Urban Form Map.
- ☐ **Inconsistent**
- ☒ **Other**

No urban form guidance exists for this site.

Compatibility

The proposed rezoning is

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

The requested district would permit three principal uses – residential, and up to 4,000 square feet of retail and office. The surrounding areas to the north, east and south are zoned IX-3-PL and contain industrial warehouse uses, and the area to the west contains a farm separated by railroad tracks. The request would mark a slight increase in height, and a decrease in the permitted uses.

The proposal to rezone for the purpose of building an apartment complex may have compatibility issues with the adjacent industrial uses; as they generate truck traffic and noise that is common in industrial areas. The addition of an apartment building adjacent to industrial uses may result in conflict between residential living and the noise necessary to operate existing industrial businesses.

Public Benefits of the Proposed Rezoning

- The request may increase the housing supply in an area with sufficient transportation and public utility infrastructure to serve it.
- The request may bring a vacant piece of land into production.

Detriments of the Proposed Rezoning

- The request may add residential units in an area not well served by public transportation.

Policy Guidance

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

Policy LU 1.2 Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

- The requested RX-4-CU use would limit principal uses to residential, and up to 4,000 square feet of office or retail. This is consistent with the Office & Residential FLUM designation that recommends a mix of residential use and office uses.

Policy LU 8.1 Housing Variety

Accommodate growth in newly developing or redeveloping areas of the city through mixed-use neighborhoods with a variety of housing types.

- The request would substantially increase the amount of residential permitted on the site, in the current IX- zoning district residential is only permitted on the upper floors of the general building type. This request would allow all residential building types, and would increase the residential density from approximately 173 units to 310 units.

Policy LU 8.10 Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

- The request may facilitate the development of a difficult to construct upon, vacant site that is bordered on three sides by existing development and located well within the City limits (though the site is in the ETJ and has not been annexed). The requested 4-story height is one story taller than surrounding entitlements, and the proposed uses would not create sharp changes in the development pattern of the industrial business park.

Policy LU 10.2 Retail in Industrial Zones

Discourage retail uses in industrial zones to maintain viable industrial areas and avoid an oversupply of retail uses.

Policy LU 10.3 Ancillary Retail Uses

Ancillary retail uses in residential and office developments located in areas designated High Density Residential, Office and Residential Mixed Use and Office/Research and Development should not be larger in size than appropriate to serve primarily the residents, employees, visitors, and patrons of the primary uses in the area; should preferably be located within a mixed-use building; and should be sited to minimize adverse traffic, noise, and visual impacts on adjoining residential areas.

- The request to rezone from IX-3 to RX-4-CU would limit the amount of permitted retail to a maximum of 4,000 square feet. The site is located in a predominately industrial area.

Policy LU 11.4 Rezoning/Development of Industrial Areas

Allow the rezoning and/or redevelopment of industrial land for non-industrial purposes when the land can no longer viably support industrial activities or is located such that industry is not consistent with the Future Land Use Map. Examples include land in the immediate vicinity of planned transit stations.

- The site is located in an area generally zoned for industrial uses along Atlantic Avenue, however the FLUM designation for the subject parcel and parcels north and east is Office & Residential Mixed Use. The request to rezone to RX-4-CU is consistent with the Future Land Use Map designation.

Policy H 1.8 Zoning for Housing

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

- The request would increase the types of housing permitted; in the current IX- zoning district residential uses are only permitted on the upper stories of the general building type. The request would permit all housing types, and increase the permitted density from approximately 173 total units to approximately 310 total units.

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

Policy LU 11.3 Commercial Uses in Industrial Areas

Limit specified non-industrial uses in industrially zoned areas, including office and retail development, in order to preserve these areas for industrial development.

- The request would remove the existing IX- zoning and effectively downzone the site to permit an increase in residential entitlement. The area surrounding the site is generally zoned IX-3 and contains industrial warehouse type uses.

Area Plan Policy Guidance

- The subject site is located within the Midtown-St. Albans Small Area Plan, which was recently adopted by the City Council in December of 2020. While the plan does not have specific guidance applicable to this parcel, the vision of the plan is to enhance the walkability of the area, provide opportunities for affordable and missing-middle housing and address stormwater and flooding. The request is generally consistent with this, as it would increase the supply of housing.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	27	Although the Wake Forest Express runs along Atlantic Avenue immediately east of the site, the nearest stop is about 3 miles north at Triangle Town Center.
Walk Score	30	38	Most errands require a car, although there is a grocery store and a variety of businesses along Atlantic Avenue within about a half a mile.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

Summary: The rezoning site has similar access compared to the City as a whole. The Walk Score tool does not distinguish proximity of bus stop location, and while the Wake Forest Express travels down Atlantic Avenue about 550' east of the site, the nearest bus stop is located three miles away. The walk score indicated some errands can be run without a car, a grocery store is located about 700' south of the site along Atlantic Avenue and sidewalks are continuous along the corridor.

Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

Summary: The request will allow for the detached, attached and apartment building types which are not permitted in the IX zoning district. This would allow for a larger carbon/energy footprint by allowing the detached and townhouse building types but would also permit a more compact residential land use that could reduce vehicle trips.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	By increasing the permitted height, and allowing more residential building types the request will add to the housing supply.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The request will increase the permitted housing types by allowing apartment, detached, attached and townhouse.
If not a mixed-use district, does it permit smaller lots than the average?*	Yes	The request is for a mixed-use district.
Is it within walking distance of transit?	No	The nearest bus stop is located about 3 miles north of the site.

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

Summary: The request will increase the types of residential buildings permitted on the site, and the residential density. In the IX- zoning district residential uses are only permitted on the upper floors of the general building type, this request would allow residential on all floors of the detached, attached, townhouse and apartment building types.

IMPACT ANALYSIS

Historic Resources

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

Impact Identified: None.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Brentwood Park (1.5 miles) and Green Road Park (1.7 miles).
3. Nearest existing greenway trail access is provided by Brentwood Greenway Trail (1.5 miles).
4. Current park access level of service in this area is graded a D letter grade.

Impact Identified: None.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	85,775	85,775	-8,275
Waste Water	85,775	85,775	-8,275

Impact Identified:

1. The proposed rezoning would add approximately -8,275 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy

3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

Stormwater

Floodplain	None
Drainage Basin	Marsh
Stormwater Management	Lot is subject to Article 9 of the UDO.
Overlay District	none

Impact Identified: none

Transportation

Site and Location Context

Location

The Z-61-20 site is in North Raleigh on between the S-Line railroad corridor and Atlantic Avenue, north of New Hope Church Road.

Area Plans

The Z-61-20 site is located with the Walkable Midtown Plan, adopted on December 1, 2020. This area plan made several amendments to transportation maps the comprehensive plan.

Existing and Planned Infrastructure

Streets

Pacific Drive is designated as a 2-lane avenue, undivided in the Street Plan (Map T-1) in the comprehensive plan. Atlantic Avenue is designated as a 4-lane divided avenue. Both are maintained by City of Raleigh.

Existing block perimeter for the site is approximately 14,000 feet and is constrained by the S-Line railroad. The Street Plan calls for an extension of Pacific Drive under the railroad. This connection, as well as other streets shown in map T-1 would result in a block perimeter of approximately 7500 feet. Other development in the block may result in streets required by UDO Section 8.3.2 that could further reduce the block perimeter. The maximum block perimeter for RX-4 zoning districts is 3,000 feet.

Pedestrian Facilities

There are existing sidewalks on both Atlantic Avenue, and on the north side of the constructed portion of Pacific Drive between Atlantic Avenue and the site. Frontage improvements, including sidewalks are required for subdivision or tier III site plan approval.

Bicycle Facilities

There are no existing bikeways near the Z-61-20 site. Pacific Drive is designated for a bicycle lane in Map T-3 of the Comprehensive Plan. Atlantic Avenue is designated for a separated bikeway.

Transit

GoRaleigh Route 24L operates on New Hope Church Road approximately 0.6 miles south of the site. This route operates between North Hills and Mini-City.

Other Projects

Directly south of the project, the City of Raleigh is designing improvements to Atlantic Avenue from New Hope Church Road to Highwoods Boulevard. The project will result in the installation of a median and shared use path. Construction is anticipated for the project in 2021.

NCDOT plans to build a grade separation of New Hope Church Road over the S-Line railroad corridor. The project is currently in right-of-way acquisition.

TIA Determination

Based on the Envision Tomorrow analysis, approval of case Z-61-20 would decrease the amount of projected vehicular peak hour trips for the site as indicated in the table below. The proposed rezoning from IX-3 to RX-4-CU is projected to have 85 fewer trips in the AM peak hour and 103 fewer trips in the PM peak hour. These values do not trigger a rezoning Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-61-20 Existing Land Use Vacant	Daily	AM	PM
	0	0	0
Z-61-20 Current Zoning Entitlements Industrial Mixed Use	Daily	AM	PM
	3,448	226	269
Z-61-20 Proposed Zoning Maximums Residential Mixed Use	Daily	AM	PM
	2,324	141	166
Z-61-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	-1,124	-85	-103

Urban Forestry

Impact Identified: None.

Impacts Summary

Minimal impacts would occur at the rezoning stage.

Mitigation of Impacts

No mitigation of impacts is required at the rezoning stage.

CONCLUSION

The request is to rezone approximately 10.54 acres from Industrial Mixed Use-3 (IX-3) to Residential Mixed Use-4 with Conditions (RX-4-CU). Conditions prohibit outdoor sports and entertainment facilities; and specify the types of exterior building materials to be used.

The request is consistent with the 2030 Comprehensive Plan, including the Future Land Use Map designation of Office & Residential Mixed Use. The request is consistent with policies regarding housing variety, infill development, retail in industrial zones and ancillary retail uses. While the request would mark a departure from the current industrial landscape of the area, it has broad policy support and is located in an area with sufficient road and utility infrastructure to serve the proposed increase in residential units and may facilitate the development of a difficult to build upon vacant parcel.

CASE TIMELINE

Date	Action	Notes
11/13/20	Conditional use rezoning application submitted.	
12/11/20	Initial staff review provided.	
1/12/20	Planning Commission review begins	
2/12/21	Revised zoning conditions submitted	Conditions provide additional specificity with regards to materials.

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	IX-3	IX-3-PL	IX-3-PL	IX-3-PL	IX-3
Additional Overlay	None	None	None	None	None
Future Land Use	Office & Residential Mixed Use	Office & Residential Mixed Use	Business & Commercial Services	Office & Residential Mixed Use	Medium Density Residential
Current Land Use	Undeveloped	Office	Warehouse	Office	Agricultural
Urban Form	None	None	None	None	None

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	IX-3	RX-4-CU
Total Acreage	10.54	10.54
Setbacks:		
Front	5'	5'
Side Street	5'	5'
Side Lot Line	0' or 6'	0' or 6'
Rear	0' or 6'	0' or 6'
Residential Density:	16.41	29.41
Max. # of Residential Units	173	310
Max. Gross Building SF	894,512	364,128
Max. Gross Office SF	101,849	4,000
Max. Gross Retail SF	93,193	4,000
Max. Gross Industrial SF	894,512	--
Potential F.A.R	1.95	0.79

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

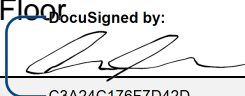
Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District IX Height 3 Frontage Overlay(s) _____ Proposed Zoning Base District RX Height 4 Frontage Overlay(s) _____ Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			
GENERAL INFORMATION			
Date		Date Amended (1)	Date Amended (2)
Property Address 2001 Pacific Drive			
Property PIN 1716723524		Deed Reference (book/page) 16141/1120	
Nearest Intersection Pacific Drive and Atlantic Avenue			
Property Size (acres) 10.54	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address PBQ 1 LLC 505 Fifth Avenue, 22nd Floor New York, NY 10017		Phone 212-878-6316	Fax
		Email asavell@corigin.com	
Applicant Name/Address Corigin Real Estate Group 505 Fifth Avenue, 22nd Floor New York, NY 10017		Phone 212-878-6316	Fax
		Email asavell@corigin.com	
Applicant* Signature(s)  C3A24C176F7D42D...		Email asavell@corigin.com	


*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

OWNER'S AFFIDAVIT

STATE OF North Carolina ,
COUNTY OF Wake)

Donnie McQueen, ("Affiant") as Executive Manager of Torchlight Academy Schools, LLC, a North Carolina limited liability company ("Owner"), the Owner of the premises located at 2001 Pacific Drive, Raleigh, North Carolina and having PIN 1716723524 (the "Property"), hereby acknowledges and agrees that Corigin Real Estate Group LLC ("Applicant"), as represented by Morningstar Law Group, intends to file a petition for rezoning of the Property with the City of Raleigh, and that Applicant, as represented by Adam Savell, Greg Gleason, Adrienne Lowe, or Molly Stuart, is authorized by Owner to undertake and prosecute such rezoning. Affiant acknowledges on behalf of Owner that zoning conditions must be signed, approved, and consented to by Owner.

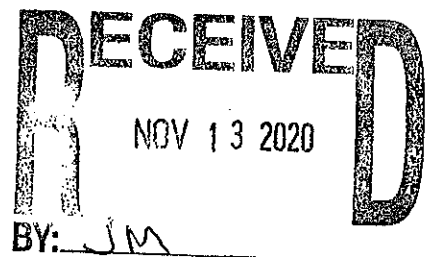
AFFIANT:


Name: Don McQueen

State of North Carolina
County of Wake

Subscribed and sworn to (or affirmed) before me on this 27 day of October, 2020, by Don McQueen, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Barbara R. Barrett Woods
(Notary Public)



CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLYDate Submitted **February 12, 2021****Rezoning Case #**Existing Zoning **IX-3**Proposed Zoning **RX-4-CU****Narrative of Zoning Conditions Offered**

1. The following principle uses shall be prohibited on the property: outdoor sports or entertainment facilities.
2. The exterior of all buildings containing any residential use, excluding the roof and any window, door, porch, or other openings, shall consist of any one, or a combination of, the following materials: brick/masonry, cementitious material, and miratek or hardee material. Vinyl siding shall be prohibited on all structures on the property.

The property owner(s) hereby offers, consents to, and agrees to abide by, 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.

Signed by:

C3A24C176F7D42D...

Property Owner(s) Signature

Print Name

Greg Gleason**REVIEWED****By Sara Ellis at 3:28 pm, Feb 23, 2021**

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLYDate Submitted **February 12, 2021**

Rezoning Case #

Existing Zoning **IX-3**Proposed Zoning **RX-4-CU****Narrative of Zoning Conditions Offered**

1. The following principle uses shall be prohibited on the property: outdoor sports or entertainment facilities.
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RECEIVED***By Sara Ellis at 3:42 pm, Feb 12, 2021***

The property owner(s) hereby offers, consents to, and agrees to abide by, 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

Print Name

Donnie McQueen

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Rezoning Case #
<p>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.</p>	
STATEMENT OF CONSISTENCY	
<p>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.</p> <p>The Future Land Use Map designation supports the requested RX zoning, and the Comprehensive Plan table LU-2 supports 3-5 stories of building height on the subject property, aligning with the requested RX-4-CU zoning district.</p> <p>Multiple Comprehensive Plan policies support the proposed zoning, including LU 2.2 (Compact Development); LU 8.11 (Developing Vacant Sites); and H 1.8 (Zoning for Housing).</p>	
PUBLIC BENEFITS	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p> <p>By expanding housing availability on a difficult to develop property, the proposed rezoning consolidates new development within an area that, although currently comprising part of the city's extra-territorial jurisdiction, lies fully within the footprint of the city's corporate limits and its developed area.</p>	

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.

None.

PROPOSED MITIGATION

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

N/A

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.	<p><i>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.</i></p> <p>Response:</p>
2.	<p><i>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.</i></p> <p>Response:</p>
3.	<p><i>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.</i></p> <p>Response:</p>
4.	<p><i>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.</i></p> <p>Response:</p>
5.	<p><i>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.</i></p> <p>Response:</p>
6.	<p><i>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.</i></p> <p>Response:</p>

7.	<p><i>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.</i></p> <p>Response:</p>
8.	<p><i>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.</i></p> <p>Response:</p>
9.	<p><i>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.</i></p> <p>Response:</p>
10.	<p><i>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.</i></p> <p>Response:</p>
11.	<p><i>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.</i></p> <p>Response:</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response:</p>

13.	<i>New public spaces should provide seating opportunities.</i> Response:
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response:
15.	<i>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.</i> Response:
16.	<i>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.</i> Response:
17.	<i>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.</i> Response:
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response:
19.	<i>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.</i> Response:

20.	<p><i>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.</i></p> <p>Response:</p>
21.	<p><i>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.</i></p> <p>Response:</p>
22.	<p><i>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.</i></p> <p>Response:</p>
23.	<p><i>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.</i></p> <p>Response:</p>
24.	<p><i>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.</i></p> <p>Response:</p>
25.	<p><i>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.</i></p> <p>Response:</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response:</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY 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"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting a conditional use district:					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
If applicable (see Page 11):					
10. Proof of power of attorney or owner affidavit	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
For properties requesting a Planned Development (PD) or Campus District (CMP):					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

MASTER PLAN SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

Who can initiate a rezoning request?

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

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

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

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

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

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

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

Temporary Option for Virtual Neighborhood Meetings

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

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

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

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

GUIDANCE FOR VIRTUAL NEIGHBORHOOD MEETINGS

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

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

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

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

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

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

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

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

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

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

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

This information should be addressed during the meeting:

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

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

NOTIFICATION LETTER TEMPLATE

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

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

(MEETING WEB ADDRESS)

Or call:

(MEETING PHONE NUMBER)

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

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

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact:

JP Mansolf
Raleigh Planning & Development
(919)996-2180
JP.Mansolf@raleighnc.gov

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

(NAME)

(CONTACT INFO)

Sincerely,

ATTESTATION TEMPLATE

Attestation Statement

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

Signature of Applicant/Applicant Representative

Date

SUMMARY OF ISSUES

A neighborhood meeting was held on September 29, 2020 (date) to discuss a potential rezoning located at 2001 Pacific Drive (property address).
The neighborhood meeting was held at [virtual meeting] (location).
There were approximately 11 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Approximately 300 homes are contemplated on the site.

The applicant is in contract on the property, which is not contingent on rezoning.

It is not yet known what will be required in terms of traffic improvements.

It is not yet known what buffer areas may be provided to adjoining properties.

[illegible]

REZONING OF PROPERTY CONSISTING OF +/- 10.54 ACRES
LOCATED AT 2001 PACIFIC DRIVE IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS ON
DECEMBER 29, 2020

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Tuesday, December 29, at 5:00 p.m. The property considered for this potential rezoning totals approximately 40.82 acres, and is located at 2001 Pacific Drive, in the City of Raleigh, having Wake County Parcel Identification Number 1716723524. This meeting was held Virtually. All owners of property within 1000 feet of the subject property were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A – NEIGHBORHOOD MEETING NOTICE



Molly M. Stuart | Counsel
421 Fayetteville Street, Suite 530
Raleigh, NC 27601
919-890-3318
mstuart@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner
From: Molly Stuart
Date: December 16, 2020
Re: Notice of virtual meeting to discuss potential rezoning of certain property located at 2001 Pacific Drive (the "Property")

We are counsel for Corigin Real Estate Group ("Corigin"), which plans to rezone the above-captioned Property. Currently, the Property is zoned IX-3. Corigin is considering rezoning the Property to Residential Mixed Use, up to 4 stories, with additional zoning conditions (RX-4-CU). The purpose of the zoning request is to accommodate residential use on the site.

You are invited to attend a neighborhood meeting on Tuesday, December 29, 2020 from 5pm to 7pm. The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 5pm and will be followed by an opportunity for questions and answers. Depending on attendance, the programmed portion of the meeting is likely to end between 5:30 and 6pm. The additional time is intended to allow for a late start in the event of any technical issues related to the virtual meeting, and your flexibility is appreciated. Once the meeting has been successfully completed, the online meeting, including the telephone dial-in option, will remain open until 7pm, and we will be happy to review the proposal or answer additional questions during this time.

After the submittal of certain rezoning applications, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 1,000 feet of the area requested for rezoning. After the meeting, we will prepare a report for the Raleigh Planning & Development Department regarding the items discussed at the meeting. You can view the full application materials, including the first neighborhood meeting materials on the City's current zoning cases page (<https://raleighnc.gov/SupportPages/zoning-cases>). This rezoning application is filed under case no. Z-61-20.

If you have further questions about the rezoning process, please contact:

Sara Ellis
Raleigh Planning & Development
919.996.2234
Sara.Ellis@raleighnc.gov

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

Molly M. Stuart
Morningstar Law Group
919-890-3318
mstuart@mstarlaw.com

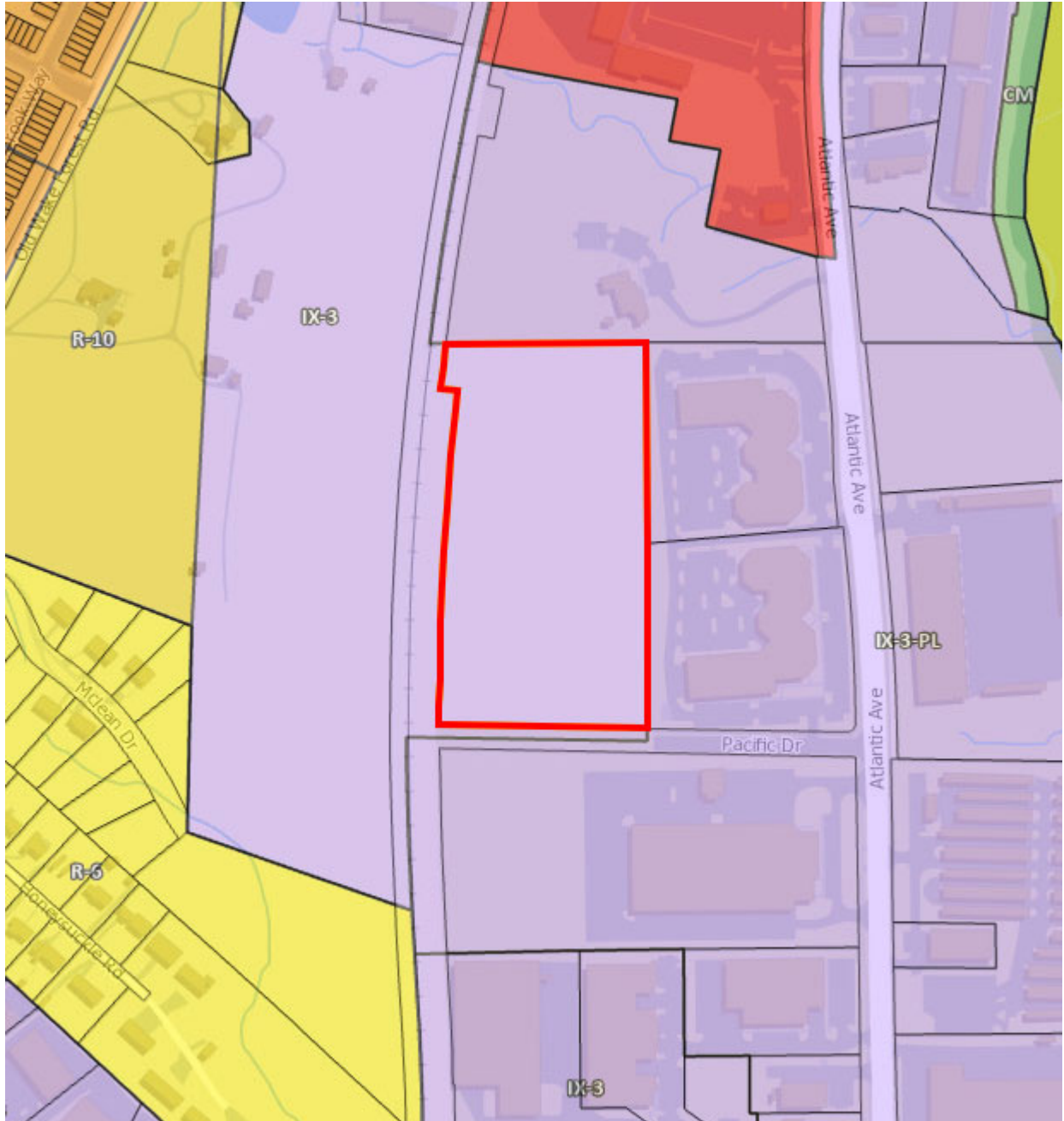
Sincerely,

A handwritten signature in blue ink, appearing to read "m82", is placed below the typed name.

Aerial Photo



Zoning



How to Participate in the December 29, 2020 Neighborhood Meeting

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to bit.ly/mlg12292020mtg to register for the meeting. (*Registration is necessary as we are required by the City of Raleigh to have a record of attendance.*)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 301 715 8592
 - +1 312 626 6799
 - +1 929 436 2866
 - +1 253 215 8782
 - +1 346 248 7799
 - +1 669 900 6833
 - Enter Webinar ID: 987 0429 7833
 - Enter password: 223591
 - *For attendance purposes as required by the City of Raleigh, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

If you have difficulty connecting or have technical difficulties during the meeting, you can email us at meetings@mstarlaw.com or call 919-590-0366.

You are encouraged to join the meeting via your computer or smartphone so that you will have access to Zoom Webinar's interactive features including Raise Hand and Chat.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

- If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or Chat features. If you use Raise Hand, a panelist will either unmute you to allow you to speak or will chat with you to solicit your questions/comments.
- If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at meetings@mstarlaw.com. At the end of the Q&A period of the meeting, all callers will be unmuted to allow for questions/comments.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District IX Height 3 Frontage Overlay(s) _____			
Proposed Zoning Base District RX Height 4 Frontage Overlay(s) _____			
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
GENERAL INFORMATION			
Date		Date Amended (1)	
		Date Amended (2)	
Property Address 2001 Pacific Drive			
Property PIN 1716723524		Deed Reference (book/page) 16141/1120	
Nearest Intersection Pacific Drive and Atlantic Avenue			
Property Size (acres) 10.54	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address Torchlight Academy Schools, LLC 5026 Red Cedar Road Raleigh, NC 27613		Phone 919-850-9960	Fax
		Email torchlight.director@gmail.com	
Applicant Name/Address Corigin Real Estate Group 505 Fifth Avenue, 22nd Floor New York, NY 10017		Phone 212-878-6316	Fax
		Email asavell@corigin.com	
Applicant* Signature(s)	DocuSigned by: A242BEA6B5F243D...	Email asavell@corigin.com	

*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Rezoning Case #Existing Zoning **IX-3**Proposed Zoning **RX-4-CU****Narrative of Zoning Conditions Offered**

1. The following principle uses shall be prohibited on the property: outdoor sports or entertainment facilities.

The property owner(s) hereby offers, consents to, and agrees to abide by, 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

DocuSigned by:

A242BEA6B5F243D...

Print Name

Donnie McQueen

EXHIBIT B – NOTICE LIST

2001 HAIR SALON LLC
2200 E MILLBROOK RD STE 121
RALEIGH NC 27604-1788

4401 ATLANTIC AVENUE LLC
4401 ATLANTIC AVE
RALEIGH NC 27604-1794

4501 ATLANTIC AVENUE LLC
4401 ATLANTIC AVE
RALEIGH NC 27604-1794

A-1 INVESTMENT GROUP LLC
3706 BAUGH ST
RALEIGH NC 27604-3731

AMERICAN TOWERS LLC
PROPERTY TAX
PO BOX 723597
ATLANTA GA 31139-0597

AMPLE STORAGE ATLANTIC AVENUE LLC
PO BOX 608
SMITHFIELD NC 27577-0608

ATLANTIC 4601 LLC
PO BOX 31827
RALEIGH NC 27622-1827

ATLANTIC MILLBROOK, LLC
PO BOX 5372
HIGH POINT NC 27262-5372

ATLANTIC PARK LLC
319 CHAPANOKE RD STE 320
RALEIGH NC 27603-3710

ATLANTIC PARK OFFICE CENTER CONDO
3305 DURHAM DR
RALEIGH NC 27603-3776

ATLANTIC PARTNERS LINK PROPERTIES LLC
1205 KINGS GRANT DR
RALEIGH NC 27614-9355

BETTS, RALPH L
911 KILDAIRE FARM RD
CARY NC 27511-3922

BRIGHT CAPITAL OF NC LLC
PO BOX 98643
RALEIGH NC 27624-8643

CITY ELECTRIC SUPPLY COMPANY
CES PROPERTY DIVISION
PO BOX 130206
DALLAS TX 75313-0206

COOL CHANGE RENTALS LLC
6024 WINDHAM DR
RALEIGH NC 27609-3750

CRAFTSMAN DEVELOPMENT LLC
PO BOX 6353
RALEIGH NC 27628-6353

CRAFTSMAN VENTURES LLC
4900 CRAFTSMAN DR STE B
RALEIGH NC 27609-5665

DJ PROPERTIES RALEIGH LLC
600 MONTGOMERY ST FL 9
SAN FRANCISCO CA 94111-2711

DTWES PROPERTIES LLC
PO BOX 58604
RALEIGH NC 27658-8604

EKH LLC
4211 ATLANTIC AVE
RALEIGH NC 27604-2270

GONZALEZ, FRANKLIN A GARCIA REYES, KAREN
N
2200 118 E MILLBROOK RD
RALEIGH NC 27604-1788

GREENWOOD NC LLC
7508 WELCOME DR
WAKE FOREST NC 27587-5326

HALL, DAVID WILLIAM JR
1709 HONEYSUCKLE RD
RALEIGH NC 27609-6217

HALL, DAVID WILLIAM JR HALL, SUSAN B
1709 HONEYSUCKLE RD
RALEIGH NC 27609-6217

HARROD STREET ASSOCIATES LLC
C/O PHEBE ROBERSON
5006 TREMONT DR
RALEIGH NC 27609-5461

HODGENS, NEIL DOAK
10604 VALLEY VIEW RD
NORTHFIELD OH 44067-1433

HOUSING AUTH CITY OF RALEIGH
900 HAYNES ST
RALEIGH NC 27604-1462

KOONS, DARREN KOONS, HEATHER
129 N KING CHARLES RD
RALEIGH NC 27610-2412

LATTA, TIMOTHY EARLE
383 HORACE BAKER RD
ZEBULON NC 27597-6367

LOUIES, MENAL
5209 COUNTRY PINES CT
RALEIGH NC 27616-5688

MCCLELLAND, DAVID K
1625 HONEYSUCKLE RD
RALEIGH NC 27609-6215

MCCLOY, STEVEN R MCCLOY, ELAINE D
PO BOX 5372
HIGH POINT NC 27262-5372

MILLBROOK COLLECTION LLC
8816 SIX FORKS RD STE 201
RALEIGH NC 27615-2983

NIVISON FAMILY LIMITED PARTNERSHIP
ATLANTIC INVESTMENT MANAGEMENT LLC
4104 ATLANTIC AVE STE 140
RALEIGH NC 27604-1803

NORWOOD, JACK E
4812 OLD WAKE FOREST RD
RALEIGH NC 27609-4922

PM RESTAURANT HOLDINGS LLC
9019 OVERLOOK BLVD STE C2
BRENTWOOD TN 37027-2750

PS NC II LP LTD PTNRP
701 WESTERN AVE
GLENDALE CA 91201-2349

RALEIGH RINGERS INC THE
8516 SLEEPY CREEK DR
RALEIGH NC 27613-4340

SCHUYLKILL PROPERTIES LLC
4216 ATLANTIC AVE
RALEIGH NC 27604-1737

STOCKSTILL, GEORGE M KLINGEL, ALLISON
ROBERTS
BETH STOCKSTILL
4313 PINE BARK TRL
DURHAM NC 27705-7331

STOCKSTILL, GEORGE M STOCKSTILL, PATSY P
BETH STOCKSTILL
4313 PINE BARK TRL
DURHAM NC 27705-7331

SUSAN ELIZABETH N DE SHERBININ REVOCABLE
TRUST DE SHERBININ, SUSAN ELZABETH N
TRUSTEE
8209 MARKET ST STE A217
WILMINGTON NC 28411-5000

THE TRUST AGREEMENT OF FRED B BISGER
BISGER, FRED B TRUSTEE
4912 W BROAD ST STE 203
RICHMOND VA 23230-3126

TORCHLIGHT ACADEMY SCHOOLS LLC
5026 RED CEDAR RD
RALEIGH NC 27613-6067

TRAN, DAVID TRAN, KIMNUONG THI
3904 LUVERLY LN
RALEIGH NC 27604-2569

UNIQUE PROPERTY MANAGEMENT LLC
1914 E US 70 HWY
DURHAM NC 27703-9307

UNITED DEVELOPMENT CORP
SONIC DRIVE IN
4648 ATLANTIC AVE
RALEIGH NC 27604-8102

EXHIBIT C – ITEMS DISCUSSED

1. An update was provided on where we are in the rezoning process.
2. The earliest potential date for Planning Commission discussion will be January 26, 2021.

EXHIBIT D – MEETING ATTENDEES

1. Maxine Newton, 4401 Atlantic Ave, Raleigh

AGENDA ITEM (E) 4: Z-61-20 – 2001 Pacific Drive

This case is located 2001 Pacific Drive on its north side approximately 500 feet north of the intersection with Atlantic Avenue.

Approximately 10.54 acres is requested by Molly Stuart of Morning Star Law Group on behalf of the Corigin Real Estate Group to be rezoned. Proposed zoning conditions prohibit outdoor sports or entertainment facilities; and specify the types of exterior building materials to be used.

The request is consistent with the 2030 Comprehensive Plan.

The request is consistent with the Future Land Use Map.

Update for February 23, 2021 Planning Commission Meeting: The staff report was updated per a request from the Commission to provide additional information on the site's designation as an economic development priority area. Additionally, revised conditions were submitted on February 13, 2021 that specify the types of building materials to be used and prohibit vinyl siding.

The deadline for Planning Commission action is April 12, 2021.

Planner Ellis gave a brief overview of the case.

There was discussion regarding whether there is any buffering offered to protect the nearby neighborhood.

Molly Stuart representing the applicant spoke regarding buffering near and around the railroad area and the required setback near the railroad.

Chair Fox gave a brief overview of the case discussions.

Ms. Winters spoke regarding the request to see what is being proposed to be built in the area.

Ms. Stuart responded that the applicant did not have pictures of what will be built in the area but did show pictures of comparable properties.

Ms. Bennett made comments regarding it seeming as though housing is just being built whether or not it appropriate or needed in the chosen areas. She stated that housing should be placed strategically and thoughtfully.

There was further discussion regarding the placement of 500,000 home in an area where it doesn't seem it appropriate and seems that residential is just being dropped in where it will fit; will these apartments be affordable to people already in the area or will it bring in outside people who can afford it which is considered gentrification.

Deputy Planning Director Bowers responded regarding housing affordability; market-rate housing and believing this would a great conversation for the appropriate sub-committee meetings.

There was further discussion regarding re-thinking the rail line and the criteria for developing true affordable housing.

The great housing with walkability; affordability is being pushed out because being close to shops, stores etc. drive up price

Ms. Miller made a motion to recommend approval of the case. Mr. O'Haver seconded the motion.

Commissioners how do you vote?

Bennett (Nay), Fox (Aye), Hicks (Aye), Lampman (Aye), McIntosh (Nay), Miller (Aye), O'Haver (Aye) and Winters (Aye). The vote was not unanimous 6-2. Opposed was Bennett and McIntosh

A portion of this case will be moved to Strategic Planning for discussion. By show of hand this was unanimously approved.