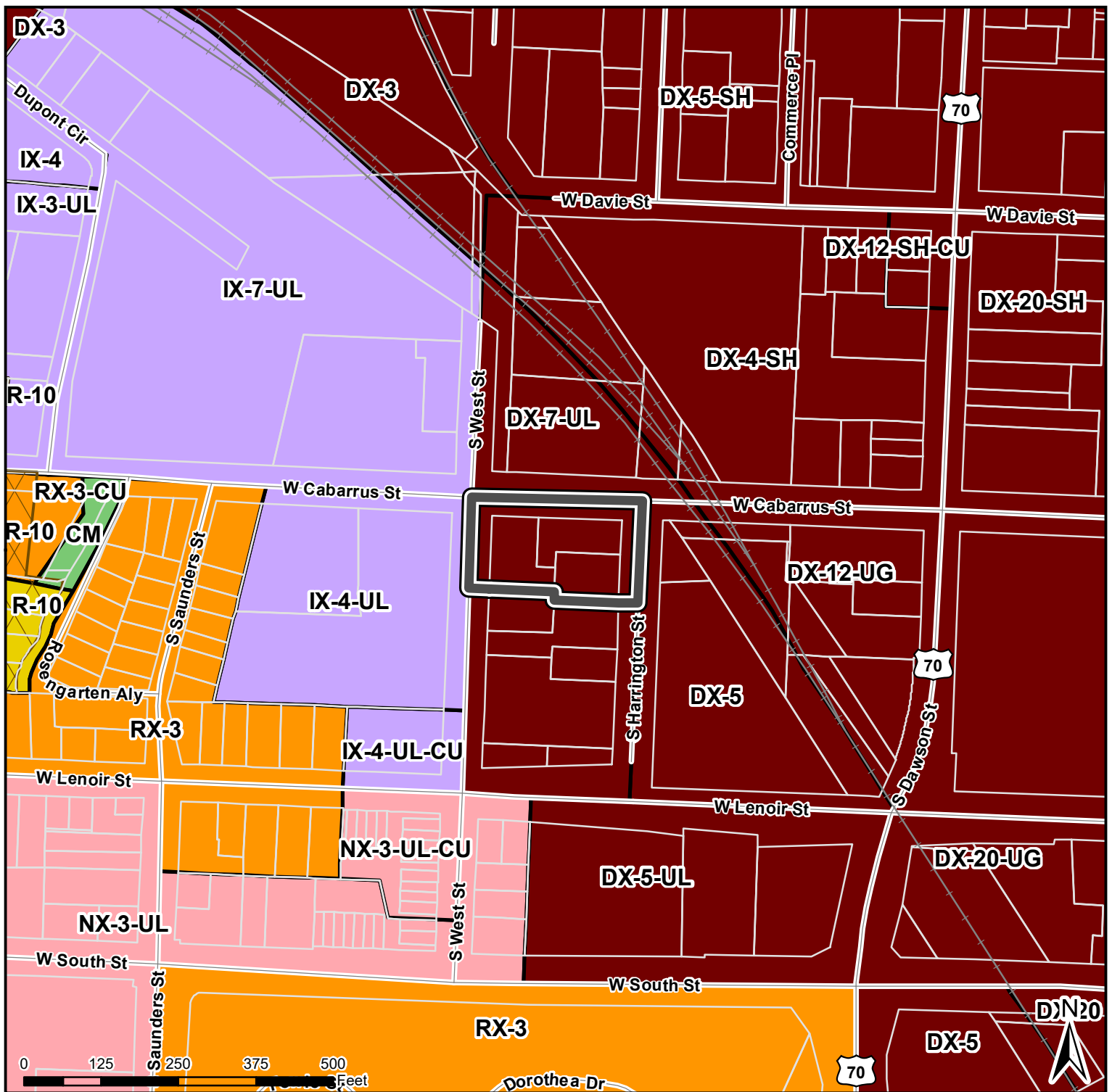
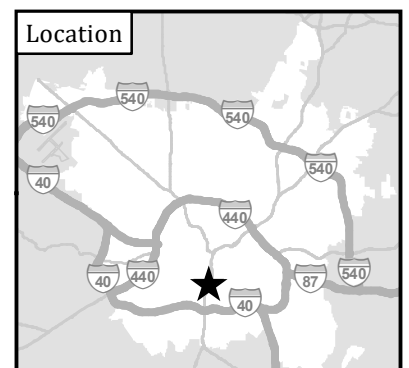


Existing Zoning

Z-8-2019



Property	505 S West St, 401 W Cabarrus St, & 510 S Harrington St
Size	0.61 acres
Existing Zoning	DX-5-UL
Requested Zoning	DX-12-UL-CU





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Ken Bowers AICP, Director
Ira Mabel AICP, Planner II

COPY: City Clerk

DEPARTMENT: City Planning

DATE: June 17, 2019

SUBJECT: City Council agenda item for July 2, 2019 –
Rezoning Public Hearing Z-8-19

On May 7, 2019, City Council authorized the public hearing for the following item:

Z-8-19 Cabarrus Street, West Street & Harrington Street, approximately 0.61 acres on the south side of Cabarrus Street, approximately two blocks directly west of Red Hat Amphitheater, at 401 W Cabarrus Street, 505 S West Street, and 510 S Harrington Street.

Current Zoning: Downtown Mixed Use-5 Stories-Urban Limited (DX-5-UL).
Requested Zoning: Downtown Mixed Use-12 Stories-Urban Limited-Conditional Use (DX-12-UL-CU).

Signed zoning conditions provided on May 1, 2019 prohibit a number of uses otherwise allowed in DX districts, and restrict the use of rooftop areas during certain hours.

The request is **consistent** with the 2030 Comprehensive Plan.
The request is **consistent** with the Future Land Use Map.

The Planning Commission recommends approval of the request (6-1).
The Northwest CAC voted in favor of the case on March 8, 2019 (17-9).

Attached are the Planning Commission Certified Recommendation (including Staff Report and Traffic Study Worksheet), 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# 11904

CASE INFORMATION: Z-8-19 CABARRUS STREET, WEST STREET & HARRINGTON STREET

Location	On the south side of Cabarrus Street, approximately two blocks directly west of Red Hat Amphitheater Address: 401 W Cabarrus Street, 505 S West Street, and 510 S Harrington Street PINs: 1703560984, 1703560817, 1703561827 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-5-UL
Requested Zoning	DX-12-UL-CU
Area of Request	0.61 acres
Corporate Limits	The subject site is within and entirely surrounded on all sides by the corporate limits of the city.
Property Owner	Urban Ministries of Wake County Fairweather Properties LLC Community Alternatives for Supportive Abodes Corp (CASA)
Applicant	Molly Stuart Morningstar Law Group
Citizens Advisory Council (CAC)	Central CAC Brad Johnson, bradamj@gmail.com
PC Recommendation Deadline	July 8, 2019

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).
2. No food or beverage service shall be provided, nor amplified music permitted, in any outdoor, rooftop non-residential areas between the hours of midnight and 6:00 a.m.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown
Consistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 2.2—Compact Development Policy LU 4.7—Capitalizing on Transit Access Policy LU 4.8—Station Area Land Uses Policy LU 5.1—Reinforcing the Urban Pattern Policy LU 5.4—Density Transitions Policy LU 5.5—Transitional and Buffer Zone Districts Policy UD 1.10—Frontage Policy UD 2.3—Activating the Street Policy UD 6.1—Encouraging Pedestrian-Oriented Uses Policy UD 7.3—Design Guidelines Policy DT 1.1—Downtown Future Land Use Map Policy DT 1.3—Underutilized Sites in Downtown Policy DT 1.12—Downtown Edges Policy DT 1.15—High Density Development Policy DT 3.3—Encouraging Pedestrian-Scale Design Policy AP-DWG 1—Zoning Consistency Policy AP-DWG 13—Development Intensity Policy AP-DWG 14—Convention Center Service Uses
Inconsistent Policies	N/A

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

Neighborhood Meeting	CAC	Planning Commission	City Council
1/14/2019 8 attendees	3/4/2019 3/8/2019: 17 (Y) – 9 (N)	4/9/19 4/23/19	5/7/19

PLANNING COMMISSION RECOMMENDATION

- ☒ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

Reasonableness and Public Interest	The request is reasonable and in the public interest because it was supported by the CAC and will provide more opportunities for hotel and housing options in downtown.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: Jeffreys; Second: Novak In Favor: Hicks, Jeffreys, Mann, McIntosh, Novak, Swink Opposed: Geary
Reason for Opposed Vote(s)	No condition requiring affordable housing was included.

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Comprehensive Plan Amendment Analysis

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.

Planning Director 4/23/19

Planning Commission Chair 4/23/19

Staff Coordinator: Ira Mabel: (919) 996-2652; Ira.Mabel@raleighnc.gov



ZONING STAFF REPORT – CASE Z-8-19

Conditional Use District

OVERVIEW

The request is to rezone approximately 0.61 acres from Downtown Mixed Use–5 Stories–Urban Limited (DX-5-UL) to Downtown Mixed Use–12 Stories–Conditional Use–Urban Limited (DX-12-UL-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in DX districts, and restrict the use of rooftop areas during certain hours.

The subject site consists of three parcels that account for the entire block width of Cabarrus Street between Harrington and West Streets, and about one-third of the entire block area. There are currently three buildings on the site—two single-story warehouses and one two-story office building—along with surface parking.

To the north of the site is the former passenger train terminal. To the east is a Progress Energy electrical substation. To the south on the remainder of the block are two other single-story general commercial buildings along with The Fairweather, a mixed-use building containing 1,800 square feet of retail space and 45 condominium units that is currently under construction (SR-90-16). To the west is more single-story general commercial development with surface parking.

Just east of the site on Cabarrus Street is an at-grade crossing of a freight and passenger rail line serving Raleigh Union Station; there is currently no on-street pedestrian access from the rezoning site directly to Raleigh Union Station. Harrington Street does not connect at-grade to Lenoir Street at its southern end; the sidewalks are connected via a staircase.

Other nearby uses in the area are varied. East of the rail line marks a higher intensity of downtown activity, with primarily commercial uses and large civic spaces such as Red Hat Amphitheater and the Raleigh Convention Center. There are multiple commercial uses on the western side of the rail line, however these quickly transition to multi-family development and small-scale neighborhood-serving commercial uses, and ultimately to the Boylan Heights neighborhood.

The subject site is designated as Central Business District on the Future Land Use Map, as is the remainder of the block. The site is at the westernmost boundary of that land use category, with the power facility to the east and a new self-service storage facility to the south across Lenoir Street also Central Business District. The former train station to the north across Cabarrus Street is Community Mixed Use, as is the commercial building to the west across West Street. This combination of future land use designations is fitting for the area's function as a transitional zone between downtown and more residential neighborhoods.

The site, and all adjacent parcels, are located within the Downtown Center on the Urban Form Map. This classification suggests an urban frontage approach, which is included in the request. Most mixed-use zoning districts nearby also include an urban frontage.

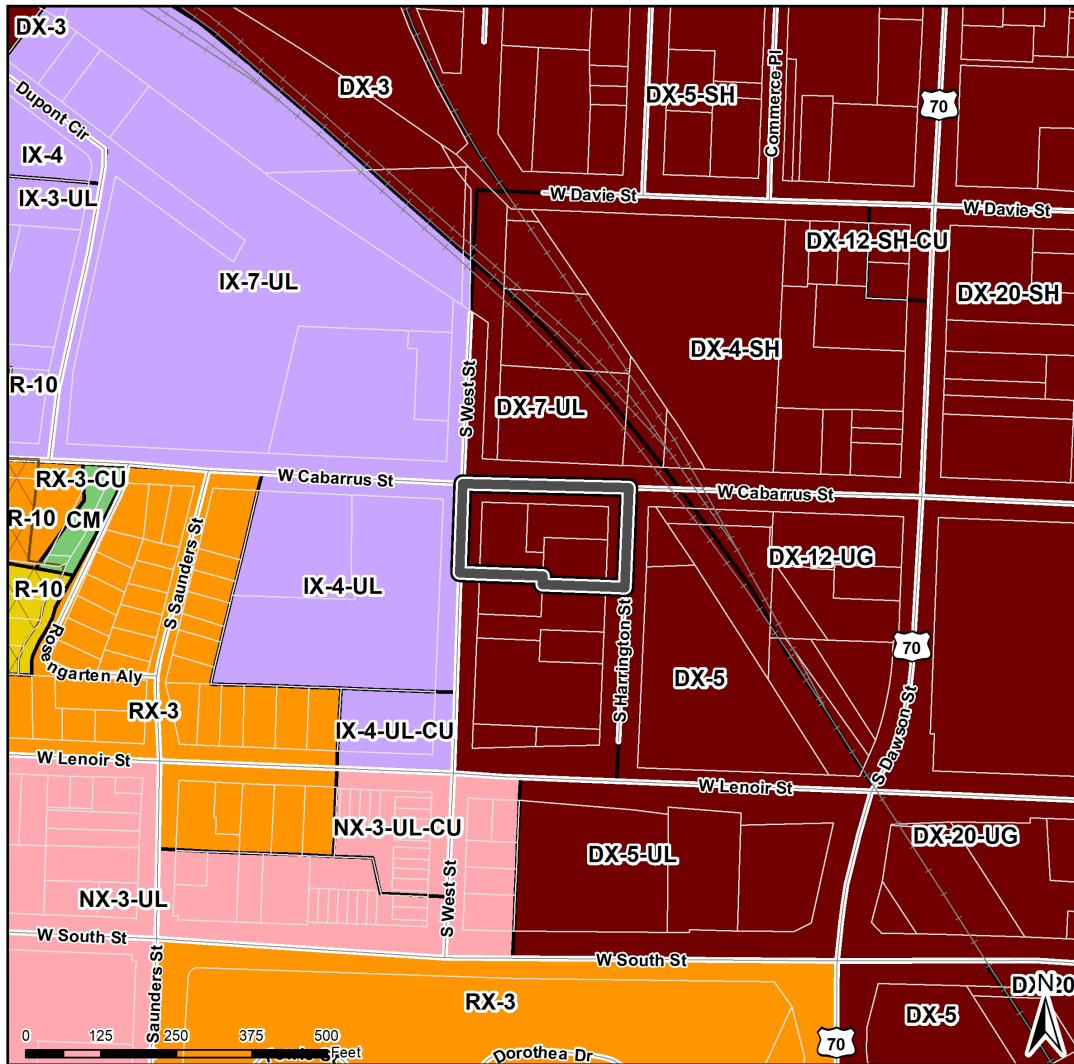
The site is within the boundaries of the Convention Center District of the Downtown West Gateway Area Plan. The relevant policies for that area have to do with development scale and mix of uses.

OUTSTANDING ISSUES

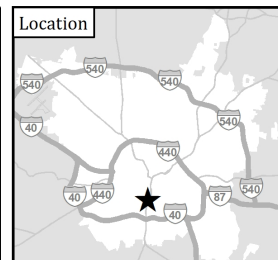
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
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Existing Zoning

Z-8-2019



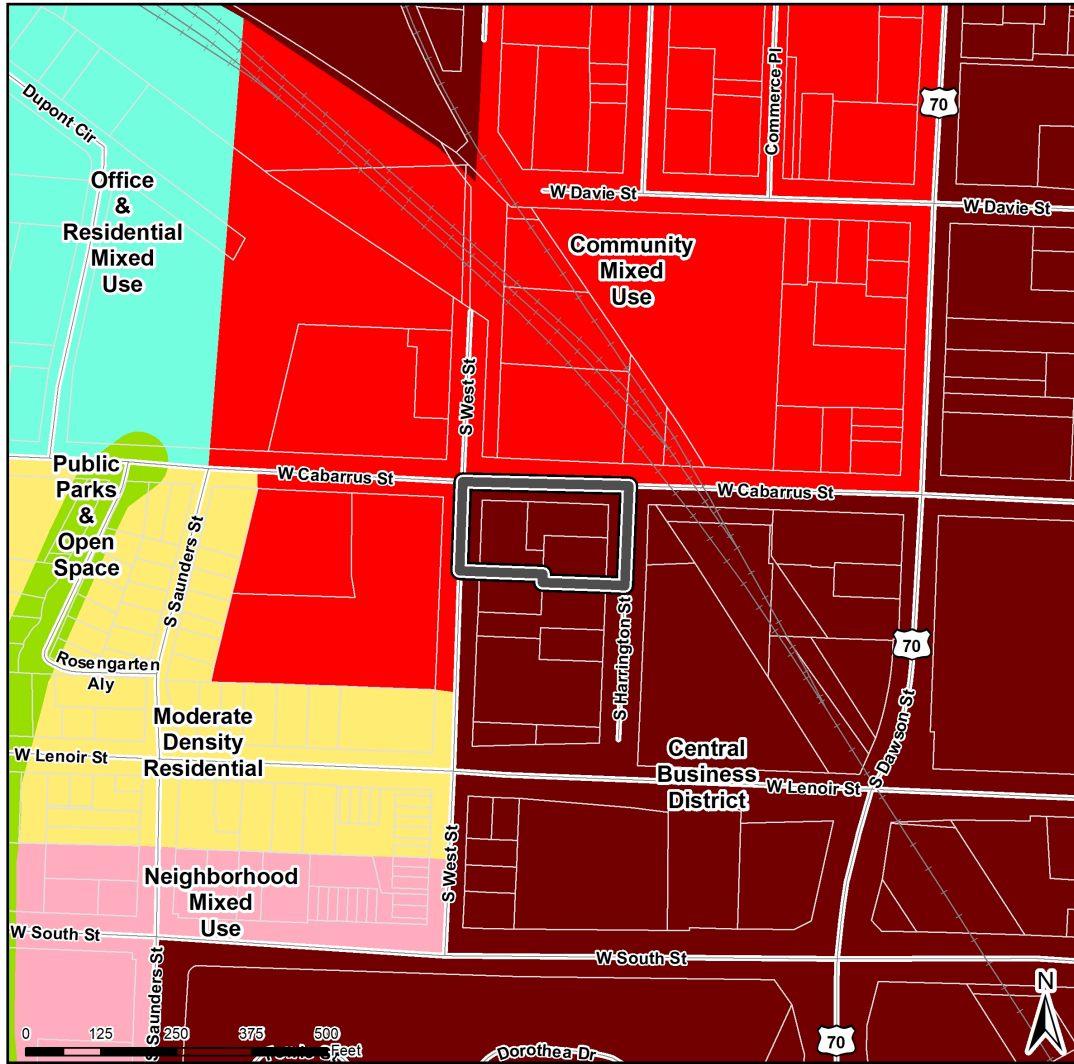
Property	505 S West St, 401 W Cabarrus St, & 510 S Harrington St
Size	0.61 acres
Existing Zoning	DX-5-UL
Requested Zoning	DX-12-UL-CU



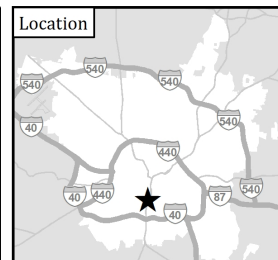
Map by Raleigh Department of City Planning (reckhowh): 2/25/2019

Future Land Use

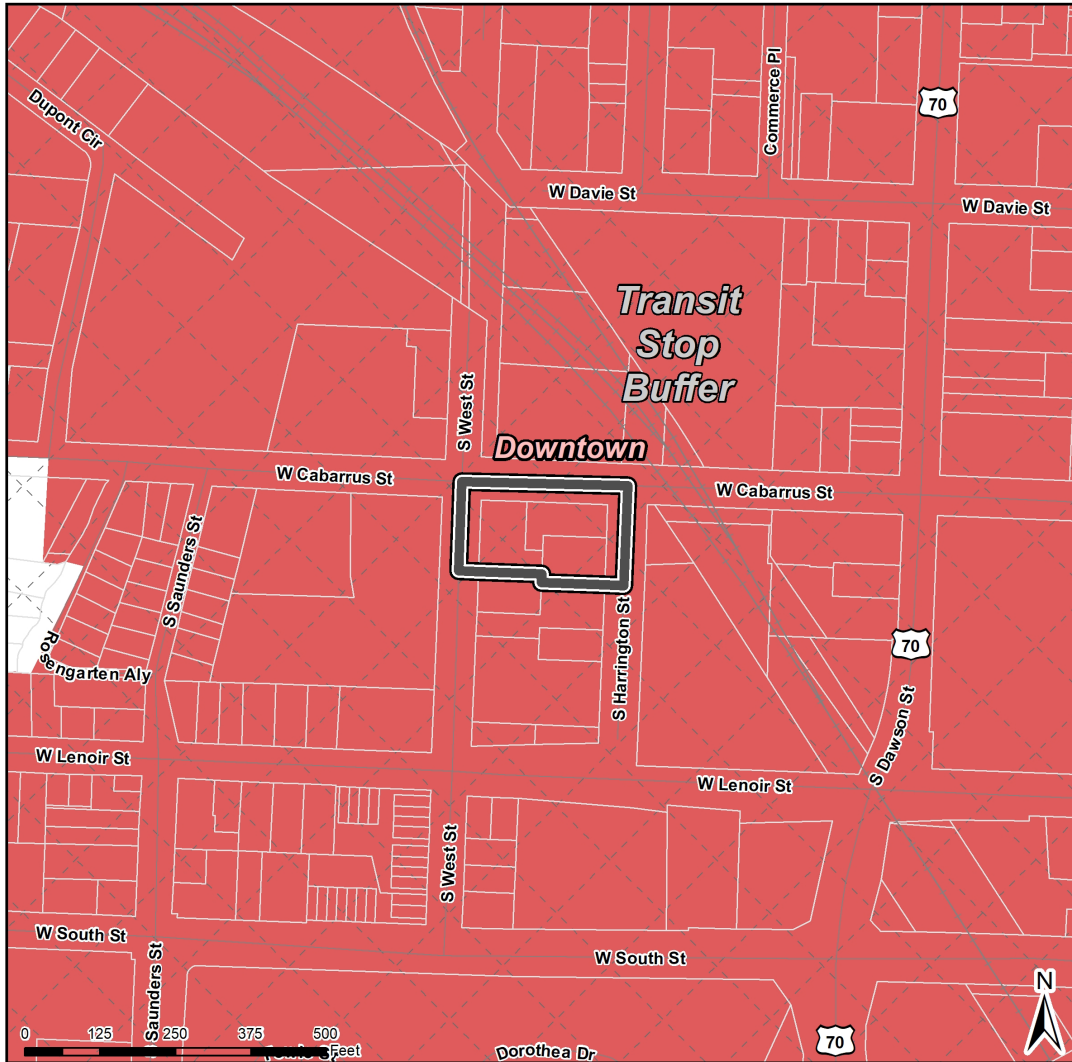
Z-8-2019



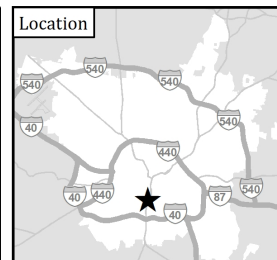
Property	505 S West St, 401 W Cabarrus St, & 510 S Harrington St
Size	0.61 acres
Existing Zoning	DX-5-UL
Requested Zoning	DX-12-UL-CU



Map by Raleigh Department of City Planning (reckhowh): 2/25/2019



Property	505 S West St, 401 W Cabarrus St, & 510 S Harrington St
Size	0.61 acres
Existing Zoning	DX-5-UL
Requested Zoning	DX-12-UL-CU



Map by Raleigh Department of City Planning (reckhowh): 2/25/2019

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?

The request is consistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Managing Our Growth** vision theme. This theme encourages integrated land uses; providing desirable spaces and places to live, work, and play; and development in areas where infrastructure is already in place. An increase in vertical mixed-use development within downtown, which has the highest concentration of employment and transit options available in the city, fulfills these goals.

The request is consistent with the **Coordinating Land Use and Transportation** vision theme. This theme envisions higher density residential and mixed-use development to support new local and regional public transit services. The subject site is approximately 0.5 miles from Raleigh Union Station and the future RUS Bus facility, and 0.6 miles from GoRaleigh Station at Moore Square.

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

Yes. The subject site is classified as Central Business District on the Future Land Use Map, which recommends the Downtown Mixed Use zoning district.

- 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?

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

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

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

☐ **Inconsistent**

The request is for Downtown Mixed Use zoning. The subject site is classified as Central Business District on the Future Land Use Map, which recommends the Downtown Mixed Use zoning district.

Urban Form

Urban Form designation: Downtown

The rezoning request is

☒ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

☐ **Other**

Overview: The site is located within the Downtown Center, which suggests an urban frontage. The request includes an Urban Limited (UL) frontage, which is one of the urban frontage options.

Impact: The Urban Limited frontage is intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk, but to balance the needs of both the pedestrian and automobile lower street wall continuity is required.

The primary street build-to in UL is 0 – 20 feet, with a minimum of 50% of the building width being within that range. Street-facing entrances are required every 75 feet.

Compatibility: The Urban Limited designation is compatible with neighboring properties and the general context of the area. Most of the mixed-use zoning districts on the western side of the rail line also have a UL frontage designation.

Compatibility

The proposed rezoning is

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The request is compatible with the property and the surrounding area and can be established without adversely impacting neighboring properties. Nearby zoning districts abutting the site include DX-5, DX-7, IX-4, and IX-7, with general building types existing currently. New multi-family construction is occurring nearby on either side of Lenoir Street, including a 5-story mixed-use building on the same block as the rezoning site. The density and building types permitted in DX districts are not out of character with the area. The request also includes a condition which prohibits some of the uses allowed in DX districts that are the least compatible with downtown residential areas.

Public Benefits of the Proposed Rezoning

- The request would allow increased land use intensity in the urban core of Raleigh with extremely high access to transit and employment options.

Detriments of the Proposed Rezoning

- No significant detriments of the rezoning have been identified.

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.

Policy DT 1.1—Downtown Future Land Use Map

The Future Land Use Map should guide public and private land use development decisions to ensure the efficient and predictable use of land and effectively coordinate land use with infrastructure needs.

- The request is consistent with the Future Land Use Map designation of Central Business District, which envisions a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses.

Policy LU 2.2—Compact Development

New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

- The request will allow permit higher intensity development in the city's downtown with significant entitlement for office, residential, and retail use. This site has particularly good access to the transit facilities and cultural amenities unique to downtown, making increased entitlement here efficient for both the provision of public services and the operation of the transportation network.

Policy LU 4.7—Capitalizing on Transit Access

Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure.

Policy LU 4.8—Station Area Land Uses

Complementary mixed-uses, including multifamily residential, offices, retail, civic, and entertainment uses, should be located within transit station areas.

- These policies reference the fixed guideway transit stations from an earlier regional transportation model that predates the Wake County Transit Plan, and are therefore no longer relevant precisely as written. However, the rezoning site is within 0.5 miles from Raleigh Union Station and the future RUS Bus facility, and 0.6 miles from GoRaleigh Station at Moore Square. The DX zoning district allows a development intensity appropriate for an area with such strong access to transit centers.

Policy LU 5.1—Reinforcing the Urban Pattern

New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

Policy UD 7.3—Design Guidelines

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 the Pedestrian Business or Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

- The proposed Urban Limited frontage is an urban frontage that is consistent with the Urban Design Guidelines. The relation of the building to the street in the UL frontage conforms to Urban Design Guidelines 6, 7, 8, 23, and 24. The required build-to on both streets will ensure a defined urban space that provides interest to pedestrians and has a primary entrance on the primary public street. The transparency requirement of the DX district conforms with guideline 25. The proximity to Raleigh Union Station satisfies guideline 17.

Policy LU 5.4—Density Transitions

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

Policy LU 5.5—Transitional and Buffer Zone Districts

Maintain and enhance zoning districts which serve as transitional or buffer areas between residential and commercial districts and which also may contain institutional, non-profit, and office-type uses. Zoning regulations and conditions for these areas should ensure that development achieves appropriate height and density transitions, and protects neighborhood character.

Policy DT 1.12—Downtown Edges

Appropriate transitions in height, scale, and design should be provided between Central Business District land uses and adjacent residential districts.

- Much of the density and height guidance in the Downtown West Gateway Area Plan is designed to create transitions between downtown (usually entitled for 12 to 20 stories) and residential neighborhoods (primarily envisioned for 14 units/acre and less in the area plan). The request of 12 stories at this location would create a reasonable transition between the building heights of downtown and the 4 to 7 story height recommended in the Area Plan directly west of the site.

Policy UD 1.10—Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

- A Downtown Center urban form designation suggests an urban frontage option, which was included with this request via Urban Limited. All of the frontage designations in the nearby area west of the rail line are also UL, including directly north, northwest, and west of the site.

Policy UD 2.3—Activating the Street

New retail and mixed-use centers should activate the pedestrian environment of the street frontage in addition to internal pedestrian networks and connections, particularly along designated Main Street corridors.

Policy UD 6.1—Encouraging Pedestrian-Oriented Uses

New development, streetscape, and building improvements in Downtown, Main Streets, and TOD areas should promote high intensity, pedestrian-oriented use and discourage automobile-oriented uses and drive-through uses.

Policy DT 3.3—Encouraging Pedestrian-Scale Design

All new development within the Downtown District but not on either a Primary or Secondary Retail Street should integrate architectural elements that connect to the public right-of-way. Examples of such architectural elements include but are not limited to: inclusion of windows at the sidewalk level, multiple building entrances adjacent to public right-of-way, pedestrian scale building materials with a high level of detail, lighting along the sidewalks, and awnings.

- The Urban Limited frontage will require that future development have an activated and pedestrian oriented streetscape. This frontage also supports walkability by requiring pedestrian entrances and transparency, as well as by restricting the location of parking.

Policy DT 1.3—Underutilized Sites in Downtown

Encourage the redevelopment of underutilized sites in downtown, included but not limited to vacant sites, surface parking lots, and brownfield sites.

Policy DT 1.15—High Density Development

Highest density development should occur along the axial streets (Hillsborough Street, Fayetteville Street and New Bern Avenue), major streets (as identified by the Street plan), surrounding the squares, and within close proximity to planned transit stations.

- Approximately 30% of the rezoning site currently contains surface parking; the site is within 0.5 miles from Raleigh Union Station and the future RUS Bus facility. Located on one of only three streets that provide east-west connectivity between downtown and Boylan Heights, and at the southern end of a planned West Street extension, the site is an important gateway into Downtown Raleigh. The rezoning request for 12-story mixed-use zoning in this location will potentially bring a prominent development with substantial amounts of residential, office, and/or retail space to this critical downtown gateway area.

Area Plan Policy Guidance

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

Policy AP-DWG 1—Zoning Consistency

Map AP-DWG-1 shall be used alongside the Future Land Use Map to evaluate the consistency of all proposed zoning maps amendments within the Downtown West Gateway plan boundaries. Where there is a conflict regarding preferred densities, the guidance in this Area Plan shall control.

Policy AP-DWG 13—Development Intensity

Encourage higher intensity development along Dawson Street with a reduction in scale and intensity along S. West Street as a transition to the Saunders North Redevelopment Area.

Policy AP-DWG 14—Convention Center Service Uses

Mixed use development with an emphasis on hotel and service retail to support the Convention Center is encouraged along with office, residential and structured parking.

- The site is within the boundaries of the Convention Center District of the Downtown West Gateway Area Plan. Map AP-DWG-1 describes that area as “High Density Mixed Use: residential, office, retail, hotel, parking deck. 4 Story / 30 units/acre minimum.” The rezoning request complies with both the use and intensity guidance of the area plan.

IMPACT ANALYSIS

Historic Resources

1. 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 Lenoir St. Mini Park (0.2 miles) and Nash Square Park (0.3 miles).
3. Nearest existing greenway trail access if provided by Martin St. Connector Greenway Trail (0.5 miles).
4. Park access level of service in this area is graded an A letter grade.
5. This area is not considered a high priority for park land acquisition.
6. Please note the Council-adopted City of Raleigh Dog Park Study Report indicates a deficit in public access to dog parks in downtown Raleigh. See especially Downtown Recommendation #4: "Proactively seek out partnership opportunities to develop a publicly accessible dog park. This solution may require consideration of cost-share arrangements, leasing of privately-owned land, or agreements to provide maintenance, indemnification, and other contributions toward the creation of a public-private dog park facility" (pages 62-69). Please contact PRCR staff to discuss any potential interest in supporting this policy recommendation in the context of this proposed development.

Impact Identified: None.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	12,529 gpd	5,543 gpd	26,458 gpd
Waste Water	12,529 gpd	5,543 gpd	26,458 gpd

1. The proposed rezoning would add approximately 13,929 gpd to the wastewater collection and water distribution systems of the City.
2. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
3. 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.
4. 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.

Impact Identified: None.

Stormwater

Floodplain	N/A
Drainage Basin	Rocky
Stormwater Management	UDO 9.2
Overlay District	N/A

1. Lot subject to UDO 9.2.2 for Stormwater Management.

Impact Identified: No downstream structural flooding cases identified.

Transit

1. The site is located within a growing transit hub with proximity to rail and bus service via Raleigh Union Station. Intercity passenger train service is provided by Amtrak. The Wake Transit Plan includes proposed commuter rail as well.
2. The site is best served by GoRaleigh Route 11, which stops on both Lenoir and South Streets at West Street every 30 minutes during peak hours. These stops are approximately 350 and 700 feet from the site. The GoRaleigh Route 7, which has service every 15 minutes all day, operates on Dawson and McDowell Streets nearby.

Impact Identified: None.

Transportation

1. **Location:** The Z-8-2018 site is located in the Warehouse District in Downtown Raleigh, south of the North Carolina Railroad (NCRR) and near the Boylan Heights neighborhood.
2. **Area Plans:** The Z-8-19 site is located in the Downtown West Gateway Area Plan. Policy AP-DWG 3 of this Area Plan calls for “Transportation Network Connectivity.” It suggests additional street, pedestrian, greenway, bicycle, and transit connections. Policy AP-DWG 5 calls for “broader pedestrian systems.” The plan specifically details the area surrounding the recently constructed Raleigh Union Station and the future Raleigh Union Bus Station, which are providing city and regional services. The plan suggests that this area should develop as a transit hub and downtown destination. The Plan also comments on Streetscape Design in Policy AP-DWG 12, in which it indicates that streetscape improvements such as curbing, landscaping, and lighting should be sensitive to the history of the district.
3. **Existing and Planned Streets:** W Cabarrus Street and S West Street are designated as Main Streets with Parallel Parking in the Raleigh Street Plan. They are both maintained by the City of Raleigh.

S Harrington Street is also maintained by the City of Raleigh. It does not connect to W Lenoir Street due to the differences in grade. There is a pedestrian connection with stairs.

S West Street currently extends to W Cabarrus Street, south of the NCRR Tracks. It is planned to be connected under the tracks to the northern portion of S West Street as a Main Street with Parallel Parking. This project is budgeted in the City’s Capital Improvement Program (CIP) as the “West Street Extension – South. The West Street Extension project may also include closing of the existing West Cabarrus Street grade crossing of the NCRR.

In accordance with UDO section 8.3.2, the maximum block perimeter for DX- zoning districts is 2,000-feet. The existing block perimeter for Z-8-19, with the pedestrian connection between S Harrington and W Lenoir is approximately 1,200-feet.

4. **Pedestrian Facilities:** There are existing sidewalks on all sides of the Z-8-19 parcel. There have been no pedestrian crashes near the subject site in the last 5 years. There is an existing gap in the Cabarrus Street sidewalk where it crosses the NCRR, east of the site.
5. **Bicycle Facilities:** There are bike sharrows marked on W Cabarrus Street in both directions along the site frontage. The Long-Term Bikeway Plan calls for a Main Street Bikeway facility on both Cabarrus and Lenoir for the site frontage. It calls for a separated bikeway facility on West. A Bikeshare station is currently operating at the corner of South Saunders Street and West South Street (approximately 1000 feet from the site); another Bikeshare station is planned for Raleigh Union Station. When the West Street Extension is complete, this station will be approximately 950 feet from the site.

There was a bicycle crash at the intersection of W Cabarrus Street and S Harrington Street in 2016.

6. **Access:** Access to the subject site will be via any of the surrounding streets.
7. **TIA Determination:** Approval of case Z-8-19 may increase trip generation by 154 vehicles in the PM peak hour and 48 vehicles in the AM peak hour. Trips generated may increase by 1,406 vehicles per day. The increase in PM peak hour trip generation may typically trigger the requirement for a TIA (greater than 100 peak hour trips on a 2-lane street). However, UDO Section 8.2.2.F indicates that a site plan may be approved where trip generation or traffic analysis demonstrate degradation of intersection level of service in Downtown Districts (DX-). As such and given the multimodal connectivity of this site location, the TIA requirement is waived for case Z-8-19.

There were two (2) fatal or disabling crashes at the intersection of West Lenoir Street and South Dawson Street in the last 3 years. It is not anticipated that the added trip generation potential for this development will impact the crash severity of that intersection. There are no other site context triggers that are applicable to this case.

Impact Identified: None.

Urban Forestry

1. This rezoning case does not have an impact on Urban Forestry.

Impact Identified: None.

Impacts Summary

No significant impacts have been identified.

Mitigation of Impacts

No mitigation of impacts is necessary.

CONCLUSION

This request is to rezone approximately 0.61 acres from Downtown Mixed Use–5 Stories–Urban Limited (DX-5-UL) to Downtown Mixed Use–12 Stories–Conditional Use–Urban Limited (DX-12-UL-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in DX districts, and restrict the hours of operation for rooftop areas.

The request is **consistent** with the Future Land Use Map and **consistent** with Comprehensive Plan overall.

The request is **consistent** with Comprehensive Plan policies regarding compact growth, land uses near transit, density transitions, and urban design. The request is **consistent** with relevant policies in the Downtown West Gateway Area Plan.

The request would support the Vision Themes of *Managing our Growth*, and *Coordinating Land Use and Transportation*. Development under the proposal is unlikely to adversely affect the community.

CASE TIMELINE

Date	Action	Notes
2/5/19	Submitted application	
4/1/19	Central CAC vote	17 – 9 in favor
4/9/19	Planning Commission review	Applicant requested deferral
4/9/19	Submitted revised conditions	
4/23/19	Planning Commission review	
5/7/19	City Council first appearance	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-5-UL	DX-7-UL	DX-5-UL	DX-5	IX-4-UL
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Central Business District	Community Mixed Use	Central Business District	Central Business District	Community Mixed Use
Current Land Use	Commercial warehouse / office	Former train station	Office; Mixed-use	Electrical substation	Commercial warehouse
Urban Form	Downtown	Downtown	Downtown	Downtown	Downtown

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	DX-5-UL	DX-12-UL-CU
Total Acreage	0.61	0.61
Setbacks:	(mixed use building)	(mixed use building)
Front	0' - 20' build-to	0' - 20' build-to
Side Street	0' - 20' build-to	0' - 20' build-to
Rear	0' or 6'	0' or 6'
Residential Density:	116	210
Max. # of Residential Units	71	128
Max. Gross Building SF	91,288	165,098
Max. Gross Office SF	80,918	148,537
Max. Gross Retail SF	80,918	148,804
Max. Gross Industrial* SF	112,805	215,688
Potential F.A.R	3.44	6.32

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

* Permitted uses are limited to Light Manufacturing and Research & Development

Z-8-19 Trips Generated

Z-8-19 Existing Land Use Industrial Uses	Daily Trips (vpd) 126	AM Peak Hour Trips (vph) 18	PM Peak Hour Trips (vph) 16
Z-8-19 Current Zoning Entitlements Downtown Mixed Use	Daily Trips (vpd) 1,676	AM Peak Hour Trips (vph) 101	PM Peak Hour Trips (vph) 183
Z-8-19 Proposed Zoning Maximums Downtown Mixed Use	Daily Trips (vpd) 3,083	AM Peak Hour Trips (vph) 150	PM Peak Hour Trips (vph) 337
Z-8-19 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily Trips (vpd) 1,406	AM Peak Hour Trips (vph) 48	PM Peak Hour Trips (vph) 154
AM Peak Hour Peak Direction Trips (vph) 58	Percent of AM Trips in Peak Direction 120%	PM Peak Direction Trips (vph) 80	Percent of PM Trips in Peak Direction 52%

Z-8-19 Traffic Study Worksheet

7.1.3.B	Trip Generation	Meets Conditions? (Y/N)	
A	Peak Hour Trips ≥ 150 veh/hr	Yes	
B	Peak Hour Trips ≥ 100 veh/hr if primary access is on a 2-lane street	Yes	The expected increase in PM peak hour trips is 154 vph
C	More than 100 veh/hr trips in the peak direction	No	
D	Daily Trips ≥ 3,000 veh/day	No	
E	Enrollment increases at public or private schools	NA	Not Applicable
7.1.3.C	Site Context	Meets Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index ≥ 8.4 or a fatal crash within the past three years]	Yes	There were 2 fatal or disabling crashes at the intersection of W Lenoir and S Dawson in the past 3 years
B	Takes place at a highly congested location [Volume-to-capacity ratio ≥ 1.0 on both major street approaches]	No	
C	Creates a fourth leg at an existing signalized intersection	No	
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No	
E	Access is to/from a Major Street as defined by the City's Street Plan Map [Major street - boulevard or avenue with 4 or more lanes]	No	
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	No	
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	No	
7.1.3.D	Miscellaneous Applications	Meets Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	No	None noted as of March 13, 2019

Traffic Study Required: **No**

Reason: Although this rezoning may increase trip generation, exceeding the trigger for requiring a TIA, developments are exempt from providing mitigations for traffic impacts in the DX- district. Thus, the TIA requirement is waived.

Completed By: TH
Date: 3/13/2019

Checked By: JSM
Date: 3/19/2019

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 Transaction # 579997 Rezoning Case # E-819	
Existing Zoning Base District	DX	Height 5		Frontage UL
Overlay(s)	None			
Proposed Zoning Base District	DX	Height 12		Frontage UL
Overlay(s)			None	
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:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
579997				

GENERAL INFORMATION			
Date February 5, 2019		Date Amended (1)	Date Amended (2)
Property Address 505 S. West Street, 401 W. Cabarrus Street, and 510 S. Harrington Street			
Property PIN 1703-56-0817, 1703-56-0984, and 1703-56-1827		Deed Reference (book/page) 9539/103; 13662/2058; 8274/2130	
Nearest Intersection West Cabarrus Street and South Harrington Street			
Property Size (acres) 0.61	(For PD Applications Only) Total Units		Total Square Feet
Property Owner/Address See Schedule 1		Phone	Fax
		Email	
Project Contact Person/Address Molly M. Stuart Morningstar Law Group 421 Fayetteville Street, Suite 530 Raleigh, NC 27601		Phone 919.890.3318	Fax 919.882.8890
		Email mstuart@morningstarlawgroup.com	
Owner/Agent Signature		Email mstuart@morningstarlawgroup.com	

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 Transaction # Rezoning Case #
Date Submitted		
Existing Zoning DX-5-UL	Proposed Zoning DX-12-UL	
Narrative of Zoning Conditions Offered		
<p>The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop; 1. detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).</p>		
<p>2. No food or beverage service shall be provided, nor amplified music permitted, in any outdoor, rooftop non-residential areas between the hours of midnight and 6:00 a.m.</p>		
3.		
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These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature _____ Print Name _____

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number

OFFICE USE ONLY

Date Submitted

Transaction #

Existing Zoning DX-5-UL

Proposed Zoning DX-12-UL

Rezoning Case #

Narrative of Zoning Conditions Offered

The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop;
1. detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).

2. No food or beverage service shall be provided, nor amplified music permitted, in any outdoor, rooftop non-residential areas between the hours of midnight and 6:00 a.m.

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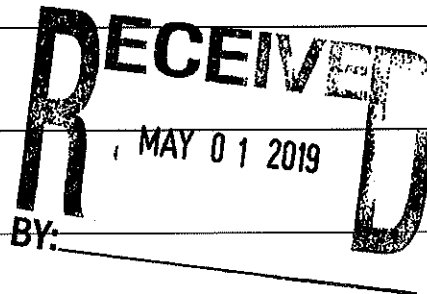
RECEIVED
MAY 01 2019
BY: _____

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature

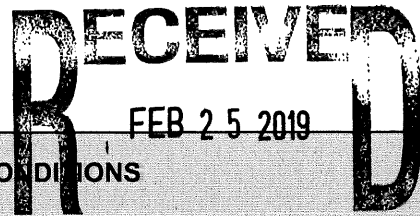
Print Name

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number	OFFICE USE ONLY Transaction # Rezoning Case #	
Date Submitted		
Existing Zoning DX-5-UL Proposed Zoning DX-12-UL		
Narrative of Zoning Conditions Offered		
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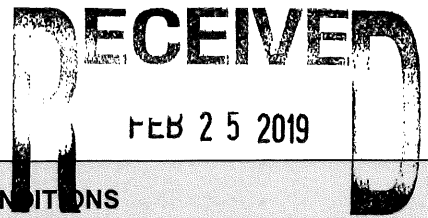
Owner/Agent Signature Mary Jean Seyda Print Name Mary Jean Seyda, CEO



CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number	BY: _____	OFFICE USE ONLY Transaction # 579997 Rezoning Case # Z-8-19
Date Submitted		
Existing Zoning DX-5-UL	Proposed Zoning DX-12-UL	
Narrative of Zoning Conditions Offered		
The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop; 1. detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).		
2. No outdoor, rooftop common areas or places of public accommodation shall be open for use between the hours of midnight and 6:00 a.m.		
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These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature William Stanley Taylor Print Name William Stanley Taylor

**CONDITIONAL USE DISTRICT ZONING CONDITIONS****BY:**

Zoning Case Number

OFFICE USE ONLY

Transaction #

879997

Rezoning Case #

Z-8-19

Date Submitted

Existing Zoning DX-5-UL

Proposed Zoning **DX-12-UL****Narrative of Zoning Conditions Offered**

The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop; 1. detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).

2. No outdoor, rooftop common areas or places of public accommodation shall be open for use between the hours of midnight and 6:00 a.m.

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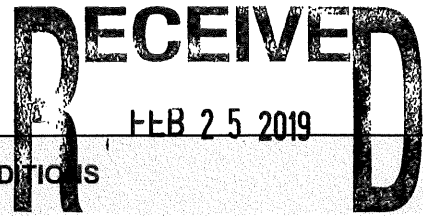
These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature

Print Name

Mary Jean Seyda, CEO

CASA



CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		BY: _____
Date Submitted		OFFICE USE ONLY
Existing Zoning DX-5-UL		Transaction # 579997
Proposed Zoning DX-12-UL		Rezoning Case # Z-8-19
Narrative of Zoning Conditions Offered		
The following uses shall be prohibited on the property: Dormitory, fraternity, sorority; outdoor sports or entertainment facility; pawnshop; 1. detention center, jail, prison; self-service storage; vehicle repair; college, community college, university; school, public or private (K-12).		
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These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature

Print Name

Jeanne Fairweather

Schedule 1

Property Owners

1. Parcel Identification Number: 1703-56-1827
COMMUNITY ALTERNATIVES FOR SUPPORTIVE ABODES CORP
PO BOX 12545
RALEIGH NC 27605-2545
Phone: 919.307.3434
Email: mjseyda@casanc.org

2. Parcel Identification Number: 1703-56-0984
URBAN MINISTRIES OF WAKE COUNTY INC
1390 CAPITAL BLVD
RALEIGH NC 27603-1118
Phone: 919.836.1642
Email: info@urbanmin.org

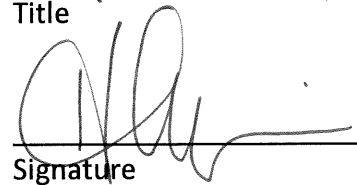
3. Parcel Identification Number: 1703-56-0817
FAIRWEATHER PROPERTIES LLC
514 S HARRINGTON ST
RALEIGH NC 27601-2108
Phone:
Email: jeanef@att.net

The Executive Committee of Urban Ministries of Wake County, with the authority vested by Article VIII, Section I of the By Laws of the Organization, voted unanimously on this date to authorize W. Stan Taylor, Board Chair, to approve the Conditional Use District Zoning Conditions proposed for 401 W. Cabarrus St, Raleigh, NC in the attached proposed zoning document.

Approved this 18th day of February 2019

Hant K. Choi
Printed Name

Interim Secretary
Title


Signature

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p>
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	<p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p align="center">STATEMENT OF CONSISTENCY</p>	
<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 property is located within the Central Business District ("CBD") on the Future Land Use Map. The CBD is intended to enhance Downtown Raleigh as a vibrant, mixed-use urban center. The category recognizes the area's role as the "heart of the city," supporting a mix of high-intensity office, retail, housing, and hotel uses. DX is the appropriate zoning district for the CBD.</p>	
<p>The property is within the Urban Form Map based on its location in Downtown as well as its proximity to Union Station. The proposed urban frontage is consistent with the policies of the Urban Form Map.</p>	
<p>The proposed height of up to 12 stories is consistent with Table LU-2 and not inconsistent with the Downtown West Gateway Area Plan. The property is located in a Core/Transit area (i.e., within a quarter mile of a fixed-guideway transit stops in the Central Business District). Table LU-2 provides that heights at these locations should be a minimum of 3 stories and a maximum of 40 stories, and the Area Plan designates the block as part of the high-density, mixed-use Convention Center District.</p>	
<p>The proposed rezoning supports numerous Comprehensive Plan policies, including policies DT 1.3 (encourage redevelopment of underutilized sites), DT 1.4 (support redevelopment of land adjacent to Union Station with uses that will contribute to the success of Union Station and Downtown), DT 1.6 (supporting retail growth), DT 1.16 (high density development), DT 3.12 (recruiting hospitality uses), DT 7.5 (ground level design) and LU 4.7 (capitalizing on transit access), and DT 2.5 (widen sidewalks to improve pedestrian realm).</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>The proposed rezoning supports downtown retailers by increasing the number of downtown residents, workers, and/or overnight visitors, including by making the property's first floor more attractive to businesses serving the surrounding neighborhood.</p>	
<p>Development within the Urban Limited frontage requirements will expand and improve the pedestrian and cycling experience on all frontages, in particular on the Cabarrus Street connection between Boylan Heights and downtown.</p>	
<p>The increased floor area in close proximity to Raleigh Union Station will both support the success of the new station as well as capitalize on the public investment in nearby multimodal transit access, both existing and proposed.</p>	
<p>The rezoning will position the site to serve its Convention Center District with hospitality uses and potential retail amenities.</p>	

REZONING APPLICATION ADDENDUM #2	
<p align="center">Impact on Historic Resources</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>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p align="center">INVENTORY OF HISTORIC RESOURCES</p> <p>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.</p> <p>None.</p>	
<p align="center">PROPOSED MITIGATION</p> <p>Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.</p> <p>N/A</p>	

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: N/A

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> |

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. Rezoning application review fee (see <u>Fee Schedule</u> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
4. Two sets of stamped envelopes addressed to all property owners within 500 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
6. Neighborhood Meeting notice and report	<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"/>			/
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			/
12. For applications filed by a third party, proof of actual notice to the property owner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	/		
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			/

To: Neighboring Property Owner

From: Harrington Street North, LLC

Date: December 28, 2018

Re: Notice of meeting to discuss potential rezoning of three parcels located south and west of the intersection of Cabarrus Street and Harrington Street, containing approximately 0.61 acres combined, with addresses of 505 S. West Street, 401 W. Cabarrus Street, and 510 S. Harrington Street, and having Wake County Parcel Identification Numbers 1703-56-0817, 1703-56-0984, and 1703-56-1827, respectively (the "Property")

Dear Neighbor,

We are Harrington Street North, LLC the contract purchaser of the above-captioned Property. Currently, the Property is zoned DX-5-UL. We are considering rezoning the Property to a DX-12-UL-CU. The purpose of the rezoning is to permit a 12-story mixed-use building on the Property.

As you may be aware, prior to our filing of a rezoning application, the City of Raleigh requires a neighborhood meeting inviting owners of property within 500 feet of the site. You are invited to attend this meeting to discuss the potential rezoning and ask any questions you may have about the process or our tentative plans. Our goal is to gather comments through your appearance at this neighborhood meeting or, alternatively, through your written comments to the City of Raleigh Planning Director. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed.

We have scheduled this meeting with surrounding property owners for January 14th, from 6:30 p.m. to 7:30 p.m. The meeting will be held at the John P. "Top" Greene Community Center, which is located at 401 Martin Luther King, Jr. Boulevard in Raleigh.

Please do not hesitate to contact us directly should you have any questions or wish to discuss any issues. We can be reached via our counsel at mstuart@morningstarlawgroup.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at 919-996-2682 or rezoning@raleighnc.gov.

We look forward to seeing you on January 14th, 2018.

SUMMARY OF ISSUES

A neighborhood meeting was held on January 14, 2019 (date) to discuss a potential rezoning located at 505 S. West St.; 401 W. Cabarrus St.; 510 S. Harrington St. (property address). The neighborhood meeting was held at John P. "Top" Greene Community Center (location). There were approximately 8 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Concerns about parking and traffic were discussed, with petitioner and attendees in agreement that hotel and residential use are preferred over office use due to both lower, and less peak-hour concentrated, traffic generation and lower parking requirements.

Petitioner estimated that a hotel use would require 3 or 4 levels of parking, while a residential use would likely require 4 levels. There is some possibility a portion of the parking would be below grade, but feasibility isn't yet known.

Petitioner suggested that a mix of residential and hotel use, potentially including small retail uses, is a likely outcome, as financing would be difficult or impossible to obtain for an all-residential condominium building of this size.

Noise concerns were raised related to some nearby nightclubs as well as early morning construction noise. Petitioner is open to some limit on nighttime rooftop use and will follow construction timing ordinance in place.

Attendees discussed an interest in certain retail and professional office uses, including dry cleaning, convenience store, and doctors/dentists. Petitioner requested that the question be raised on the neighborhood email list to get input on desired retail uses.

[illegible]



Pre-Application Conference

Meeting Record

Transaction #: 579997 Meeting Date & Time: 12/14 10 a.m.

Location: One Exchange Plaza

Attendees: Kyle Little, Ira Mabel, Molly Stuart
Don Belk, Jim Schaafsma

Parcels discussed (address and/or PIN): 505 S West St, 401 W Cabarrus St,
510 S. Harrington St

Current Zoning: DX-5-UL

Potential Re-Zoning: DX-12-UL-CU

CAC Chair/Contact Information: Central CAC Marquita.Mbonu@raleighnc.gov 919-996-5710

General Notes: Applicant would like to increase the height
for the zoning from 8 stories to 12. May consider
prohibiting some uses as part of the request. Cabarrus
is a green street as designated on map DT-4. Would
want to consider height of relating properties and how the
building will relate neighbors. Downtown west gateway will
now say a minimum of 4 stories for this area. water

Department & Staff	Notes
Development Services ____Justin Rametta Justin.Rametta@raleighnc.gov 919-996-2665 ____Mike Walters Michael.Walters@raleighnc.gov 919-996-2636 ____Walt Fulcher Walt.Fulcher@raleighnc.gov 919-996-3517	<u>and sewer improvements will be</u> <u>be required based on the proposed height</u> <u>increase</u> UDO Sections:

AGENDA ITEM (D) 3: Z-8-19 – Cabarrus Street

The site is located on the south side of Cabarrus Street, approximately two blocks directly west of Red Hat Amphitheater.

This request is to rezone approximately 0.61 acres are requested by Community Alternatives for Supportive Abodes Corp (CASA), Fairweather Properties LLC, and Urban Ministries of Wake County to be rezoned from Downtown Mixed Use-5 stories-Urban Limited (DX-5-UL) to Downtown Mixed Use-12 stories-Urban Limited-Conditional Use (DX-12-UL-CU). Conditions prohibit a number of uses otherwise allowed in DX districts, and restrict the hours of operation for rooftop areas.

Planner Mabel presented this case.

There was discussion regarding route to walk to the area by the Union Station and why such high CAC opposition.

Molly Stuart representing the applicant gave a brief overview of the case.

There was no public comment

Ms. Jeffreys made a motion to approve, case is consistent with Future Land Use Map and Comprehensive Plan and in public interest. Mr. Novak seconded the motion. The vote was not unanimous, 6-1. Mr. Geary was opposed.