

Ordinance (2012) 103ZC676

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

Z-24-12 (SSP-4-12) West Morgan Street, Conditional Use - located on the northwest corner of West Morgan Street and Tryon Hill Drive being Wake County PIN 1703-29-0422. Approximately 0.12 acre rezoned from Industrial-2 to Industrial-2 Conditional Use District with Pedestrian Business Overlay District and amend the Hillsborough Morgan Streetscape and Parking Plan.

Conditions Dated: 09/06/12

Narrative of conditions being requested:

1. The following uses shall be prohibited on the Property:
 - a. Mini warehouse storage facility
 - b. Airfield or landing strip
 - c. Heliport
 - d. Cemetery
 - e. Correctional penal facility—governmental and non-governmental
 - f. Crematory
 - g. Funeral home
 - h. Adult establishment
 - i. Carwash facility
 - j. Kennel/cattery
 - k. Vehicle sales/rental
 - l. Automotive service and repair facility
 - m. Pawn shop
 - n. Rifle range—all kinds
 - o. Bottling plant
 - p. Bulk products (storing, sorting and breaking)
 - q. Bulk storage of flammable and combustible liquids
 - r. Incinerator
 - s. Machine shop
 - t. Manufacturing—restricted and general
 - u. Mining and quarrying
 - v. Outdoor storage—all kinds
 - w. Scrap materials—indoor storage
 - x. Solid waste—indoor and outdoor reclamation and landfill
 - y. Terminal, facility, railroad roundhouse and depot

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September 18, 2012

- aa. Power plants—other power plants
- ab. Warehousing/distribution center
- ac. Wholesale laundry, dyeing and dry cleaning
- ad. Wholesaling
- ae. Camp
- af. Outdoor stadium/theater/amphitheater/racetrack
- ag. Riding stable
- ah. Fraternity/sorority house
- ai. Convention center/assembly hall
- aj. Exterminating service
- ak. Railroad freight station or stop
- al. Any use with a drive-through

2. Density on the Property shall not exceed a total of 120 residential units per acre.

3. The height of buildings on the property shall not exceed seventy (70) feet; except along the West Morgan Street right-of-way, the height of the buildings shall not exceed forty-five (45) feet with a one-to-one step back to seventy (70) foot maximum.

4. All development and redevelopment shall be in accordance with the Hillsborough Morgan Streetscape and Parking Plan dated October 19, 2010 and as amended by this rezoning case. “Development” as used herein means any site plan or subdivision. “Redevelopment” as used herein occurs whenever the properties that adjoin rights-of-way acquire new buildings, new uses, or undergo expansions, expenditures, or changes listed in subsections a. through c. below:

a. Expansions or additions that singularly or collectively exceed either twenty-five (25) per cent of the total floor area gross of the building or twenty-five (25) per cent of the total gross area occupied by the use where there is no principal building. The per cent of expansion is to be determined with reference to the size and area of the building or use which existed at the time the Overlay District first became applicable to the property.

b. Renovation or repair work which, during any one (1) calendar year exceeds twenty-five (25) per cent of the Wake County listed tax value.

c. Change in use which results in a change in the type of Building Code occupancy set forth in the North Carolina Building Code.

5. At least 75% of improvements to buildings on the ground floor facing the West Morgan Street right-of-way and 50% of improvements to buildings facing the Tryon Hill Drive right-of-way shall consist of active uses.

6. Active uses are defined as commercial uses, offices, restaurants, and/or retail sales, that front the right-of-way and have at-grade access, that are not otherwise prohibited by the City Code or this rezoning ordinance.

Z-24-12 /
SSP-4-12
9/7/12

CITY OF RALEIGH
CITY PLANNING DEPT

2012 SEP -7 AM 9:49



Hillsborough Morgan

Streetscape and Parking Plan

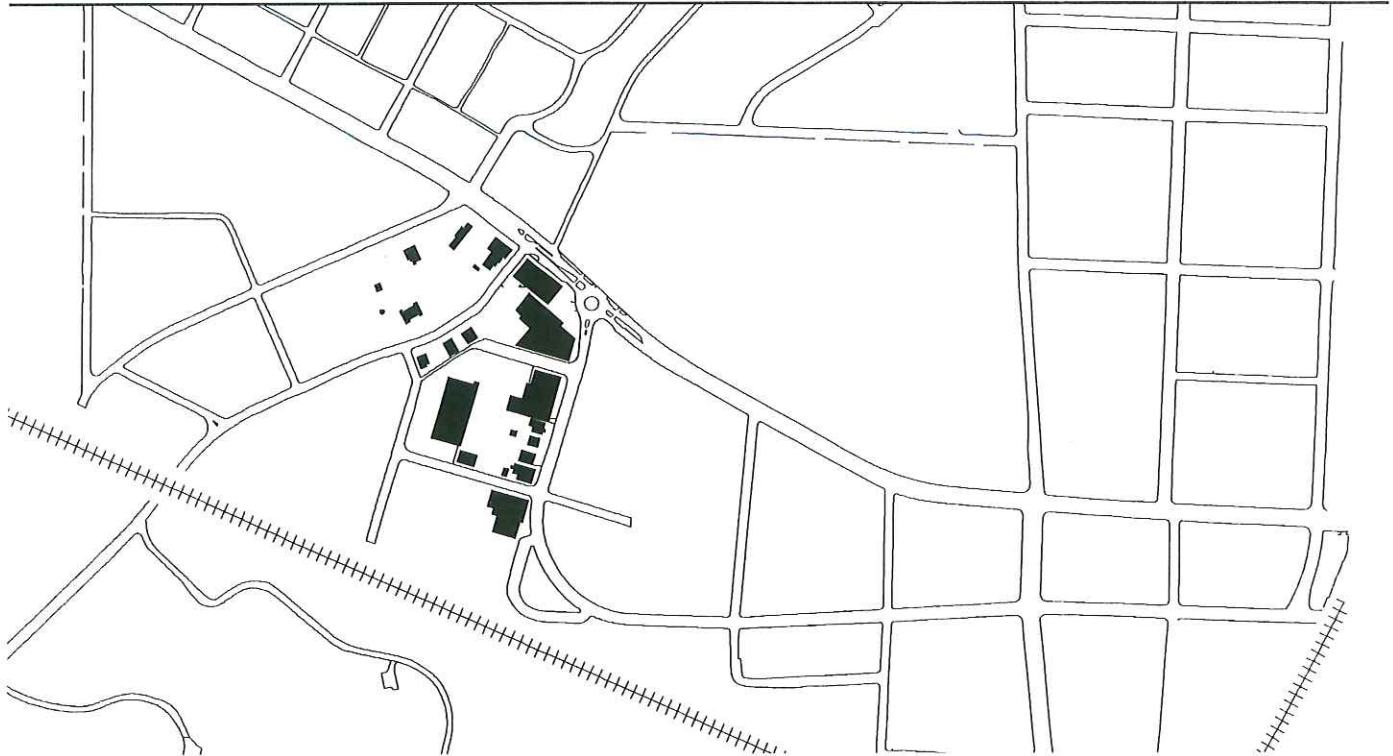
Raleigh, North Carolina

SSP-4-12

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Introduction



Background

The sites covered by this plan have been variously utilized for over 100 years, housing such uses as a bakery and bottling plant early in the Century, in addition to homes, and later, retail and restaurant uses along Hillsborough and Morgan Streets.

The site is variously zoned I-2, R-20, buffer commercial, and neighborhood business. The streetscape and parking plan, along with a PBOD designation for the area, will facilitate uses and development in keeping with Raleigh's resurgent urban core.

The site is strategically located between NC State and State Capitol, and with direct connections and frontage on Hillsborough Street, Morgan Street, and Ashe Avenue, which connects it to Pullen Park and Western Boulevard.

Raleigh's growth, re-commitment to the urban core, and renewed appetite for transit make this site ideal for a pedestrian and transit friendly, mixed use re-development.

Planning Goal

The goal of this streetscape and parking plan is to offer a planning armature which will align the site with redevelopment efforts along Hillsborough Street, and to facilitate pedestrian friendly, transit friendly residential and

community retail development uses on the site. The site is currently a significant void in the fabric of the community that stretches along Hillsborough Street. This plan aims to offer a structure for mending this void, and encouraging appropriate development on this well located but under-utilized parcel.

The Streetscape and public realm elements are contemplated here; parking standards which align with the urban nature of the site are offered, and height limits for varying quadrants of the site are set.

Residential densities will follow the established PBOD regulations that are in place in all other PBODs throughout the City, including Glenwood South, a few blocks to the north and East, and University Village, a few blocks to the West.

Appropriately dense residential development, along with community scale retail, and other uses such as a possible hotel, will provide a needed boost in activity, investment, and vitality to the area. Existing retail and restaurant businesses along Hillsborough and Morgan will benefit significantly from new residents and activity, and pedestrians in the area will find new interest and value in a reactivated fabric.

Introduction Cont.

Transportation

The site is located adjacent to the City's most heavily served street, Hillsborough Street. Cat Buses, The Wolf Line Prowler, and TTA busses all serve the site currently. The R-line circulates at the corner of Glenwood and Hillsborough, .5 mile east.

Morgan Street is currently undergoing final conversion to two way traffic, increasing access and flexibility around the site. As mentioned above, the site also has direct access to Pullen Park, Dorothea Dix, and Western Boulevard via Ashe Avenue.

Some future rail plans contemplate a light rail station within a few yards of the site. Current regional rail stations are planned .6 miles to the East in Downtown, and .8 miles West on the NC State Campus. Appropriate, dense, mixed use development will create demand for future transit. Residents on the site will benefit from current and future service, which will relieve much of the need for auto-only commuting, shopping and travel from this location. Additional density and mix of uses in this area will also reduce the need for car trips.

Streetscape Concept

The Streetscape concept contemplates two roadway types within the area:

Primary Roadways/Primary Pedestrian Corridors

Hillsborough Street, Morgan Street, and future Morgan/Ashe Extension.

Secondary Roadways/Secondary Pedestrian Corridors

Neighborhood scale streets including Ashe Avenue, Tryon Hill Drive, Wakefield Street, Whitley Street, and Park Avenue.

On Hillsborough Street and Morgan Streets, the streetscape plan can transition from that of Hillsborough Street Improvements to the west in terms of paving width, sidewalk treatments, and street furnishings, neighborhood streets will receive a modified treatment; concrete sidewalks will be extended to the curb, tree grates will accommodate street trees, and existing planting strips adjacent to the property can remain to offer transition to adjacent residential areas.

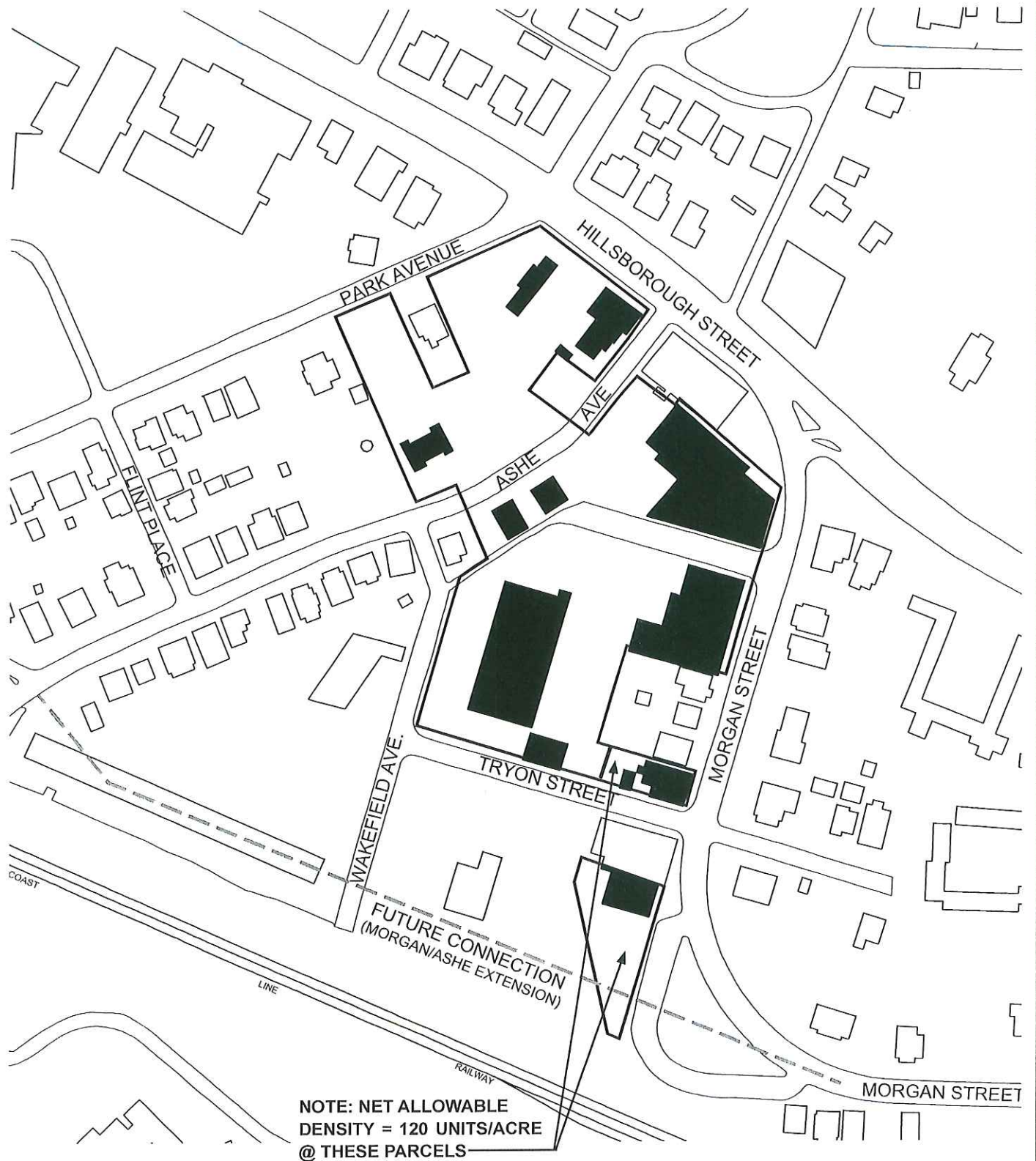
This will allow for modest planting and/or outdoor seating areas, while limiting impervious surfaces and walkways that are out of scale with the roadway, and its surrounds.

It is recommended that the City continue its revitalization effort along Hillsborough Street, and proceed with undergrounding of power lines and streetscape between Oberlin and Morgan.

The future Morgan/Ashe Extension will receive a primary style 14 foot streetscape treatment with full sidewalk consistent with City PBOD Standards.

The resulting plan will provide unity with other parts of the Hillsborough Street community while respecting the scale and character of secondary streets in the area.

Hillsborough Morgan PBOD Boundary



Streetscape Standards

Sidewalks

Existing sidewalks will remain and be modified as shown below. This will provide an ease of transition to existing sidewalks outside the PBOD.

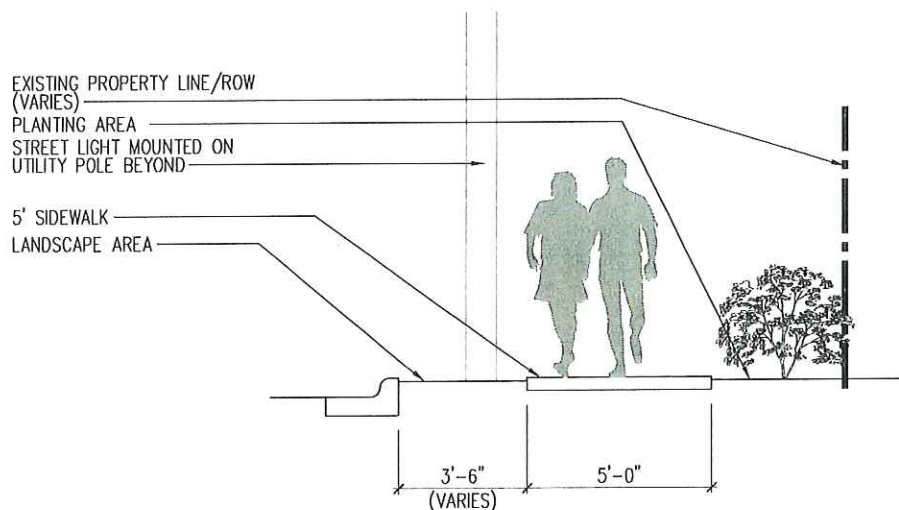
Sidewalks/Primary Roads- Hillsborough and Morgan Streets (and future Morgan/Ashe Extension) will receive full 14 ft sidewalks per City PBOD standards. Refer to accompanying illustration.

Sidewalks/Secondary Roads- All other streets will be subject to 14 ft building setback from curb line. Sidewalks in these areas will be approximately 8 ft wide, starting at the curb. For residential uses, the remaining 6 ft may be

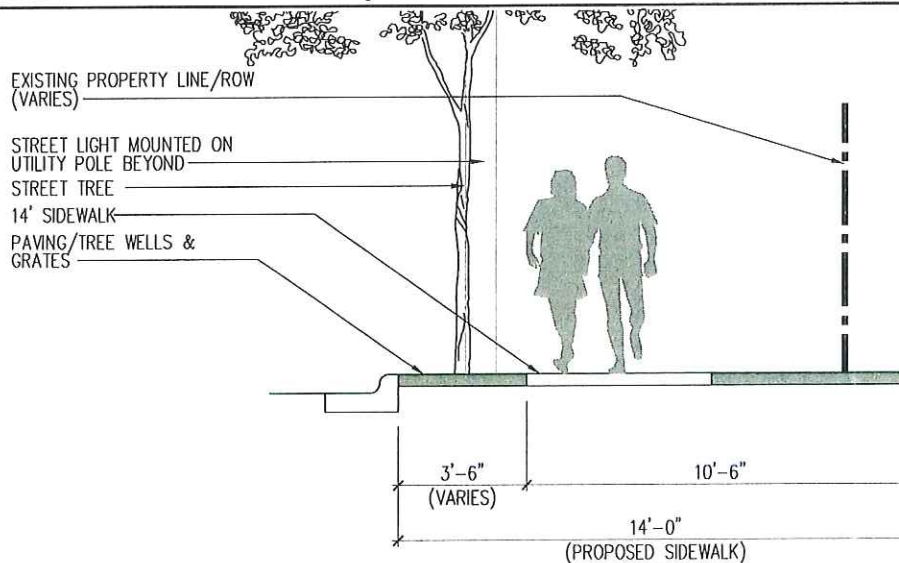
planted area, patios, stoops, or other features, or may be paved where active uses are contemplated at street level. Refer to accompanying illustration.

Pedestrian Path- Should a pedestrian path be provided as indicated in zoning case Z-11-10, the path will offer one shade tree, 3" min. caliper a minimum of one per every (50) linear ft on center, and a minimum of three benches along its length. Any buildings along the pedestrian path shall be a minimum distance apart of 25 ft and an average minimum distance apart of 30 ft. Refer to Z-11-10 for other parameters concerning the pedestrian path accessible to the general public.

Existing Sidewalk Section

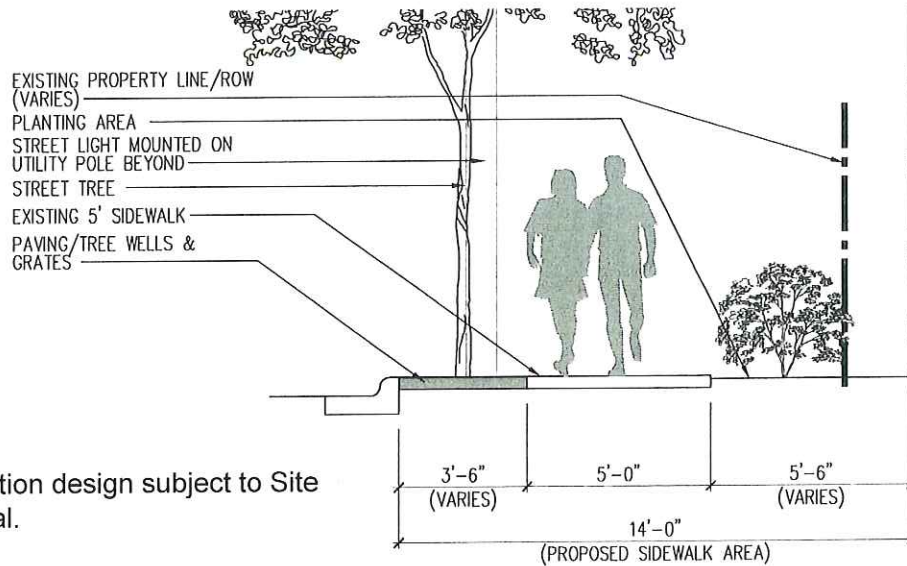


Proposed Sidewalk Section - Primary



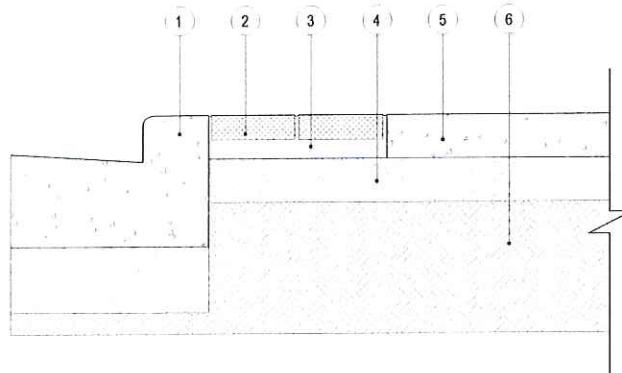
Streetscape Standards Cont.

Proposed Sidewalk Section - Secondary



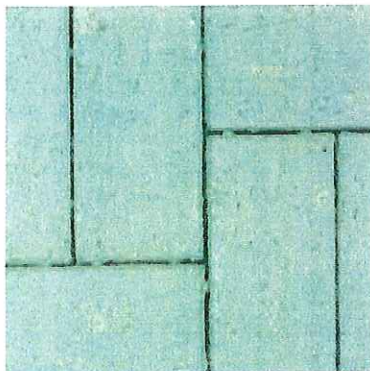
Note: Transition design subject to Site Plan Approval.

Curb Detail



1. CONCRETE CURB AND GUTTER
2. 3-5/8"x7-5/8"x2-1/4" PEDESTRIAN RATED BRICK PAVER
3. 2" SAND SETTING BED
4. 4" COMPACTED STONE BASE
5. 4" CONCRETE SIDEWALK
6. COMPACTED SUBGRADE

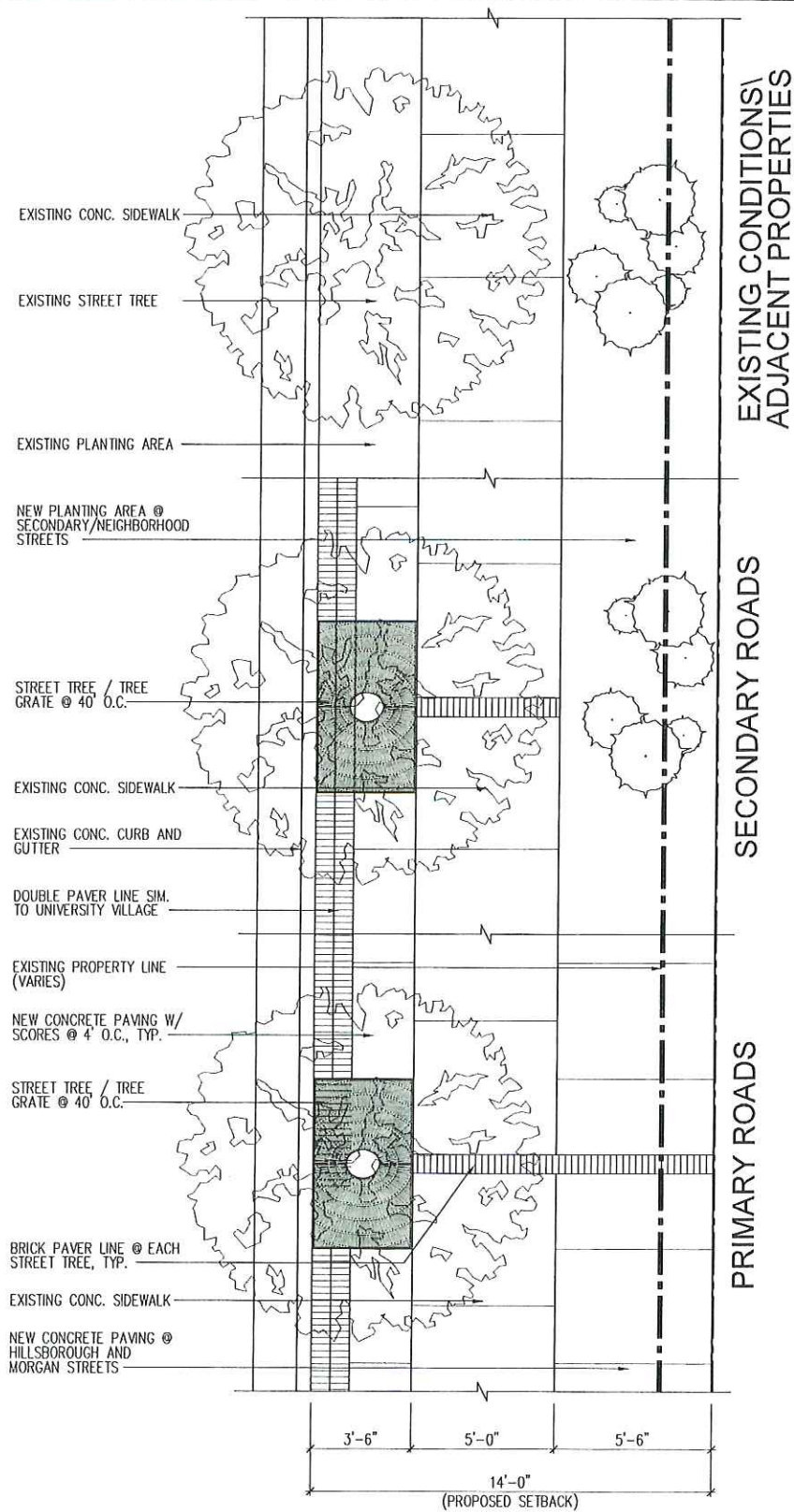
Accent Paver



Manufacturer: Pine Hall Brick
 Brick Specification: English Edge
 Dark Accent Paver

Streetscape Standards Cont.

Proposed Sidewalk Plan



Hillsborough Morgan Crosswalks

 LOCATION OF CROSSWALK



Streetscape Standards Cont.

Utilities

Utilities are well established in most of the area. Utilities will be on poles in the right of way.

Maintenance Plan

Maintenance in excess of that customarily provided by the City of Raleigh will be provided by individual property owners. This includes maintenance of sidewalks/planters required by PBOD but within property lines, watering street trees and keeping sidewalks clear of debris.

Signage

The design and placement of signage should complement the architectural character of the building and be oriented towards the pedestrian. Small high-quality signs are encouraged to enhance the appearance of the building and streetscape.

The following signage types are encouraged: Awning signs, window stencils, wall signs (when internally lit text should be illuminated with opaque background). Low profile ground signs are allowed on private property as allowed by the city code. Paddle signs meeting Raleigh Sign Ordinance guidelines and oriented to pedestrian traffic are encouraged. Paddles signs shall maintain a minimum clear height of 9'-0" above the ground.

The following signage types are prohibited: Off-premise signs, internally illuminated awning signs and internally illuminated signs that do not have an opaque background.

Canopies/Awnings

Canopies and awnings are encouraged for commercial uses along major pedestrian corridors. Awnings and canopies must be at least 9 feet above the sidewalk at their lowest point excluding a flexible valence which may extend one additional foot. An encroachment agreement approved by City Council is necessary if the awning projects into the public right-of-way.

Street Lights

Adequate lighting of the sidewalk and street area is essential to creating a safe and inviting streetscape. Additional street lighting may be necessary to achieve the appropriate levels needed within the business area along Hillsborough and Morgan Street. A short-term solution is to increase the wattage and number of lighting fixtures in the area using existing poles. In the long-term, it is recommended street lighting improvements and pole replacement be included with utility undergrounding by The City of Raleigh. A supplementary lighting plan will be provided at the time of site plan approval for frontage of any development in the district.

Building Facades

Commercial/Retail

New building facades along public rights of way should reflect the neighborhood retail character of the area. New Buildings with ground floor retail/commercial uses will include:

- A public doorway oriented toward the public right of way
- Facades with no more than 15 linear feet of 'blank' exterior walls facing the right of way
- Fenestration areas that allow for views into, and out of the building.
- Canopies, awnings, lighting features, and/or other treatments to denote the retail nature of the space.
- Exterior building materials will conform to the standards in the below "Durable Materials" section.

Residential Structures

Residential structures will have facades that address public right of ways. Ground level units will have one or more of the following: balconies, porches, stoops, bay windows, or other similar active elements that address the street.

Where parking is concealed under residential structures, ground level treatments will be of quality materials, with architectural details which match the primary building and provide a positive edge for pedestrians. Planters, decorative grates and openings, light fixtures, and other elements shall be used to break up ground level facades and provide pedestrian scale. Exterior building materials will conform to the standards in the below "Durable Materials" section.

Durable Materials

New building facades along publicly accessible rights-of-way shall include durable materials in keeping with surrounding buildings – brick/masonry (no concrete block), hardcoat stucco (no EIFS), cementitious or wood siding (no vinyl), and assorted trim elements of quality construction such as wood, aluminum storefront, and similar systems.

Furthermore, at the ground floor along (1) public rights-of-way and (2) the pedestrian path referenced herein on page 7, exterior structural building elements including structured parking will be clad with brick and/or traditional hardcoat stucco.

Streetscape Standards Cont.

Building Setbacks

Building setbacks from street right of ways shall be 0. All streets within the PBOD will have a minimum 14 ft. Sidewalk area. As noted above, this can be a combination of paving adjacent to the curb, and planted area or additional paving on private property. Additional right of way dedication shall not be required to accommodate the sidewalk. However, all provisions of 10-2055 (d)(4)(a), sidewalk widening will be met, with the exception of the sidewalk designations outlined above. Any variation from the 14 ft. sidewalk will require site plan approval through City Council.

Except those setbacks prescribed in Zoning Case Z-11-10 for individual parcels and in the section entitled "Pedestrian Path" above (the pedestrian path referenced herein on page 7), all building setbacks will conform to the provisions of the underlying zoning or as modified in Zoning Case Z-11-10.

Transition Yards

It is recommended that TPY planting areas be minimized through use of fences, walls and other measures per 10-2082.9.

Vehicular Parking Areas

New parking areas, including additions to vehicular parking areas existing prior to the application of the Pedestrian Overlay District shall comply with 10-2055(e)(2). Landscaping must comply with 10-2082.6(b).

Structured Parking

Structured parking below or adjacent to new development will be screened with elements that carry architectural features of primary structures. Openings in structures will be designed to be in scale with window fenestration of occupied space on the same facade of building, and will be softened with architectural screening such as metal lattices, mullions matching building patterns, or similar features. No unimproved concrete or steel structures visible from any right of way are permitted. Exterior building materials will conform to the standards in the above "Durable Materials" section.

Parking Ratios

This area is well served by transit, has many businesses, services, and amenities within easy walking distance, and will be afforded a great deal of new pedestrian related activity as new developments take hold in the area. Mixed use development will also facilitate cross parking for uses with different hours of operation and occupation.

Given the pedestrian oriented nature of the area, the accompanying parking standards hereby govern within the district. Parking ratios noted in this plan will apply to all existing uses, expansion, and new structures within the district.

Minimum off street parking will be provided in the area in accordance with City PBOD ratios outlined in 10-2055(e)(1).

Heights

The accompanying map shows maximum heights for all areas of the plan. The goal is to provide pedestrian scale facades along Hillsborough and Morgan Streets and height transitions to and from lower scale structures.

Note that allowable heights in this area for the various current zoning are:

I-2	50 ft w/ 1 ft increase for each 1 ft added setback width
All other districts	40 ft w/ 1 ft. increase for each 1 ft added setback width

Street Trees


Street trees will be installed per the streetscape plan at the time of development of the parcels at public right of ways prior to the issuance of a certificate of occupancy for the development on the parcel.

Refer to sidewalk plan on page 9 for typical tree spacing.
Refer to page 14 for tree species.
Refer to page 15 for tree grate specifications.
Refer to page 16 for tree planting details.


Hillsborough Morgan Building Heights

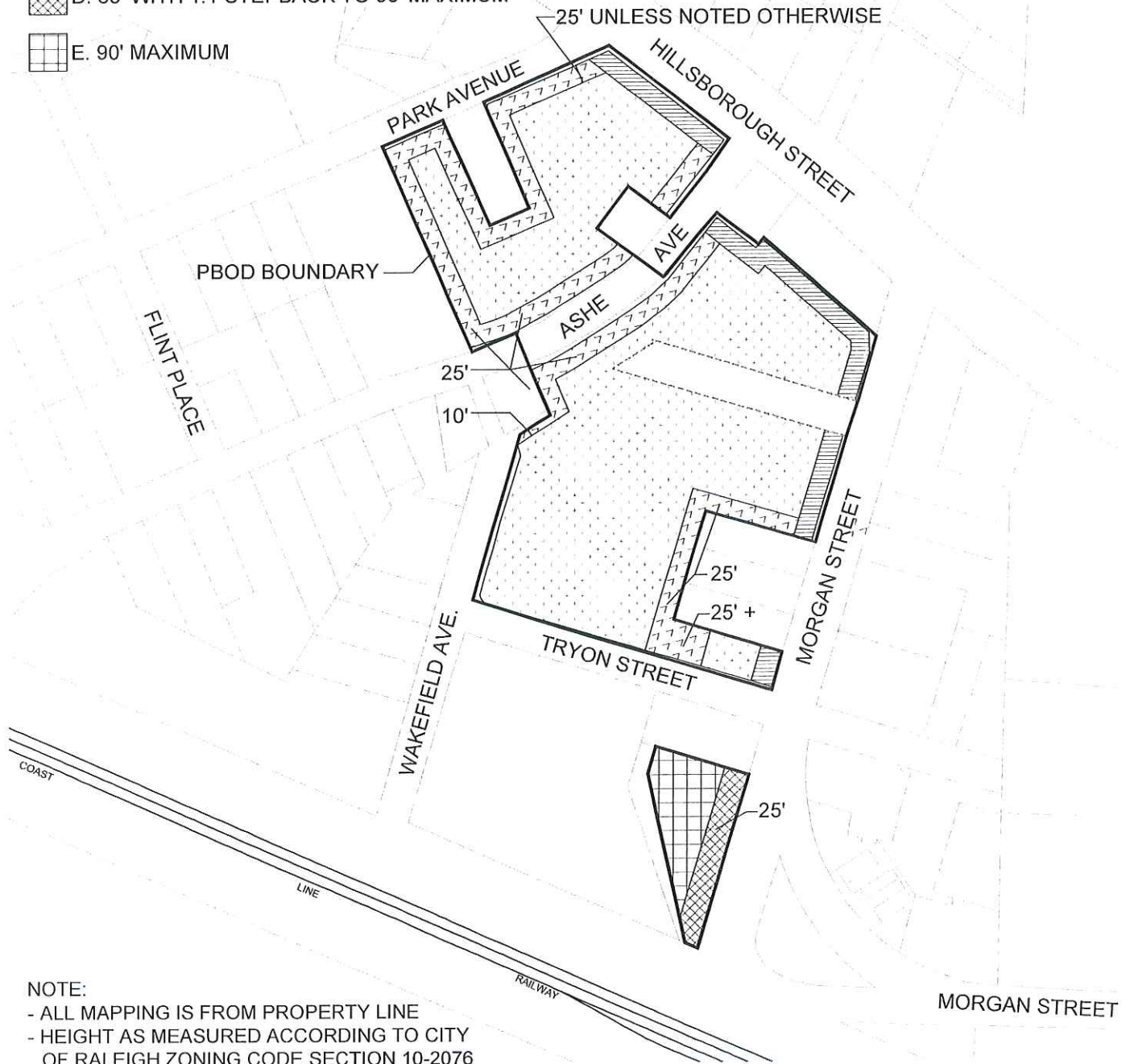
 A. 45' WITH 1:1 STEPBACK TO 70' MAXIMUM

 B. 70' MAXIMUM

 C. 45' MAXIMUM

 D. 65' WITH 1:1 STEPBACK TO 90' MAXIMUM

 E. 90' MAXIMUM



NOTE:

- ALL MAPPING IS FROM PROPERTY LINE
- HEIGHT AS MEASURED ACCORDING TO CITY OF RALEIGH ZONING CODE SECTION 10-2076
- ADDITIONAL SETBACKS AND DEVELOPMENT RESTRICTIONS MAY APPLY. REFER TO CASE Z-11-10 FOR DETAILS.

Proposed Street Trees



Chinese Pistache

(*Pistacia chinensis*)

Location: Hillsborough Street
 Shape: Oval; Round; Spreading; Vase Shape
 Foliage: Green w/ Red Flower
 Fall Color: Orange-Red
 (This tree is already in use to the west)



Chinese Fringe Tree

(*Chionanthus retusus*)

Location: Secondary, Morgan w/ Power Lines
 Shape: Round, Vase Shape
 Foliage: Green w/ White Flower
 Fall Color: Yellow



Japanese Zelkova

(*Zelkova serrata*)

Location: Secondary, Morgan w/o Power Lines
 Shape: Vase Shape
 Foliage: Rough, Dark Green
 Fall Color: Copper; Orange; Red; Yellow

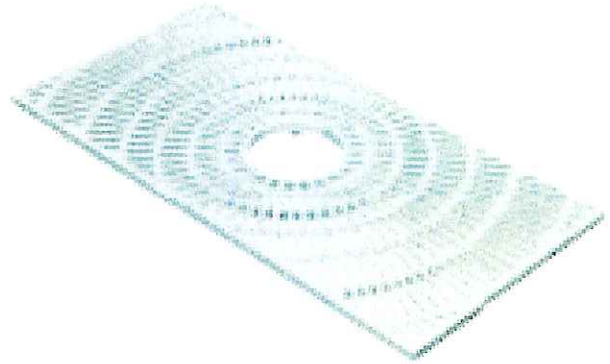
Proposed Tree Grates

Manufacturer: Neenah Foundry

Tree grates are necessary to give the young tree access to oxygen while still allowing the space to be available for pedestrian traffic on a congested sidewalk.

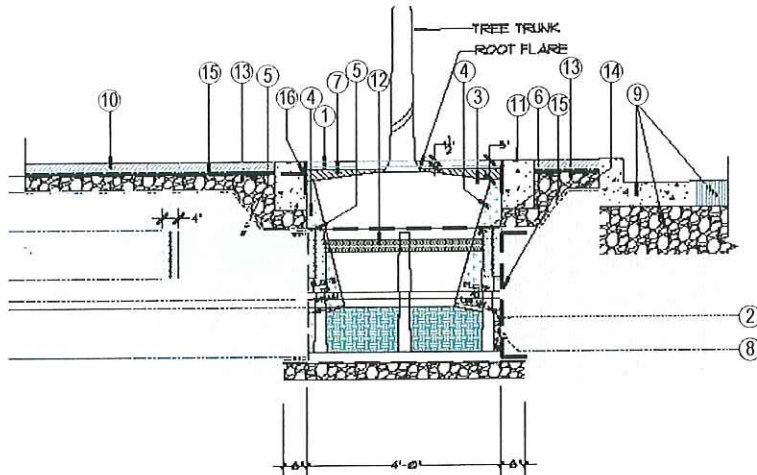
Tree guards are not specified as part of the streetscape plan due to the often adverse impact of items chained to tree guards on the health of trees.

Note: All grates to be ADA compliant

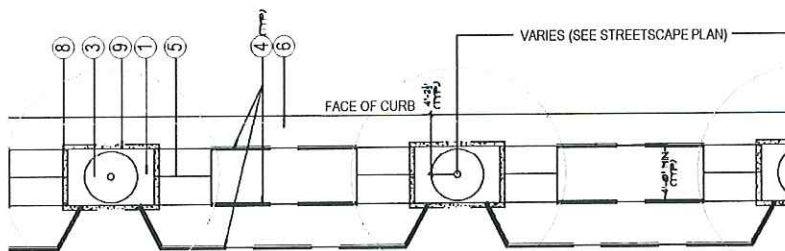


Note: This site fixture and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Tree Planting Details



- ① TREE PIT OPENING
- ② CRUSHED STONE DRAIN SUMP W/ FILTER FABRIC WRAP
- ③ TREE ROOTBALL, REMOVE TOP 1/3 OF WIRE BASKET OR ROOTBALL STRAPS, REMOVE TOP 1/2 OF BURLAP ROOTBALL COVERINGS, REMOVE ALL SYNTHETIC STRAP MATERIAL AND COVERINGS FROM ENTIRE ROOTBALL. SET TOP SURFACE ELEVATION OF ROOTBALL FLUSH WITH FINAL EXISTING GRADE.
- ④ BACKFILL WITH PLANTING SOIL
- ⑤ TREE PIT ROOT PATH AERATION SHEET IN TRENCH, BACKFILL TRENCH W/SPECIFIED SOILS. EXTEND IN-LINE TO NEXT ADJACENT TREE.
- ⑥ DEEP ROOT SILVA CELL, WITH 3' OF COMPOST BETWEEN SILVA CELL DECK AND PLANTING SOIL BACKFILL WITH PLANTING SOILS.
- ⑦ 2" MULCH AS SPECIFIED (DO NOT MULCH WITHIN 6" OF TREE TRUNK)
- ⑧ 4" DRAIN PIPE
- ⑨ CONCRETE CURB, GUTTER, ROADWAY AND BASE
- ⑩ CONCRETE/BRICK PAVER WALKWAY
- ⑪ 4' x 12" FLUSH CONCRETE EDGE
- ⑫ 3" COMPOST BETWEEN SILVA CELL AND PLANTING SOIL
- ⑬ AGGREGATE BASE COURSE
- ⑭ 24" WIDE GEOTEXTILE, 18" MINIMUM OVERLAP PAST EXCAVATION
- ⑮ GEOGRID. 'J' 6" MINIMUM BELOW BACKFILL AT BASE. OVERLAP 12" MINIMUM AT T
- ⑯ METAL TREE GRATE FRAME



- ① TREE PIT OPENING 6'-8" x 4'-0" (TYP.)
- ② 4" PVC DRAIN PIPE IN STONE DRAIN SUMP WRAPPED IN FILTER FABRIC.
- ③ TREE ROOTBALL
- ④ TREE PIT ROOT PATH AERATION SHEET IN 4" WIDE TRENCH, BACKFILL TRENCH W/SPECIFIED SOILS, EXTEND IN-LINE TO NEXT ADJACENT TREE
- ⑤ DEEP ROOT SILVA CELL (DOUBLE STACKED), BACKFILL WITH SPECIFIED SOILS
- ⑥ CONCRETE CURB AND GUTTER
- ⑦ CONCRETE / PAVER WALKWAY
- ⑧ 4' x 12' CONCRETE CURB AROUND TREE PIT, FLUSH WITH BRICK PAVING
- ⑨ METAL TREE GRATE FRAME

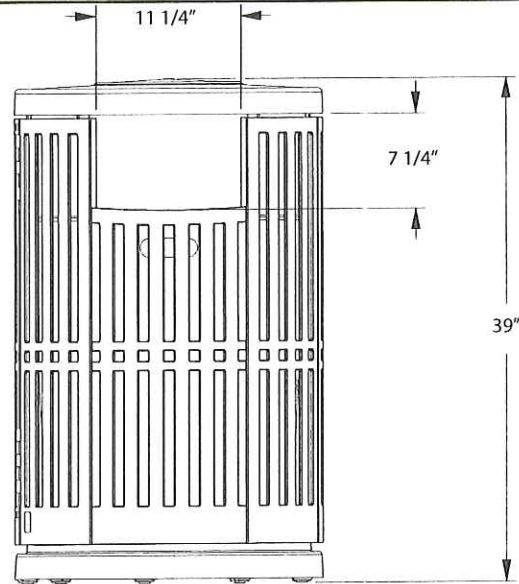
The decision to use root paths and Silva Cells prevents the soil from compacting and allowing the roots more room to grow and providing much needed nutrients for larger healthier tree. The current planting detail provides no additional systems for the tree to thrive in harsh urban environments.

Note: This detail and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Trash Receptacle

Manufacturer: Landscape Forms
 Color: Anodized Finish
 Style: Chase Park
 Description: 24" Diameter / 36 Gallon
 Side Opening Litter
 Notes: 61% Recycled Material
 100% Recyclable

This contemporary style was selected because it is designed and built to meet the rigors of urban spaces. This design features a hinged door that swings open for easy trash removal. The closed top was requested by both the parks and recreation department and the maintenance staff to keep rain water out of the trash receptacle. This product is made from 61% recycled material and is 100% recyclable. Landscape Forms powder coat finish contains no heavy metals and has extremely low VOCs



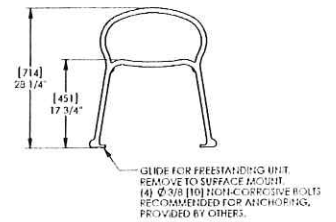
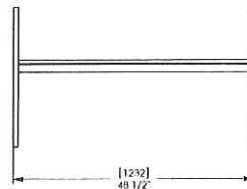
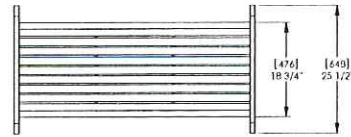
Note: These cans can be employed in select locations should the City of Raleigh extend pick-up service to the area.



Note: This site fixture and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Bench

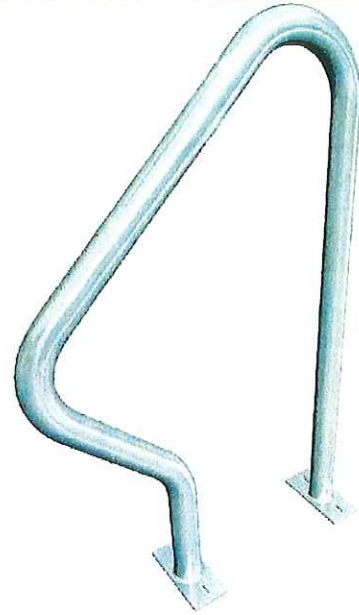
Manufacturer: Landscape Forms
 Color: Stone
 Style: Scarborough
 Description: Flat Bench - 2 End Arms
 Notes: 90% Recycled Material
 100% Recyclable



Note: Benches will be added at properties subject to transit easements at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel.

Proposed Bike Rack

Manufacturer:	Dero
Color:	Stainless Steel
Style:	Swerve Bike Rack
Notes:	67% Recycled Material 100% Recyclable



Note: Bicycle parking facilities will be provided per 10-2055(e)(6) at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel.

Proposed Air Pump

Manufacturer: Dero
Product: Air Kit
Description: Bicycle rack mounted air pump

Note:

Bike pump will be located as shown in map below and installed at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel on which the pump is located.

