

Existing Zoning Map

Z-12-2017

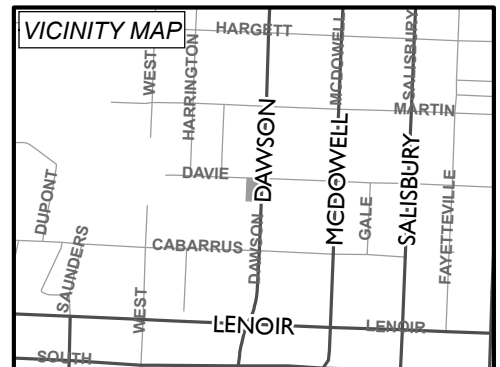


**Submittal
Date**

5/1/2017

Request:

**0.18 acres from
DX-4-SH
to DX-12-UG
w/**



Map Date: 5/3/2017



To: Ruffin L. Hall, City Manager

From: John Anagnost, Planner II
Ken Bowers AICP, Director, Department of Planning & Development

Copy: City Clerk

Date: November 21, 2017

Re: City Council agenda item for December 5, 2017 – Z-12-17

The City Council has authorized the following case for Public Hearing on December 5, 2017.

Z-12-17 404 S. & 406 S. Dawson Street, at the southwest corner of W. Davie Street and S. Dawson Street, being Wake County PINs 1703576333 and 1703576349. Approx. 0.18 acres are requested by Empire Consolidated Development LLC to be rezoned from Downtown Mixed Use – 4 Stories – Shopfront (DX-4-SH) to Downtown Mixed Use-12 Stories-Shopfront-Conditional Use (DX-12-SH-CU). Conditions dated November 3 prohibit certain uses, require certain exterior materials, prohibit EIFS, and require a cornice or change in materials between the first and third floors.

The Planning Commission finds the request is inconsistent with the Comprehensive Plan and the Downtown West Gateway small area plan and will have a significant impact on the character of the Depot Historic District. Planning Commission recommends denial of the request with a vote of 8-1. The dissenting vote was based on a desire to see additional density in Downtown instead of more greenfield development.

The Central CAC voted 28-0 to approve the case on June 5, 2017.

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



Certified Recommendation

Raleigh Planning Commission

CR# 11809

Case Information: Case Z-12-17 S. Dawson Street

<i>Location</i>	S. Dawson Street and W. Davie Street, southwest corner Address: 404 S. and 406 S. Dawson Street PIN: 1703576333 and 1703576349
<i>Request</i>	Rezone property from DX-4-SH to DX-12-SH-CU
<i>Area of Request</i>	0.18 acres
<i>Property Owner</i>	Empire Consolidated Development, LLC
<i>Applicant</i>	Chase Nicholas
<i>Citizens Advisory Council (CAC)</i>	Central CAC Chair: Sam Alcine samuel_alcine@yahoo.com
<i>PC Recommendation Deadline</i>	November 19, 2017

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Community Mixed Use
<i>URBAN FORM</i>	Downtown
<i>CONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3—Conditional Use District Consistency 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 7.6—Pedestrian-Friendly Development Policy UD 1.10—Frontage Policy UD 7.3—Design Guidelines Policy DT 1.3—Underutilized Sites in Downtown Policy DT 1.6—Supporting Retail Growth Policy DT 1.15—High Density Development Policy DT 3.2—Ground Floor Uses on Secondary Retail Streets Policy DT 7.2—Maintaining Consistent Setbacks Policy DT 7.3—Streetwalls
<i>INCONSISTENT Policies</i>	Policy LU 7.4—Scale and Design of New Commercial Uses Policy LU 8.12—Infill Compatibility Policy UD 5.1—Contextual Design Policy HP 2.4—Protecting Historic Neighborhoods Policy HP 2.7—Mitigating Impacts on Historic Sites

	Policy HP 3.4—Context Sensitive Design Policy AP-DWG 1 – Zoning Consistency Policy AP-DWG 4 – Historic Preservation Policy AP-DWG 11 – Development Character and Design
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Summary of Proposed Conditions

1. Prohibits Self-Service Storage and Pawn Shop uses.
2. Requires certain exterior materials.
3. Restricts the use of EIFS.
4. Requires a cornice or change of materials between the first and third floors.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
April 27, 2017	May 1, 2017; June 5, 2017 28-Yes, 0-No	June 22, 2017 (COW); Aug. 24, 2017 (COW); Sept. 12, 2017; Sept. 28, 2017 (COW); Oct. 10, 2017; Oct. 24, 2017 Nov. 14, 2017	September 19, 2017 (Request for time extension)

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	Deny. City Council may now schedule this proposal for Public Hearing or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	The request is inconsistent with the Comprehensive Plan and the Downtown West Gateway small area plan and will have a significant impact on the character of the Depot Historic District.
<i>Motion and Vote</i>	Motion: Swink Second: Jeffreys In favor: Alcine, Braun, Fleurer, Hicks, Jeffreys, Queen, Swink, and Tomasulo Opposed: Terando

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.

_____	11/14/17	_____	11/14/17
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: John Anagnost: 919-996-2638, John.Anagnost@raleighnc.gov

AGENDA ITEM (D) 1: Z-12-17 – S. Dawson Street

The site is located on S. Dawson Street and W. Davie Street, southwest corner.
This is a request to rezone property from DX-4-SH to DX-12-UG-CU.

Planner Anagnost gave a brief overview of the case.

Mr. Terando made a motion to open the case for further discussion. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0.

Chair Braun stated that each side would be given ten minutes to present additional information.

Chase Nichols representing the applicant gave a brief overview regarding revisions to conditions and unanimous vote of the CAC and ask for the commission support in this case.

Ms Queen arrived.

Don Davis, 6003 S. Boylan Street spoke regarding primary objection to the proposed 12 stories of height and stated although conditions are nice they do not address concerns.

Mr. Stahling of 711 Gaston Street also in opposition deemed incompatible with comprehensive plan.

Steve Schuster spoke stating that height does matter and ask the commission to deny this request.

Mr. Terando responded that circumstance do change and this request feels like downtown and he is in support of the request.

Ms. Alcine, Ms. Hicks, Mr. Fluhrer and Mr. Tomasulo were all opposed due to the concern with the 12 stories of height requested. There was disappointment with the applicant not showing more consideration with the neighborhood commissions concerns.

Chair Braun stated that there was not enough effort from the applicant to address concerns to help in understanding what was to be done with this project.

Mr. Swink made a motion to deny this case. Ms. Jeffreys seconded the motion. The vote was not unanimous 8-1. Mr. Terando was opposed.



Zoning Staff Report – Z-12-17

Conditional Use District

Case Summary

Overview

The rezoning site is two parcels at the southwest corner of S. Dawson Street and W. Davie Street. Together, the parcels have an area of 0.18 acres. The current use is surface parking. The site is located in the southwest corner of the central business district in close proximity to the NC Railroad corridor and the future Raleigh Union Station. The Raleigh Convention Center and Red Hat Amphitheater are one block south on the east side of S. Dawson Street. Nash Square is one block north on the east side of S. Dawson Street. A National Register Historic District covers the block containing the site as well as three smaller blocks immediately to the north and west.

This district, the Depot Historic District, was nominated for National Register recognition due to the industrial character of the district and the corresponding built form displayed by the structures there. According to the nomination, this area serves as a “transition between the high-rise office buildings and institutional buildings of the central business district and the residential area to the west”. In 2002 there were 27 structures contributing to the integrity of the district. Part of that integrity was height “ranging from one to three-stories”. Of 27 contributing structures, 15 were one-story buildings.

S. Dawson Street is a thoroughfare offering relatively high vehicle speeds and volumes through downtown. Just south of the site on the west side of S. Dawson Street is a transit stop serving GoTriangle and GoRaleigh buses. W. Davie Street terminates at the railroad right-of-way just west of the site. The uses in the area around the site are varied and include bars, restaurants, retail, offices, surface parking, and a parking deck.



Update for November 14: The zoning request retains the base zoning district of Downtown Mixed Use (DX). The existing Shopfront (SH) frontage is proposed to be retained. Height is proposed to increase from 4-stories to 12-stories. For a 12-story building, the Unified Development Ordinance requires a stepback of 12 feet somewhere in the range of the third floor to the seventh floor. No stepback is required for a building of 7-stories or fewer. The proposed height contrasts significantly with the contributing structures and zoned heights of the Depot Historic District, though it is mitigated somewhat by offered conditions. Conditions are offered which prohibit the Self-Service Storage and Pawn Shop uses, specify exterior materials, and require articulation or change of materials between the first and third floors. A previously offered condition requiring specific build-to distances has been removed. Cementitious siding was removed from the condition specifying exterior materials. EIFS has been completely prohibited in contrast to the partial prohibition from the previous version of the conditions.

Outstanding Issues

<i>Outstanding Issues</i>	1. The proposed zoning is inconsistent with the Comprehensive Plan.	<i>Suggested Mitigation</i>	1. The applicant may offer conditions requiring materials fitting the historic context. The applicant may reduce the proposed height.
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Existing Zoning Map Z-12-2017



 <p>Submittal Date 7/26/2017</p>	<p>Request:</p> <p>0.18 acres from DX-4-SH to DX-12-SH-CU</p>	<p>VICINITY MAP</p>  <p><small>Map Date: 5/3/2017</small></p>
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Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	DX-4-SH	DX-5-SH	DX-4-SH	DX-20-SH	DX-4-SH
<i>Additional Overlay</i>	n/a	n/a	n/a	n/a	n/a
<i>Future Land Use</i>	Community Mixed Use	Community Mixed Use	Community Mixed Use	Central Business District	Community Mixed Use
<i>Current Land Use</i>	Vacant	Commercial Parking Lot	Office	Vehicle Repair (major)	Bar, Nightclub, Tavern, Lounge
<i>Urban Form (if applicable)</i>	Downtown	Downtown	Downtown	Downtown	Downtown

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	89 u/a	222 u/a
<i>Setbacks:</i>		
<i>Front:</i>	3'	3'
<i>Side:</i>	0' or 6'	0' or 6'
<i>Rear:</i>	0' or 6'	0' or 6'
<i>Retail Intensity Permitted:</i>	5,059 SF	5,054 SF
<i>Office Intensity Permitted:</i>	12,972 SF	24,922 SF

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	0.18	0.18
<i>Zoning</i>	DX-4-SH	DX-12-SH-CU
<i>Max. Gross Building SF (if applicable)</i>	20,237	74,754
<i>Max. # of Residential Units</i>	16	40
<i>Max. Gross Office SF</i>	12,972	24,922
<i>Max. Gross Retail SF</i>	5,059	5,054
<i>Max. Gross Industrial SF</i>	20,088	74,754
<i>Potential F.A.R</i>	2.58	9.53

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

The proposed rezoning is:

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

☐ **Incompatible.**



Analysis of Incompatibility:

The proposed zoning district of Downtown Mixed Use is the same as the existing zoning. It allows uses appropriate to the downtown area. The proposed frontage would continue to activate the street in a similar fashion to neighboring developments. The proposed height is incompatible with the historic context of the Depot Historic District. The Unified Development Ordinance requires a stepback between the third and seventh floor of any building eight to twelve stories in height. Such a stepback would only partially mitigate incompatibility with the historic character, and greater compatibility would be achieved through a lower proposed height.

Future Land Use Map

Z-12-2017



 <p>Submittal Date 7/26/2017</p>	<p>Request:</p> <p>0.18 acres from DX-4-SH to DX-12-SH-CU</p>	<p>VICINITY MAP</p>  <p>Map Date: 5/3/2017</p>
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Urban Form Map

Z-12-2017





Submittal Date
 7/26/2017

Request:

0.18 acres from
 DX-4-SH
 to DX-12-SH-CU



2. Comprehensive Plan Consistency Analysis

2.1 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?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. No, the proposed zoning is consistent with the vision theme of Economic Prosperity and Equity by allowing additional commercial development in downtown. It is consistent with the Managing Our Growth and Coordinating Land Use and Transportation vision themes by allowing greater density in proximity to a future multi-modal facility. It is inconsistent with the Growing Successful Neighborhoods and Communities because the proposed height does not fit the historic character of the Depot Historic District. It is consistent with many policies in the Comprehensive Plan by activating the street and allowing for greater density and a mix of uses in a walkable, urban area with access to multi-modal transportation networks.
- B. Yes, the proposed zoning allows uses that are appropriate in the Community Mixed Use designation. Conditions have been offered such that allowed uses would closely match those allowed in CX districts.
- C. Not applicable. The uses allowed by the proposed zoning are specifically designated by the Future Land Use Map.
- D. Yes. Community facilities and streets are available at City standards and would support the zoning proposed.

2.2 Future Land Use

Future Land Use designation: Community Mixed Use

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

The proposed zoning is mostly consistent with the use profile described in the Future Land Use map designation. An offered condition prohibits those uses which are allowed in DX but not in CX, making the use profile for the proposed district match the uses recommended by the Future Land Use Map. The case is inconsistent with the height recommendation of the Future Land Use map, which calls for heights “generally. . .in the three to five story range”. The proximity to the new Raleigh Union Station makes the site more suited to taller heights. However, it is not in the core of downtown and its small size makes the “appropriate transitions” of Community Mixed Use very difficult to achieve. For these reasons, a height less than 12 stories would be more consistent with the Future Land Use map.

2.3 Urban Form

Urban Form designation: Downtown, see 234.1 and DT element for specifics on designation

☐ **Not applicable** (no Urban Form designation)

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

The proposed Shopfront frontage is an urban frontage that creates a desirable pedestrian space similar to what is found in most of the surrounding downtown context. The required build-to enhances the urban fabric and activates the street. Ground floor height, pedestrian entrance, and transparency requirements increase visual interest and further improve the pedestrian experience. The Shopfront frontage aligns the build-to with adjacent zoning, which also has a Shopfront frontage.

2.4 Policy Guidance

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency

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

- The Future Land Use map recommends Commercial Mixed Use for the rezoning site. The proposed zoning matches the Future Land Use Map by offering conditions that prohibit uses that are allowed in DX but not in CX.

Policy LU 1.3—Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

- The offered condition is consistent with the Future Land Use Map recommendations for the rezoning site by limiting use to those considered appropriate for Community Mixed Use.

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.

- The proposal would allow additional density close to Raleigh Union Station.

Policy LU 4.8—Station Area Land Uses

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

- The proposal allows a mix of uses close to Raleigh Union Station.

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.

- The proposed conditions require articulation and build-to distances that would relate development to nearby historic buildings.

Policy LU 7.6—Pedestrian-Friendly Development

New commercial developments and redeveloped commercial areas should be pedestrian-friendly.

- The proposed frontage continues the existing streetwall and activates the street, creating a pedestrian-friendly space.

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.

- The request includes an urban frontage which is consistent with the Urban Form designation of Downtown. The Urban General frontage requires pedestrian entrances facing the primary street, parking in the rear, and a build-to with a maximum setback of 20' for 70% of the parcel length on the primary street and 35% of the parcel length on the side street.

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 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 General frontage is an urban frontage that is consistent with the Urban Design Guidelines. The relation of the building to the street in the Urban General frontage conforms to Urban Design Guidelines 6, 8, 12, 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 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.

- The rezoning site may be more likely to redevelop if greater density is permitted.

Policy DT 1.6 - Supporting Retail Growth

Encourage the scale and intensity of development needed to strengthen downtown's capacity to support a vibrant retail environment.

- The request is for increased scale and intensity of development.

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.

- The site is close to Raleigh Union Station as well as adjacent to S. Dawson Street. S. Dawson Street is a major street.

Policy DT 3.2—Ground Floor Uses on Secondary Retail Streets

New development should dedicate at least 50 percent of its linear frontage along the public right-of-way of Secondary Retail Streets as identified on Map DT-6 for ground-floor space designed and constructed for the uses encouraged on primary streets or service retail and professional services including but not limited to: fitness centers, dry cleaners, shoe repair, and medical offices.

- The proposed zoning allows the intensity of ground-floor uses recommended. But doesn't guarantee, this could be an apartment building with no retail SF. Do you think a mixed use building should be requested?

Policy DT 7.2—Maintaining Consistent Setbacks

New buildings should respond to the existing built character by using similar setbacks and stepbacks to provide a continuous cornice line and consistent street-level pedestrian experience. Along the principal north-south vehicular street pair, Dawson and McDowell Streets, buildings should be set back to provide an approximately 20' wide pedestrian area between the street curb line and the building face.

- The proposed frontage ensures a build-to of 0'-20' for 70% of the primary street frontage and 35% of the side street frontage. This will help to create a consistent streetwall on both streets.

Policy DT 7.3—Streetwalls

Except as required by code, the placement of buildings along the right-of-way should create a continuous streetwall that defines and accentuates the streets and squares.

- The frontage requested would ensure that any new development continues the existing streetwall for 70% of the primary street frontage and 35% of the side street frontage. .

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

Policy LU 7.4—Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

- The height and scale allowed by the request is not appropriate for the Depot Historic District because it is too tall.

Policy LU 8.12—Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

- The proposed height conflicts with the design of the adjacent structures.

Policy UD 5.1—Contextual Design

Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

- The proposed height does not enhance the character of the Depot Historic District. The offered conditions relating to materials are not restrictive enough to ensure that character will be enhanced.

Policy HP 2.4—Protecting Historic Neighborhoods

Protect the scale and character of the City's historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.

- The proposed height is not sensitive to the context of the National Register district. It would be out of scale with the character of the district.

Policy HP 3.4—Context Sensitive Design

Use the existing architectural and historical character within an area as a guide for new construction.

- The proposed zoning does not rely on the scale of the historic character for its requested height. The offered conditions relating to materials do not strongly reflect the identified character of the Depot Historic District.

2.5 Area Plan Policy Guidance

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

Policy AP-DWG 2 – Mixed-Use Development

Mixed-use development should be the primary form of development in the area with an emphasis on significant new residential growth and a vertical mix of uses in multi-story buildings. Mitigate potential noise and light pollution impacts from new development on adjoining residential properties.

- The proposed zoning allows for vertical mixed use, residential development, and a multi-story building.

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

AP-Downtown West Gateway 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.

- The proposal does not follow the map contained in the Downtown West Gateway area plan which calls for heights of two to four stories on the site. The area plan map is intended to outweigh the Future Land Use map for the review of zoning cases in this area.

AP-Downtown West Gateway 4 – Historic Preservation

Historically significant and contributing structures should be preserved and renovated wherever feasible and not in conflict with other major plan goals. New construction should use the existing architectural and historic character within the area as a guide.

- The case does not adequately use the existing character of the area as a guide for height.

AP-Downtown West Gateway 11 – Development Character and Design

New development and redevelopment should reflect the existing scale, character, design, and building to street setbacks found in this historic industrial warehouse area with increased development intensities along Dawson Street. Existing vacant lots and parking lots should be in-filled with appropriate new construction that complements this historic industrial character. Modern buildings that incorporate the flavor of the existing design character of the district are encouraged.

- The proposed height does not reflect the existing scale of the area. The offered conditions relating to materials do not strongly reflect the identified character of the Depot Historic District.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

The proposed zoning may create a greater incentive to redevelop the rezoning site. Redevelopment would create housing, shopping, or employment opportunities in proximity to multi-modal networks and in an established urban center.

3.2 Detriments of the Proposed Rezoning

The proposed zoning would allow for development that is out of character in the Depot Historic District.

4. Impact Analysis

4.1 Transportation

The Z-12-2017 site is located in the southwest quadrant of Dawson Street and Davie Street. It is within walking distance (0.3 miles) of Union Station. Site access will be determined upon submittal of a development plan. A traffic study is not required for case Z-12-2017.

Z-12-2017 Existing Land Use (Surface Parking: Estimated Volume)	Daily	AM	PM
	48	8	8
Z-12-2017 Current Zoning Entitlements (Mixed-Use)	Daily	AM	PM
	866	35	78
Z-12-2017 Proposed Zoning Maximums (Mixed-Use)	Daily	AM	PM
	1,017	69	92
Z-12-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	151	34	14

Impact Identified: None

4.2 Transit

1. This section of Dawson St is currently served by GoRaleigh and GoTriangle
2. Please dedicate a 15x20' transit easement improved with
 - a. 15x20' cement pad
 - b. 30' landing zone between the back of curb and sidewalk (if applicable)
 - c. ADA accessible waiting shelter and associated amenities
3. In lieu of deeding an easement and with the consent of the Transportation Department, a transit shelter may be constructed in the public right-of-way or incorporated into the face of the building, at the sole expense of the owner of the re-zoned property in satisfaction of this condition

Impact Identified: Increased density will increase demand for transit. The offer of a transit easement and shelter will help mitigate this impact.

4.3 Hydrology

<i>Floodplain</i>	none
<i>Drainage Basin</i>	Rocky
<i>Stormwater Management</i>	Article 9.2 of the UDO
<i>Overlay District</i>	none

Impact Identified: No impacts identified.

4.4 Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	4,000 gpd	10,000 gpd
<i>Waste Water</i>	0 gpd	4,000 gpd	10,000 gpd

Impact Identified:

1. The proposed rezoning would add approximately 6,000 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

4.5 Parks and Recreation

1. Nearest park access is provided by Nash Square, approximately 0.1 miles away
2. Nearest greenway access is provided by Little Rock Trail along Chavis Way, approximately 0.75 miles away
3. No existing or proposed greenway trails, corridors, connectors or easement located within or adjacent to the site.

Impact Identified: None.

4.6 Urban Forestry

Impact Identified: None.

4.7 Designated Historic Resources

The site located within the Depot National Register Historic District. The site is vacant; the 2-story building to the south (416 S Dawson Street) is the historic Dr. Pepper Bottling Plant; the 1-story building to the west is also a contributing historic resource. Depot Historic District, located east and north of the Norfolk and Southern railroad tracks in the southwest corner of the original 1792 town plan, contains approximately four blocks of brick commercial and industrial buildings dating from the 1880s to the early 1950s. Located two blocks west of Fayetteville Street, Raleigh's main commercial street, the district forms a transition between the high-rise office buildings and institutional buildings of the central business district and the residential area to the west.

Impact Identified: Proposed height increase will impact the character of the historic district. In October 2015 RHDC recommended that the City Council not increase building heights in several key historic areas of downtown, including the Depot District. The zoning currently proposed has been referred to the Raleigh Historic Development Commission for additional review and comment.

4.9 Impacts Summary

The request would negatively impact the character of the Depot Historic District because of the disparity between the proposed height and the context of the district.

4.10 Mitigation of Impacts

The applicant may amend the application to a lower allowed height. The applicant may also revise the offered conditions to require a more specific and compatible set of exterior materials.

5. Conclusions

This case proposes to allow an additional eight stories of development on a site in the southwest quadrant of downtown Raleigh. The proposal would retain the frontage on the site, maintaining the quality of the pedestrian experience. The request is consistent with the Future Land Use Map but inconsistent with the Comprehensive Plan. The inconsistency is based on the proposed height, which is significantly taller than the Downtown West Gateway plan recommends.

The Downtown West Gateway plan's policy guidance explicitly supersedes the Future Land Use Map. Because height is the predominant factor in this case, this guidance becomes more significant in determining the overall consistency with the Comprehensive Plan.

The impact of the requested height increase would be to allow for out of character development in the Depot Historic District. This impact is mitigated somewhat by the site's location at the edge of the district. The visual impact on the district is mitigated further by conditions requiring architectural references to the character of the Depot Historic District. The applicant may wish to refine conditions relating to materials to ensure congruity between the rezoning site and the historic context.

Z-12-2017 Existing Land Use (Surface Parking: Estimated Volume)	Daily	AM	PM
	48	0	8
Z-12-2017 Current Zoning Entitlements (Mixed-Use)	Daily	AM	PM
	866	35	78
Z-12-2017 Proposed Zoning Maximums (Mixed-Use)	Daily	AM	PM
	1,017	69	92
Z-12-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	151	34	14
Z-12-2017 Traffic Study Worksheet			
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No, the change in average peak hour trip volume is less than 40 veh/hr	
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	No	
C	More than 100 veh/hr trips in the peak direction	No	
D	Daily Trips \geq 3,000 veh/day	No, the change in average daily trip volume is less than 200 veh/day	
E	Enrollment increases at public or private schools	Not Applicable	
6.23.5	Site Context	Meets TIA Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No	
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 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	Yes, this site currently has access onto Dawson Street. Given the DX zoning & expected trip volumes, staff waives a traffic study for Z-12-2017.	
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	
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	No	

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District DX Height 4 Frontage SH Overlay(s) _____			
Proposed Zoning Base District DX Height 12 Frontage SH Overlay(s) _____			
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number: Z-27B-2014			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
505637			

GENERAL INFORMATION			
Date 04/28/2017		Date Amended (1) 07/24/2017	Date Amended (2) 11/3/2017
Property Address 404 & 406 S. Dawson Street, Raleigh, NC 27601			
Property PIN 1703576349, 1703576333		Deed Reference (book/page) 08645/2552; 16703/1947	
Nearest Intersection S. Dawson Street & W. Davie Street			
Property Size (acres) 0.18	(For PD Applications Only) Total Units Total Square Feet		
Property Owner/Address EMPIRE CONSOLIDATED DEVELOPMENT, LLC 133 FAYETTEVILLE ST., 6TH FLOOR RALEIGH, NC 27601		Phone 919-834-8350	Fax 919-839-0382
		Email dawsondavie@empire1792.com	
Project Contact Person/Address CHASE NICHOLAS 133 FAYETTEVILLE ST., 6TH FLOOR RALEIGH, NC 27601		Phone 919-834-8350	Fax 919-839-0382
		Email dawsondavie@empire1792.com	
Owner/Agent Signature <i>Andi M. Hunt</i>		Email dawsondavie@empire1792.com	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</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">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>Future Land Use Consistency: The property is located in a core/transit location within the Downtown Regional Center. The property is located within 1/4 mile of the Raleigh Union Station. The property's future land use designation is Community Mixed Use. The recommended height designation (Table LU-2) for this property is a minimum of 2 stories and a maximum of 12 stories. The rezoning request conforms to the future land use map, the urban form map, and Policy LU 1.2 (Future Land Use Map and Zoning Consistency). Additionally, the rezoning request is consistent with the Downtown Future Land Use Map (Policy DT 1.1).</p>	
<p>Downtown Business Recruitment and Retention: The 2030 Comprehensive plan stresses the role of downtown in providing new space for commercial tenants and the importance of the retention and expansion of downtown's commercial base. The rezoning petition facilitates increased density in a high-demand quadrant of downtown, allowing expansion of growing downtown companies. One prospective tenant for this site is a company headquartered in downtown Raleigh seeking to expand their campus. Policy DT 3.8 recommends the encouragement of new developments that position downtown as a regional center for headquarters and jobs.</p>	
<p>Vacant Property Development Feasibility :The rezoning makes compact, mixed-use development feasible on a small parcel. Policy DT 1.2 emphasizes encouraging vertical mixed-use, and Policies DT 1.3 and DT 1.4 emphasize encouraging redevelopment on underutilized sites in downtown. The redevelopment of this surface parking lot property is feasible at a greater density than what is permitted by the current zoning.</p>	
<p>Transit Proximity: The property is located within one quarter (1/4) mile of the new Raleigh Union Station. Policy LU 4.6 recommends promoting transit-oriented development with appropriate development regulation. Policy LU 4.7 suggests capitalizing on transit access by developing sites within a half-mile of fixed guideway transit stations with intense residential and mixed uses to support transit infrastructure investments. Additionally, Policy DT 1.4 emphasizes supporting the redevelopment of vacant land in the vicinity of the transit center.</p> <p align="center">See Attachment A for continuation of Statement of Consistency.</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>This request makes viable the development of an underutilized property in a core/transit location of the downtown area. The development of this property will add value to the vicinity and downtown generally.</p>	
<p>This requests permits development that will strengthen the position of downtown Raleigh in the regional economy by enabling the retention of growing businesses and increasing office inventory in a high-demand quadrant of downtown.</p>	
<p>This request permits the compact growth desired by the Comprehensive Plan, and will allow a mixture of uses that make efficient use of space and city services, including transportation.</p>	
<p>This request will permit development that results in a more contiguous and pedestrian-oriented urban scene between the warehouse district, Fayetteville Street, and the convention center.</p>	

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources****OFFICE USE ONLY****Transaction #****Rezoning Case #**

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.

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.

The subject property is located inside the National Register's Depot Historic District but contains no historic resources identified in the Depot Historic District Registration Form (WA0724). The property contains no contributing buildings, sites, structures, or objects.

The property previously contained the historic "Strother-McRary House" (WA2578), which was demolished sometime between 1993 and 1998 (prior to acquisition by current owner).

No local Historic Overlay District applies to the property.

Attachment B provides a map of the subject property and contributing resources in the Depot Historic District.

PROPOSED MITIGATION

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

N/A. No historic resources are located on the property.

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 **Downtown** 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: The proposed rezoning permits retail, office and residential uses, consistent with this guideline.</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: The properties are not adjacent to lower density neighborhoods, so this guideline is not applicable.</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: No new streets are contemplated as part of this development. The existing street network complies with this guideline.</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: No new streets are contemplated as part of this development. The existing street network complies with this guideline.</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: No new streets are contemplated as part of this development. The existing street network complies with this guideline.</p>
6.	<p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response: The proposed zoning with -UG frontage ensures consistency with this guideline and encourages development eliminating existing parking lot.</p>
7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response: The proposed zoning with -UG frontage ensures consistency with this guideline.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response: The proposed zoning with -UG frontage ensures consistency with this guideline.</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response: Open space, if provided, will be provided in accordance with the UDO.</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response: Open space, if provided, will be provided in accordance with the UDO.</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response: Open space, if provided, will be provided in accordance with the UDO.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: Open space, if provided, will be provided in accordance with the UDO.</p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: Public space, if provided, will be provided in accordance with the UDO.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response: The proposed zoning with -UG frontage ensures consistency with this guideline and encourages development eliminating existing parking lot.</p>

15.	<i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i> Response: The proposed zoning with -UG frontage ensures consistency with this guideline.
16.	<i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i> Response: The proposed rezoning and development will be consistent with this guideline.
17.	<i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i> Response: Given that the property is less than 1/4 mile from Union Station and proximate to existing transit routes, the proposed rezoning is consistent with this guideline.
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response: Pedestrian access to transit stops will be provided in accordance with the UDO, consistent with this guideline.
19.	<i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i> Response: There are no known sensitive features on the property, so this guideline is inapplicable.
20.	<i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i> Response: No new streets are contemplated as part of this development.
21.	<i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i> Response: Sidewalks will be maintained considering the context of the site, surrounding buildings, and existing conditions.
22.	<i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i> Response: No new streets are contemplated as part of this development.
23.	<i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i> Response: The proposed zoning with -UG frontage ensures consistency with this guideline.
24.	<i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i> Response: It is contemplated that the proposed development will be consistent with this guideline.
25.	<i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i> Response: It is contemplated that the proposed development will be consistent with this guideline.
26.	<i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i> Response: Sidewalks will be maintained considering the context of the site and existing conditions.

CONDITIONAL USE DISTRICT ZONING CONDITIONSZoning Case Number **Z-12-17****OFFICE USE ONLY**Date Submitted **04/28/17; Amended 07/24/17, 11/3/17**

Transaction #

Existing Zoning **DX-4-SH**Proposed Zoning **DX-12-SH-CU**

Rezoning Case #

Narrative Of Zoning Conditions Offered

The principal uses "Self-Service Storage," as defined in UDO Section 6.5.5.A., and "Pawnshop," as defined in UDO Section 6.4.11.B, shall be prohibited.

2. Permitted building siding materials shall include brick, stone, concrete, concrete masonry, hard coat stucco, wood, metal, and glass.

3. EIFS shall be prohibited as a building siding material.

4. Any building constructed on the property at least five (5) stories or seventy-five feet (75') in height shall provide a cornice or distinct change of materials between the first and third stories along at least 100% of those building faces adjoining S. Dawson Street and W. Davie Street.

5.

6.

7.

8.

9.

10.

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 Gregory P. Hatem 11/17/2017

EMPIRE PROPERTIES



April 13, 2017

Re: 404 & 406 S. Dawson Street, Raleigh NC 27601

Dear Neighboring Property Owner,

You are invited to attend a neighborhood meeting on April 27, 2017. The meeting will be held in the private dining room of The Pit Authentic Barbeque restaurant, located at 328 W Davie Street, Raleigh, NC 27601, and will begin at 6:00 p.m. Dinner and drinks will be provided; please respond to this letter if you will be attending so that we may ensure adequate accommodations are provided.

The purpose of this meeting is to discuss a potential rezoning of the properties located at 404 & 406 S Dawson Street. These parcels are currently zoned DX-4-SH and are proposed to be rezoned to DX-12-UG.

The City of Raleigh requires that a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning is held prior to the submittal of any rezoning application.

We're looking forward to the chance to meet with you and discuss the rezoning. If you have any concerns or questions regarding the rezoning, I may be reached by phone at 919-459-3214 or by email at greg@empire1792.com.

For more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department by phone at 919--996-2626 or by email at rezoning@raleighnc.gov.

Thank you,

Greg Hatem
Managing Partner
Empire Properties
133 Fayetteville Street, 6th Floor
Raleigh, NC 27601

133 FAYETTEVILLE ST
6TH FLOOR
RALEIGH NC 27601
TEL 919.834.8350
FAX 919.839.0382
mail@empire1792.com

SUMMARY OF ISSUES

A neighborhood meeting was held on April, 27 2017 (date) to discuss a potential rezoning located at 404 & 406 S. Dawson Street (property address).

The neighborhood meeting was held at 328 W. Davie Street (location).

There were approximately 5 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Applicant gave a presentation to introduce the rezoning. Presentation included applicant's past work in the City of Raleigh, overview of the site, and rationale for height and frontage request.

Attendees discussed the rationale for the site's current zoning, the effects of the UDO, and the role of the Comprehensive Plan in determining Future Land Use.

Attendees discussed possible uses to be included at a development on the site. Applicant clarified that retail and office uses will definitely be included, and residential uses may also be included.

Attendees discussed the role of frontages in limiting determining ground floor uses, and to what extent the guidance of the UDO limits building type in -SH frontage.

Attendees discussed the proposed project size and height relative to other existing and proposed projects in downtown Raleigh and the surrounding area.

Attendees discussed the ground floor uses intended for the site. Applicant clarified that retail intended as the primary use on ground floor, with the possible inclusion of some office, as needed.

Attendees discussed possible timeline for construction at the site if the proposal is approved. Applicant clarified that construction could begin as soon as 2018.

Attendees discussed parking at the site and in downtown Raleigh generally.

ATTENDANCE ROSTER

NAME	ADDRESS
Andrew Stewart (Applicant rep.)	133 Fayetteville St.
Ben Steel (Applicant rep.)	133 Fayetteville St.
Chase Nicholas (Applicant rep.)	133 Fayetteville St.
Charles Long	representing 310 S. Harrington
Donna Anderson	representing 417 S. Dawson
Kurt Eichenberger	representing 417 S. Dawson
Winnie Bolton	representing 319 W. Davie
Bob Stephens	representing 319 W. Davie

ATTACHMENT A

404/406 S. Dawson Rezoning: 2030 Comprehensive Plan Statement of Consistency (*Continued*)

4. Convention Center District

The Downtown West Gateway Plan includes the subject property in the broadly-construed Convention Center District. This District is identified for high density mixed-use, with a high intensity of development along Dawson Street (AP-DWG 13).

5. City-Wide Growth Goals

The petition achieves city-wide growth goals by enabling greater intensity on a compact mixed-use downtown site that will contribute to the improved performance of transportation networks, the preservation of open space, and the efficient provision of public services as recommended by Policy LU 2.2.

6. Downtown Density

The 2030 Comprehensive Plan aims to achieve “vibrancy through density” (p. 321) in the downtown area. The rezoning petition allows for increased density that will support a stronger retail environment, a more vibrant street life, increased affordability, and an all-around more competitive regional center. Adding density to this site in particular creates linkage between Fayetteville Street and the warehouse district.

7. Vertical Mixed Use

The 2030 Comprehensive Plan recommends promoting mixed-use developments to facilitate compact growth. Policy DT 1.2 emphasizes encouraging vertical mixed-use in the downtown area. By adding additional stories, this rezoning allows more uses on the property than is feasible under the current zoning.

8. Height Transition

The rezoning allows for a height transition between the Central Business District and the Community Mixed Use District division at Dawson Street, while maintaining high development intensity along Dawson Street. The current zoning does not provide for a height transition as prescribed by Policy AP-DWG 8. I. The east side of Dawson Street is zoned DX-20-SH. The west side of Dawson Street (the subject property location) is zoned DX-4-SH. The current zoning also does not allow for increased intensity along Dawson Street as prescribed by Policy AP-DWG 11 and Policy DT 1.15. Additionally, the site is distant from any single-family development (4 blocks).

Consistent with the Following Policies:

- Policy LU 1.2 – Future Land Use Map and Zoning Consistency
- Policy LU 2.2 – Compact Development
- Policy LU 3.2 – Location of Growth
- Policy LU 4.4 – Reducing VMT Through Mixed Use
- Policy LU 4.6 – Transit-Oriented Development
- Policy LU 4.7 – Capitalizing on Transit Access
- Policy LU 4.8 – Station Area Land Uses
- Policy DT 1.1 – Downtown Future Land Use Map
- Policy DT 1.2 – Vertical Mixed Use
- Policy DT 1.3 – Underutilized Sites in Downtown
- Policy DT 1.4 – Redevelopment around the MTC
- Policy DT 1.6 – Supporting Retail Growth
- Policy DT 1.15 – High Density Development
- Policy DT 3.8 – Downtown as a Regional Center
- Policy AP-DWG 2 – Mixed-Use Development
- Policy AP-DWG 8 – Building Height Transition
- Policy AP-DWG 11 – Development Character and Design
- Policy AP-DWG 13 – Development Intensity

2030 Comprehensive Plan Policies Cited

Policy LU 1.2 – Future Land Use Map and Zoning Consistency

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 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.

Policy LU 3.2 – Location of Growth

The development of vacant properties should occur first within the City's limits, then within the City's planning jurisdiction, and lastly within the City's USAs to provide for more compact and orderly growth, including provision of conservation areas.

Policy LU 4.4 – Reducing VMT Through Mixed Use

Promote mixed-use development that provides a range of services within a short distance of residences as a way to reduce the growth of vehicle miles traveled (VMT).

Policy LU 4.6 – Transit-Oriented Development

Promote transit-oriented development around planned transit stations through appropriate development regulation, education, station area planning, public-private partnerships, and regional cooperation.

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.

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.

Policy DT 1.2 – Vertical Mixed Use

Encourage vertical mixed-use development throughout downtown, unless otherwise indicated on the Future Land Use Map.

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 1.4 – Redevelopment around the MTC

Support the redevelopment of underutilized land adjacent to the proposed Multi-modal Transit Center (MTC) with uses that will contribute to the success of the MTC and downtown.

Policy DT 1.6 – Supporting Retail Growth

Encourage the scale and intensity of development needed to strengthen downtown's capacity to support a vibrant retail environment.

Policy DT 1.15 – High Density Development

Highest density development should occur along the axial streets, major streets, surrounding the squares, and within close proximity to planned transit stations.

Policy DT 3.8 – Downtown as a Regional Center

Encourage new investments and developments that position downtown as the center of the region for headquarters, jobs, urban housing, entertainment, and transit.

Policy AP-DWG 2 – Mixed-Use Development

Mixed-use development should be the primary form of development in the area with an emphasis on significant new residential growth and a vertical mix of uses in multi-story buildings.

Policy AP-DWG 8 – Building Height Transition

Taller buildings are encouraged within the Station Area Core provided that a transition to lower heights is included along the area perimeter where in close proximity to existing single family neighborhoods.

Policy AP-DWG 11 – Development Character and Design

New development and redevelopment should reflect the existing scale, character, design, and building to street setbacks found in this historic industrial warehouse area with increased development intensities along Dawson Street. Existing vacant lots and parking lots should be infilled with appropriate new construction that complements this historic industrial character. Modern buildings that incorporate the flavor of the existing design character of the district are encouraged

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.



To: Planning Commission

From: Don Davis, RHDC

CC: Ken Bowers, Director, Department of City Planning
James Green, Assistant City Manager
Bynum Walter, Senior Planner, Department of City Planning
Tania Tully, Preservation Planner

Date: June 20, 2017

RE: Rezoning case Z-12-17 (404 & 406 S Dawson Street)

The Raleigh Historic Development Commission (RHDC) would like to comment on the proposed rezoning case Z-12-17 located at 404 & 406 S Dawson Street. The current zoning is DX-4-SH. The application requests a change to DX-12-UG. The RHDC heard a summary of the case at its June 20, 2017 meeting.

The site is within the [Depot National Register Historic District](#), a small historic district located east and north of the Norfolk and Southern railroad tracks in the southwest corner of the original 1792 town plan. It contains approximately four blocks of brick commercial and industrial buildings dating from the 1880s to the early 1950s. The district forms a transition between the high-rise office buildings and institutional buildings of the central business district and the residential area to the west. The district has significance in the areas of architecture, industry, commerce, transportation, and community planning and development. The remaining contributing resources reflect Raleigh's industry, transportation, and commerce as the city's wholesale distribution center from the 1880s to ca. 1952. Because of its proximity to the railroad tracks that skirted the west side of Raleigh, this district contains the only significant collection of railroad, factory, warehouse and related buildings in Raleigh during the heyday of railroad transportation.

The subject lots are vacant; however the 2-story building to the south (416 S Dawson Street) is the historic Dr. Pepper Bottling Plant and the 1-story building to the west is also a contributing historic resource.

The proposed rezoning is located within the Downtown West Gateway Area Plan. The plan includes several relevant Policies that we think apply to this rezoning. They include:

- Policy AP-DWG 4: Historic Preservation. Historically significant and contributing structures should be preserved and renovated wherever feasible and not in conflict with other major plan goals. New construction should use the existing architectural and historic character within the area as a guide.
- Policy AP-DWG 11: Development Character and Design. New development and redevelopment should reflect the existing scale, character, design, and building to

street setbacks found in this historic industrial warehouse area with increased development intensities along Dawson Street. Existing vacant lots and parking lots should be in-filled with appropriate new construction that complements this historic industrial character. Modern buildings that incorporate the flavor of the existing design character of the district are encouraged.

Relevant Comprehensive Plan Policies:

- 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 LU 7.4: Scale and Design of New Commercial Uses. New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.
- Policy HP 2.7: Mitigating Impacts on Historic Sites. Development proposals adjacent to or including historic sites should identify and minimize or mitigate any negative development impacts on those sites.
- Policy HP 3.4: Context Sensitive Design, Use the existing architectural and historical character within an area as a guide for new construction.

The proposed height of 12 stories is not typical of the historic district and would adversely affect the character of the primarily 1 to 3 story height historic context. Therefore, the RHDC cannot support this rezoning.

From: Brad Johnson
To: [Anagnost, John](#)
Subject: Comments on Z-12-17
Date: Wednesday, June 21, 2017 11:23:51 AM

John -

Good to see you this morning, look forward to chatting soon about comments on projects.

My comments for the zoning case are as follows -

Z-12-17

Brad Johnson

540 S. Person St.

As a resident and neighbor who works on Harrington street, I am supportive of this rezoning request. Other buildings nearby - in the warehouse district - are this height and parking in the area is ample for the residents / users of any future building at this location.

##

If I can provide any additional information let me know!

-Brad

From: GEORGE DICKERSON
To: [Anagnost, John](#)
Subject: Rezoning Z-12-17 404 S. & 406 S. Dawson Street
Date: Monday, June 19, 2017 10:40:52 PM

Dear Mr. Anagnost,

In regards to the rezoning request pertaining to # Z-12-17 404 S. & 406 S. Dawson Street by Empire Consolidated Development to be rezoned from 4 stories Shopfront to Downtown Mixed use - 12 stories.

As owner of property at 320 W. Davie Street that is within 100 feet of the proposed rezoning, I believe this change in rezoning would be beneficial for Downtown and in keeping with the growth of the Warehouse District now and in the future.

A few examples of buildings in the nearby area that are under construction or completed that are more than 4 stories include The Dillon (17 stories), Marriott Residence Inn (10 stories), The Hue (8 stories, fronting Dawson St.).

Thanks for the opportunity to express my opinion in this matter.

Sincerely,

George Dickerson

From: Jeff Mann <jmann@gotriangle.org>
Date: June 22, 2017 at 3:01:54 PM EDT
To: Greg Hatem <greg@empire1792.com>
Subject: Proposed Rezoning

Greg:

Please accept this email as an indication of support for the proposed rezoning of the property located at 404 S. Dawson St to allow for denser development in the vicinity of major transit facilities.

The proposed site is within several blocks of Raleigh Union Station and the future multimodal center to be developed by GoTriangle. These transit investments will help set the stage for urban growth in downtown Raleigh. Rezoning from 4 stories to 12 stories increases the potential for density and allows more built square footage. Greater density around transit stations will increase transit use and improve mobility. Transit and higher density together will serve all Raleigh stakeholders, reducing congestion and pollution and creating a more efficient and dynamic urban environment.

This site, in the heart of downtown and as noted adjacent to future transit facilities provides an opportunity to support transit-oriented development and leverage transit investment.

Jeff Mann

General Manager

GoTriangle

GoTriangle

4600 Emperor Boulevard, Suite 100

Durham, NC 27703