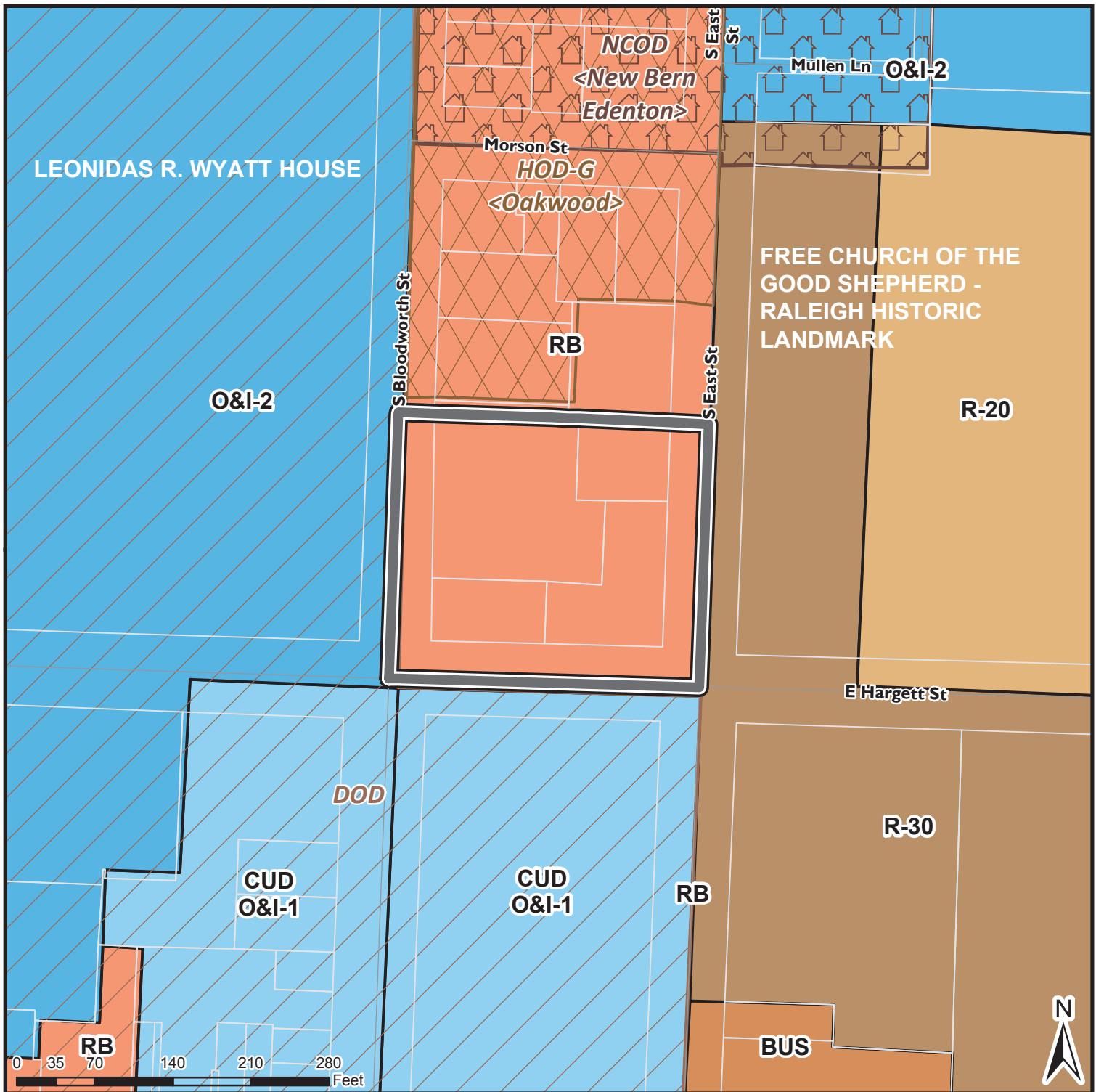


# Existing Zoning Map

# Z-27-2015

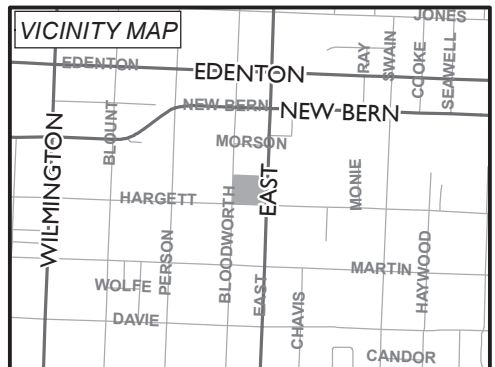


Submittal  
Date

7/1/2015

**Request:**

1 acre from  
**RB**  
to **NX-5-UL**





## Certified Recommendation

Raleigh Planning Commission

CR# 11669

### Case Information: Z-27-15 – S. Bloodworth & S. East streets

<i>Location</i>	100 Block of S. Bloodworth Street, east side, and S. East Street, west side, extending along 400 block of E. Hargett Street, north side Addresses: 125 & 127 S. Bloodworth Street; 116 & 120 S. East Street PINs: 1703888477, 1703888357, 1703889581, & 1703889388
<i>Request</i>	Rezone properties from Residential Business (RB) to Neighborhood Mixed Use-5 stories-Urban Limited [General Use] (NX-5-UL)
<i>Area of Request</i>	1.0 acre
<i>Property Owner</i>	MIP Holdings LLC/ PO Box 28108/ Raleigh, NC 27611
<i>Applicant</i>	Mack Paul: Morningstar Law Group: (919) 590-0377; <a href="mailto:mpaul@morningstarlawgroup.com">mpaul@morningstarlawgroup.com</a>
<i>Citizens Advisory Council (CAC)</i>	Central -- Lonnelle Williams: <a href="mailto:flonnetwms@bellsouth.net">flonnetwms@bellsouth.net</a>
<i>PC Recommendation Deadline</i>	January 11, 2016

### Comprehensive Plan Consistency

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

### Future Land Use Map Consistency

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

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Central Business District
<b><i>URBAN FORM</i></b>	Center: Downtown Corridor: <i>(None designated.)</i>
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy DT 1.3 – Underutilized Sites in Downtown Policy UD 1.10 – Frontages Policy UD 2.1 – Building Orientation
<b><i>INCONSISTENT Policies</i></b>	Policy LU 6.4 – Bus Stop Dedication Policy T 4.15 – Enhanced Rider Amenities Policy HP 2.4 – Protecting Historic Neighborhoods Policy HP 2.7 – Mitigating Impacts on Historic Sites Policy DT 1.13 – Downtown Transition Areas Policy DT 1.14 – Compatible Mix of Uses on Downtown Perimeter Policy DT 1.17 – Auto-Oriented Businesses

## Summary of Proposed Conditions

(None - General Use)

## Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
6/30/15	10/5/15; 11/2/15 (vote anticipated)	10/13/15	10/20/15	11/3/15

☐ **Valid Statutory Protest Petition**

### Attachments

1. Staff report
2. Traffic study worksheet

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approve.</b> City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Future Land Use Map, Urban Form Map, and several pertinent policies of the Comprehensive Plan.</li> <li>2. The proposed rezoning is reasonable and in the public interest. The request supports a mixture of retail, office and/or residential uses on the edge of downtown, on a currently-underutilized site.</li> <li>3. The proposal is compatible with the surrounding area. The requested zoning is the same as that proposed under the UDO remapping initiative.</li> </ol>
<i>Motion and Vote</i>	Motion: Terando Second: Swink In Favor: Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando and Whitsett

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.

Planning Director \_\_\_\_\_ Date \_\_\_\_\_ Planning Commission Chairperson 10/13/15 Date \_\_\_\_\_

Staff Coordinator: Doug Hill: (919) 996-2622; [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)



## **Zoning Staff Report – Z-27-15**

### **General Use District**

---

## **Case Summary**

### **Overview**

The proposal seeks to rezone the subject site to permit higher density and intensity of uses.

The existing zoning, Residential Business (RB), allows a maximum of 10 dwelling units per acre; the proposed zoning could allow a possible 83 units per acre. Permitted non-residential uses could also increase in square footage and range of uses. Commercial and office uses in RB are limited to a maximum of 5,000 square feet gross per structure, while NX carries no square footage cap; RB focuses on and prohibits automotive service and repair while NX conditionally allows minor automobile repair establishments.

The site lies at the edge of downtown, in regard to both existing and projected contexts. Immediately north lies the southernmost portion of the Oakwood Historic District, separated from the site by an 11-foot wide driveway along the site's northwest boundary. District buildings are predominantly two stories, typically with steeply-pitched roofs. Directly east of the site on the northeast is the 2-story Free Church of the Good Shepherd, a Raleigh Historic Landmark; the church building is separated from the shared property line by a 50-foot wide parking area. Across S. East is the historic City Cemetery, encompassing seven and a half acres, owned and administered by the City of Raleigh and listed on the National Register of Historic Places.

Properties west and south are of recent construction. Directly across S. Bloodworth Street is surface and structured parking for the Terry Sanford Federal Building and Courthouse. The complex comprises the entire 6.75 acre block, but the bulk of the 8-story building is positioned toward New Bern Avenue. Building setbacks range some 40 to 150 feet from the adjoining streets. The parking deck facade is approximately 80 feet from S. Bloodworth Street, with a double bay of diagonal surface parking and drive aisle located between the deck and the street. A one-story accessory building stands in the parking lot's southern section. Zoning on the Federal Building block is O&I-2, with Downtown Overlay.

To the south of the subject site is the new Lincoln Apartments building. That site too comprises an entire block, containing a four-story building of 224 units, wrapping an internal parking structure and courtyard space. Zoning is O&I-1 Conditional Use, with Downtown Overlay.

Both the Federal Building and the Lincoln Apartments stand at the eastern boundary of the Downtown Overlay District. The Future Land Use map shows both of those properties being within the Central Business District—but also extends that designation over the subject site. The Urban Form map offers similar projection, placing the site in the Downtown Center. The eastern side of the S. East Street, though, south of City Cemetery and E. Hargett Street, is seen continuing to be a mix of single family and apartment buildings. East of those properties, the Little Rock Trail of the city greenway system links City Cemetery to Chavis Park.

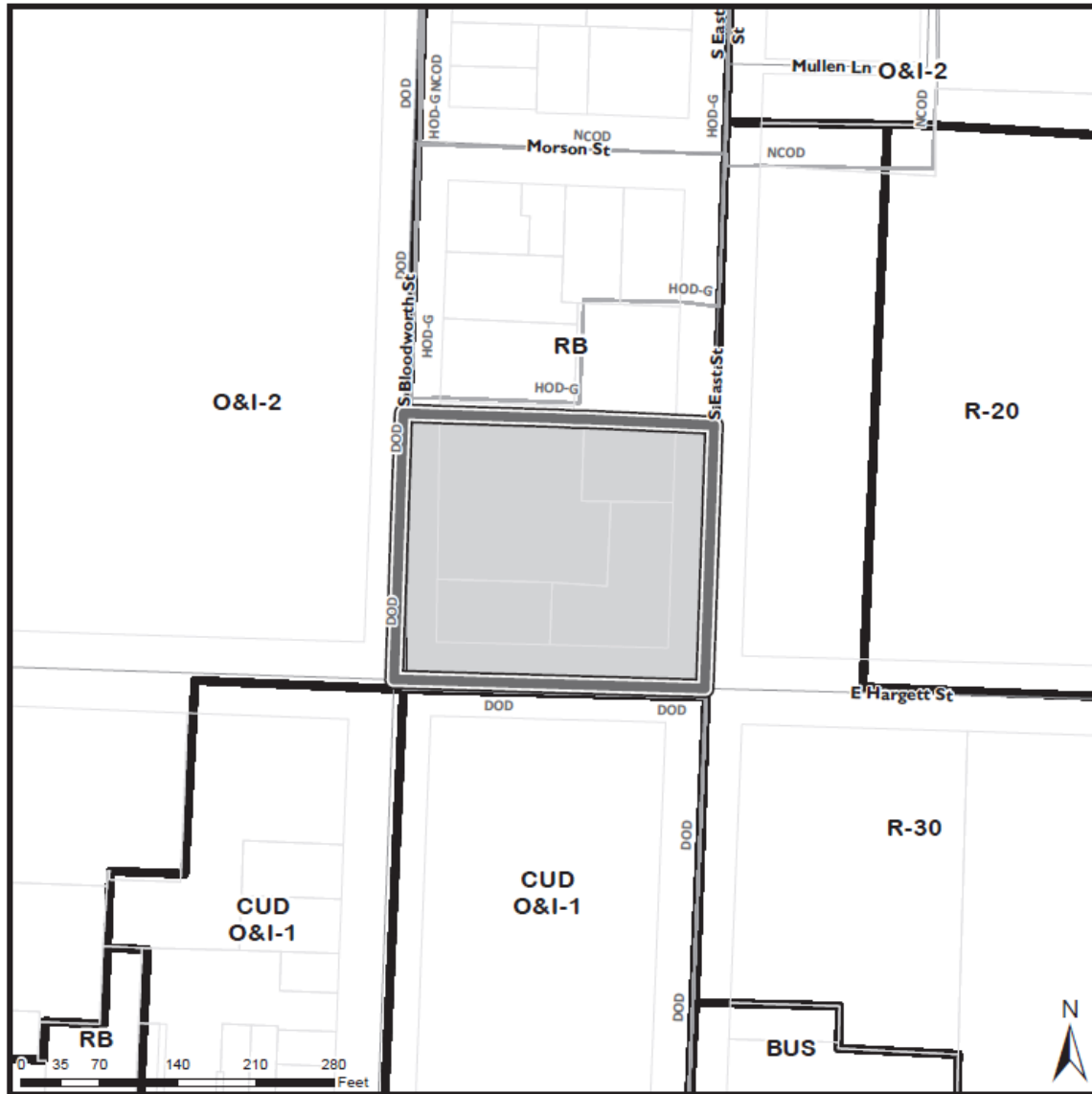
Currently, most of the subject site is used for surface parking. A playground which stood at the corner of S. Bloodworth and E. Hargett streets was removed in 2014.

## Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none"><li>1. Anticipated demand for transit.</li><li>2. Sewer and fire flow capacities may need to be addressed upon development</li><li>3. Considerations of contextual site design, as identified by the Comprehensive Plan and area Redevelopment Plan.</li></ol>	<i>Suggested Mitigation</i>	<ol style="list-style-type: none"><li>1. Provide transit easement and shelter.</li><li>2. Address sewer and fire flow capacities at the site plan stage.</li><li>3. Address contextual site design considerations.</li></ol>
---------------------------	--	-----------------------------	--

# Existing Zoning Map

**Z-27-2015**

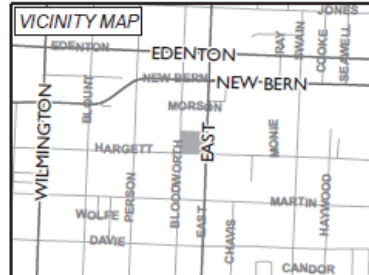


**Submittal  
Date**

7/1/2015

## Request:

**1 acre from  
RB  
to NX-5-UL**



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	Residential Business	Residential Business	Office & Institution-1 Conditional Use District	Residential-20	Office & Institution-2
<i>Additional Overlay</i>	(none)	Historic General	Downtown	(none)	Downtown
<i>Future Land Use</i>	Central Business District	Neighborhood Mixed Use	Central Business District	Public Parks & Open Space	Central Business District
<i>Current Land Use</i>	Parking; Open Space	Commercial (Offices; Event Facility)	Apartment Building	Cemetery	Civic Building & Parking
<i>Urban Form (if applicable)</i>	Downtown Center	(none)	Downtown Center	(none)	Downtown Center

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	10 DUs/ acre (10 units total)	93 DUs/ acre (93 units total)
<i>Setbacks:</i> <i>Front:</i> <i>Side:</i> <i>Rear:</i>	<i>Required only for residential:</i> 20 feet 5 feet (10 feet aggregate); 20 feet on corner lot 20 feet	<i>Urban Limited build-to:</i> 50% w/n 0 to 20 feet 25% w/n 0 to 20 feet <i>Mixed Use Building type:</i> 0 or 6 feet
<i>Retail Intensity Permitted:</i>	17,200	29,500
<i>Office Intensity Permitted:</i>	20,000	62,600

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	1.0	1.0
<i>Zoning</i>	RB	NX-5-UL
<i>Max. Gross Building SF</i>	20,000	98,300
<i>Max. # of Residential Units</i>	10	93
<i>Max. Gross Office SF</i>	20,000	62,600
<i>Max. Gross Retail SF</i>	17,200	29,500
<i>Max. Gross Industrial SF</i>	-0-	-0-
<i>Potential F.A.R.</i>	0.46	2.26

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

The proposed rezoning is:

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

☒ **Incompatible.**

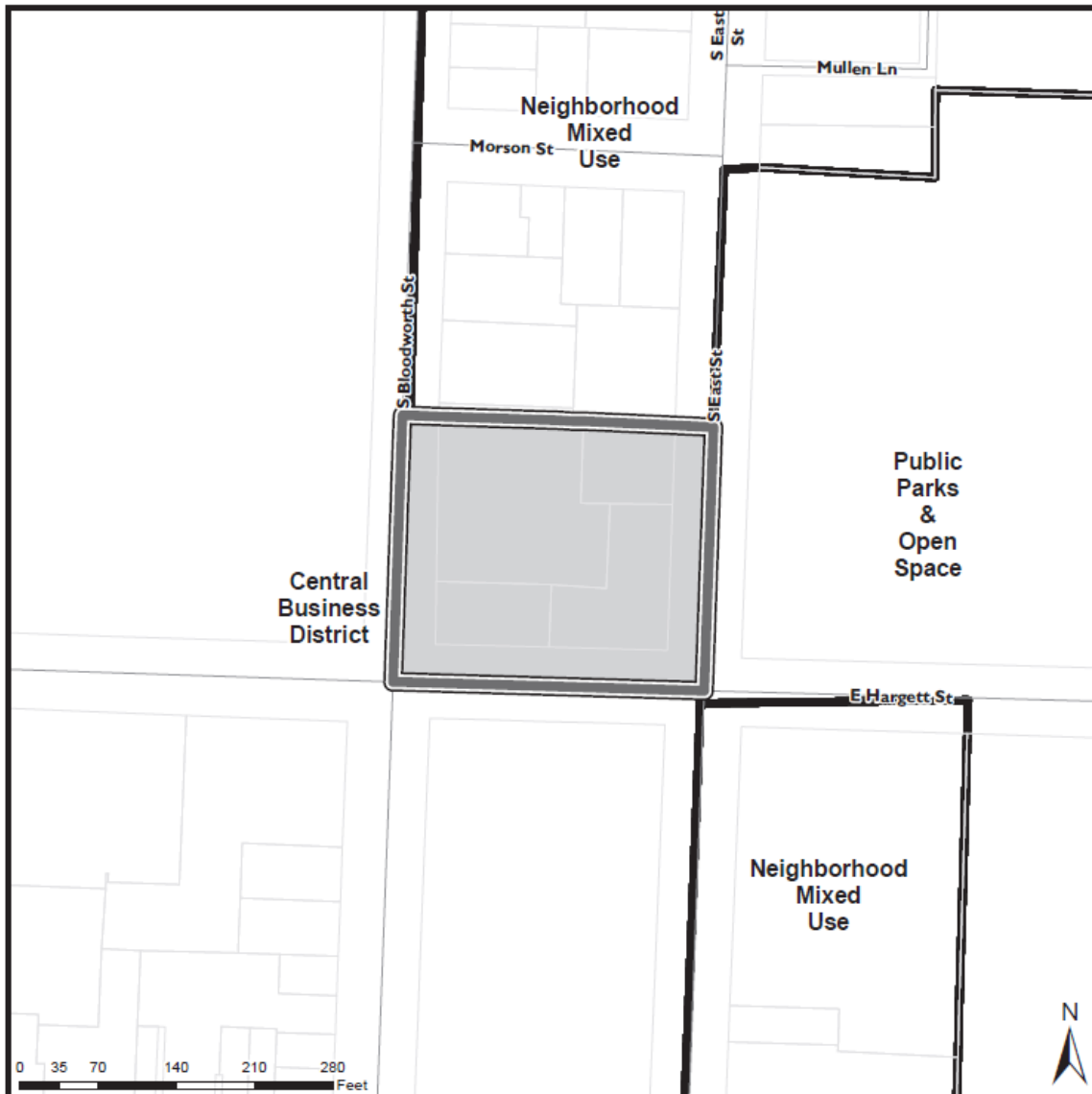
Analysis of Incompatibility:

The building envelopes possible under the proposal could yield redevelopment of compatible uses, scale, massing, and form. However, as a General Use request, it could also permit fuel sales and other intensive non-residential uses, and, in contrast to neighboring historic district properties, five-story flat-roofed buildings of zero lot line construction. The new Lincoln Apartments complex, directly across E. Hargett Street, is four stories. Exclusion of automobile-oriented and other intensive uses, as called for by the Comprehensive Plan, and provision of building form and design elements in keeping with the Oakwood Historic District and Downtown East Redevelopment Plan area, would provide a greater measure of compatibility.



# Future Land Use Map

**Z-27-2015**



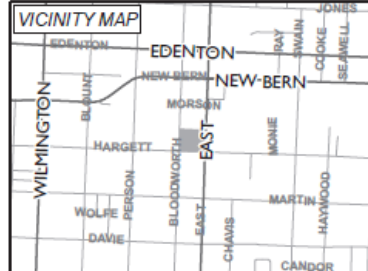
**Submittal  
Date**

7/1/2015

## Request:

**1 acre from  
RB  
to NX-5-UL**

### VICINITY MAP



# Urban Form Map

**Z-27-2015**

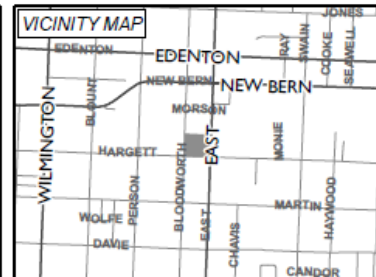


**Submittal  
Date**

7/1/2015

**Request:**

**1 acre from  
RB  
to NX-5-UL**



## 2. Comprehensive Plan Consistency Analysis

### 2.1 Comprehensive Plan

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

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- 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?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal is consistent with the Future Land Use and Urban Form maps of the Comprehensive Plan in permitting a mix of non-residential and residential uses on the site, in an area at the edge of the central business district. The Comprehensive Plan states that "An urban approach to frontage is recommended throughout Downtown..." While the site is adjacent to the Oakwood historic district, all properties within 150 feet, though once residential, now house non-residential uses. In considering appropriate building height within the Central Business District (CBD), such locations are defined as "General" areas, in which permitted heights "can be taller than in Edge locations, but should not be as tall as core locations." While the Comprehensive Plan sets a maximum of 12 stories in "General" areas, "Edge" locations provide for a maximum of 4 stories. The new Lincoln Apartments complex across E. Hargett Street, and also within the CBD, is 4 stories. The request proposes a 5-story height cap.

The proposal can be considered consistent with Vision Theme "Managing Our Growth." Consistency with themes "Coordinating Land use and Transportation (i.e., provision for transit) and "Growing Successful Neighborhoods and Communities" (new construction complementing existing built character) is less clear.

Other matters of consistency are mixed. The site is located within a downtown Transition Area. NX General Use allows automobile-oriented businesses such as fuel sales, as well as theaters, and sports and entertainment uses, and high-density development, all of which are discouraged by the Comprehensive Plan in Transition Areas. Additionally, while the site's downtown location suits it to transit access, the proposal does not address that opportunity. Redevelopment Plan and Comprehensive Plan policies call for new development to respect area character in approaching building and site design. As the adjoining properties are currently zoned RB, however, no UDO Neighborhood Transitions (e.g., transition yard/ fence, 50' setback) will be required; site buildings or portions of buildings could rise the full five-story/ 75-foot height directly from the lot line, rather than provide setbacks and front yards akin to those of adjacent historic properties. All buildings in the historic district also display pitched roofs, a design consideration left open under the request.

Existing community facilities and streets appear sufficient to accommodate redevelopment possible under the proposed rezoning.

### 2.2 Future Land Use

**Future Land Use designation:** Central Business District

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/A)

### **2.3 Urban Form**

**Urban Form designation:** Downtown Center (no Corridor designation)

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

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/A)

### **2.4 Policy Guidance**

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

***Policy LU 6.4 – Bus Stop Dedication***

The City shall coordinate the dedication of land for the construction of bus stop facilities within mixed-use centers on bus lines as part of the development review and zoning process.

***Policy T 4.15 – Enhanced Rider Amenities***

Promote the use of transit facilities and services through enhanced pedestrian access and provisions for seating, shelter, and amenities.

Site redevelopment could be expected to increase demand for Transit services. Provision of a transit easement and bus stop shelter would address expected demand.

***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.

The Residential Business zoning, which underlies the Oakwood Historic District properties to the north of the site, would preclude the UDO Neighborhood Transition setback and tapered building height required of Mixed Use zoning when such zoning abuts properties which have lower-density residential zoning. As a result, the requested five stories, positioned at the site's north lot line, could create the "sharp delineation between areas of disparate development" cautioned against

by the site's location within a Downtown Transition Area ([p. 319-320 of Comprehensive Plan](#)). The historic district will be maintained in its present character through the Certificate of Appropriateness process. The transition of built form to the historic structures on the same block, particularly in terms of height, stepback, setback, and building materials, should be addressed.

***Policy DT 1.13 - Downtown Transition Areas***

In areas where the Downtown Element boundaries are located in proximity to established residential neighborhoods, residential densities should taper to be compatible with adjacent development. Non-residential uses with the greatest impacts—such as theaters, concentrated destination nightlife and retail, and sports and entertainment uses—should be directed away from these transition areas. Where existing zoning overlays are mapped, the height guidance in these districts should not be changed outside of an area planning process.

***Policy DT 1.14 - Compatible Mix of Uses on Downtown Perimeter***

Encourage a compatible mix of housing options, community-serving institutional uses, and neighborhood-serving retail within the neighborhoods surrounding downtown.

***Policy DT 1.17 - Auto-Oriented Businesses***

Development, building types, and building features with an automobile orientation, such as drive-throughs, should not be developed in downtown or in pedestrian-oriented business districts.

The site is located within a [Downtown Transition Area](#). The requested zoning would permit nightlife, retail, and entertainment uses on site, plus an estimated 9-fold increase in permitted density. Auto-oriented businesses, including fuel sales and others with drive-throughs, would also be allowed. Such uses run contrary to the above policy guidance.

## **2.5 Area Plan Policy Guidance**

The rezoning request is not within a portion of the City subject to an Area Plan.

## **3. Public Benefit and Reasonableness Analysis**

### **3.1 Public Benefits of the Proposed Rezoning**

- Promotes development consistent with the Future Land Use and Urban Form maps.
- Provides additional housing and/ or non-residential uses close to downtown.

### **3.2 Detriments of the Proposed Rezoning**

- Permitted uses would include automobile-oriented retail and other non-residential uses discouraged downtown by the Comprehensive Plan.
- Built form compatibility and transitions to the neighboring historic district/ landmarks are left unaddressed.

## 4. Impact Analysis

### 4.1 Transportation

The site is bounded by S. Bloodworth Street on the west, E. Hargett Street on the south and S. East Street on the east. Bloodworth and Hargett are classified as Main Street, Parallel Parking in the City's *Street Plan Map*. East Street is classified as a Neighborhood Street. There are no CIP projects planned for Bloodworth Street, Hargett Street or East Street. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO Section 8.3.5.D.

This site does not lie within a 1/2 mile buffer for future fixed-guideway transit. Site access shall be in accordance with the Raleigh *Street Design Manual* section 6. The block perimeter bounded by the rights-of-way for East, Morson, Bloodworth and Hargett Streets is ~1,250 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for NX-4 zoning is 2,500 feet. A traffic impact analysis report is not required for Z-27-15.

**Impact Identified:** None.

### 4.2 Transit

Hargett Street is currently served by GoRaleigh Route 18 Worthdale. To advance Policy T 4.15, it is recommended that a 15'x20' transit easement be dedicated along Hargett Street, with an ADA-accessible transit shelter upon the transit easement. In lieu of dedicating an easement and with the permission of the Public Works Department, a shelter may be incorporated into the face of the building or constructed in the right-of-way, wholly at the cost of the developer.

**Impact Identified:** Development will increase demand for transit. A transit easement and shelter should be provided to mitigate the impact.

### 4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None

Site is mostly existing impervious area. There are no existing storm system pipes located immediately adjacent to the site.

**Impact Identified:** No impacts identified.

### 4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	5,250 gpd	58,125 gpd
<i>Waste Water</i>	5,250 gpd	58,125 gpd

The proposed rezoning would add approximately 52,875 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the properties.

**Impact Identified:** The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted

and constructed in conjunction with and prior to the proposed development being constructed.

Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

#### **4.5 Parks and Recreation**

Site does not contain or adjacent to proposed or existing greenway trail, connector or corridor. Nearest access is 0.08 miles. Park services are provided by Chavis Park, 0.4 miles.

**Impact Identified:** None.

#### **4.6 Urban Forestry**

Tracts and parcels less than 2 acres in size do not have to establish tree conservation areas.

**Impact Identified:** None.

#### **4.7 Designated Historic Resources**

The site is located adjacent to the Oakwood Historic Overlay District and two Raleigh Historic Landmarks (Leonidas R. Wyatt House and the Free Church of the Good Shepherd).

**Impact Identified:** None. However, it is desirable that new construction step down in height towards the historic resources and reflect the height, scale, and building materials of Raleigh's historic districts.

#### **4.8 Community Development**

The site is within the "Phase I Residential" subarea of the Downtown East Redevelopment Plan, which designates the site "Residential and Supporting Services." The Plan provides specific guidance regarding density, parking, height, and building & site design. The proposal is consistent with the majority of Plan parameters. Design provisions, though, state that redevelopment "should respect the historic character of this area and of adjacent significant buildings," adding: "Adequate open spaces and landscaping should be provided and buffer strips along street frontage planted with large trees will be encouraged. Lighting and other fixtures that promote a safe and secure residential environment should be provided where possible but should be of a scale and design appropriate to the area."

**Impact Identified:** Considerations of neighborhood character, open space, landscaping, and lighting, as noted in the Redevelopment Plan, are not addressed in the rezoning proposal. They should be reflected in the site development plan.

#### **4.9 Impacts Summary**

- Anticipated demand for transit.
- Sewer and fire flow capacities may need to be addressed upon development
- Considerations of contextual site design, as identified by the Comprehensive Plan and area Redevelopment Plan.

#### **4.10 Mitigation of Impacts**

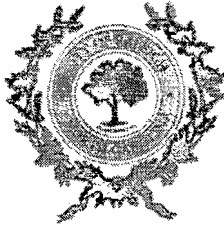
- Provide transit easement and shelter.
- Address sewer and fire flow capacities at the site plan stage.
- Address contextual site design considerations.

## 5. Conclusions

The proposal is consistent with the Future Land Use and Urban Form maps, and some pertinent policies and themes of the Comprehensive Plan. However, matters of transition and contextual design are not fully addressed, posing issues of compatibility. Additionally, several land uses permitted under the requested zoning are not consistent with Comprehensive Plan policy guidance.



V. [unclear]



# Planning & Development

**Development Services  
Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification RB Proposed Zoning Classification Base District NX Height 5 Frontage UL	
If the property has been previously rezoned, provide the rezoning case number. Z-130-85	
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 423475	

GENERAL INFORMATION		
Property Address 116 & 120 S East Street AND 126 & 127 S Bloodworth Street		Date
Property PIN 1703-88-9581; 1703-88-9388; 1703-88-8477; 1703-88-8357	Deed Reference (Book/Page) Deed Book 16672, Page 1777 and Deed Book 16209, Page 2257	
Nearest Intersection E Hargett Street at S Bloodworth Street and E Hargett Street at S East Street		Property size (in acres) 1.0
Property Owner/Address MIP Holdings LLC PO Box 28108 Raleigh, NC 27611	Phone	Fax
	Email	
Project Contact Person/Address Mack Paul	Phone 919-590-0377	Fax
	Email mpaul@morningstarlawgroup.com	
Owner/Agent Signature <i>Patricia L. Shaley</i>	Email <i>TRISH@Hydestreet.net</i>	

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



# Planning & Development

**Development Services  
Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction Number 423475 Zoning Case Number Z-27-15

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.	
1.	The properties are designated "Central Business District" on the Future Land use Map. According to the 2030 Comprehensive Plan, multiple zoning districts might apply within the CBD depending on the different characteristics and vision for the surrounding areas. The proposed rezoning is consistent with the Future Land Use Map designation because the NX district supports a mix of uses in the heart of the city.
2.	The properties are located within a Downtown Center on the Urban Form Map. An urban approach to frontage is recommended in such a center. The proposed rezoning is consistent with the Urban Form Map because the proposed Urban Limited frontage type is an urban frontage.
3.	The properties are within the General area for purposes of determining the appropriate height. Table LU-2 "Recommended Height Designations", provides guidance for up to twelve (12) stories for properties designated Central Business District on the Future Land Use Map and located within the General area. Therefore the proposed rezoning for a maximum building height of four (4) stories is consistent with the Comprehensive Plan.
4.	The proposed rezoning is consistent with the following policies among others: LU 8.11 – Development of Vacant Sites, LU 8.12 – Infill Compatibility,

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	The proposed rezoning provides the public benefit of promoting responsible development under the new UDO in a manner consistent with the current uses in the surrounding area.
2.	
3.	
4.	



## URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

**\*\*\*RESPONSE: THE PROPERTIES ARE NOT IN A MIXED USE CENTER OR ALONG A MAIN STREET OR TRANSIT EMPHASIS CORRIDOR ON THE URBAN FORM MAP, SO NO RESPONSE TO THE URBAN DESIGN GUIDELINES IS NECESSARY\*\*\***

1.	<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>
2.	<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>
3.	<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>
4.	<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>
5.	<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>
6.	<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>
7.	<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>
8.	<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>
9.	<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>
10.	<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>
11.	<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>
12.	<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>
13.	<i>New public spaces should provide seating opportunities.</i>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i>
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>

## SUMMARY OF ISSUES

A neighborhood meeting was held on June 30, 2015 to discuss a potential rezoning located at 116 & 120 S East St and 125 & 127 S Bloodworth St. The neighborhood meeting was held at 101 S Bloodworth St. There was only one (1) neighbor in attendance. We discussed the rezoning and proposed development, both of which the neighbor was supportive of.

### Attendance Roster:

Dana Hughens      101 S Bloodworth St



Mack A. Paul, IV | Partner  
630 Davis Drive, Suite 200  
Morrisville, NC 27560

919-590-0377  
mpaul@morningstarlawgroup.com  
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Mack Paul

Date: June 18, 2015

Re: Notice of meeting to discuss potential rezoning property consisting of four parcels of land located on the north side of E Hargett Street, between S Bloodworth Street and S East Street, containing approximately 1 acre, and having Wake County Parcel Identification Numbers: 1703-88-8357, 1703-88-8477, 1703-88-9388, and 1703-88-9581 (the "Property").

We are counsel for Hyde Street Holdings, which is considering rezoning the above-captioned Property. The Property is currently zoned Residential Business (RB). The City of Raleigh recently adopted a new Unified Development Ordinance, which includes a new set of zoning districts. Hyde Street Holdings is considering rezoning the Property to Neighborhood Mixed Use (NX) with an Urban Limited Frontage, which is one of the new zoning districts under the Unified Development Ordinance.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on June 30, 2015, at 6:00 p.m. This meeting will be held at The Clairemont House at 101 South Bloodworth Street, Raleigh, NC 27601.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the owners to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 590-0377 or mpaul@morningstarlawgroup.com.