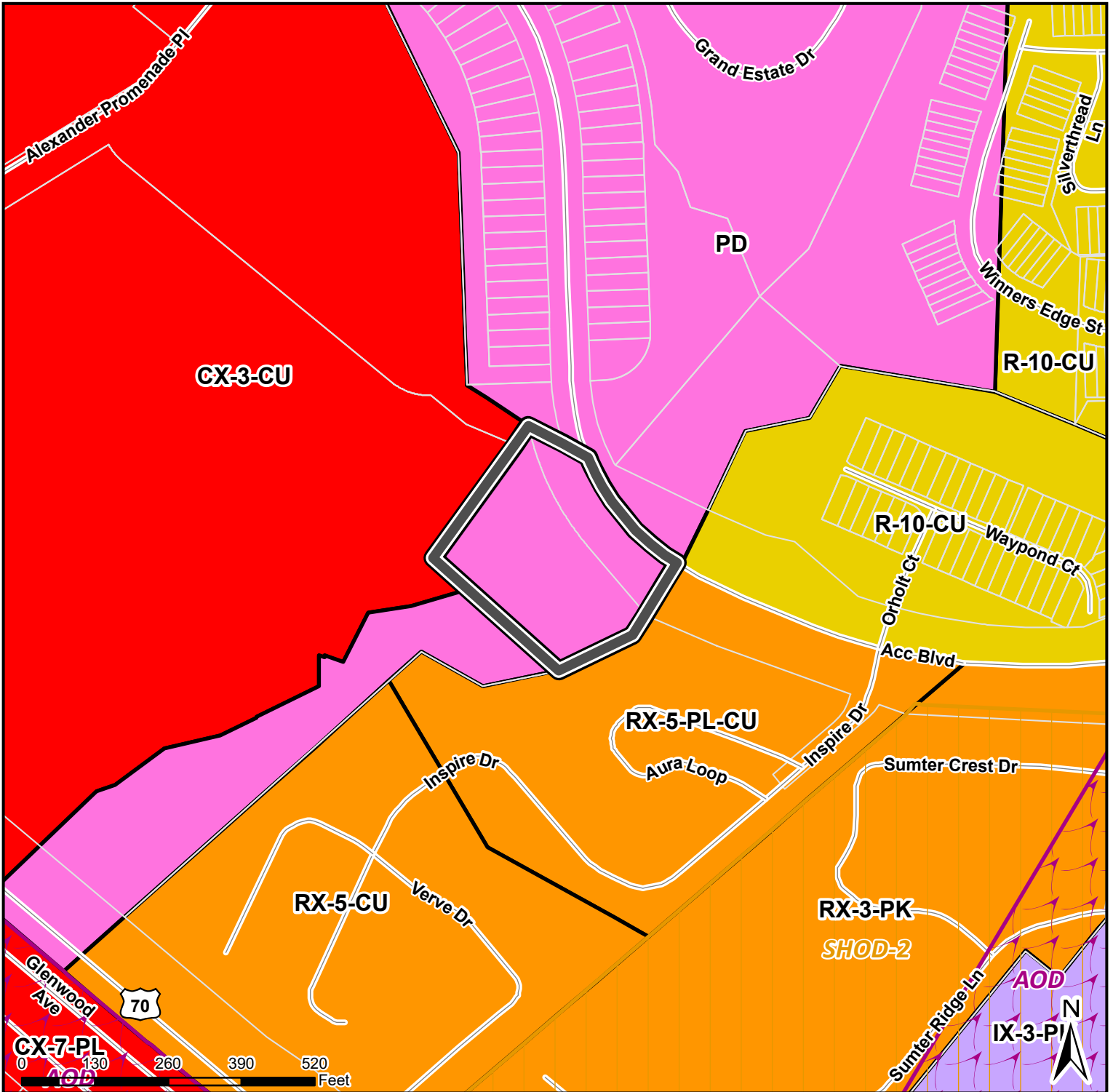
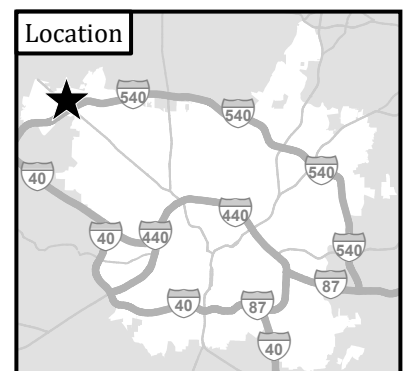


# Existing Zoning

# Z-63-2023



<b>Property</b>	7691 ACC Blvd
<b>Size</b>	1.67 acres
<b>Existing Zoning</b>	PD
<b>Requested Zoning</b>	CX-3-CU



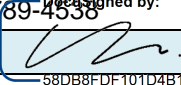


# Rezoning Application and Checklist

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

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

Rezoning Request				
Rezoning Type	General Use	<input checked="" type="checkbox"/> Conditional Use	Master Plan	Office Use Only Rezoning case #
	Text change to zoning conditions			
Existing zoning base district: PD	Height:	Frontage:	Overlay(s):	
Proposed zoning base district: CX	Height: 3	Frontage:	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:				

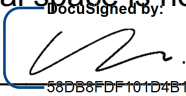
General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 7691 ACC Boulevard		
Property PIN: 0768664919		
Deed reference (book/page): 019376/02444		
Nearest intersection: ACC Blvd/Alexander Town Blvd		Property size (acres): 1.67
For planned development applications only	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: ACCDG, LLC		
Property owner email: vish@tsnventerprises.com		
Property owner phone: 919-397-2964		
Applicant name and address: Samuel Morris, Longleaf Law Partners		
Applicant email: smorris@longleaflp.com		
Applicant phone: 919-789-4338		
Applicant signature(s): 		
Additional email(s):		

Conditional Use District Zoning Conditions		
Zoning case #:	Date submitted:	Office Use Only Rezoning case # _____
Existing zoning: PD	Proposed zoning: CX-3-CU	

**Narrative of Zoning Conditions Offered**

1. The following Principal Uses as listed in UDO Section 6.1.4. that are permitted, limited, or special uses in the CX- District shall be prohibited: (i)cemetery.

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:  \_\_\_\_\_  
DocuSigned by: 56DB8FDF101D481...

Printed Name(s): Vishesh Panjwani, Managing Member \_\_\_\_\_

### 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.

1. The property is designated as Regional Mixed Use on the Future Land Use Map, which supports housing, office development, hotels, and retail uses. The 2030 Comprehensive Plan provides that CX is the closest corresponding zoning district for this land use designation. Therefore, the request to rezone the property to the CX Zoning District is consistent with the Regional Mixed Use future land use designation.
2. The Urban Form Map of the Comprehensive Plan shows the subject property to be within a City Growth Center. The Comprehensive Plan describes such areas as being where significant infill development and redevelopment are anticipated in the future. The property does not front along a corridor designated on the Urban Form Map. The request to rezoning to CX-3 will facilitate commercial infill development on this long-underutilized and environmentally challenging site. Therefore, the rezoning request is consistent with the Urban Form Map guidance.
4. The rezoning request is consistent with the following Comprehensive Plan policies: LU 1.2 (Future Land Use Map and Zoning Consistency); LU 2.5 (Healthy Communities); LU 4.5 (Connectivity); LU 4.6 (Transit-oriented development); LU 4.7 (Capitalizing on Transit Access); LU 5.1 (Reinforcing the Urban Pattern); LU 5.7 (Building Height Transitions); LU 6.2 (Complementary Land Uses and Urban Vitality); LU 7.6 (Pedestrian-friendly Development).

### Public Benefits

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

1. The proposed rezoning is reasonable and in the public interest because it would permit a more diverse mix of land uses on a site that is well served by existing infrastructure and located in close proximity to other commercial and residential developments.
2. The proposal would help bring a long-vacant tract into productive use in a manner that is consistent with the Future Land Use Maps and Comprehensive Plan guidance.
3. The requested zoning district and height designation are consistent with the surrounding context.

**Rezoning Application Addendum #2**

<p>Impact on Historic Resources</p>	<p><b>Office Use Only</b> Rezoning case #  _____</p>
<p>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.</p>	

**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.

NA

**Public Mitigation**

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

NA

## Design Guidelines

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

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

Policy UD 7.3:

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

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

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

Policy DT 7.18:

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

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

Urban Form Designation: City Growth Center

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

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

<b>Rezoning Checklist (Submittal Requirements)</b>					
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design or downtown design guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties with 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Trip generation study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Traffic impact analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Conditional Use District:	Yes	N/A	Yes	No	N/A
11. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If applicable, see page 18:	Yes	N/A	Yes	No	N/A
12. Proof of Power of Attorney or Owner Affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a Planned Development or Campus District:	Yes	N/A	Yes	No	N/A
13. Master plan (see Master Plan submittal requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For properties requesting a text change to zoning conditions:	Yes	N/A	Yes	No	N/A
14. Redline copy of zoning conditions with proposed changes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Proposed conditions signed by property owner(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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



## Who Can Initiate a Zoning Request?

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

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

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

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

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

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

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

Date:

Re: (SITE LOCATION)

Neighboring Property Owners and Tenants:

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

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is current zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (Please also provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners and tenants within 500 feet of the area requested for rezoning.

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

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 the Raleigh Planning and Development Department at:

(919) 996-2682 (option 2)  
rezoning@raleighnc.gov

Thank you.

***At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning and Development prior to the aforementioned 10-day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning and Development at time of application submittal.***

Submitted Date: \_\_\_\_\_

SUMMARY OF ISSUES

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

Summary of Issues:




REZONING OF PROPERTY CONSISTING OF +/- 1.67 ACRES,  
LOCATED AT 7691 ACC BLVD, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS AND TENANTS ON  
NOVEMBER 27, 2023

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent neighbors on Monday, November 27, 2023, at 5:30 p.m. The property considered for this potential rezoning totals approximately 1.67 acres and is located along ACC Blvd., in the City of Raleigh, having the Wake County Parcel Identification Number 0768664919. This meeting was held in-person at the Brier Creek Community Center, Brier Creek CC Art Room, 10810 Globe Road, Raleigh, NC 27617. All owners and tenants of property within 500 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



To: Neighboring Property Owner and Tenants  
From: Samuel Morris  
Date: November 10, 2023  
Re: Neighborhood Meeting for Rezoning of 7691 ACC Boulevard

You are invited to attend an informational meeting to discuss the potential rezoning of 7691 ACC Boulevard (with Property Identification Number (PIN) 0768664919). The meeting will be held on **November 27, 2023 from 5:30 PM until 6:30 PM** at the following location:

**Brier Creek Community Center  
Brier Creek CC Art Room  
10810 Globe Road,  
Raleigh, NC 27617**

The property totals approximately 1.67 acres in size and is located south of ACC Blvd between Inspire Drive and Alexander Promenade Place. The property is currently zoned Planned Development (PD). The proposed zoning is Commercial Mixed Use with a 3-story height limit (CX-3). The purpose of the rezoning is to allow for future commercial development.

The City of Raleigh requires a neighborhood meeting involving the owners and tenants of property within 500 feet of the property before filing a rezoning application. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

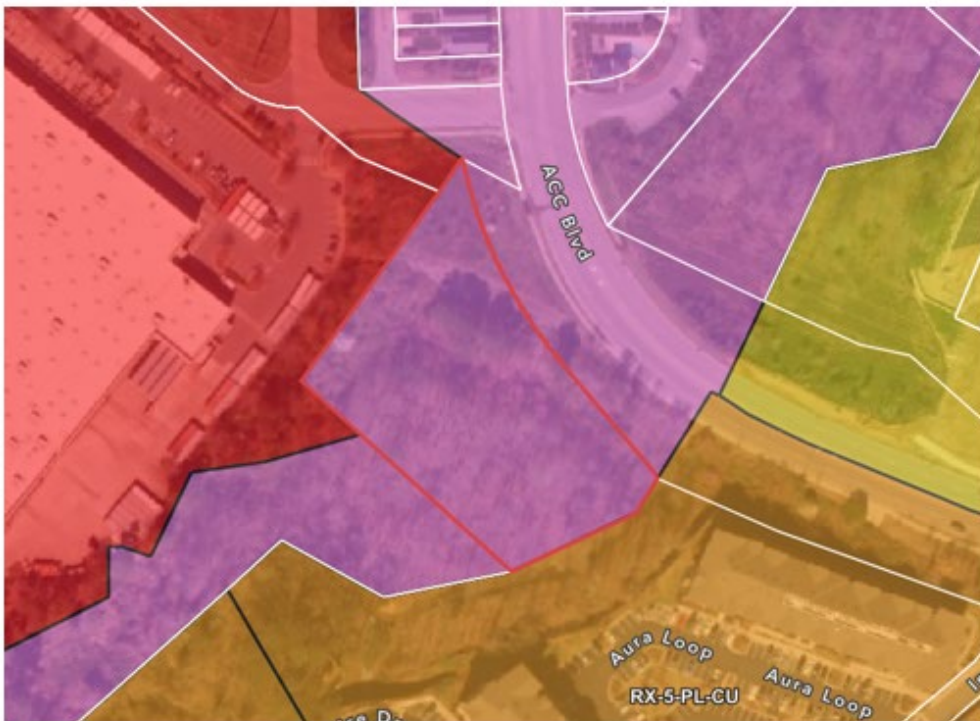
Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at 919-780-5438 and [smorris@longleaflp.com](mailto:smorris@longleaflp.com). Also, for more information about the rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planner Robert Tate at 919-996-2235 or [robert.tate@raleighnc.gov](mailto:robert.tate@raleighnc.gov).

Attached to this invitation are the following materials:  
1. Subject Property Current Aerial Exhibit  
2. Subject Property Current Zoning Exhibit

**CURRENT PROPERTY MAP**



**CURRENT ZONING MAP**



## **EXHIBIT C – MEETING ATTENDEES**

1. Samuel Morris (Longleaf Law Partners)
2. Verdina Walker
3. Cole McMullin



## **EXHIBIT D – ITEMS DISCUSSED**

1. Introduction of all meeting attendees.
2. Overview of the Raleigh rezoning process and purpose of neighborhood meeting.
3. Description of the subject property.
4. Current zoning of the property and Planned Development regulations.
5. Overview of the role of Future Land Use Map, Comprehensive Plan, and Urban Form policy guidance.
6. Summarize the Future Land Use Map, Comprehensive Plan, and Urban Form designations and guidance for the subject property.
7. Proposed rezoning and basis of request.
8. History of the subject property and the surrounding development.
9. Discussion regarding potential development plans/timeline for this property.
10. Discussion regarding affordable housing issues in the City of Raleigh.
11. Discussion regarding fire response time issues identified in Northeast and Southeast Raleigh in other rezoning cases.
12. Timeline for future meetings and hearings related to this rezoning request.