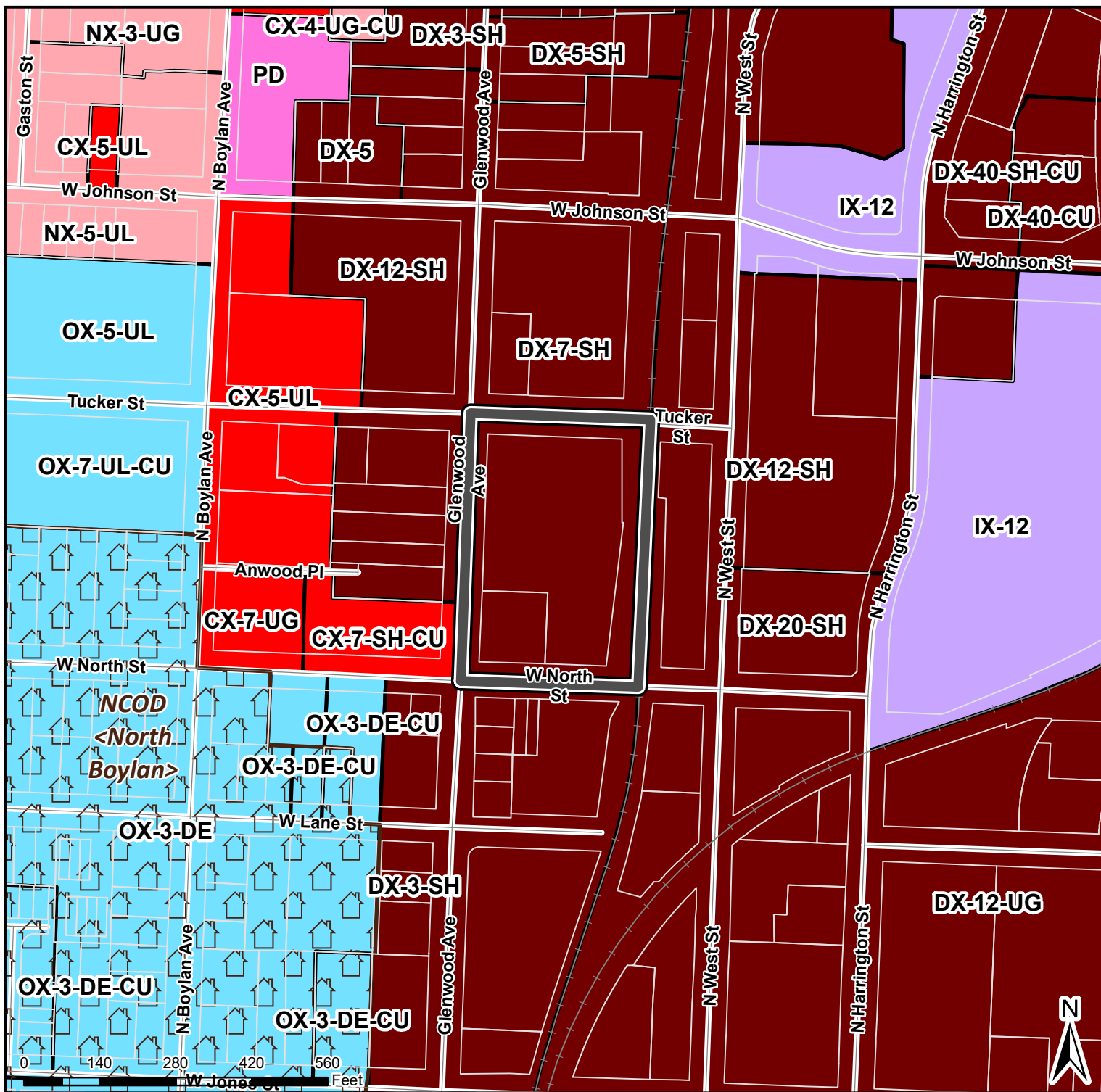
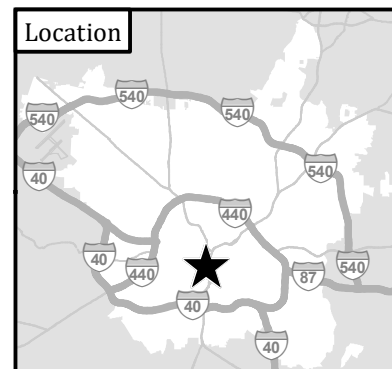


Existing Zoning

Z-28-2020



Property	400 & 410 Glenwood Ave
Size	2.4 acres
Existing Zoning	DX-7-SH
Requested Zoning	DX-40-CU





Raleigh

MEMO

TO: Marchell Adams-David, City Manager

THRU: Ken Bowers, AICP, Deputy Director

FROM: Ira Mabel, AICP, Senior Planner

DEPARTMENT: Planning and Development

DATE: January 19, 2021

SUBJECT: City Council agenda item for February 2, 2021 – Z-28-20

On January 19, 2021, City Council authorized the public hearing for the following item:

Z-28-20 Glenwood Ave, approximately 2.39 acres located on [the western portion of the block bounded by Glenwood Avenue, Tucker Street, North Street, and West Street.](#)

Signed zoning conditions provided on January 12, 2021 prohibit a number of uses otherwise allowed in DX districts; require a preservation easement on the majority of the historic building on site; require Shopfront frontage standards on the non-historic parcel; and require the provision of a bikeshare station.

Current zoning: Downtown Mixed Use-7 stories-Shopfront (DX-5-SH).

Requested zoning: Downtown Mixed Use-40 stories-Conditional Use (DX-40-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 (9 - 0).

The Raleigh Historic Development Commission recommends approval of the case (12 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Zoning Conditions, a memo from the RHDC Chair, the Petition for Rezoning, and the Neighborhood Meeting Reports.

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# 12068

CASE INFORMATION: Z-28-20 GLENWOOD AVE

Location	The western portion of the block bounded by Glenwood Avenue, Tucker Street, North Street, and West Street Address: 400 & 410 Glenwood Avenue PINs: 1704406990, 1704417007 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-7-SH
Requested Zoning	DX-40-CU
Area of Request	2.39 acres
Corporate Limits	The subject site is within the city's corporate limits.
Property Owner	410 Glenwood Avenue Property LLC / 400 Glenwood Avenue Property LLC 4 Bryant Park Ste 200 New York, NY 10018
Applicant	Jamie Schwedler
Council District	D
PC Recommendation Deadline	March 8, 2021

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited: social service, adult establishment, cemetery, pawnshop, vehicle fuel sales, detention center, vehicle service, and self-service storage.
2. A preservation easement will be recorded on the original 1928 Creamery building and the 1940s addition.
3. A shopfront frontage shall be provided on 400 Glenwood Ave.
4. A city bikeshare station shall be provided.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown, Core Transit Area

Consistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3—Conditional Use District Consistency Policy LU 4.7—Capitalizing on Transit Access Policy LU 4.8—Station Area Land Uses Policy T 10.4—Bikeshare Policy UD 1.4—Maintaining Façade Lines Policy UD 1.10—Frontage Policy UD 7.3—Design Guidelines Policy UD 8.1—Transit-oriented Development Policy HP 1.2—Cultural and Historic Resource Preservation Policy HP 2.7—Mitigating Impacts on Historic Sites Policy HP 3.1—Adaptive Use Policy HP 3.2—Retention Over Replacement Policy HP 3.4—Context Sensitive Design Policy DT 1.3—Underutilized Sites in Downtown Policy DT 1.16—High Density Development Policy DT 2.13—Car and Bicycle Sharing Policy DT 3.1—Ground-floor Uses on Primary Retail Streets Policy DT 4.1—Encouraging Downtown Housing Policy DT 7.19—Downtown Design Guideline Consistency
Inconsistent Policies	None

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
6/23/2020 11 attendees, via Zoom	11/10/2020 12 attendees, via Zoom	12/8/2020 (consent agenda) 1/12/2021	1/19/2021

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	The request is reasonable and in the public interest because it fits the development pattern along West Street, utilizes a two-phase COA process, provides new public space, retains a historic asset, and has undergone significant community engagement.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: O'Haver; Second: Fox In Favor: Bennett, Fox, Hicks, Lampman, Mann, McIntosh, Miller, O'Haver and Tomasulo
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

1. Staff report
2. TIA summary memo
3. RHDC Chair memo
4. Original conditions
5. Rezoning application

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.



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 1/12/2021

Staff Coordinator: Ira Mabel: (919) 996-2652; Ira.Mabel@raleighnc.gov



ZONING STAFF REPORT – CASE Z-28-20

Conditional Use District

OVERVIEW

This request is to rezone approximately 2.39 acres from Downtown Mixed Use-7 stories-Shopfront (DX-7-SH) to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in DX districts; require a preservation easement on the majority of the historic building on site; require Shopfront frontage standards on the non-historic parcel; and require the provision of a bikeshare station.

The subject site consists of the two parcels in the portion of the block bounded by Glenwood Avenue, Tucker Street, North Street, and West Street that is west of the railroad tracks. North Street and Tucker Street both pass under the railroad at grade-separated crossings. The portion of the block east of the tracks is not included in the request. Approximately 45% of the rezoning site is currently used as surface parking and drive aisles.

The smaller parcel at the southwest corner of the site contains a single-story commercial building. The larger parcel contains a building that formerly housed the Pine State Creamery until the company's closing in 1996. Still known as the Creamery, the building was originally completed in 1928, with two additions in the 1940s and 1960s. A proposed zoning condition requires the recording of a historic preservation easement on the original structure and the 1940s addition (both clad in cream-colored brick), but not the second addition at the southernmost end. Under the terms of a typical preservation easement, the property owner places restrictions on the development of or changes to the property and transfers these restrictions to a qualified organization whose mission includes historic preservation. Once recorded, the easement becomes part of the property's chain of title in perpetuity, thus binding not only the owner who grants the easement but all future owners as well.

The Creamery building was designated on the National Register of Historic Places in 1997, and as a Raleigh local landmark in 1998 (ordinance 1998-456). As a local landmark, the property owner must receive a Certificate of Appropriateness (COA) from the Raleigh Historic Development Commission (RHDC) prior to any exterior changes. The applicant received a Phase 1 COA for building height and footprint (COA-0118-2020) on September 24, 2020. The approved COA permits a new 20-story building behind The Creamery with an 18-ft stepback at the 2nd floor and a 20-foot stepback at the 9th floor. A Phase 2 COA for building design is still required for both new construction and renovation to the Creamery.

The Glenwood Avenue corridor is characterized by a blend of single-story retail and office, mid-rise mixed-use developments, and apartment buildings. Nearby zoning districts are primarily DX with 3, 7, or 12 story height maximums. The railroad tracks on the eastern boundary of the rezoning site marks a *de facto* transition line to higher-intensity 12, 20, and 40 story zoning districts.

The subject site is currently served by GoRaleigh Route 6 and the R-Line circulator. In addition, the subject site is also within a quarter mile of the northern Bus Rapid Transit (BRT) route, which will provide the highest level of transit in the city. The BRT route is planned for operation by 2028.

The subject site is designated as Central Business District on the Future Land Use Map, and is toward the western edge of that designation. The rest of Glenwood Avenue up to its intersection with Peace Street is also Central Business District. Land between Boylan Avenue and Saint Mary's street is designated Office & Residential Mixed Use.

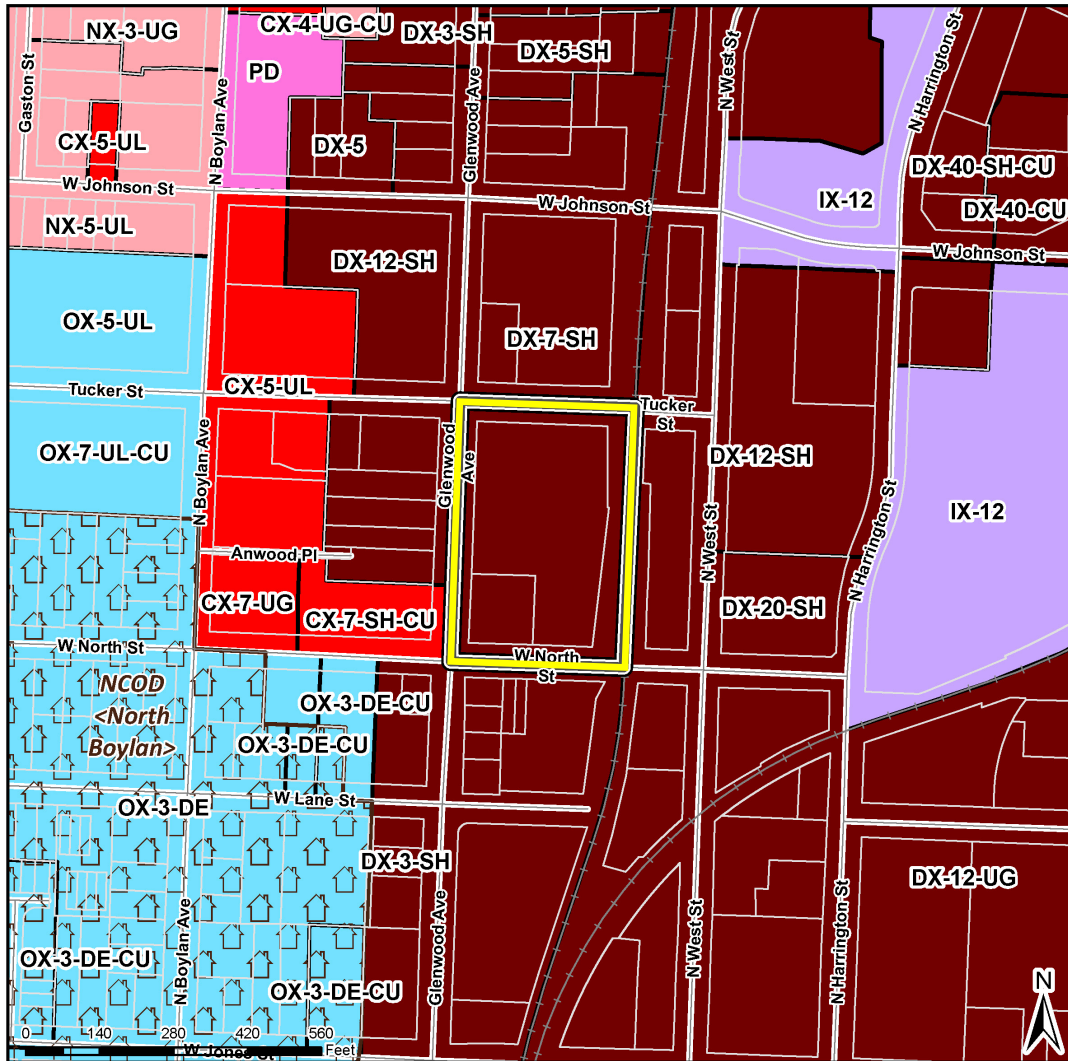
The site is within the Downtown and Core Transit Area on the Urban Form Map, which suggest an urban approach to frontage. A frontage has not been included in the request, although the requirements of the Shopfront frontage have been applied to the 400 Glenwood Avenue parcel via a zoning condition.

OUTSTANDING ISSUES

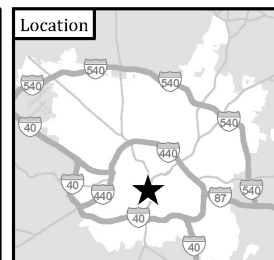
Outstanding Issues		Suggested Mitigation	
	1. Staff would prefer that the condition requiring a bikeshare station also require the provision of new bicycles.		1. The applicant can amend the condition to require that new bicycles be provided.

Existing Zoning

Z-28-2020



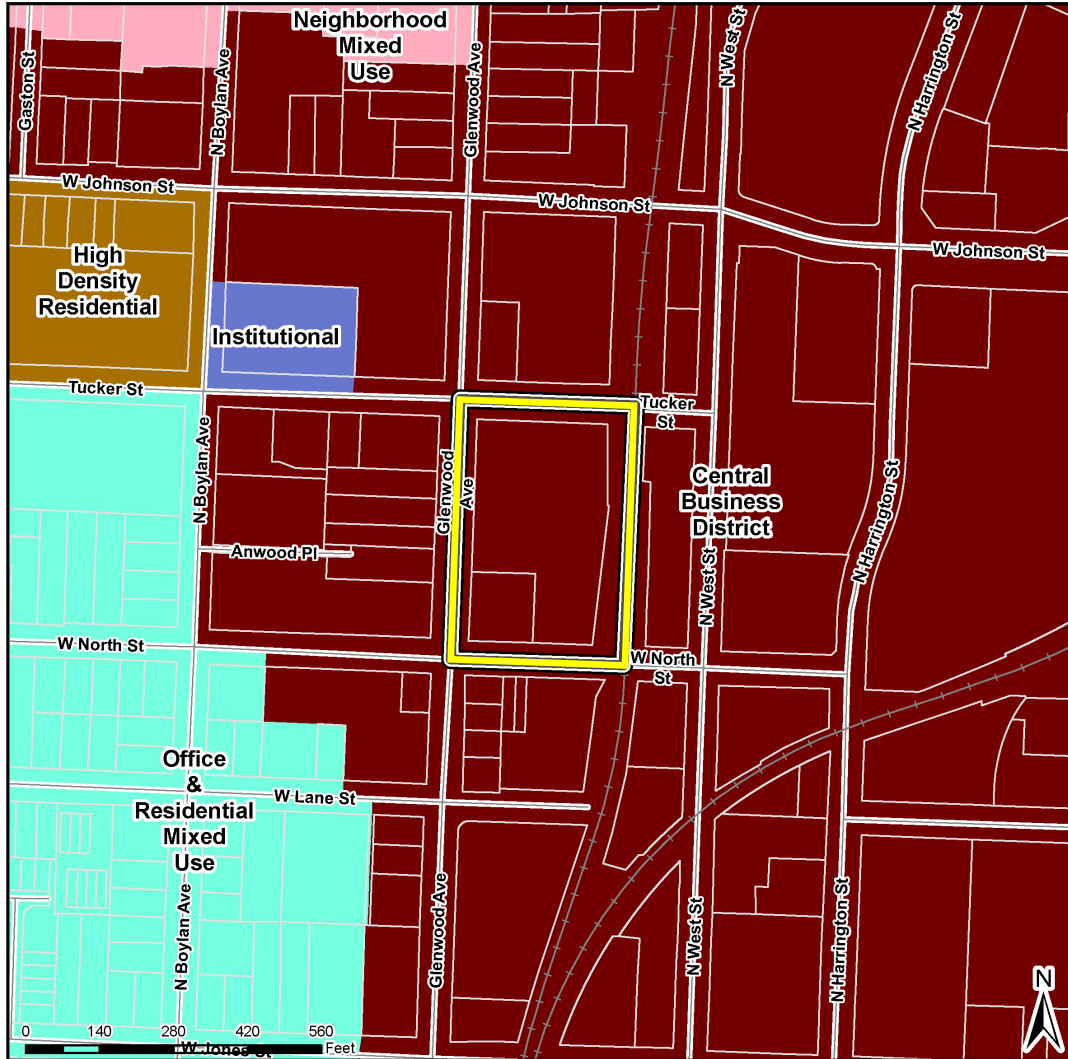
Property	400 & 410 Glenwood Ave
Size	2.4 acres
Existing Zoning	DX-7-SH
Requested Zoning	DX-40-CU



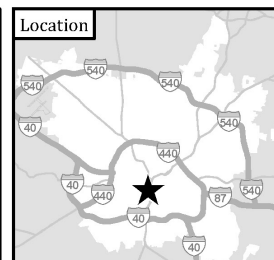
Map by Raleigh Department of City Planning (mansolf); 6/30/2020

Future Land Use

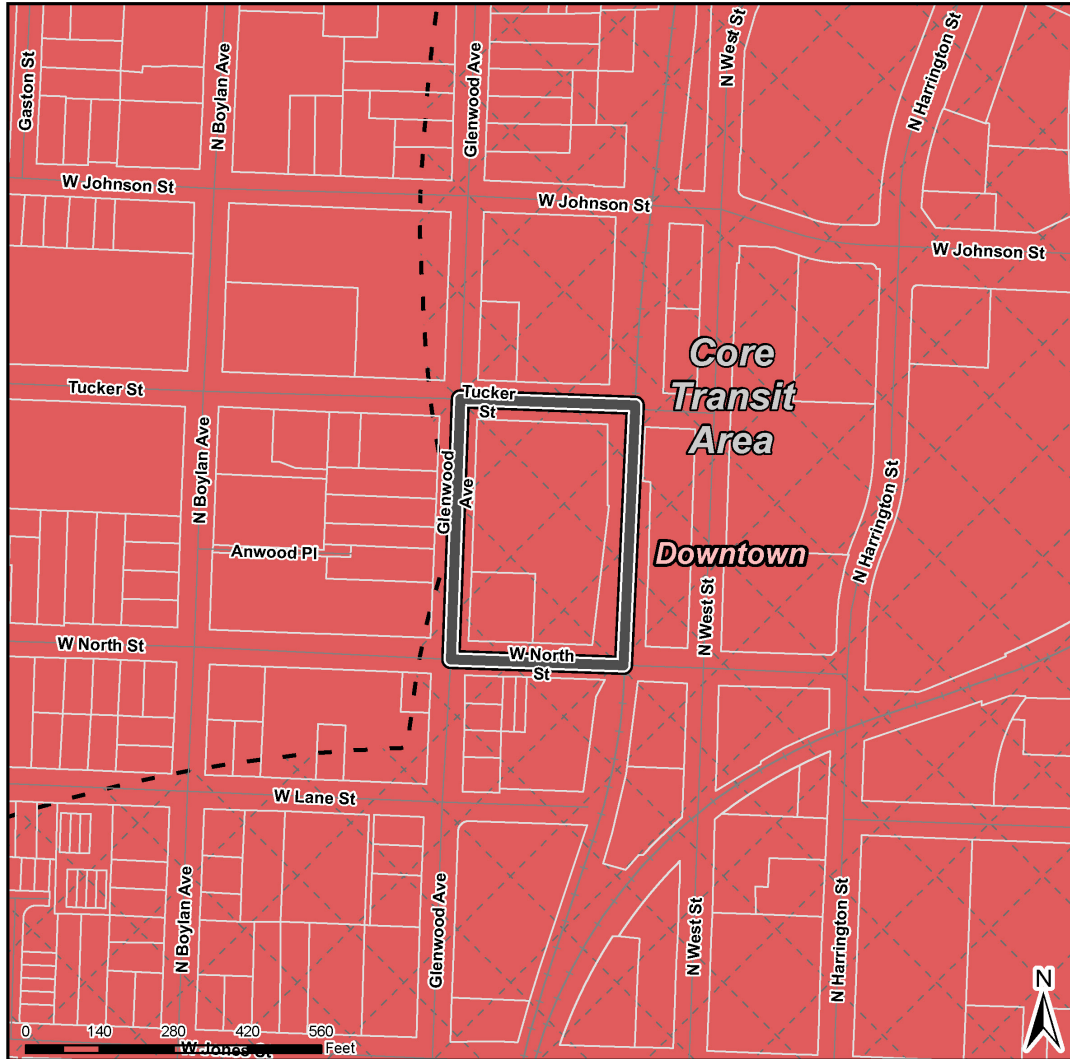
Z-28-2020



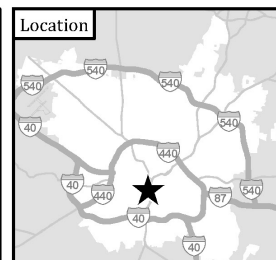
Property	400 & 410 Glenwood Ave
Size	2.4 acres
Existing Zoning	DX-7-SH
Requested Zoning	DX-40-CU



Map by Raleigh Department of City Planning (mansoff): 6/30/2020



Property	400 & 410 Glenwood Ave
Size	2.4 acres
Existing Zoning	DX-7-SH
Requested Zoning	DX-40-CU



Map by Raleigh Department of City Planning (mansolf): 6/30/2020

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?

The request is consistent with the vision and themes in the Comprehensive Plan.

The request is consistent with the **Managing Our Growth** vision theme. This theme encourages integrated land uses; providing desirable spaces and places to live, work, and play; and development in areas where infrastructure is already in place. An increase in vertical mixed-use development within downtown, which has the highest concentration of employment and transit options available in the city, fulfills these goals.

The request is consistent with the **Coordinating Land Use and Transportation** vision theme. This theme envisions higher density residential and mixed-use development to support new local and regional public transit services. The subject property is located near the two alternative routes for the northern Bus Rapid Transit (BRT) Corridor, West Street and Capital Boulevard. While the Downtown Transportation Plan does not specify which of these routes will be used for the BRT service, the subject site is within short walking distance to both of them and has good access to the planned high frequency service regardless of the selected alignment.

The request is consistent with the **Growing Successful Neighborhoods and Communities** vision theme, which encourages infill that complements the existing character of an area and preserving places of historic and architectural significance. The requirement of a historic preservation easement is the strongest possible preservation of historic assets.

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

Yes. The subject site is classified as Central Business District on the Future Land Use Map, which recommends the Downtown Mixed Use zoning district.

- 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. Results of the Traffic Impact Analysis indicate that the proposed development will have minor impacts to the surrounding roadway network and intersections and do not require any mitigations.

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

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

☐ **Inconsistent**

The request is for Downtown Mixed Use zoning. The subject site is classified as Central Business District on the Future Land Use Map, which recommends the Downtown Mixed Use zoning district. Due to its proximity to future BRT service, this location is classified as Core/Transit in Table LU-2, which recommends heights up to 40 stories.

Urban Form

Urban Form designation: Downtown, Core Transit Area

The rezoning request is

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

☐ **Inconsistent**

Overview: The site is located within the Downtown Center and the Core Transit Area, which both suggest an urban frontage. The request does not include a frontage, although the requirements of the Shopfront frontage have been applied to the 400 Glenwood Avenue parcel via a zoning condition.

Impact: The Shopfront frontage is intended for areas where the highest level of walkability is desired. Only mixed use and civic buildings are allowed, and street-facing entrances can be spaced no more than 50 feet apart. This frontage has the strictest build-to standards, with at least 80% of the lot's frontage required to have a building within 0 or 15 feet from the right-of-way. No parking is permitted between buildings and the street.

Compatibility: The preservation of the existing Creamery building, with its 0' front and side setbacks, plus the application of Shopfront standards to 400 Glenwood Ave is compatible with neighboring properties and the general context of the area. All of the mixed-use zoning districts nearby have a Shopfront frontage. If approved, every parcel within and across the street from the rezoning site's block would be subject to SH frontage regulations.

Compatibility

The proposed rezoning is

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

☐ **Incompatible.**

The request is compatible with the property and the surrounding area and can be established without adversely impacting neighboring properties. The density and building types permitted in DX districts are compatible with the urban nature of this part of the city. Nearby zoning districts abutting the site include DX-3, DX-7, CX-7, and DX-12, with general, mixed use, and apartment building types existing currently. Required preservation of the Creamery will push the bulk of new construction back toward the railroad line and away from Glenwood Ave. The request also includes a condition which prohibits some of the uses allowed in DX districts that are the least compatible with downtown residential areas.

Public Benefits of the Proposed Rezoning

- The request would allow greater land use intensity in the urban core of Raleigh with extremely high access to transit and employment options.
- The request includes the strongest protection possible for a local historic landmark.
- The request would expand the city's bikeshare system through the addition of a new station.

Detriments of the Proposed Rezoning

- No detriments identified.

Policy Guidance

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency

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

Policy LU 1.3—Conditional Use District Consistency

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

- The request is consistent with the Future Land Use Map designation of Central Business District, which envisions a mix of high-intensity office, retail, housing, visitor-serving, cultural, and entertainment uses.

Policy 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.

Policy 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.

Policy UD 8.1—Transit-oriented Development

Promote dense, mixed-use development within the core area around transit stations. Development intensity should be greatest within walking distance of existing and proposed rail stations and bus rapid transit stations.

Policy DT 1.16—High Density Development

Highest density development should occur along the axial streets (Hillsborough Street, Fayetteville Street and New Bern Avenue), major corridors (as identified by the thoroughfare plan), surrounding the squares, and within close proximity to planned transit stations.

- If approved, the subject site would add new commercial and/or residential development in an area with easy access to transit and downtown. The site is in a Core Transit Area and within walking distance of the two proposed northern BRT route alternatives. The DX zoning district allows a development intensity appropriate for a site with this level of transit access.

Policy T 10.4—Bikeshare

Support bikeshare, both public and private, through city support of a public system and through appropriate regulation of any private systems.

Policy DT 2.13—Car and Bicycle Sharing

Promote car- and bicycle-sharing services within downtown.

- A proposed zoning condition requires the provision of a new Citrix Cycle station on the site. This would expand the bikeshare system at a location the city has identified as advantageous.

Policy UD 1.4—Maintaining Façade Lines

Maintain the established building edge of neighborhood streets by aligning the front façade of new construction with the prevailing facades of adjacent buildings, unless doing so results in substandard sidewalks. Avoid violating this pattern by placing new construction in front of the historic façade line unless the streetscape is already

Policy UD 1.10—Frontage

Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

- A Downtown Center and Core Transit Area urban form designation suggests an urban frontage option. Although a frontage was not included with this request, the requirements of the Shopfront frontage have been applied to the 400 Glenwood Avenue parcel via a zoning condition.
- In addition, the Creamery building already meets the Shopfront frontage's intent of creating the highest level of walkability by establishing a 0' building setback for half of the block.

Policy UD 7.3—Design Guidelines

The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD and Mixed-Use Centers, including preliminary site plans and development plans, petitions for the application of Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

- The proposed application Shopfront frontage regulations is consistent with the Urban Design Guidelines. The relation of the building to the street in the SH frontage conforms to Urban Design Guidelines 6, 7, 8, 23, and 24. The transparency requirement of the DX district conforms with guideline 25. The proximity to multiple BRT routes satisfies guideline 17.
- The required build-to on Glenwood Avenue and North Street will ensure a defined urban space that provides interest to pedestrians and has a primary entrance on the primary public street. It will also complement the built form of the portion of the Creamery to be preserved.

Guideline 6	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.
Guideline 7	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.
Guideline 8	If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.
Guideline 17	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.
Guideline 23	Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree 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 ¼" caliper and should be consistent with the city's landscaping, lighting, and street sight distance requirements.
Guideline 24	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.
Guideline 25	The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.

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 3.1—Adaptive Use

Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.

Policy HP 3.2—Retention Over Replacement

Encourage the preservation and rehabilitation of significant or contributing existing structures, favoring retention over replacement, especially in areas where other historic resources are present.

- A proposed zoning condition requires the recording of a preservation easement on the original Creamery structure and the 1940s addition. A historic preservation easement is the strongest protection possible for a local historic landmark.

Policy HP 2.7—Mitigating Impacts on Historic Sites

Development proposals adjacent to or including historic sites should identify and minimize or mitigate any negative development impacts on those sites.

Policy HP 3.4—Context Sensitive Design

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

- The property owner has already applied for and received a Phase 1 Certificate of Appropriateness (COA) from the Raleigh Historic Development Commission (RHDC) for the height, massing, and setback of the proposed development. A Phase 2 COA for building design is still required for both new construction and renovation to The Creamery.

Policy DT 1.3—Underutilized Sites in Downtown

Encourage the redevelopment of underutilized sites in downtown, included but not limited to vacant sites, surface parking lots, and brownfield sites.

- Approximately 45% of the rezoning site currently contains surface parking. The request for 40-story mixed-use zoning will potentially facilitate the redevelopment of the site with substantial amounts of residential, office, and/or retail space.

Policy DT 3.1—Ground-floor Uses on Primary Retail Streets

New development along Retail Streets identified on Map DT-5 should provide continuous retail use along the ground floor. Zoning for parcels and sites along Retail Streets should be mapped with Shopfront frontage or other zoning mandating a retail-ready ground floor.

Policy DT 7.19—Downtown Design Guideline Consistency

Development projects in downtown should implement and be consistent with the design guidelines in Table DT-1 to the maximum extent practicable.

- The Shopfront frontage regulations applied to 400 Glenwood Avenue will require that future development have an activated, pedestrian oriented streetscape and a retail-ready ground floor. This frontage also supports walkability by requiring pedestrian entrances and transparency, as well as by restricting the location of parking.

Policy 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 would quadruple the potential residential entitlement from over 270 units to over 1,160 units.

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

None

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	54	The area is currently served by Route 6 and the R-Line.
Walk Score	30	74	The walk score for the site is much higher than the citywide average.

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: This site is well served by public transit. GoRaleigh Route 6 has 30-minute peak service and operates on Glenwood Avenue. The R-Line is a free bus circulator that runs approximately every 15 minutes on West Street. The northern BRT route will be within a quarter mile and will provide the highest level of transit in the city.

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: The proposed district would permit all possible housing types. Approval of this rezoning request would allow the most energy-efficient housing units to be developed on the site.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	Excluding the Creamy building, the potential residential entitlement of the remainder of the site will increase from 274 to 1,161 units.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The proposed district would permit all possible housing types.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	The request is for a mixed-use district.
Is it within walking distance of transit?	Yes	The site is well served by transit, and will be within walking distance of future BRT stations.

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

Summary: The request would allow apartment and mixed use building types, which are generally more affordable than detached and attached units.

IMPACT ANALYSIS

Historic Resources

1. The site includes Pine State Creamery, an individually-listed National Register property and Raleigh Historic Landmark. The site is not located within or adjacent to a Raleigh Historic Overlay District or National Register Historic District.
2. RHDC recommends approval.

Impact Identified: Please see attached memo from Nick Fountain, Chair of the Raleigh Historic Development Commission (RHDC) dated September 4, 2020.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Kimbrough Park (0.3 miles) and Kiwanis Park (0.5 miles).
3. Nearest existing greenway trail access is provided by Crabtree Creek Greenway Trail (0.5 miles).
4. Current park access level of service in this area is graded a B letter grade.

Impact Identified: None.

Public Utilities

1. The proposed rezoning would add approximately 221,750 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of a Building Permit and constructed prior to release of a Certificate of Occupancy.
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the developer.

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	68,500	68,500	290,250
Wastewater	68,500	68,500	290,250

Impact Identified: None.

Stormwater

Floodplain	n/a
Drainage Basin	Pigeon House
Stormwater Management	UDO Chapter 9
Overlay District	n/a

Impact Identified: No downstream structural impacts identified.

Transportation

1. **Location:** The Z-28-20 site is located in the Glenwood South district of Downtown Raleigh, on the block bounded by Glenwood Avenue, Tucker Street, West Street, and North Street.
2. **Area Plans:** The Z-28-20 site is located within the Downtown plan boundaries
3. **Other Projects in the Area:** A traffic signal is planned at the intersection of Glenwood Avenue and Johnson Street. The Z-28-20 site is not located adjacent to any other programmed transportation projects.
4. **Existing Streets:** The subject property has frontage on Glenwood Avenue, Tucker Street, and North Street. All three streets are maintained by the City of Raleigh. Glenwood Avenue and North Street are designated as main streets with parallel parking in Map T-1 of the Comprehensive Plan (street plan); Tucker Street is not designated in the street plan.
5. **Street Network:** In accordance with UDO section 8.3.2, the maximum block perimeter for DX-40 Zoning districts is 2,000 feet. The existing block perimeter is approximately 1,700 feet. The block is bisected by the Norfolk Southern Railroad at the eastern boundary of the site.

6. **Pedestrian Facilities:** Sidewalks are complete in the vicinity of the Z-28-20 site. Development of the site should result in wider sidewalks conforming to Article 8.5 of the UDO.
7. **Bicycle Facilities:** The Downtown North-South Greenway Connector is a separated bikeway on Harrington and West Streets between North Street and Martin Street. It was completed in the fall of 2020. Boylan Ave has existing shared lane markings between Peace Street and Western Boulevard. Peace Street has bicycle lanes between West Street and the CSX Railroad overpass.

Map T-3 in the comprehensive plan designates Boylan Avenue, West Street, and Jones Street for separated bikeways. Extension of the Downtown North-South Greenway Connector north from its current terminus is a priority project.

Z-28-20 is within the bikeshare service area. Stations nearest the site are on Tucker at Glenwood and Jones at West Street. 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. The applicant has offered a condition requiring the purchase and installation of a bikeshare station containing at least four docks. The condition does not require the addition of additional bikes for the system fleet. The usual dock to bike ratio used in Raleigh is 1.6 to 1; suggesting that an additional three bikes for the system will be appropriate. If the additional three bikes are not purchased and added to the system fleet, the ratio of available bikes to docking points would become disproportionate, disrupting daily operations and rebalancing efforts across all bikeshare stations in the system.

8. **Transit:** The site is currently served by GoRaleigh Route 6 and the R-line. Other transit routes are approximately 0.25 miles of the site. Route 6 operates on Glenwood Avenue and is planned to become a frequent route with implementation of the Wake Transit Plan.
9. **Access:** The Z-28-20 site may be accessed by Tucker or North Streets.
10. **Traffic Impact Analysis (TIA) Determination:** Based on the Envision results, approval of case Z-28-20 would increase the amount of projected vehicular trips for the site as indicated in the table below. The proposed rezoning from DX-7-SH to DX-40-CU is projected to have 599 new trips in the AM peak hour and 802 new trips in the PM peak hour. These values trigger a Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-28-20 Existing Land Use Assumed to be 100% Retail	Daily	AM	PM
	1,494	61	163
Z-28-20 Current Zoning Entitlements DX-7-SH	Daily	AM	PM
	2,628	230	267
Z-28-20 Proposed Zoning Maximums DX-40-CU	Daily	AM	PM
	9,922	829	1,069
Z-28-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	7,293	599	802

Impact Identified: The Traffic Impact Analysis indicates that the proposed development will have minor impacts to the surrounding roadway network and intersections and do not require any mitigations. City staff agrees with the overall analysis and makes no further recommendation at this time.

The condition that requires a Citrix Cycle bikeshare station does not also require the provision of additional bikes to the system fleet. The usual dock-to-bike ratio used in Raleigh is 1.6-to-1, suggesting that an additional three bikes for the system would be appropriate.

Urban Forestry

1. This rezoning doesn't affect the requirements of Urban Forestry.

Impact Identified: None.

Impacts Summary

The rezoning request is not anticipated to have major impacts on existing or planned infrastructure or services.

Mitigation of Impacts

The applicant could add a requirement to provide a sufficient number of bicycles to maintain the city's preferred dock-to-bike ratio.

CONCLUSION

This request is to rezone two parcels totaling approximately 2.39 acres from Downtown Mixed Use-7 stories-Shopfront (DX-7-SH) to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU). Proposed zoning conditions prohibit a number of uses otherwise allowed in DX districts; require a preservation easement on the majority of the historic building on site; require Shopfront frontage standards on the non-historic parcel; and require the provision of a bikeshare station.

The request is **consistent** with Comprehensive Plan overall; **consistent** with the Future Land Use Map; and **consistent** with the Urban Form Map.

The request is **consistent** with Comprehensive Plan policies regarding development near transit, historic preservation, urban design, and development downtown. The request is **inconsistent** with no identified policies.

The request would support the Vision Themes of *Managing Our Growth*, *Coordinating Land Use and Transportation*, and *Growing Successful Neighborhoods and Communities*.

CASE TIMELINE

Date	Action	Notes
6/30/2020	Submitted application; TIA required	Application incomplete
7/21/2020	RHDC review	
8/18/2020	RHDC review	Recommend approval
9/24/2020	Certificate of Appropriateness hearing	Phase I COA granted
10/23/2020	Submitted TIA & revised conditions	Application complete
11/24/2020	Submitted revised conditions	
12/8/2020	Planning Commission consent agenda	
1/12/2021	Planning Commission	

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-7-SH	DX-7-SH	DX-7-SH	DX-12-SH	DX-7-SH; CX-7-SH-CU
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Central Business District	Central Business District	Central Business District	Central Business District	Central Business District
Current Land Use	Retail/office	Retail; Structured parking	Restaurants; Retail	Retail	Restaurants; Mixed-use
Urban Form	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown

CURRENT VS. PROPOSED ZONING SUMMARY

NOTE: This analysis excludes the historic portions of the Creamery building to be subject to a preservation easement.

	EXISTING ZONING	PROPOSED ZONING
Zoning	DX-7-SH	DX-40-CU
Total Acreage	1.79	1.79
Setbacks:		
Front	3'	3'
Side Street	3'	3'
Rear	0' or 6'	0' or 6'
Build-to's:		(400 Glenwood parcel)
Primary street	0'/15', 80%	0'/15', 80%
Side street	0'/15', 40%	0'/15', 40%
Residential Density:	153	649
Max. # of Residential Units	274	1,161
Max. Gross Building SF	320,897	1,365,452
Max. Gross Office SF	216,323	693,260
Max. Gross Retail SF	30,200	33,487
Potential F.A.R	4.12	17.51

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



Raleigh

MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE, Transportation Planning Manager

DATE: November 25, 2020

SUBJECT: Traffic Impact Analysis Review for Z-28-20 – The Creamery

We have reviewed the updated the Traffic Impact Analysis (TIA) prepared by Kimley-Horn (KHA) for The Creamery, case number Z-28-20. The following memorandum summarizes the most relevant information pertaining to the study as well as City Staff's review of the analysis and recommendations.

Development Details

<i>Site Location:</i>	Block bounded by North Street, Glenwood Avenue, Tucker Street, and NS Railroad
<i>Address:</i>	400, 410 Glenwood Avenue
<i>Property PIN(s):</i>	1704406990, 1704417007
<i>Current Zoning:</i>	DX-7-SH
<i>Proposed Zoning:</i>	DX-7-SH, DX-40
<i>Existing Land Use:</i>	33,000 sq. ft. office 8,000 sq. ft. bar 9,000 sq. ft. restaurant
<i>Allowable Land Use:</i>	194,691 sq. ft. of office 21,632 sq. ft. of retail space
<i>Maximum Proposed Zoning Land Use:</i>	675,929 sq. ft. of office 17,332 sq. ft. of retail space
<i>Build-out Year:</i>	2025

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)

Study Area & Analysis Scenarios

The following intersections were studied as part of this TIA:

- | | |
|-------------------------------------|----------------|
| 1. Glenwood Avenue at Peace Street | (Signalized) |
| 2. Glenwood Avenue at Tucker Street | (Signalized) |
| 3. Glenwood Avenue at North Street | (Signalized) |
| 4. West Street at Tucker Street | (Unsignalized) |
| 5. West Street at North Street | (Unsignalized) |
| 6. Tucker Street at Site Access | (Unsignalized) |
| 7. North Street at Site Access | (Unsignalized) |

Trip Generation

KHA made the following assumptions as agreed to by City and NCDOT staff:

- 10th Edition ITE Trip Generation Manual
- A 1% growth rate was applied for projected volumes (2025)
- Background developments include Smokey Hollow Phase One, Smokey Hollow Phase Two, and The Willard were identified for inclusion as background traffic in this study. Trips for Smokey Hollow Phase One and Smokey Hollow Phase Two were obtained from the Peace at Capital TIA and carried through the study intersections based on the site trips at West Street at Johnson Street and Peace Street at West Street.
- No previous impact study was performed for The Willard, so traffic for this development was generated from ITE 10th Edition rates, and 20% of the traffic that was generated was assigned to/from the north on Glenwood Avenue through the study network.

The trip generation for these land uses for the proposed rezoning are indicated below.

Table 1: Maximum Proposed Zoning Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
General Office Building	710	675,929 SF	6,772	437	71	508	97	472	569
General Retail	820	17,332 SF	1,826	48	29	77	62	68	130
Subtotal			8,598	485	100	585	159	540	699
Internal Capture				-23	-23	-46	-6	-6	-12
Pass-By Site Trips				-	-	-	-19	-23	-42
Net Total Trips				462	77	539	134	511	645

Site Traffic Distribution

Trips generated by the proposed development were distributed based on a review of surrounding land uses, existing traffic patterns, and engineering judgement.

The following percentages were used in the AM and PM peak hours for traffic:

- 30% to the east on Peace Street
- 25% to/from the south on West Street
- 25% from the east on Johnson Street
- 20% to/from the north on Glenwood Avenue
- 10% from the west on Peace Street
- 10% to the south on Glenwood Avenue
- 10% from the east on Peace Street
- 5% to/from the west on Tucker Street
- 5% to/from the west on North Street
- 5% to the east on Johnson Street

Results and Impacts

Analysis of the adjacent intersections shows no significant degradation of overall Level of Service (LOS) at each location. Each intersection operates at LOS D or better during AM and PM peak scenarios for the existing condition, 2025 background, and 2025 buildout under the existing and proposed zoning.

One intersection, Glenwood Avenue at Peace Street, has a LOS F for the westbound approach during the three 2025 conditions. This intersection is noteworthy relative to existing turning movement restrictions at this location, which includes no westbound left turn from Peace Street onto Glenwood Avenue. The proposed rezoning does not impact the amount of delay for this approach.

Study Recommendations

The analysis performed by KHA indicates that the proposed development will have minor impacts to the surrounding roadway network and intersections and do not require any mitigations.

Conclusions

City Staff agrees with the overall analysis performed in the KHA for The Creamery and makes no further recommendation at this time.



TO: Planning Commission
FROM: Nick Fountain, Chair
CC: Ira Mabel, Planner II, Department of Planning and Development
Tania Tully, Senior Preservation Planner
SUBJECT: Rezoning case Z-28-20 (400 & 410 Glenwood Avenue, Pine State Creamery)
DATE: September 4, 2020

The Raleigh Historic Development Commission (RHDC) reviewed rezoning case Z-28-20 at its July 21 and August 18, 2020 meetings. The proposed rezoning case Z-28-20 includes the properties located at 400 and 410 Glenwood Avenue. The current zoning is DX-7-SH. The application requests a change to DX-40-CU.

Recommendation

The RHDC, on a vote of 12/0 recommends approval of the rezoning application provided that a condition is added that places a preservation easement on the character defining portions of the landmarked building (1928 building and 1940s additions), being the northwest corner of the overall site.

Much of the discussion on the proposal focused on the requested 40 story height. It is understood that the Certificate of Appropriateness process will ultimately decide the allowed height on all but the parcel in the southwest corner of the block. That said, a 20 story request would have been less challenging to review. The Commission recognizes that the compatibility of high-rise structures in the Glenwood South corridor generally in relation to this landmark or the nearby blocks is not part of this proposal and not before the Commission at this time.

The proposed rezoning is largely consistent with the Comprehensive Plan policies referenced below. The request offers conditions that address the historic resource on the site and places a specific timeframe for the submittal of a Certificate of Appropriateness for work on the larger parcel. There is not a condition that addresses the compatibility of new construction on the 400 Glenwood Avenue parcel (which is not included in the Raleigh Historic Landmark boundary).

- **Historic Resource Preservation:** As a designated Raleigh Historic Landmark, any exterior changes to the building or site on the 410 Glenwood Avenue parcel (1704417007) will require a Certificate of Appropriateness (COA). *Condition 3* states that the 1928 and 1940s portions of the buildings are to remain and be maintained except in the event of disaster. A condition that places a historic preservation easement preventing demolition of the character defining portions of the historic building would provide additional protection.

- Context Sensitive Design: *Condition 2* modifies the existing need for a COA for exterior changes to the landmarked property by adding a requirement that a COA for the height, massing, and setback of a new building is to be submitted prior to site plan submittal. The proposed conditions do not, however, directly address how the characteristics of new construction adjacent to the former Pine State Creamery on the 400 Glenwood parcel (1704406990) will be compatible with the character of the site since the Raleigh Historic Landmark boundary does not include 400 Glenwood and changes to that portion of the site will not be reviewed by the COA Committee. A potential condition that could increase compatibility of new construction might address the fenestration of the proposed structures on that portion of the site, provide guidance on compatibility of the exterior materials, or address the articulation of the facades.

Site History

The site includes the [\(former\) Pine State Creamery](#), which is a manufacturing facility developed from 1928 to the mid-1960s. The structure is both individually listed on the National Register of Historic Places and a locally designated Raleigh Historic Landmark.

The two-acre site, bounded on the north by Tucker Street, on the east by the tracks of the Norfolk-Southern Railroad, on the south by a corner commercial building and by West North Street, and on the west by Glenwood Avenue, occupies almost the entire block. The former Creamery was designed and built by James A. Davidson, a local master builder in 1928 and who also built White Memorial Baptist Church. The Glenwood Avenue site was the second location for Pine State due to the company's large, rapid growth. The nomination form states that the "individual most identified with the success of Pine State Creamery is Dr. Benjamin Wesley Kilgore (1867-1943), a Mississippi-born agriculturist who came to Raleigh in 1889 as assistant chemist of the North Carolina Agriculture Experiment Station." The Kilgore family also ran the Kildaire Farms dairy. The Kilgore family continued to own and operate the company until its closure in 1996.

The site underwent a series of expansions in the 1960s. In 1962 the two-story rear warehouse wing was built. In 1965 the cooler and shipping wing, one of the most modern in the state, was built. The small sewer testing station was erected during this period. The architectural firm of H.R. McLawhorn, Jr. (later in partnership with Bill Glover), of Greensboro, designed the 1960s additions and alterations, which were built by Davidson & Jones contractors.

The building's style is also noteworthy. The nomination states that Art Moderne "was not exactly wholeheartedly embraced in North Carolina and in Raleigh, where clients and architects favored historical styles--classicism and romanticism. However, some industrialists chose the Moderne style, with its evocation of scientific progress, efficiency, and sanitation, for their factories and processing facilities. In Raleigh, two former soft drink bottling plants --Nehi Bottling Plant at 3210 Hillsborough Street and the Dr. Pepper Plant at 416 S. Dawson Street, have similar Moderne designs... Yellow or cream colored brick

seemed to be particularly appropriate to commercial/industrial buildings, whereas most institutional buildings were of red brick.”

The nomination form describes the building in full as follows:

“The two-story, flat-roofed building of Moderne design in cream-colored brick, was completed in 1928. Both the five-bay north façade along Tucker Street and the six-bay west facade along Glenwood Avenue are of equal importance, united by a three-story tower at the corner. Glenwood Avenue rises in elevation to the south, thus the first story gradually drops below street level at the south end. In the 1940s an extension at the south end of the building nearly doubled its size. In the early 1960s a second southern addition and two rear (east) wings were built, creating the present U-shaped complex. The additions are unobtrusive, leaving the original building as the most prominent feature of the streetscape. The building abuts the sidewalk on its north and west facades; the rear (east) courtyard and rear lot is largely paved with concrete.”

Relevant Conditions Offered

2. A Certificate of Appropriateness for the height, massing and setback of the proposed development shall be submitted before the Raleigh Historic Development Commission prior to site plan submittal.
3. On that portion of PIN 1704417007, the structures identified as the original 1928 and the 1940s addition in the Historic Landmark Report, and generally occupying two hundred (200) feet south and one hundred twenty-five (125) feet east of the parcel’s northwest corner, shall remain and be maintained (the “Historic Structures”). However, such Historic Structures may be removed from the property in the event of disaster or unintentional damage, should repairs exceed 50% of the total assessed tax value of the building impacted by the event.
4. Streetscapes along Glenwood Avenue and Tucker Street adjacent to Historic Structures shall provide a minimum sidewalk of ten (10) feet. In all other areas, shopfront frontage will be provided.

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 2.7—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 3.1—Adaptive Use. Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.
- Policy HP 3.2—Retention Over Replacement. Encourage the preservation and rehabilitation of significant or contributing existing structures, favoring retention over replacement, especially in areas where other historic resources are present.
- Policy HP 3.4—Context Sensitive Design. Use the existing architectural and historical character within an area as a guide for new construction.

CONDITIONAL USE DISTRICT ZONING CONDITIONS

Zoning Case Number **Z-28-20**

Date Submitted

Existing Zoning	DX-7-SH	Proposed Zoning	DX-40-CU
-----------------	----------------	-----------------	-----------------

<p align="center">OFFICE USE ONLY</p> <p align="center">Rezoning Case #</p>	
---	--

Rezoning Case #

Narrative of Zoning Conditions Offered	

1. In addition to those otherwise prohibited by the UDO, the following uses are prohibited: social service, adult establishment, cemetery, pawnshop, vehicle fuel sales, detention center, vehicle service, and self-service storage.
2. Before issuance of a certificate of occupancy for new construction, a preservation easement will be recorded on that portion of property listed in Deed Book 17795 Page 2292 of the Wake County Registry, PIN 1704417007, including the structures identified as the original 1928 and the 1940s addition in the Historic Landmark Report, and generally occupying two hundred (200) feet south and one hundred twenty-five (125) feet east of that parcel's northwest corner.
3. The property listed in Deed Book 17795 Page 2283 of the Wake County Registry, PIN 1704406990 (the "400 Glenwood Parcel") shall comply with the regulations for the Shopfront Frontage type as set forth in the Unified Development Ordinance.
4. The site plan for development of the property shall provide for a location on the property or adjacent right-of-way to accommodate a City bikeshare station and the property owner shall provide a station of no fewer than 4 docks. If provided on the property, the property owner shall install the City bikeshare station prior to issuance of a certificate of occupancy.

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:
C732D65962D6489...

Print Name Jason Davis

Print Name Jason Davis

Page 10 of 10

RECEIVED
By Ira Mabel at 2:57 pm, Jan 12, 2021

RECEIVED
By Ira Mabel at 2:57 pm, Jan 12, 2021

AGENDA ITEM (E) 1: Z-28-20 – Glenwood Avenue

This case is located Glenwood Avenue, the western portion of the block bounded by Glenwood Avenue, Tucker Street, North Street and West Street.

Approximately 2.39 acres are requested by 410 Glenwood Avenue Property LLC and 400 Glenwood Avenue Property LLC to be rezoned. Proposed zoning conditions prohibit a number of uses otherwise allowed in DX districts; require a preservation easement on the majority of the historic building on site; require Shopfront frontage standards on the non-historic parcel; and require the provision of a bikeshare station.

Planner Mabel presented the case.

Jamie Schwedler representing the applicant gave a brief overview of the case.

Larry Miller, 510 Glenwood Avenue Glenwood South in very close proximity to the Creamery spoke regarding being opposed this proposal, stating they were not against 40-story building when appropriate but believes proposal is not appropriate.

Ms. Fox asked if people thought they were voting for an entire block going to 40-stories to were they aware that the vote was just for 25% of the block to go 40-stories.

Ms. Miller responded that the statements seemed to point to the neighbors not wanting the historic creamery building to go to 40-stories.

Ms. McIntosh spoke regarding there being more outreach to address concerns of the neighbors.

Ms. Schwedler responded that the applicant has activity engaged with the neighborhood for the better part of a year.

There was discussion regarding the survey showing 41% live in Glenwood south and 34% do not live in the area.

Ms. Bennett spoke regarding concerns regarding the condition of prohibition of Social Services and that it could give an unintentional statement that this is a prohibition against poor people.

Ms. Schwedler is appreciative of the statement made by Ms. Bennett and would look to take this condition out of future documentation.

Planner Mabel responded regarding the very specific statements regarding this use and its intent.

There was discussion regarding changes to the conditions and whether it could be done without holding the case up.

Planner Mabel responded that it would hold the case up for 2 weeks no matter the reason for the change.

Ms. Schwedler responded regarding the comment being made and the concern regarding the condition of prohibition of Social Services and would appreciate if the commission would move this case forward.

Mr. O'Haver made a motion to recommend approval of the case. Ms. Fox seconded the motion.

Commissioners how do you vote?

Bennett (Aye), Fox (Aye), Hicks (Aye), Lampman (Aye), Mann (Aye), McIntosh (Aye), Miller (Aye), O'Haver (Aye) and Chair Tomasulo (Aye). The vote was unanimous 9-0.

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 **SH** Overlay(s) **N/A**

Proposed Zoning Base District **DX** Height **40** Frontage **N/A** Overlay(s) **N/A**

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: **Z-27B-2014**

GENERAL INFORMATION

Date **June 26, 2020**

Date Amended (1)

Date Amended (2)

Property Address **400 and 410 Glenwood Ave**

Property PIN **1704406990 and 1704417007**

Deed Reference (book/page) 017795/ 02283 and 017795/02292

Nearest Intersection **Glenwood Avenue and Tucker Street / Glenwood Avenue and W North Street**

Property Size (acres) **2.40**

For Planned
Development
Applications Only:

Total Units

Total Square Footage

Total Parcels

Total Buildings

Property Owner Name/Address

**400 Glenwood Avenue Property LLC
410 Glenwood Avenue Property LLC**

Phone **919-835-4529**

Fax **919-834-4564**

Email **jamieschwedler@parkerpoe.com**

Applicant Name/Address

**Jamie Schwedler
301 Fayetteville Street
Raleigh, NC 27601**

Phone **919-835-4529**

Fax **919-834-4564**

Email **jamieschwedler@parkerpoe.com**

Applicant* Signature(s)

DocuSigned by:

C732D65962D6489...

Email **jd@turnbridgeeq.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.

RECEIVED

By JP Mansolf at 9:01 am, Jul 01, 2020

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Rezoning Case #
<p>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.</p>	
STATEMENT OF CONSISTENCY	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>See Attached</p>	
PUBLIC BENEFITS	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p>	
<p>See Attached</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources 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.	OFFICE USE ONLY Rezoning Case #
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.	
See Attached	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
See Attached	

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 subject property is designated as “Central Business District” in the Future Land Use Map (“FLUM”), which is the “heart of the city, supporting a mix of high-intensity office, retail, housing...and entertainment uses.” 2030 Comprehensive Plan, p. 3-10. The FLUM states that DX should be the primary district for the mixed-use core of downtown and that “heights in the downtown could reach as high as 40 stories in the core.” The Recommended Height Designations indicate a 40 story maximum is appropriate in the Core/Transit areas, and that General or Edge conditions suggest a more modest maximum of 12 and 4 stories, respectively. Table LU-2. Core/Transit Areas are those along a corridor programmed for high-capacity, frequent bus transit. A potential Bus Rapid Transit line is proposed immediately east of the site along West Street, and a potential station is proposed in this area. This, in addition to the recent approval of other significant developments in this area in the last two years, makes the site more appropriately considered a core transit area, where heights are justifiably greater than on the fringes. Therefore, the proposed rezoning to DX-40 directly conforms with the FLUM designation.

The FLUM also states that the Central Business District supports a mix of high intensity office, retail, housing, government, and institutional uses. The proposed rezoning allows for a mix of uses consistent with those contemplated in the Central Business District. The request would also support the existing Glenwood South neighborhood and many policies within the Comprehensive Plan relating to retail in the downtown area by providing enhanced opportunities for retail and professional services.

2. The site is within the Core Transit Area designation on the Urban Form Map. This designation refers to areas “within a quarter-mile of corridors proposed for bus rapid transit or within a half-mile of identified commuter rail station locations.” 2030 Comprehensive Plan, p. 11-4. An urban or hybrid approach to frontage is recommended, depending on context. The proposed rezoning conforms to the Core Transit Area designation due to the potential BRT line and transit corridor along West Street. The request includes a condition with a hybrid frontage that incorporates elements of urban frontages. The hybrid treatment is necessary here because the request contains a condition preserving a significant portion of the historic Pine State Creamery building adjacent to Tucker Street and Glenwood Avenue. The existing dimensions of that building are such that a standard frontage in this location is not possible, and a custom streetscape condition has been added instead. A shopfront frontage has been applied to the remainder of the site. The proposed rezoning is also consistent with the Comprehensive Plan policies set forth below that encourage the highest density development in the Core Transit Area.

3. The proposed rezoning is consistent with the following policies of the Land Use Element (“LU”) of the 2030 Comprehensive Plan:

a. **Policy LU 1.2 Future Land Use Map and Zoning Consistency**, *The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.* The proposed rezoning is consistent with the Central Business District designation in the Future Land Use Map.

b. **Policy LU 2.2 Compact Development**, *New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and noncontiguous development.* The request will allow for redevelopment of a portion of a downtown site occupied by surface parking, and develop it for greater height and intensity to provide a mix of office, multifamily, and retail uses needed in this area.

c. **Policy 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.* The site is within walking distance of the proposed W. North Street BRT corridor. A cycle track is also proposed on Harrington, in close proximity to the site. The subject site will have access to transit and is an appropriate location for the proposed mixed uses. The designation of 40 stories is appropriate in this location to provide housing and jobs in close proximity to transit, and to concentrate uses along this infrastructure.

d. **Policy LU 5.1 Reinforcing the Urban Pattern**, *New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.* The proposed rezoning will enable the preservation of the historic Pine State Creamery building's character-defining massing, recognized on the National Register of Historic Places and designated as a Raleigh Historic Landmark. A Certificate of Appropriateness for the height and massing of the proposed development will be pursued concurrent with the rezoning. These measures will provide additional layers of review during the zoning stage to evaluate impacts on the local character of Glenwood South and tools to mitigate any adverse impacts.

4. The proposed rezoning is consistent with the following policies of the Downtown Raleigh Element ("DT") of the 2030 Comprehensive Plan:

a. **Policy DT 1.1 Downtown Future Land Use Map**, *The Future Land Use Map should guide public and private land use development decisions to ensure the efficient and predictable use of land and effectively coordinate land use with infrastructure needs.* The request is for Downtown Mixed Use with a hybrid frontage that incorporates Shopfront frontage where possible. The site is designated as Central Business District in the Future Land Use Map which recommends the Downtown Mixed Use zoning district, and is consistent with the recommended frontage.

b. **Policy DT 1.2 Vertical Mixed Use**, *Encourage vertical mixed-use development throughout downtown, unless otherwise indicated on the Future Land Use Map.* The proposed rezoning would allow for vertical mixed use development on the site, in that the heights sought would encourage ground-floor commercial use with office and/or residential above. The height designation sought would allow the request to deliver a significant amount of mixed use development with activated ground floor use in close proximity to planned transit.

c. **Policy DT 1.3 Underutilized Sites in Downtown, Encourage the redevelopment of underutilized sites in downtown, included but not limited to vacant sites, surface parking lots, and brownfield sites.** The request will allow for redevelopment of significant portions of a downtown site occupied by surface parking, and develop it for greater height and intensity. This will offer an efficient use of land along a key corridor with growing development potential and provide additional mid-block connections for pedestrians and bicyclists that do not exist today.

d. **Policy DT 1.6 Supporting Retail Growth, Encourage the scale and intensity of development needed to strengthen downtown's capacity to support a vibrant retail environment.** The proposed rezoning would allow for vertical mixed use development on the site. The heights and intensity sought would encourage ground-floor retail use with office and/or residential above. The development plans envision preservation of the existing retail within the character-defining portions of the historic Pine State Creamery Building, and addition of new street-level retail on Tucker Street and Glenwood Avenue, as well as in pedestrian connections and plazas within the block.

e. **Policy 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.** The proposed rezoning would allow for high density development in the heart of Glenwood South, at the intersection of two main streets, Glenwood Avenue and W. North Street. A future BRT route is contemplated along W. North Street, and the request accommodates this potential alignment.

f. **Policy DT 1.18 Auto-oriented Businesses, Development, building types, and building features with an automobile orientation, such as drive-throughs, should not be developed in downtown.** The proposed rezoning includes conditions prohibiting auto-oriented uses such as vehicle fuel sales and vehicle service. The development is actively seeking ways to provide structured off-street parking and add pedestrian and bicycle facilities.

g. **Policy DT 2.17 Parking Garage Entrances, To minimize pedestrian and vehicle conflicts, parking garage and service entrances should not be located on Limited Driveway Access Streets.** The proposed rezoning contemplates any parking garage entrances along Tucker Street or W North Street rather than Glenwood Avenue, which is designated a Limited Access Driveway Access Street on Map DT-4. Final alignment will be determined at site plan.

h. **Policy DT 3.8 Downtown as a Regional Center, Encourage new investments and developments that position downtown as the center of the region for headquarters, jobs, urban housing, entertainment, and transit.** The proposed rezoning would allow for a high density development, including residential and office uses, in a downtown location with good access to transit and substantial entertainment options.

i. **Policy DT 3.13 Downtown Attractions and Events, Encourage the development of additional tourist attractions and visitor-supportive uses, activity generators, and events downtown, including live performances and programming in downtown's public spaces.** The proposed rezoning includes conditions to enable the preservation of the historic Pine State Creamery building, listed on the National Register of Historic Places and designated as a Raleigh Historic Landmark in 1998. The development contemplates preserving the existing ground-floor

retail and providing new opportunities for additional retail in new construction. The development plans to include additional mid-block pedestrian connections and gathering areas or plazas to provide additional ground-floor activation throughout the day.

j. **Policy 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 proposed rezoning would allow for up to 40 stories of mixed use development including the ability to accommodate a meaningful supply of multifamily residential units.

k. **Policy DT 7.2 Maintaining Consistent Setbacks**, *New buildings should respond to the existing built character by using similar setbacks and stepbacks to provide a continuous cornice line and consistent street-level pedestrian experience. Along the principal north-south vehicular street pair, Dawson and McDowell streets, buildings should be set back to provide an approximately 20' wide pedestrian area between the street curb line and the building face.* The proposed rezoning includes conditions to preserve the historic Pine State Creamery building and the existing pedestrian experience along Glenwood Avenue. A Certificate of Appropriateness for the height and massing of the proposed development will be pursued concurrent with the rezoning which will establish stepbacks and setbacks for new construction along Glenwood Avenue, Tucker Street, and W. North Street.

l. **Policy DT 7.13 Landmark and Viewshed Protection**, *Preserve important cultural landmarks, viewsheds, focal points, and terminated vistas.* The proposed rezoning will enable the preservation of the Pine State Creamery historic building, listed on the National Register of Historic Places and designated as a Raleigh Historic Landmark in 1998. A Certificate of Appropriateness for the height and massing of the proposed development will be pursued concurrent with the rezoning which will establish stepbacks along Tucker Street and Glenwood Avenue that will preserve viewsheds from the east and south.

5. The proposed rezoning is consistent with the following policies of the Historic Preservation Element ("HP") of the 2030 Comprehensive Plan:

a. **Policy HP 1.1 Stewardship of Place**, *Foster stewardship of neighborhood, place, and landscape as the city grows and develops.* The proposed rezoning will enable the continued development of the downtown area and provision of needed office and residential space, while allowing for the preservation of the historic Pine State Creamery.

b. **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.* The proposed rezoning will enable the preservation of the historic Pine State Creamery building, recognized on the National Register of Historic Places and designated as a Raleigh Historic Landmark. A Certificate of Appropriateness for the height and massing of the proposed development will be pursued concurrent with the rezoning.

c. **Policy HP 1.3 Economic Value of Historic Preservation**, *Promote the city's cultural and historic identity as an economic asset.* The preservation of the Pine State Creamery

building will enable the building to retain its historically significant elements, while also being utilized for retail, office, residential, or other uses.

d. **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 proposed rezoning will enable the preservation of the historic Pine State Creamery building, which is a significant preservation commitment. A Certificate of Appropriateness for the height and massing of the proposed development will be pursued concurrent with the rezoning, which will mitigate or minimize other development impacts. A portion of that request will accommodate a significant mid-block pedestrian connection, which will provide space between the historic structure and new development and minimize adverse impacts due to massing.

e. **Policy HP 3.1 Adaptive Use**, *Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.* The proposed rezoning allows for the preservation of the majority of the historic Pine State Creamery building while adapting the remainder of the site for a vertical mix of retail, office, and residential uses.

f. **Policy HP 3.2 Retention Over Replacement**, *Encourage the preservation and rehabilitation of significant or contributing existing structures, favoring retention over replacement, especially in areas where other historic resources are present.* The proposed rezoning will enable the preservation of the majority of the historic Pine State Creamery building, recognized on the National Register of Historic Places and designated as a Raleigh Historic Landmark. This commitment to meaningfully preserve the historic building and the associated setbacks it creates far exceeds the more recent development proposals for façade-only preservation that the City has received. Additionally, the commitment to pursuing a Certificate of Appropriateness at this stage offers additional review of this preservation plan at an earlier stage in the process than is typical.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

This zoning request seeks to preserve the Pine State Creamery and adapt the remainder of the site into a taller, mixed use development. The proposed development will provide a public benefit by bringing needed residential and office uses to support the Glenwood South area and support a vibrant downtown with ground-floor retail. The development will also provide a public benefit by preserving the historic Pine State Creamery building, not merely portions of facades or materials. Public benefits will also be realized by mid-block pedestrian connections and gathering areas that do not exist today.

The proposed rezoning includes commitments to public circulation and transportation, such as additional bicycle storage and facilities to promote multi-modal transportation and sufficient streetscapes to accommodate pedestrian use.

June 12, 2020

Re: 400 and 410 Glenwood Avenue Notice of Neighborhood Meeting

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on June 23rd from 6pm – 8pm. The purpose of the meeting is to discuss an upcoming application to rezone two parcels of land located at 400 Glenwood Ave (Parcel No. 1704406990) and 410 Glenwood Ave (Parcel No. 1704417007). The site is currently zoned DX-7-SH and is proposed to be rezoned to DX-40-CU. The applicant will describe the nature of this rezoning request and field any questions from the public. Enclosed are: (1) an aerial photograph of the parcels (2) a vicinity map outlining the location of the parcels; (3) a zoning map of the subject area; (4) a draft of the Rezoning Application cover page; and (5) draft conditions for the rezoning.

The meeting will be held virtually. You can participate online via Zoom or by telephone. To participate in the Zoom online meeting:

Visit:	https://zoom.us/join
Enter the following meeting ID:	989 275 9010
Enter the following password:	Glenwood

To participate by telephone:

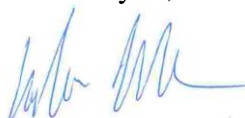
Dial:	1-929-205-6099
Enter the following meeting ID:	989 275 9010 #
Enter the Participant ID:	#
Enter the Meeting password:	749049 #

The City of Raleigh requires a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning prior to the submittal of any rezoning application. Any landowner who is interested in learning more about this project is invited to attend. 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 questions about this rezoning, please contact me at (919) 835-4663 or via email at colliermarsh@parkerpoe.com.

Thank you,



Collier Marsh

SUMMARY OF ISSUES

A neighborhood meeting was held on June 23, 2020 (date) to discuss a potential rezoning located at 400 and 410 Glenwood Ave (property address).
The neighborhood meeting was held at via Zoom (location).
There were approximately 11 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Bus rapid transit (BRT) and how it impacts the proposed rezoning
Proposed heights and consideration of conditions lowering heights below 40 stories
Timing of two phase Certificate of Appropriateness process with Raleigh Historic Development Commission
Consideration of improvements to pedestrian crossings at railroad tracks
Historic elements and plans for proposed development

ATTENDANCE ROSTER

[illegible]

October 30, 2020

Re: 400 and 410 Glenwood Avenue Notice of Second Neighborhood Meeting

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on November 10 from 6pm – 8pm. The purpose of the meeting is to discuss Z-28-20, a requested rezoning of the properties located at 400 Glenwood Ave (Parcel No. 1704406990) and 410 Glenwood Ave (Parcel No. 1704417007). The site is currently zoned DX-7-SH and is proposed to be rezoned to DX-40-CU. The applicant will describe the nature of this rezoning request, provide updates since the first neighborhood meeting, and field any questions from the public. Enclosed are: (1) an aerial photograph of the parcels (2) a vicinity map outlining the location of the parcels; (3) a zoning map of the subject area; (4) the Rezoning Application Cover Page; and (5) draft revised conditions for the rezoning. The meeting will be held virtually. You can participate online via Zoom or by telephone. To participate in the Zoom online meeting:

Visit:	https://zoom.us/join
Enter the following meeting ID:	865 6203 5284
Enter the following password:	Glenwood

To participate by telephone:

Dial:	1-929-436-2866
Enter the following meeting ID:	865 6203 5284 #
Enter the Participant ID: Enter	#
the Meeting password:	00141193 #

Prior to review by the Planning Commission, the City of Raleigh requires that a neighborhood meeting be held for all property owners within 1,000 feet of the area requested for rezoning. After the meeting a report will be submitted to the Raleigh Planning and Development Department. Any other person attending the meeting can submit written comments about the meeting or the request in general, but to be included in the Planning Commission agenda packet, written comments must be received at least 10 days prior to the date of the Planning Commission meeting where the case is being considered. 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, or would like to submit written comments after the meeting please contact:

Ira Mabel
Raleigh Planning & Development
(919)996-2652
Ira.Mabel@raleighnc.gov

If you have any questions about this rezoning, please contact me at (919) 835-4663 or via email at colliermarsh@parkerpoe.com.

Thank you,
Collier Marsh

SUMMARY OF ISSUES

A neighborhood meeting was held on November 10, 2020 (date) to discuss a potential rezoning located at 400 and 410 Glenwood Ave. (property address).
The neighborhood meeting was held at virtually via Zoom (location).
There were approximately 12 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Presentation of request, Comprehensive Plan consistency, and updates since first neighborhood meeting
Discussion on heights of new buildings relative to Creamery
Question about level of stormwater treatment anticipated
Question on how parking deck will be screened
Discussion of level of oversight of Certificate of Appropriateness process
Discussion of traffic study and results

ATTENDANCE ROSTER

[illegible]