Z-25-12 (SSP-5-12) – West Morgan Street, Conditional Use – located on the west side of West Morgan Street, south of Tryon Hill Drive, being Wake County 1703-19-9251. Approximately 0.46 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. Pawnshop
   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
   z. Gas plant
   aa. Power plants—other power plants
   bb. Warehousing/distribution center
   cc. Wholesale laundry, dyeing and dry cleaning
   dd. Wholesaling
   ee. Camp
   ff. Outdoor stadium/theater/amphitheater/racetrack
   gg. Riding stable
   hh. Fraternity/sorority house
   ii. Convention center/assembly hall
   jj. Exterminating service
kk. Railroad freight station or stop
ll. 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 the buildings on the property shall not exceed ninety (90) feet; except along the West Morgan Street right-of-way, the height of buildings shall not exceed sixty-five (65) feet with a one-to-one step back to ninety (90) 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 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.

7. Following redevelopment of the Property, direct access to and from West Morgan Street shall be limited to no more than one (1) driveway access, subject to the approval of the City of Raleigh and the North Carolina Department of Transportation. “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.

8. If requested by the City of Raleigh, at the time of redevelopment and before a building permit is issued for such redevelopment, the property owner shall offer to the City of Raleigh one transit easement with one transit shelter no larger than 15 x 18 feet in size, which shall be integrated into the building architecture of the new building with canopies, awnings or other appropriate measures. “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.
Hillsborough Morgan

Streetscape and Parking Plan
Raleigh, North Carolina

Amended - September 6, 2012
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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

NOTE: NET ALLOWABLE DENSITY = 120 UNITS/acre
@ THESE PARCELS

Amended - September 6, 2012
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

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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

- Existing Conc. Sidewalk
- Existing Street Tree
- Existing Planting Area
- New Planting Area @ Secondary/Neighborhood Streets
- Street Tree / Tree Grate @ 40" O.C.
- Existing Conc. Sidewalk
- Existing Conc. Curb and Gutter
- Double Paver Line SW to University Village
- Existing Property Line (Vanes)
- New Concrete Paving W/ Sees @ 4" O.C., TP.
- Street Tree / Tree Grate @ 40" O.C.
- Brick Paver Line @ Each Street Tree, TP.
- Existing Conc. Sidewalk
- New Concrete Paving @ Hillsborough and Morgan Streets

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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 PROD 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 v. 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.

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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 façade 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:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-2</td>
<td>50 ft w/ 1 ft increase for each 1 ft added setback width</td>
</tr>
<tr>
<td>All other districts</td>
<td>40 ft w/ 1 ft increase for each 1 ft added setback width</td>
</tr>
</tbody>
</table>

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 Selkova**
*(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.
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.
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.