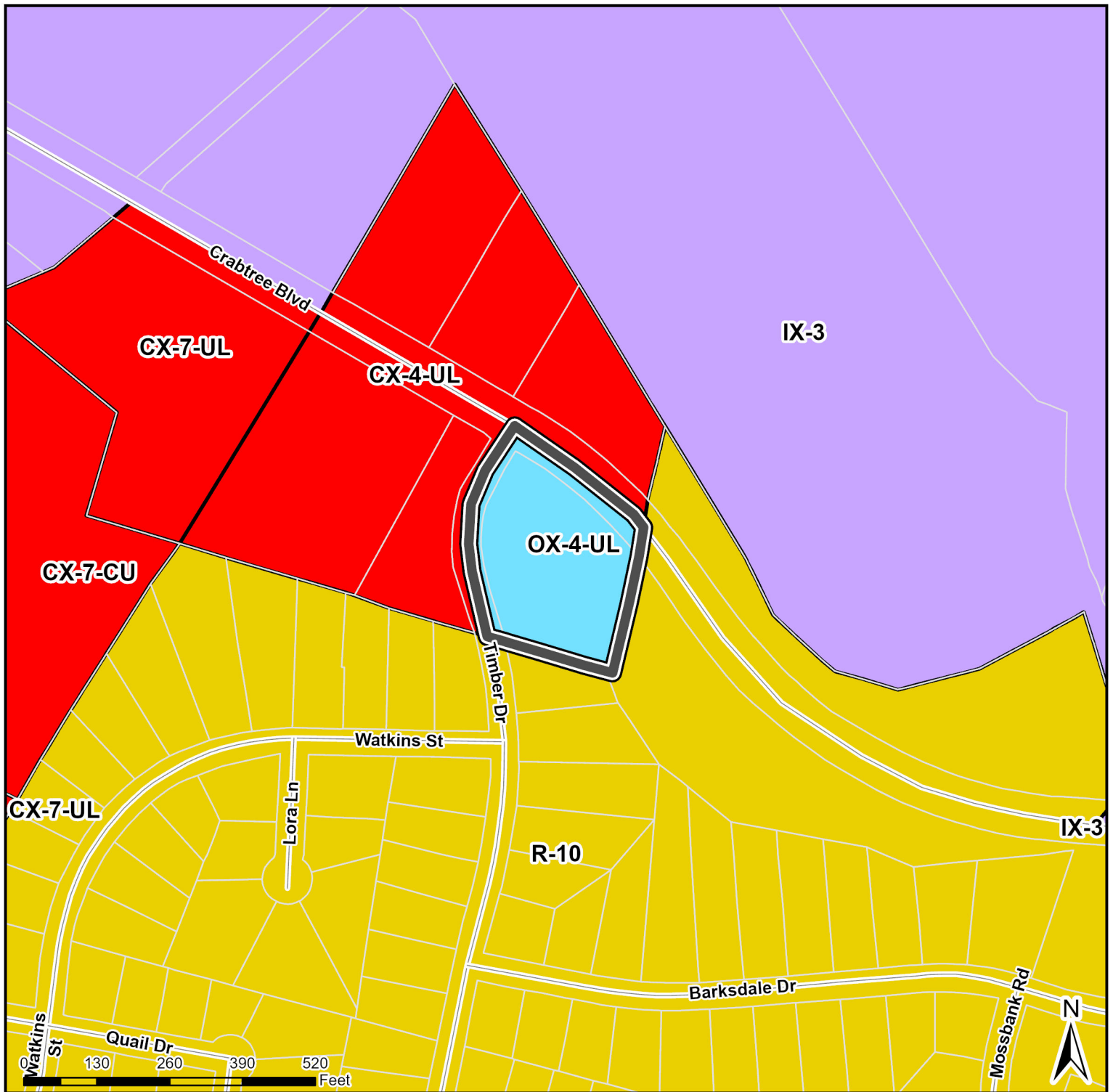
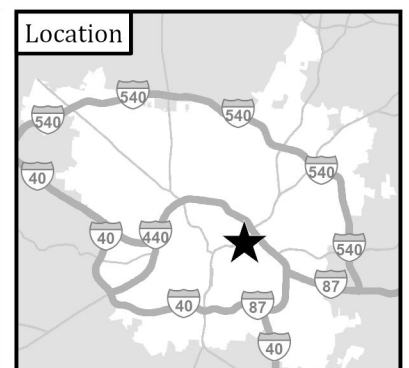


Existing Zoning

Z-65-2023



Property	2321 Crabtree Blvd
Size	1.67 acres
Existing Zoning	OX-4-UL
Requested Zoning	OX-7-UL



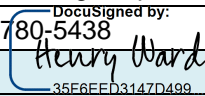


Rezoning Application and Checklist

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

Rezoning Request			
Rezoning Type	<input type="checkbox"/> General use	<input checked="" type="checkbox"/> Conditional use	<input type="checkbox"/> Master plan
	<input type="checkbox"/> Text change to zoning conditions		
			OFFICE USE ONLY Rezoning case # _____
Existing zoning base district: OX	Height: 4	Frontage: UL	Overlay(s):
Proposed zoning base district: OX	Height: 7	Frontage: UL	Overlay(s):
Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number:			

General Information		
Date:	Date amended (1):	Date amended (2):
Property address: 2321 Crabtree Blvd		
Property PIN: 1714581011		
Deed reference (book/page): 19109/196		
Nearest intersection: Crabtree Blvd & Timber Dr		Property size (acres): 1.67
For planned development applications only:	Total units:	Total square footage:
	Total parcels:	Total buildings:
Property owner name and address: Pigeon House Branch Partners, LLC		
Property owner email: michael@sandmanlaw.com		
Property owner phone:		
Applicant name and address: Samuel Morris, Longleaf Law Partners		
Applicant email: smorris@longleaflp.com		
Applicant phone: (919) 780-5438		
Applicant signature(s):  <small>DocuSigned by: 35E6FEED3147D499</small>		
Additional email(s):		

RECEIVED

By Robert Tate at 4:19 pm, Dec 21, 2023

Conditional Use District Zoning Conditions

Zoning case #:	Date submitted:	OFFICE USE ONLY Rezoning case # _____
Existing zoning: OX-4-UL	Proposed zoning: OX-7-UL	

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 OX- 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.

DocuSigned by:

Henry Ward

35F6FED3147D499

Property Owner(s) Signature: _____

Printed Name: Henry ward _____

RECEIVED**By Robert Tate at 4:19 pm, Dec 21, 2023**

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. This request does not seek to change the existing OX- zoning designation on the property. The property is designated as Community Mixed Use on the Future Land Use Map which recommends higher intensity residential, retail, and office uses. The OX- zoning designation that currently exists is consistent with this FLUM designation because it allows for a variety of housing, commercial, and office opportunities. Therefore, the request to maintain the OX- zoning district is consistent with the Comprehensive Plan.
2. The Recommended Height Designations on Table LU-2 in the Comprehensive Plan recommends building heights up to twelve stories for property designated Community Mixed Use on the Future Land Use Map and located within a core/transit area. This request seeks to increase the maximum height to seven (7) stories on a property is located within a Frequent Transit Area and BRT Area. Moreover, Neighborhood Transitions will provide adequate height protection for adjacent residential properties. Therefore, the requested height is consistent with the Comprehensive Plan.
3. The subject property is located within a Frequent Transit Area, a City Growth Center, and a BRT Area. Therefore, this property represents a transit-rich development opportunity. This request seeks to increase it allowed height to seven (7) stories to capitalize on this opportunity. The request also seeks maintain the existing Urban Limited Frontage on the property. This frontage designation will prohibit parking between the building and the street and mandate pedestrian access and interface with the public right of way, increasing the walk-ability of the area. Therefore, the request to maintain the existing Urban Limited Frontage on the property is consistent with the Comprehensive Plan.
4. The rezoning request is consistent with the following Comprehensive Plan policies: LU 1.2—Future Land Use Map and Zoning Consistency; LU 2.2 Compact Development; LU 2.5 Healthy Communities; LU 4.7—Capitalizing on Transit Access; LU 4.8—Station Area Land Uses; LU 6.2—Complementary Land Uses and Urban Vitality; UD 7.3—Design Guidelines; UD 1.10—Frontage; H 1.8 Zoning for Housing.

Public Benefits

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

1. Approval of the request is reasonable and in the public interest because the request is consistent with the policies of the Comprehensive Plan and would increase the potential housing supply and land use intensity in a transit-rich location.
2. Providing broader development options will increase opportunities for live-work options, thereby reducing the total vehicle miles traveled.
3. The frontage designation will promote a more compact and walkable development pattern in proximity to existing and planned transit infrastructure.

Rezoning Application Addendum #2	
<div style="background-color: #f5f5f5; padding: 5px; border: 1px solid black;">Impact on Historic Resources</div> <div style="padding: 5px;"> <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> </div>	<div style="text-align: center; padding: 10px;"> OFFICE USE ONLY Rezoning case # <hr style="width: 80%; margin: 5px auto;"/> </div>
Inventory of Historic Resources	
<div style="background-color: #f5f5f5; padding: 5px; border: 1px solid black;">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.</div> <div style="height: 250px; border: 1px solid black; padding: 10px; vertical-align: top;"> NA </div>	
Proposed Mitigation	
<div style="background-color: #f5f5f5; padding: 5px; border: 1px solid black;">Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.</div> <div style="height: 250px; border: 1px solid black; padding: 10px; vertical-align: top;"> NA </div>	



Urban Design Guidelines Addendum

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Urban Design Guidelines

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

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

Policy UD 7.3:

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

Urban Form Designation: Frequent Transit Area/ BRT Area [Click here to view the Urban Form map.](#)

1	All mixed-use developments should generally provide retail (such as eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian-friendly form.
	Response: The rezoning request permits residential, office and retail uses, consistent with this guideline.
2	Within all mixed-use areas, buildings that are adjacent to lower density neighborhoods should transition (height, design, distance, and/or landscaping) to the lower heights or be comparable in height and massing.
	Response: The property is adjacent to R-10. The seven (7) story height request is consistent with other mixed use property in the area that abuts the same R-10 residential neighborhood. UDO neighborhood transitions requirements will apply.
3	A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major street. Preferred and discouraged street networks.
	Response: Redevelopment of the property will be subject to the UDO block perimeter standards, which are consistent with this guideline.
4	Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Street Plan. Streets should connect adjacent developments.
	Response: Redevelopment of the property will be subject to the UDO block perimeter and connectivity standards, which are consistent with this guideline.

5	New development should be composed of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.
	Response: Redevelopment of the property will be subject to the UDO block perimeter standards, which are consistent with this guideline.
6	A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.
	Response: The proposed development anticipates consistency with this guideline.
7	Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high-volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.
	Response: Building placement will be provided consistent with the UDO.
8	If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.
	Response: Building placement will be provided consistent with the UDO.
9	To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.
	Response: Open space areas will be provided consistent with the UDO.
10	New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.
	Response: Urban space areas will be provided consistent with the UDO.
11	The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.
	Response: Sidewalks and open spaces will be provided consistent with the UDO.
12	A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor “room” that is comfortable to users.
	Response: Open space areas will be provided consistent with the UDO.

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

21	It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the city and should be scaled for pedestrians.
	Response: Sidewalks and driveways will be provided in accordance with the UDO.
22	Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and other areas where walkability is a focus should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising, and outdoor seating.
	Response: Street trees will be provided in accordance with the UDO.
23	Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree canopy, which shadows both the street and sidewalk and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 ¼" caliper and should be consistent with the city's landscaping, lighting, and street sight distance requirements.
	Response: Street trees will be provided in accordance with the UDO.
24	Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.
	Response: Spatial definition of buildings will be provided in accordance with the UDO.
25	The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.
	Response: The proposed development anticipates consistency with this guideline.
26	The ground level of the building should offer pedestrian interest along sidewalks. This includes windows, entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.
	Response: The proposed development anticipates consistency with this guideline.
27	The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.
	Response: Sidewalks will comply with the applicable UDO standards.

Rezoning Checklist (Submittal Requirements)

To be completed by Applicant			To be completed by staff		
General Requirements – General Use or Conditional Use Rezoning	Yes	N/A	Yes	No	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Pre-application conference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Neighborhood meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Rezoning application review fee (see Fee Guide for rates).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Completed application submitted through Permit and Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completed Comprehensive Plan consistency analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Completed response to the urban design 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 and tenants of the rezoning site(s) and within 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:					
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 11:					
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:					
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:					
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"/>

REZONING OF PROPERTY CONSISTING OF +/- 1.67 ACRES,
LOCATED AT 2321 CRABTREE BOULEVARD, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS AND TENANTS ON
NOVEMBER 28, 2023

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent neighbors on Tuesday, November 28, 2023, at 5:30 p.m. The property considered for this potential rezoning totals approximately 1.67 acres and is located along Crabtree Blvd., in the City of Raleigh, having the Wake County Parcel Identification Number 1714581011. This meeting was held in-person at the Halifax Community Center, 1023 Halifax Street, Raleigh, NC 27604. 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 17, 2023
Re: Neighborhood Meeting for Rezoning of 2321 Crabtree Boulevard

You are invited to attend an informational meeting to discuss the potential rezoning of 2321 Crabtree Boulevard (with Property Identification Number (PIN) 1714581011). The meeting will be held on **November 28, 2023 from 5:30 PM until 6:30 PM**, at the following location:

**Halifax Community Center
Halifax CC Multipurpose Room A
1023 Halifax Street,
Raleigh, NC 27604**

The property totals approximately 1.67 acres in size and is located at the corner of Crabtree Boulevard and Timber Drive. The property is currently zoned Office Mixed Use with a 4-story with Urban Limited Frontage. (OX-4-UL). The proposed zoning is Office Mixed Use with a 7-story height limit with an Urban Limited Frontage, Conditional Use (OX-7-UL-CU). The purpose of the rezoning is to increase the allowed building height on the property.

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. Also, for more information about the rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planner Robert Tate at 919-996-2235 or 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

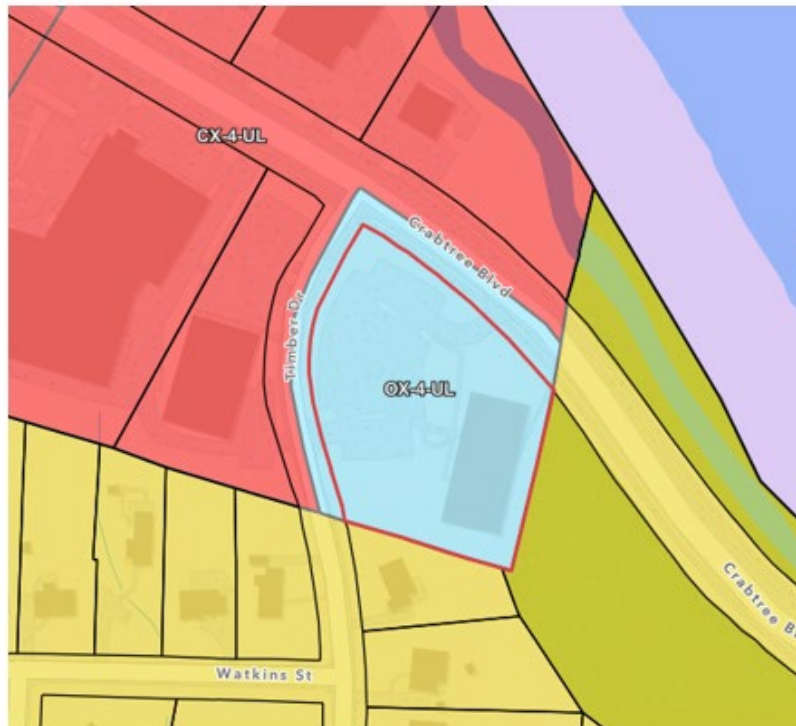


EXHIBIT C – MEETING ATTENDEES

1. Michael Birch (Longleaf Law Partners)
2. Samuel Morris (Longleaf Law Partners)
3. Sarah Shaughnessy
4. Henry Ward
5. Latoya Mosley
6. Victoria Spencer
7. Harvey Spencer

EXHIBIT D – ITEMS DISCUSSED

- 1.** Introduction of the development team.
- 2.** Overview of the Raleigh rezoning process and purpose of neighborhood meeting.
- 3.** Description of the subject property.
- 4.** Current zoning of the property.
- 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.** The purpose of the request is additional height for multi-family development.
- 9.** Discussion regarding the meaning of “CU” and the conditional rezoning process.
- 10.** Discussion regarding status of the Bus Rapid Transit program.
- 11.** Discussion regarding the role of the City Council as final decision-maker for a rezoning request.
- 12.** Discussion regarding likely total unit counts – around 120 units.
- 13.** Discussion regarding traffic pattern, bike lanes, traffic calming, and “road diet” along Crabtree Boulevard. History of accidents along Crabtree Boulevard.
- 14.** Discussion regarding roadway improvements associated with redevelopment of the subject site.
- 15.** Location of access points – primary access will likely be along Crabtree Boulevard.