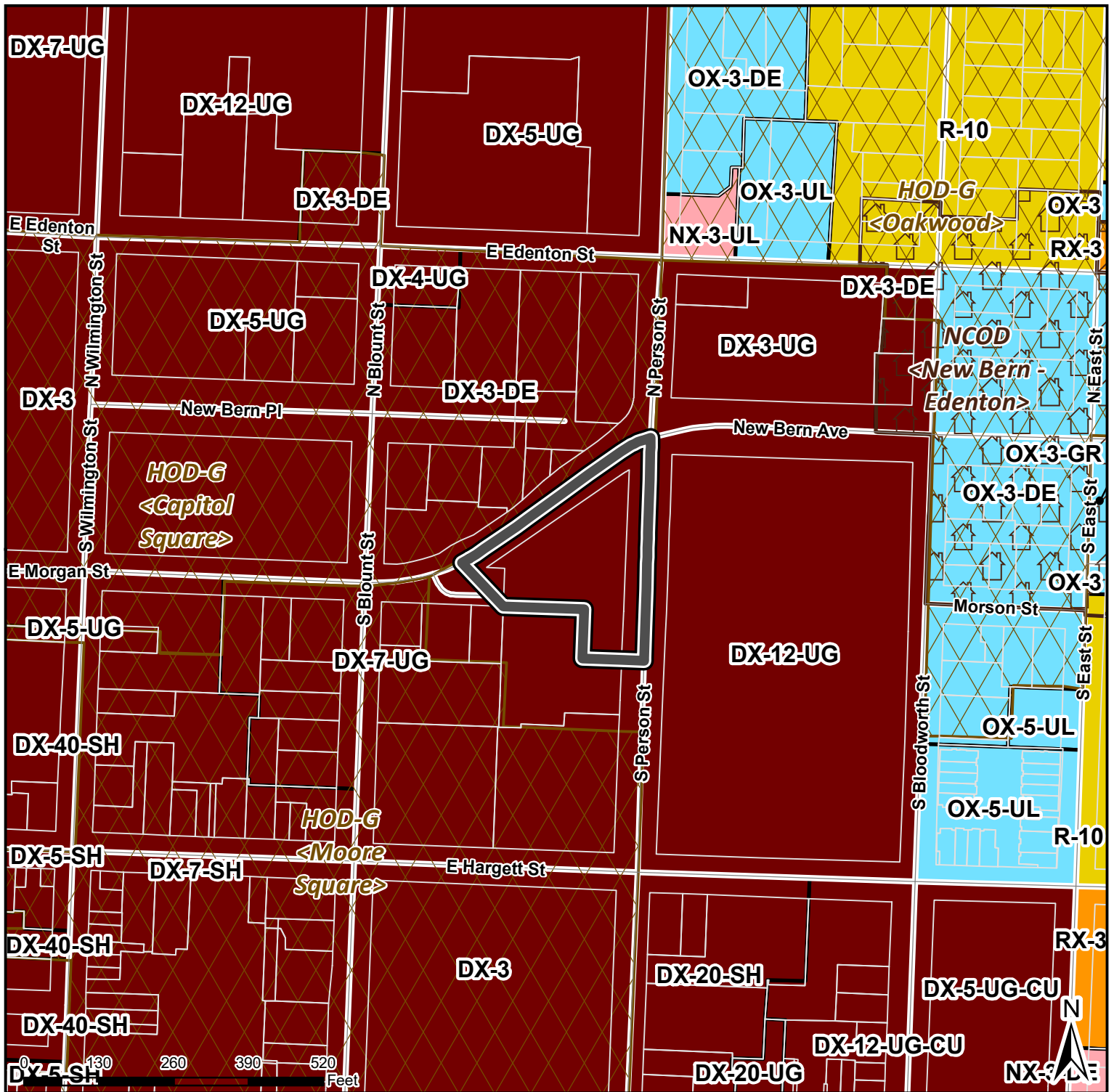
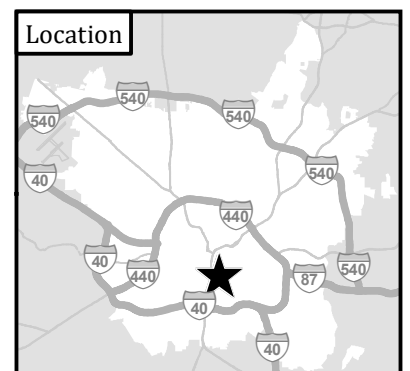


Existing Zoning

Z-23-2020



Property	220 E Morgan St
Size	0.95 acres
Existing Zoning	DX-7-UG
Requested Zoning	DX-20-UG-CU





Raleigh

MEMO

TO: Marchell Adams-David, City Manager
THRU: Ken Bowers, AICP, Deputy Director
FROM: Matthew Klem, Senior Planner
DEPARTMENT: City Planning
DATE: March 16, 2021

SUBJECT: City Council agenda item for April 6, 2021 – Z-23-20

City Council authorized the public hearing for the following item:

Z-23-20 E Morgan St, approximately 0.95 acres located at [220 E Morgan Street](#).

Signed zoning conditions dated August 28, 2020 prohibit dormitory, fraternity, sorority uses, jails, prisons, vehicle repair, fuel sales, and adult establishments. Proposed zoning conditions also limit building height and 30 stories, restrict the office use to 150,000 square feet, specify permitted and prohibited facade materials, require additional parking deck screening and require design elements to reduce parking deck light spillage.

Current zoning: Downtown Mixed Use - 7 stories - Urban General (DX-7-UG)

Requested zoning: 40 stories - Urban General - Conditional Use (DX-40-UG-CU)

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

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

The request is **consistent** with the Urban Form Map.

The Planning Commission recommends approval of the request (8 - 0).

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

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

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

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



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR#12084

CASE INFORMATION: Z-23-20 220 E MORGAN STREET

Location	Southwest quadrant of the East Morgan Street and South Person Street intersection. Address: 220 E Morgan Street PINs: 1703881970 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-7-UG
Requested Zoning	DX-40-UG-CU
Area of Request	.95 acres
Corporate Limits	The site is within and surrounded by the corporate limits of the city.
Property Owner	Blount Hourly Parking Service LLC
Applicant	Blount Hourly Parking Service LLC
Council District	C
PC Recommendation Deadline	March 8, 2021

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited on the property; Dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; and adult establishment.
2. No structure shall exceed 30 stories in height, except that height encroachments otherwise permitted may exceed such height.
3. Not more than 150,000 gross square feet of office use shall be permitted on the site.
4. Building façade materials shall include glass, concrete and/or clay brick, masonry, cementitious stucco, native and masonry stone, natural wood, precast concrete, and metal panels and/or trim. Vinyl siding, fiberboard siding, pressure treated wood, and synthetic stucco (EIFS) are prohibited.
5. Structured parking shall meet the following standards on the side adjacent to E. Morgan Street: a minimum of 50% of the vertical surfaces shall have an opaque screen.
6. Lighting within any structured parking shall be designed to reduce light spillage outside the parking structure.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown Center and Core Transit Area
Consistent Policies	LU 1.2 Future Land Use Map and Zoning Consistency LU 1.3 Conditional Use District Consistency LU 2.2 Compact Development LU 2.6 Zoning and Infrastructure Impacts LU 4.7 Capitalizing on Transit Access LU 4.8 Station Area Land Uses EP 1.1 Greenhouse Gas Reduction H 1.8 Zoning for Housing UD 1.10 Frontage DT 1.2 Vertical Mixed Use DT 1.3 Underutilized Sites in Downtown DT 1.6 Supporting Retail Growth DT 1.16 High Density Development DT 3.8 Downtown as a Regional Center DT 4.1 Encouraging Downtown Housing
Inconsistent Policies	None identified

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
June 15, 2020 9 attendees	August 24, 2020	December 8, 2020 February 2, 2021 February 23, 2021	March 2, 2021 April 6, 2021

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request increases the housing supply and increases development intensity in an area with high quality transit access.
Change(s) in Circumstances	
Amendments to the Comprehensive Plan	
Recommendation	Approve
Motion and Vote	Motion: McIntosh; Second: Hicks; In favor: Bennett, Fox, Hicks, Lampman, McIntosh, Miller, O'Haver, and Winters.
Reason for Opposed Vote(s)	

ATTACHMENTS

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

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

Planning Director

Date

Staff Coordinator:

Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov



ZONING STAFF REPORT

Z-23-20 220 E MORGAN

Conditional Use District

OVERVIEW

The request is to rezone 0.95 acres from Downtown Mixed Use – 7 stories – Urban General (DX-7-UG) to Downtown Mixed Use – 40 stories – Urban General – Conditional Use (DX-40-UG-CU). Proposed zoning conditions limited building height to 30-stories, prohibit certain high-intensity and auto-oriented uses, and limit the office use to 150,000 square feet.

The rezoning site comprises a single parcel that is currently used as a parking lot. Adjacent to the south the is Marbles Kids Museum and IMAX movie theatre. To the east, across Person Street is the United States District Court for the Eastern District of North Carolina. To the north, across Morgan Street, are four historic detached houses that contain various office uses. The larger area comprises a mix of office, residential, and institutional uses including apartment buildings, churches, a post office, Moore Square Park, and GoRaleigh Station.

All adjacent properties are zoned Downtown Mixed Use with permitted building heights ranging from three to 12 stories. All adjacent properties are also zoned with Urban Frontage designations except for the historic properties to the north which are zoned with the Detached Frontage due to their detached built form. The properties to the north are contained in the Capital Square Historic Overlay District (HOD-G) zoning district; the south end of the block containing the subject site is zoned with the Moore Square Historic Overlay District (HOD-G).

The subject property is also located within the Downtown Center and the Core Transit Area as identified on the Urban Form Map and within the Central Business District on the Future Land Use Map: together these designations recommend high density, walkable, transit-oriented, urban scale development.

Two bus rapid transit (BRT) stations serving the New Bern Avenue BRT corridor are planned near the subject site: the outgoing station at or near the intersection with Blount Street and Morgan Street and the incoming station at or near the intersection of Edenton Street and Blount Street. The rezoning site is within 1,050 feet (roughly a five-minute walk) of every local transit route that operates out of GoRaleigh Station including the following regional routes: 40X Wake Tech Express, FRX Fuquay-Varina-Raleigh Express, WRX Wake Forest – Raleigh Express, ZWX Zebulon-Wendell-Raleigh Express.

Update for February 16, 2021

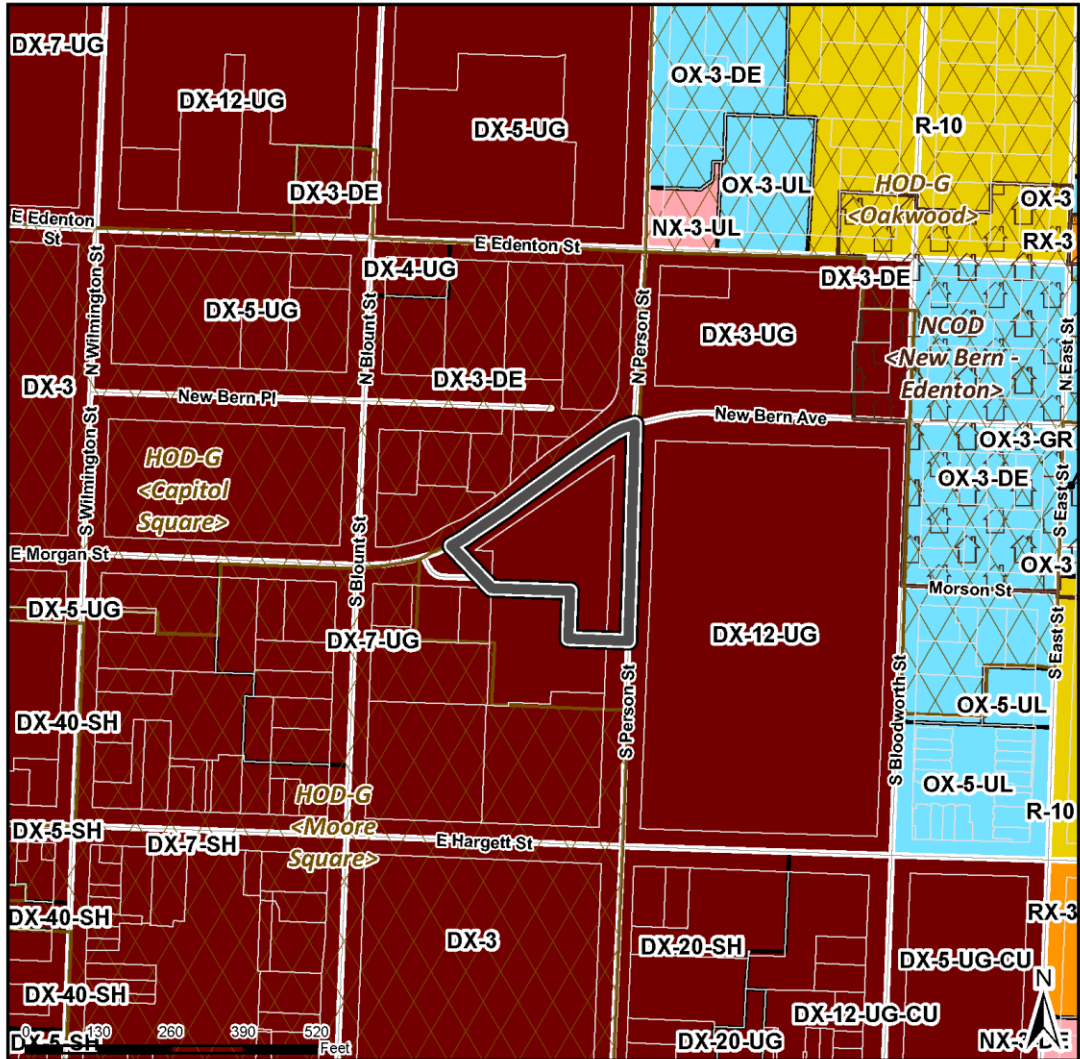
On February 12, 2021 additional zoning conditions were provided. The new conditions specify permitted cladding materials and regulate screening and lighting of parking structures visible from Morgan Street.

OUTSTANDING ISSUES

Outstanding Issues	1. None	Suggested Mitigation	1. None
--------------------	---------	----------------------	---------

Existing Zoning

Z-23-2020



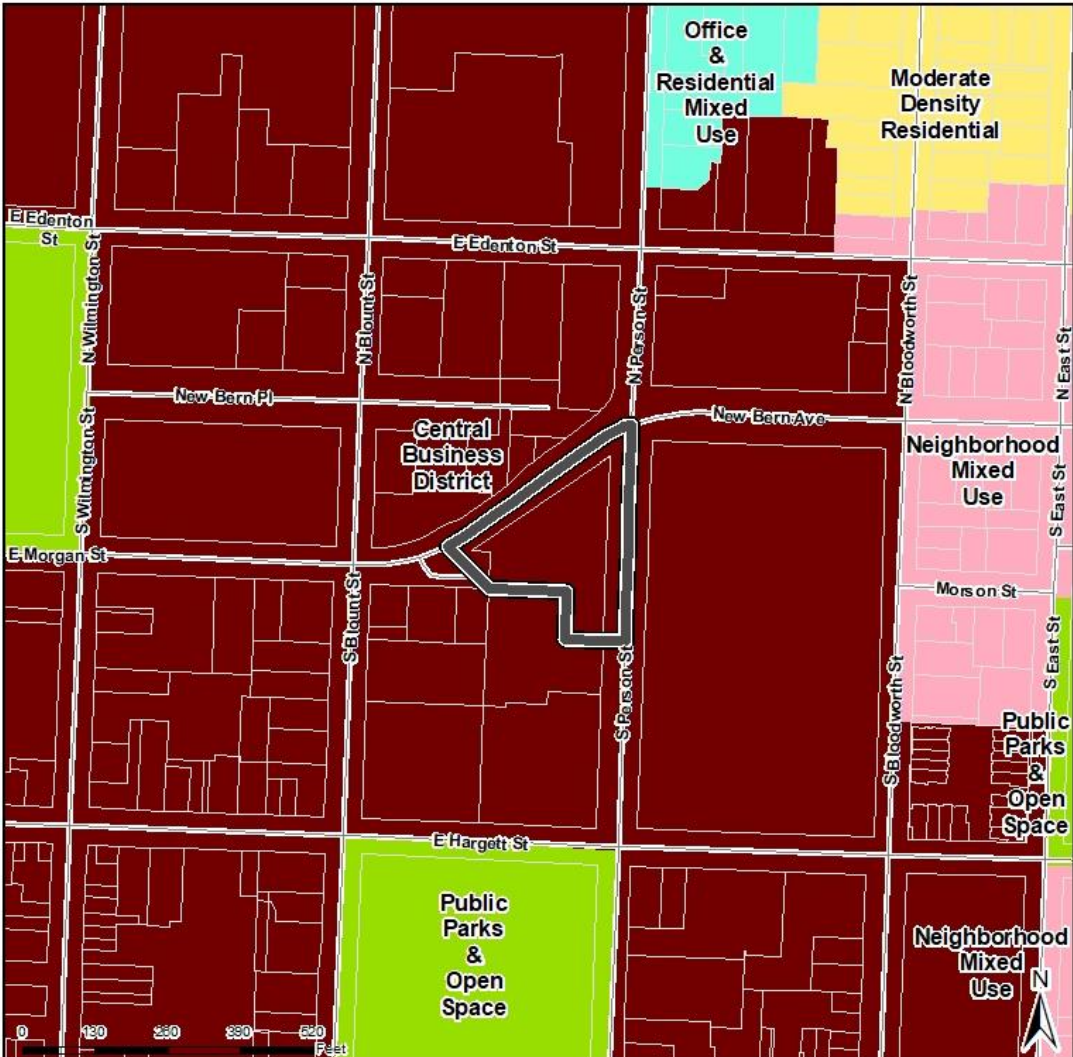
Property	220 E Morgan St
Size	0.95 acres
Existing Zoning	DX-7-UG
Requested Zoning	DX-40-UG-CU



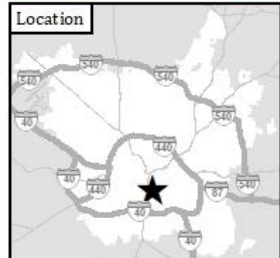
Map by Raleigh Department of City Planning (mansolf); 6/26/2020

Future Land Use	Z-23-2020
------------------------	------------------

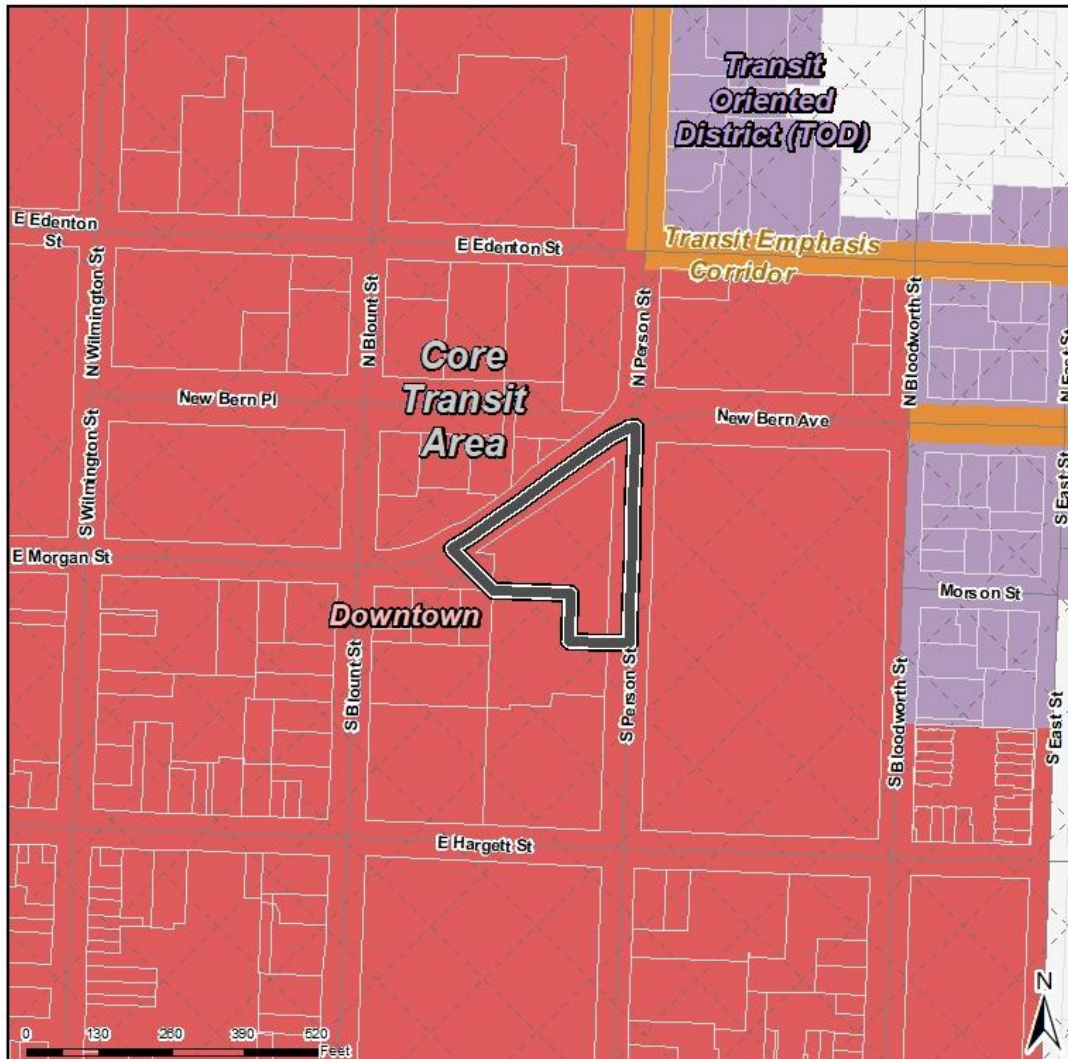
Future Land Use	Z-23-2020
------------------------	------------------



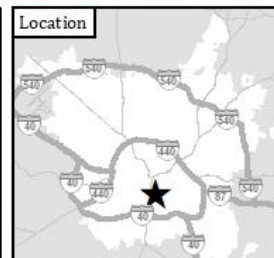
Property	220 E Morgan St
Size	0.95 acres
Existing Zoning	DX-7-UG
Requested Zoning	DX-20-UG-CU



Map by Raleigh Department of City Planning (mansolf): 6/26/2020



Property	220 E Morgan St
Size	0.95 acres
Existing Zoning	DX-7-UG
Requested Zoning	DX-20-UG-CU



Map by Raleigh Department of City Planning (mansd@): 6/26/2020

COMPREHENSIVE PLAN

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

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

Yes, the request is consistent with the vision, themes, and policies contained in the 2030 Comprehensive Plan.

Most notably, the request is consistent with the themes **Managing our Growth** and **Coordinating Land Use and Transportation**, which together envision a city of desirable places to live, work, and play in a compact development pattern that provides more housing, employment, and retail uses in areas with that are designed to reduce reliance on individual automobiles and support transit and walkability.

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

Yes, the requested Downtown Mixed Use zoning is consistent with the Central Business District designation on the Future Land Use Map.

- 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 are intended to sufficiently support the requested increase in land use intensity.

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

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

☐ **Inconsistent**

The requested Downtown Mixed Use zoning is consistent with the Central Business District designation on the Future Land Use Map.

Urban Form

Urban Form designation: Downtown Center and Core Transit Area

The rezoning request is

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

☐ **Inconsistent**

☐ **Other**

Overview: The request will maintain the existing Urban General frontage designation. All adjacent properties are similarly zoned with Urban Frontage designations except for the historic properties to the north which are zoned with the Detached Frontage due to their detached built form.

Impact: The existing and proposed Urban General frontage designation will require that buildings be built close to the sidewalk, encouraging transit ridership and improving walkability.

Compatibility: The requested frontage designation is compatible with the similarly zoned adjacent properties and more generally Downtown Raleigh.

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The proposed rezoning is compatible with the property and surrounding area which is characterized by an urban environment in the city's core.

Public Benefits of the Proposed Rezoning

- The requested zoning district will permit more housing and employment uses to be located within walking distance of every local and regional transit route that operate at GoRaleigh Station.
- The request will increase the much-needed supply of housing units in the city in an area that is designed to reduce reliance on automobile usage.
- The request will create more places for people to live with convenient walkable access to employment, education, recreation, shopping, and dining.

Detriments of the Proposed Rezoning

- None identified

Policy Guidance

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

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.

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 requested Downtown Mixed Use zoning is consistent with the Central Business District designation on the Future Land Use Map.

LU 2.6 Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

LU 4.7 Capitalizing on Transit Access

Sites within walking distance of existing and proposed rail and bus rapid transit stations should be developed with intense residential and mixed uses to take full advantage of and support investment in transit infrastructure.

LU 4.8 Station Area Land Uses

A complementary mix of uses, including multifamily residential, offices, retail, civic, and entertainment uses, should be located within transit station areas.

EP 1.1 Greenhouse Gas Reduction

Promote best practices for reducing greenhouse gas emissions as documented through the U.S. Mayors' Climate Protection Agreement.

- The rezoning request will significantly increase the permitted amount of residential and office use within walking distance of every local and regional transit route that operates out of GoRaleigh Station and multiple planned BRT stations, availing potential future residents and office tenants the opportunity to live and work in an area designed for reduced reliance on automobiles and a reduction of greenhouse gas emissions. Reducing automobile trips associated with the increase in land use intensity also lessens the impact on existing infrastructure and reducing the need for additional transportation infrastructure, specifically.

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 requested Urban General frontage designation is consistent with the recommendations of the Urban Form Map and will encourage walkability in the area.

H 1.8 Zoning for Housing

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

- The rezoning request will increase the estimated residential units permitted on the site from 103 to 350.

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.

DT 1.2 Vertical Mixed Use

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

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.

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.

DT 1.16 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.

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.

DT 4.1 Encouraging Downtown Housing

Encourage high-density residential development in downtown, consistent with the target of accommodating another 25,000 residents by 2030.

- The rezoning request will substantially increase the permitted amount of housing and office space on a property that is currently developed with a parking lot in Downtown.

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

- None identified.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	78	The area has “Excellent Transit” where transit is a convenient choice for most trips.
Walk Score	30	94	The area is a “Walker’s Paradise” where daily errands do not require a car.
Bike Score	41	92	The area is a “Biker’s Paradise” where daily errands can be accomplished on a bike.

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

Summary: The subject property scores well above the city average for walkability, bikeability, and transit convenience. Accordingly, trips are more likely to be on foot, on transit, or in short vehicle trips, all of which minimize the site’s transportation-related carbon footprint.

Carbon/Energy Footprint: Housing

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

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

Summary: All building types are permitted, especially those that are more energy efficient than detached houses.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	The rezoning request will increase the permitted number of residential units on the site from an estimated 103 to 350.
Does it include any subsidized units?	No	No subsidized units are specified in the rezoning request.
Does it permit a variety of housing types beyond detached houses?	Yes	All building types are permitted.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	N/A
Is it within walking distance of transit?	Yes	The rezoning site is within 1,050 feet (roughly a five-minute walk) of every local transit route that operates out of GoRaleigh station including the following regional routes: 40X Wake Tech Express, FRX Fuquay-Varina-Raleigh Express, WRX Wake Forest – Raleigh Express, ZWX Zebulon-Wendell-Raleigh Express.

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

Summary: The rezoning request will permit more than 3-times the residential entitlement on the subject site than what is permitted today in an area within a 5-minute walk to every transit route operated from GoRaleigh station. Additionally, the existing and requested zoning districts permit the apartment building type which tend to be more affordable than other housing types.

IMPACT ANALYSIS

Historic Resources

The site is not located within a National Register Historic District or Raleigh Historic Overlay District. It does not include any National Register individually-listed properties or Raleigh Historic Landmarks. The site is adjacent to the Capitol Square and Moore Square Historic Overlay Districts. It is adjacent to several Raleigh Historic Landmarks.

The Raleigh Historic Development Commission has recommended approval of the request if the permitted building height is limited to a maximum of 12 stories.

Impact Identified: No impact identified.

Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. Nearest existing park access is provided by New Bern Place Park (350 feet) and Moore Square Park (0.1 miles). Nearest existing greenway trail access is provided by Martin St. Connector Greenway Trail (0.2 miles). Current park access level of service in this area is graded an A letter grade.

Impact Identified: None identified.

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	0	64,375	117,500
Waste Water	0	64,375	117,500

Impact Identified:

1. The proposed rezoning would add approximately 53,125 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.

Stormwater

Floodplain	n/a
Drainage Basin	Walnut
Stormwater Management	UDO 9.2
Overlay District	n/a

Impact Identified: No downstream structural impacts identified.

Transportation and Transit

Site Location and Context

Location

The Z-23-20 site is located in Downtown Raleigh, on the southwest corner of Morgan Street and South Person.

Area Plans

The Z-23-20 site is located within the Downtown plan boundaries. It is also on Person Street, which is covered by the Blount Street-Person Street Corridor Plan.

Existing and Planned Infrastructure

Existing Streets

The subject property has frontage on East Morgan Street and South Person Street. Both streets are designated as 4-lane avenues with parallel parking. When one-way streets are designated as divided avenues, the curb-to-curb requirements for one direction of travel are in effect. Both streets are maintained by NCDOT.

Street Network

In accordance with UDO section 8.3.2, the maximum block perimeter for DX Zoning districts is 2,000 feet. The existing block perimeter is 2,000 feet.

Pedestrian Facilities

Sidewalks are complete in the vicinity of the subject property. Development of the site will result in wider sidewalks conforming to Article 8.5 of the UDO.

Bicycle Facilities

Both Morgan and Person Streets have bicycle lanes.

The Z-23-20 site is within the bikeshare service area. Stations nearest the site are at GoRaleigh Station, Lane and Bloodworth, and Jones at Salisbury. Bikeshare station spacing guidelines suggest that additional stations in the vicinity of this site may be appropriate. The addition of Bikeshare infrastructure may help to mitigate traffic concerns, as trips would be converted from motorized vehicles to bicycles. If the applicants wishes, Transportation Staff can help the applicant craft a condition requiring installation of bikeshare infrastructure.

Transit

The Z-23-2020 site is well served by existing public transit. In the future, New Bern Avenue BRT is planned to stop at Blount Street.

Access

Access to the subject site may be via any of the surrounding streets.

Other Projects in the Area

GoRaleigh is designing bus rapid transit (BRT) infrastructure to provide a dedicated transitway between GoRaleigh Station and Wake Med Hospital. The service will extend beyond the I-440 beltway.

The City of Raleigh is beginning design to implement additional phases of the Blount Street, Person Street Corridor Plan, including converting the street to two-way operations. It is unknown exactly how at this time if BRT will modify plans to convert the streets to two-way.

TIA Determination

Based on the Envision results, approval of case Z-23-20 would increase the amount of projected vehicular trips for the site as indicated in the table below. The proposed rezoning from DX-7-UG to DX-40-CU is projected to have 127 new trips in the AM peak hour and 138 new trips in the PM peak hour. These values do not trigger a Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual. However, an analysis may be required at the site plan stage.

Z-23-20 Existing Land Use	Daily	AM	PM
	0	0	0
Z-23-20 Current Zoning Entitlements	Daily	AM	PM
	1,024	106	112
Z-23-20 Proposed Zoning Maximums	Daily	AM	PM
	2,503	233	250
Z-23-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	1,480	127	138

Impact Identified: There would be an increase in daily, morning, and evening peak hour trips. A traffic impact analysis may be required at site plan.

Impacts Summary

The development of the subject site under the proposed rezoning is not anticipated to have negative impacts on infrastructure or surrounding properties.

Mitigation of Impacts

No mitigations have been identified as no negative impacts are anticipated.

CONCLUSION

The requested conditional use zoning district will permit a significant increase in residential units and office space Downtown on a property that is currently developed with a parking lot. The property is located within short walking distance to GoRaleigh Station which operates numerous local and regional transit services. The property is also within short walking distance to multiple planned BRT stations that serve New Bern Avenue; increasing the land use intensity in these transit rich areas will allow more people to live and work in a place that is designed for reduced reliance on automobiles. For these reasons, the request is consistent with the 2030 Comprehensive Plan overall. Case Timeline

Date	Action	Notes
June 15, 2020	Neighborhood meeting	
August 24, 2020	Neighborhood meeting	
December 8, 2020	Planning Commission	
February 9, 2021	Planning Commission	
February 23, 2021	Planning Commission	Recommends approval
March 2, 2021	City Council	Planning Commission report
April 6, 2021	City Council	Public Hearing

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-7-UG	DX-3-DE	DX-7-UG	DX-12-UG	DX-7-UG
Additional Overlay	-	HOD-G	-	-	-
Future Land Use	Central Business District	Central Business District	Central Business District	Central Business District	Central Business District
Current Land Use	Parking	Office	Institutional	Office	Parking
Urban Form	Downtown	Downtown	Downtown	Downtown	Downtown

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	DX-7-UG	DX-40-UG-CU
Total Acreage	.95	.95
Setbacks:		
Front	3'	3'
Side	0' to 6'	0' to 6'
Rear	0' to 6'	0' to 6'
Residential Density:	108	368
Max. # of Residential Units	103	350
Max. Gross Building SF	120,559	412,131
Max. Gross Office SF	84,627	150,000
Max. Gross Retail SF	15,499	16,485
Max. Gross Industrial SF	-	-
Potential F.A.R	2.91	9.96

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



TO: Planning Commission
FROM: Nick Fountain, Chair
CC: Matthew Klem, Senior Planner, Department of Planning and Development
Tania Tully, Senior Preservation Planner

SUBJECT: Rezoning case Z-23-20 (220 E Morgan Street)

DATE: September 4, 2020

The Raleigh Historic Development Commission (RHDC) reviewed rezoning case Z-23-20 at its July 21 and August 18, 2020 meetings. The proposed rezoning case Z-23-20 includes the property located at 220 East Morgan Street. The current zoning is DX-7-UG. The application requests a change to DX-20-UG-CU.

Recommendation

The RHDC, on a vote of 12/0, recommends approval of the rezoning application provided that a condition is added that the height be kept to no greater than 12 stories.

Much of the discussion on the proposal focused on the requested 20 story height. Consideration for structures that are lower than 20 stories would be more appropriate in the context of the height of the historic district areas as well as the adjacent buildings.

The proposal offers no conditions that address or consider the compatibility of new construction with the historic resources in the immediate downtown area.

- Historic Buildings: The RHDC appreciates and applauds the applicant for seeking to build infill development on a vacant lot rather than jeopardizing existing downtown historic structures with demolition.
- Height of New Construction: Excepting for the property across South Person Street, which is DX-12, the majority of adjacent properties in the Capital area are zoned between 3- and 7-stories. The Commission recognizes that multi-story developments have occurred in the area and that the Non-Residential New Construction section of the *Design Guidelines for Raleigh Historic Districts and Landmarks* 3.5.2 encourages the design of commercial new buildings with an architectural and urban scale compatible with the special character of the district.

Consideration should be given to prevailing building heights in the Capital area. A potential condition that could increase compatibility with the closest adjacent historic resources may be tapering density and/or providing an additional setback along the property's Morgan Street frontage.

- Context Sensitive Design: The proposed conditions do not address how the characteristics of new construction adjacent to the various identified historic resources in the area will be compatible with the character of those sites and districts. A potential condition that could increase compatibility of new construction might address the fenestration of the proposed structures on the site, the articulation of the facades, or provide guidance on compatibility of the exterior materials with the surrounding historic development.

Historic Resources

The site of the proposed rezoning does not contain any extant historic buildings. However, the property is adjacent or in close proximity to several Raleigh Historic Overlay Districts (HODs) and Raleigh Historic Landmark properties. It is located across Morgan Street from the Capitol Square HOD and the Capitol Area National Register Historic District. Within the Capitol Square HOD boundary and directly across Morgan Street are several Raleigh Historic Landmarks, including the [Horton-Beckham-Bretsch House](#), the [White-Holman House](#), and the [Montgomery House](#).

According to the 1975 Historic Overlay District Report for the designation of the Capitol Square HOD, “the physical configuration of William Christmas’ plan for Raleigh is still evident although there have been some major changes made to the original pattern. The major north, south, east, and west streets were intended to be boulevards leading toward the Capitol Building, creating a vista dominated by the building. ...To the east of Union Square, New Bern Avenue has been made into a cul-de-sac ending at Person Street. Immediately to the south of this, Morgan Street has been altered into a connector curve which ties into the rest of New Bern Avenue and continues east as a major traffic artery. The two block New Bern Avenue cul-de-sac is the site of four National Register/Raleigh Historic Sites and they are some of the earliest existing development in Raleigh.”

The proposed rezoning is also adjacent to the Moore Square HOD and Moore Square National Register Historic District. Within the Moore Square HOD boundary and separated from 220 E Morgan Street by one parcel is the [Tabernacle Baptist Church](#) Raleigh Historic Landmark.

Several other Raleigh Historic Landmarks lie within a one-block radius of the proposed rezoning. The Oakwood HOD and Oakwood National Register Historic District, as well as the Blount Street HOD boundaries, lie within a two-block radius of the proposed rezoning.

Relevant Comprehensive Plan Policies

- Policy HP 1.1—Stewardship of Place. Foster stewardship of neighborhood, place, and landscape as the City grows and develops.
- Policy HP 1.2—Cultural and Historic Resource Preservation. Identify, preserve, and protect cultural and historic resources including buildings, neighborhoods, designed

and natural landscapes, cemeteries, streetscapes, view corridors, and archaeological resources.

- Policy HP 1.3—Economic Value of Historic Preservation. Promote the city’s cultural and historic identity as an economic asset.
- 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.
- 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.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District DX Height 7 Frontage UG Overlay(s) _____			
Proposed Zoning Base District DX Height 40 Frontage UG Overlay(s) _____			
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
GENERAL INFORMATION			
Date 6/17/2020		Date Amended (1) 8/28/2020	Date Amended (2)
Property Address 220 E. Morgan Street			
Property PIN 1703881970		Deed Reference (book/page) 014704 / 00957	
Nearest Intersection S. Person St and E. Morgan Street			
Property Size (acres) 0.95	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address BLOUNT HOURLY PARKING SERVICE LLC c/o Gordon Smith 3323 ALLEGHANY DR RALEIGH NC 27609-6903		Phone	Fax
		Email gordon.smith6@me.com	
Applicant Name/Address BLOUNT HOURLY PARKING SERVICE LLC c/o Beverly Smith 3323 ALLEGHANY DR RALEIGH NC 27609-6903		Phone	Fax
		Email beverlyblountsmith@gmail.com	
Applicant* Signature(s)		Email beverlyblountsmith@gmail.com	

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

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number	Z-23-20	OFFICE USE ONLY Rezoning Case #
Date Submitted	8/28/2020	
Existing Zoning	DX-7-UG	
Proposed Zoning		DX-40-UG-CU
Narrative of Zoning Conditions Offered		
<p>1. The following uses shall be prohibited on the property; Dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; and adult establishment.</p> <p>2. No structure shall exceed 30 stories in height, except that height encroachments otherwise permitted may exceed such height.</p> <p>3. Not more than 150,000 gross square feet of office use shall be permitted on the site.</p> <p>4. Building facades shall be constructed from one or more of the following materials: glass, concrete and/or clay brick, masonry, cementitious stucco, native and masonry stone, natural wood, precast concrete, and metal panels and/or trim. The following building materials shall be prohibited in such areas: vinyl siding, fiberboard siding, pressure treated wood, and synthetic stucco (EIFS). Window frames, door frames, soffits, or miscellaneous trim may be constructed of wood, fiberglass, or metal.</p> <p>5. In addition to the standards for screening set forth in the UDO, any structured parking shall meet the following standards on the side adjacent to E. Morgan Street: a minimum of 50% of the vertical surfaces shall have an opaque screen. Such screening shall be designed to minimize light spillage through solutions, including but not limited to, screen walls, screening devices, and spandrel glass.</p> <p>6. Lighting within any structured parking shall be designed to reduce light spillage outside the parking structure according to the following: internal illumination shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way or adjacent parcels. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to prevent such visibility. Rooftop lighting shall be located at an elevation height less than the top of the nearest exterior perimeter rooftop wall; or shall be setback a minimum of 15 feet from the exterior perimeter of the rooftop wall at a maximum mounted height of 12 feet above finished floor with cutoff light fixtures that have a maximum 90 degree illumination.</p>		

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature

DocuSigned by:
Beverly Smith
FEC5FCCA8F07471...

Print Name

Beverly Smith

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	OFFICE USE ONLY Rezoning Case #
STATEMENT OF CONSISTENCY Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
<p>The property is within the Urban Form Map based on its location in Downtown as well as its proximity to the planned New Bern Avenue BRT line. The proposed urban frontage is consistent with the policies of the Urban Form Map.</p> <p>The property falls within the core of the Downtown Element of the Comprehensive Plan. The proposed rezoning supports numerous policies in the Downtown Element, including: DT 1.3 (encourage redevelopment of underutilized sites), DT 1.6 (supporting retail growth), DT 7.3 (street walls), and DT 7.5 (ground level design).</p> <p>The site also falls within the core/transit designation of the Central Business District, where table LU-2 calls for up to 40 stories.</p>	
PUBLIC BENEFITS Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
<p>The requested rezoning will allow for development of a site currently occupied by a surface parking lot in conformance with the Urban General frontage requirements, completing a missing piece of the downtown street wall and enhancing activity and vibrancy along sections of both Morgan Street and Person Street that currently provide no pedestrian amenities or street-level interest. The developed site will additionally complement and help to complete the Blount Street/Person Street Corridor Plan.</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources	OFFICE USE ONLY 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.	
None.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A	

URBAN DESIGN GUIDELINES

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

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation

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

- | | |
|-----------|---|
| 1. | <p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p>Response:</p> |
| 2. | <p><i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i></p> <p>Response:</p> |
| 3. | <p><i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i></p> <p>Response:</p> |
| 4. | <p><i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i></p> <p>Response:</p> |
| 5. | <p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p>Response:</p> |
| 6. | <p><i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i></p> <p>Response:</p> |

7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>Response:</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>Response:</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>Response:</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>Response:</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>Response:</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response:</p>

13.	<i>New public spaces should provide seating opportunities.</i> Response:
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i> Response:
15.	<i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i> Response:
16.	<i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i> Response:
17.	<i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i> Response:
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i> Response:
19.	<i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i> Response:

20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>Response:</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Response:</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Response:</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>Response:</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>Response:</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>Response:</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>Response:</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting a conditional use district:					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
If applicable (see Page 11):					
10. Proof of power of attorney or owner affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting a Planned Development (PD) or Campus District (CMP):					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

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

Who can initiate a rezoning request?

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

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

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

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

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

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

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

Date: June 4, 2020

Re: Property Located at 220 E. Morgan Street

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Monday, June 15th, 2020 from 5pm to 7pm. The meeting will be held virtually. You can participate online or by telephone. Please note that the presentation is planned to begin at 5pm and will be followed by an opportunity for questions and answers. Depending on attendance, the programmed portion of the meeting is likely to end between 5:30 and 6pm. The additional time is intended to allow for a late start in the event of any technical issues related to the virtual meeting, and your flexibility is appreciated. Once the meeting has been successfully completed, the online meeting, including the telephone dial-in option, will remain open until 7pm, and we will be happy to review the proposal or answer additional questions during this time.

The purpose of this meeting is to discuss a potential rezoning of the property located at 220 E. Morgan Street from DX-7-UG to DX-20-UG. The purpose of the zoning request is to allow for mixed-use development. Our goal is to gather comments through your participation in this virtual neighborhood meeting or, alternatively, through your written comments to the City of Raleigh Planning Department. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed.

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

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

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

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

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

Sincerely,

A handwritten signature in blue ink, consisting of the letters 'M', 'S', and 'Z' in a stylized, cursive-like font. The 'M' and 'S' are connected, and the 'Z' is written with a long horizontal stroke.

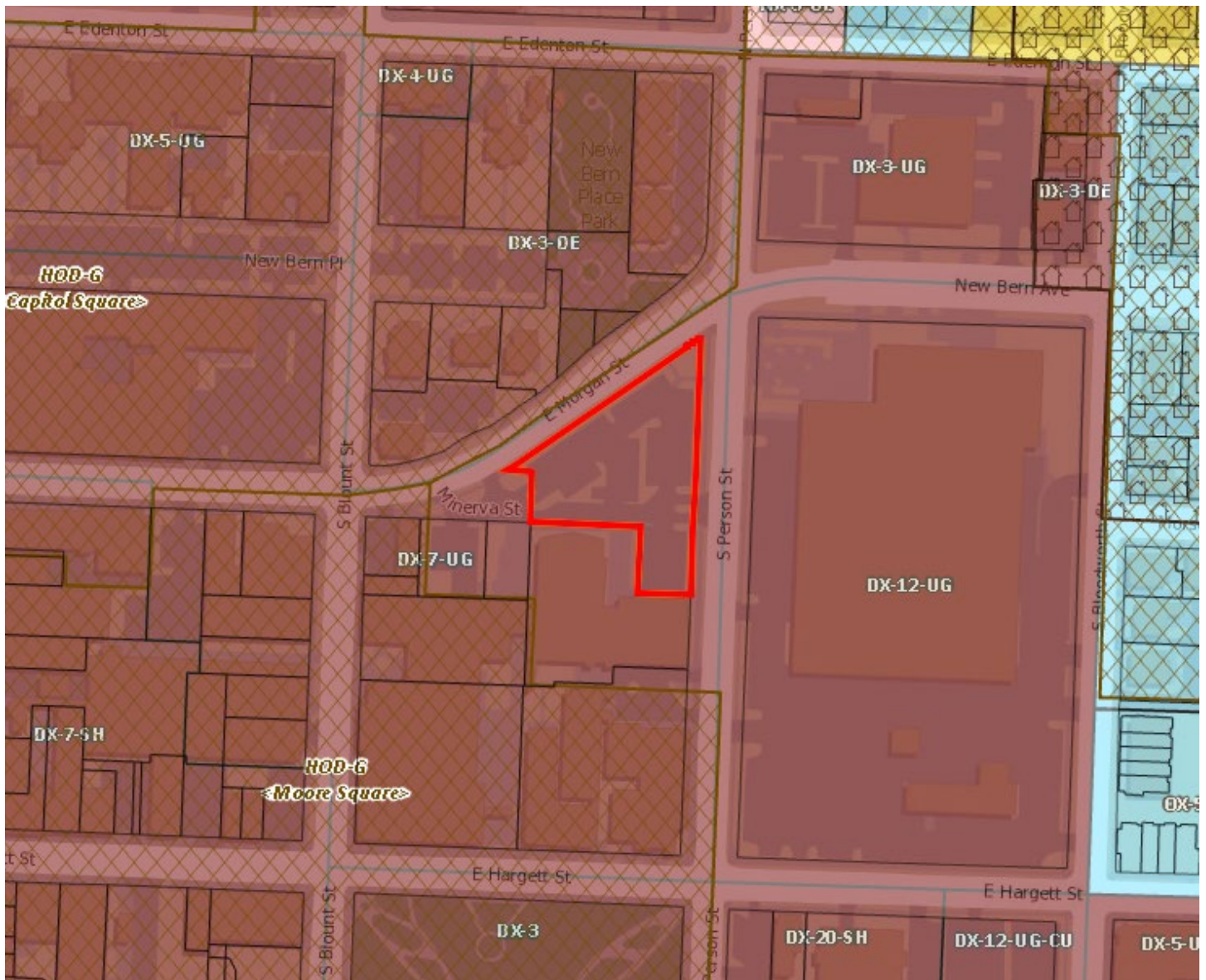
Neighborhood Meeting Agenda

- I. Introductions
- II. The rezoning process
- III. The project
- IV. Question and answer period

Aerial Photo



Zoning



How to Participate in the June 15, 2020 Neighborhood Meeting

- To participate by PC, Mac, iPad, iPhone or Android device,
 - Go to bit.ly/mlg06152020mtg to register for the meeting. (*Registration is necessary as we are required by the City of Raleigh to have a record of attendance.*)
 - Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
 - Dial one of the following numbers:
 - +1 312 626 6799
 - +1 929 436 2866
 - +1 301 715 8592
 - +1 346 248 7799
 - +1 669 900 6833
 - +1 253 215 8782
 - Enter Webinar ID: 917 8145 3381
 - Enter password: 394886
 - *For attendance purposes as required by the City of Raleigh, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.*

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

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

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

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

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **DX** Height **7** Frontage **UG** Overlay(s) _____

Proposed Zoning Base District **DX** Height **20** Frontage **UG** Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE
USE ONLY

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number:

GENERAL INFORMATION

Date

Date Amended (1)

Date Amended (2)

Property Address **220 E. Morgan Street**

Property PIN **1703881970**

Deed Reference (book/page) **014704 / 00957**

Nearest Intersection **S. Person St and E. Morgan Street**

Property Size (acres)

0.95

For Planned
Development
Applications Only:

Total Units

Total Square Footage

Total Parcels

Total Buildings

Property Owner Name/Address

BLOUNT HOURLY PARKING SERVICE LLC
c/o Gordon Smith
3323 ALLEGHANY DR
RALEIGH NC 27609-6903

Phone

Fax

Email **gordon.smith6@me.com**

Applicant Name/Address

BLOUNT HOURLY PARKING SERVICE LLC
c/o Beverly Smith
3323 ALLEGHANY DR
RALEIGH NC 27609-6903

Phone

Fax

Email **gordon.smith6@me.com**

Applicant* Signature(s)

Email **gordon.smith6@me.com**

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

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Rezoning Case #
Date Submitted		
Existing Zoning DX-7-UG	Proposed Zoning DX-20-UG-CU	
Narrative of Zoning Conditions Offered		
<p>1. The following uses shall be prohibited on the property; Dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; and adult establishment.</p>		

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature _____ Print Name **Beverly Smith**

SUMMARY OF ISSUES

A neighborhood meeting was held on June 15, 2020 (date) to discuss a potential rezoning located at 220 E. Morgan Street, Raleigh (property address). The neighborhood meeting was held at virtual (location). There were approximately nine (9) (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

An attendee asked about the availability of parking on site. Applicant explained interest in and support for public parking but amount is unknown at this time.

An attendee asked about how close any structure would come to the Imax building. Applicant explained there are no designs at this time.

An attendee asked how the development would be accessed. Applicant stated the City has suggested Person Street for access. Access will be evaluated at site plan.

An attendee asked what percentage of the building would be parking. Applicant said it would depend on the use and the amount of public parking (e.g, office use requires more parking than hotel).

An attendee expressed a desire for green space. Applicant explained the amount of outdoor space required and special requirements in DX zoning for an urban plaza.

An attendee to the north asked about height of the building. Applicant said 20 stories would be the upper limit and the code places limits on building floorplate.

ATTENDANCE ROSTER	
NAME	ADDRESS
Mack Paul	421 Fayetteville Street, Suite 530, Raleigh, NC 27601
George Leloudis	421 Fayetteville Street, Suite 530, Raleigh, NC 27601
Gordon Smith	gordon.smith6@me.com
Beverly Smith	beverlyblountsmith@gmail.com
Ellie Ismail	ellie.ismail@vintagenc.com
Meredith Cooper	meredith0145@gmail.com
Jennifer DeWolf	jenndewolf@yahoo.com
Tim Hazlehurst	tim@marbleskidsmuseum.org
Kate Baldwin	katembaldwin@gmail.com
Mary Winstead	mdwinstead@gmail.com
Mark Edmondson	mark.edmondson@wakegov.com
Ira Mabel	ira.mabel@raleighnc.gov
Jeff Winstead	winstead@nc.rr.com