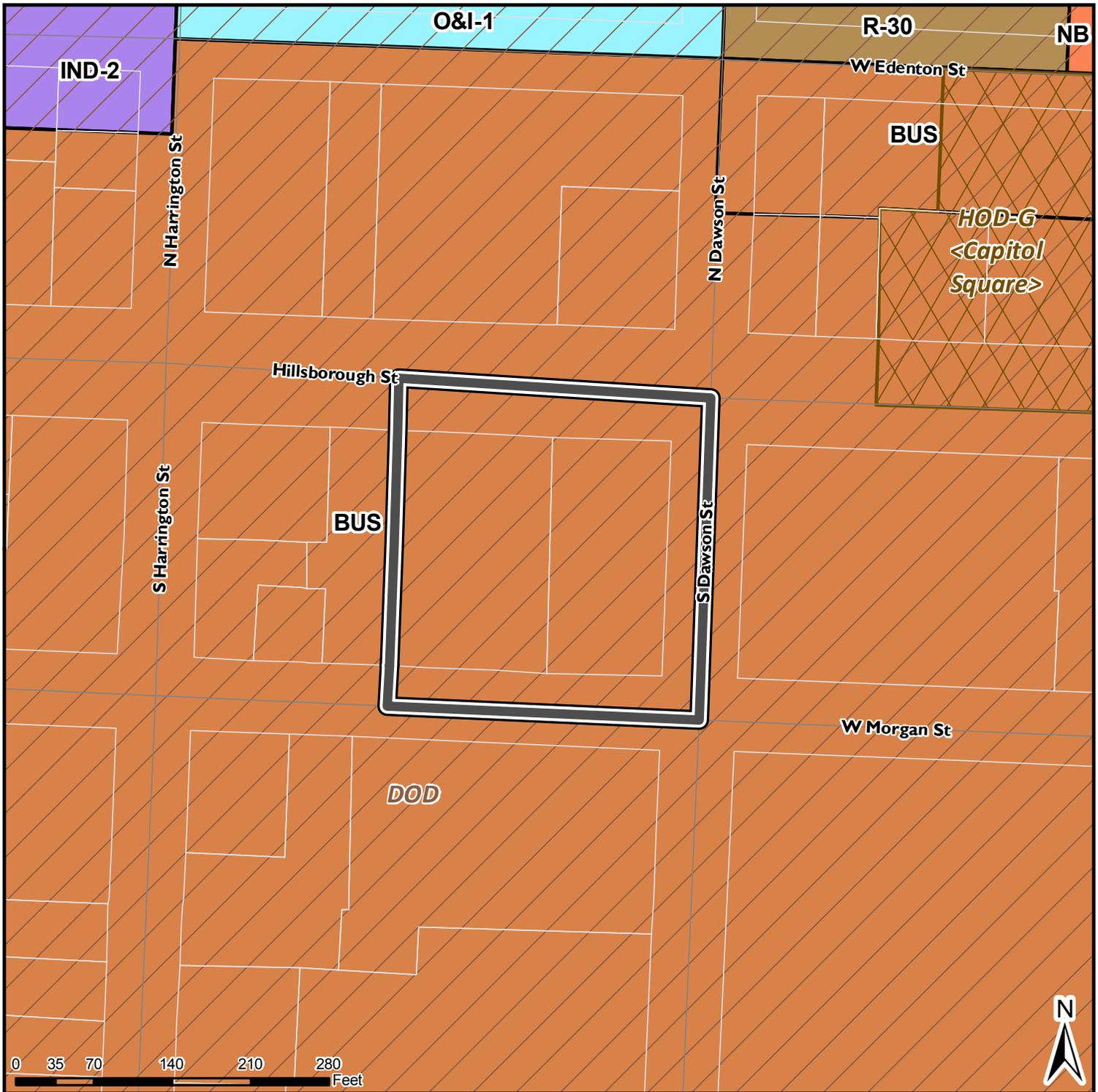


Existing Zoning Map

Z-38-2014



Submittal Date

12/9/2014

Request:

1.18 acres from
BUS w/DOD
to **DX-20-SH**





Certified Recommendation

Raleigh Planning Commission

CR# 11613

Case Information: Z-38-14 – Hillsborough St. & W. Morgan St.

<i>Location</i>	Hillsborough Street, south side, extending south along S. Dawson Street & west along W. Morgan Street Addresses: 301 Hillsborough Street & 320 W. Morgan Street PINs: 170359095 & 1703595066
<i>Request</i>	Rezone property from Business with Downtown Overlay District (BUS w/ DOD) to Downtown Mixed Use-20 stories-Shopfront (DX-20-SH)
<i>Area of Request</i>	1.18 acres
<i>Property Owner</i>	City of Raleigh/ PO Box 590/ Raleigh, NC 27602
<i>Applicant</i>	Ruffin Hall, City Manager: 919-996-3070; Ruffin.Hall@RaleighNC.gov
<i>Citizens Advisory Council (CAC)</i>	Central -- Lonnelle Williams: flonnettwms@bellsouth.net
<i>PC Recommendation Deadline</i>	May 25, 2015

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

<i>FUTURE LAND USE</i>	Central Business District
<i>URBAN FORM</i>	<i>Center:</i> Downtown <i>Corridors:</i> Transit Emphasis (S. Dawson & W. Morgan streets)
<i>CONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 2.2 – Compact Development Policy LU 3.2 – Location of Growth Policy LU 4.4 – Reducing VMT Through Mixed Use Policy LU 4.7 – Capitalizing on Transit Access Policy LU 6.4 – Bus Stop Dedication Policy LU 7.6 – Pedestrian Friendly Development Policy LU 8.10 – Infill Development Policy T 4.15 – Enhanced Rider Amenities Policy ED 1.2 – Mixed-Use Redevelopment Policy UD 1.10 – Frontages Policy UD 2.3 – Activating the Street Policy UD 4.5 – Improving the Street Environment Policy UD 6.1 – Encouraging Pedestrian-Oriented Uses Policy UD 7.3 – Design Guidelines Policy DT 1.2 – Vertical Mixed Use

	Policy DT 1.3 – Underutilized Sites in Downtown Policy DT 1.5 – Supporting Retail Growth Policy DT 1.6 – Providing Downtown Development Opportunities Policy DT 1.7 – Redevelopment of City-Owned Sites Policy DT 1.15 – High Density Development Policy DT 3.2 – Ground Floor Uses on Secondary Retail Streets Policy DT 7.2 – Maintaining Consistent Setbacks
INCONSISTENT Policies	<i>(None identified.)</i>

Summary of Proposed Conditions

(No conditions - General Use)

Public Meetings

Neighbor Meeting	CAC	Planning Commission	City Council	Public Hearing
11/17/14	1/5/15: Y - 0, N - 25	2/24/15	3/3/15	

Valid Statutory Protest Petition

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	Approve. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> 1. The proposal is consistent with the Future Land Use Map, Urban Form Map, and pertinent policies of the Comprehensive Plan. 2. The proposed rezoning is reasonable and in the public interest. The proposal will facilitate disposition and redevelopment of an underutilized downtown site, as well as provide greater certainty regarding building form and infrastructure demands. 3. The proposal is compatible with the surrounding area. There are a variety of uses in the area, as well as an existing 19-story building located across Hillsborough Street.
<i>Motion and Vote</i>	Motion: Terando Second: Braun In Favor: Braun, Buxton, Lyle, Schuster, Sterling-Lewis, Terando and Whitsett Opposed: Swink



Zoning Staff Report – Case Z-38-14

General Use District

Case Summary

Overview

The proposal seeks to rezone two parcels on the south side of 300 block of Hillsborough Street, each of which extend south to W. Morgan Street; the easternmost also has frontage on S. Dawson Street. The site currently is occupied by surface parking lots, accessed via both Hillsborough and Morgan. Up until 2008, the easternmost lot contained a 4-story office building, 301 Hillsborough Street, built in the mid-1950s. Until the 1990s, the western parcel also contained a low-rise, multi-story building.

The building at 301 Hillsborough Street was acquired by the City in 1998, and last used to house City offices. The City sought to sell the property for redevelopment in the late 2000s, with several iterations of site plans submitted by the potential developers, but in the end a contract was not realized. The initially-submitted plan, SP-92-06, which was approved under the current zoning (Business w/ Downtown Overlay District), proposed a 32-story/ 428-foot tower. A successor plan, SP-4-07, proposed a height reduction to 24 stories/ 339 feet.

The two parcels share the block with four other properties: in the center of the block, two additional parking lots, and along S. Harrington Street, a 2-story building at either corner—one a former home, built in the early 1900s, now used for offices, and a circa-1940 non-residential structure now housing a bar on the ground floor with offices/ services above. Those four properties likewise are currently proposed for rezoning (as Z-39-14); all share the same present zoning as the Z-38-14 properties (BUS w/DOD), and the same requested rezoning (DX-20-SH).

All other nearby properties also are zoned Business/ Downtown Overlay. Current uses range from restaurants and a hotel across Hillsborough Street, to the Campbell University Law School across Dawson, to the mixed-use Dawson on Morgan building across W. Morgan Street, with ground floor bar, retail, and office spaces, and upper floor condominiums. The City of Raleigh Municipal Complex stands diagonally southeast across Dawson, and diagonally to the northeast, spaces and buildings associated with Sacred Heart Cathedral and office uses.

Urban form nearby is equally varied. The Dawson on Morgan building stands 5 stories and the law school four; three corners of the Hillsborough/ Dawson intersection (including the subject site) are devoted to surface parking lots. The corner of the Municipal Complex features an open, landscaped area, fronting a parking deck. Directly opposite the subject site on Hillsborough Street is the tallest structure close by—the 19-story Holiday Inn. While the Dawson and law school stand at their respective street sidewalks, the cylindrical-shaped parking deck circling the base of the hotel follows an arcing setback 15 to 70 feet behind the sidewalk; the main structure, which rises above the deck's 5th level, is set back 40 to 80 feet from the street. In contrast, the retail building just west of the hotel, to which a second floor is now being added, stands right at the sidewalk.

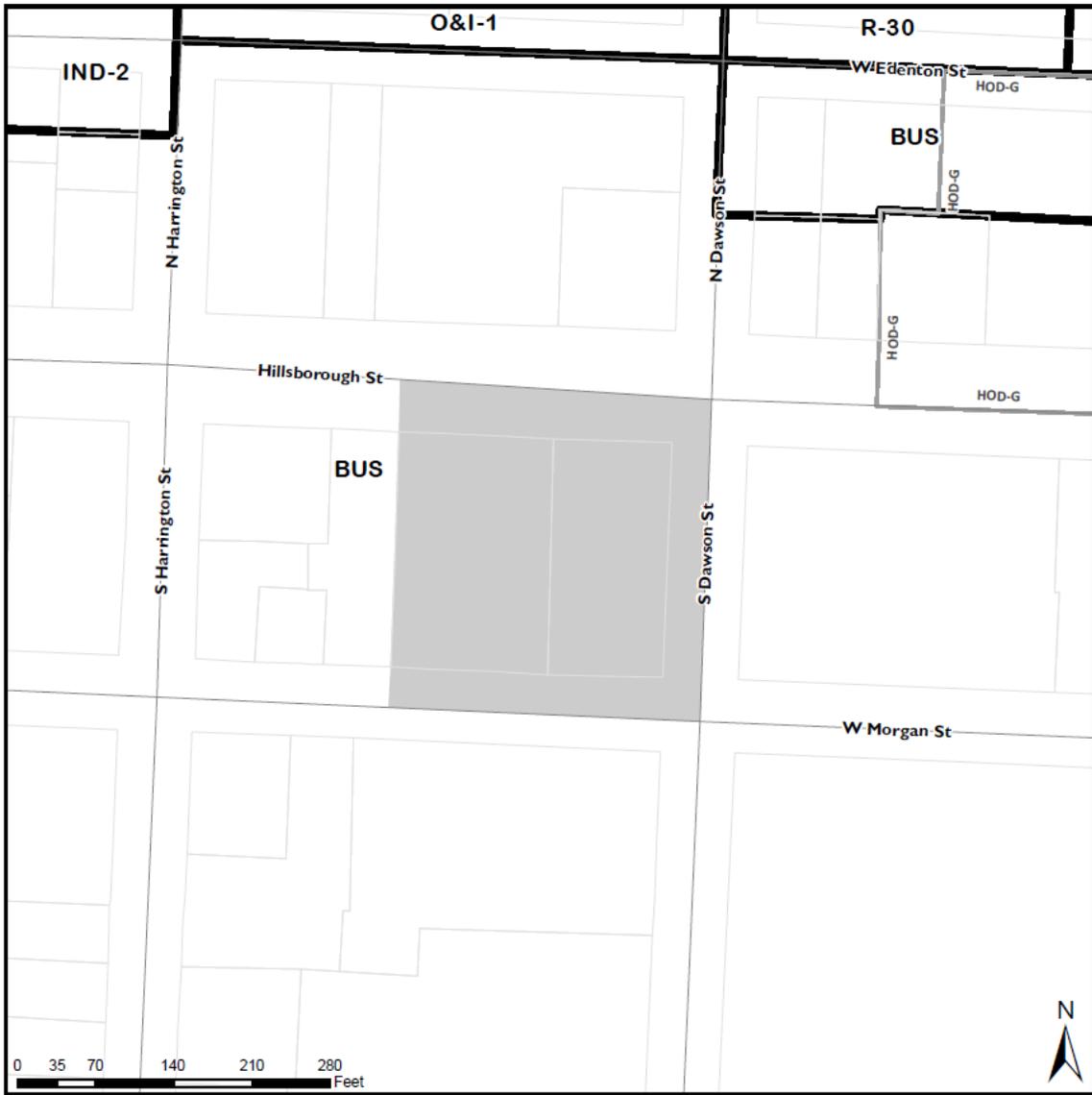
Raleigh historic resources abound in the immediate area (see Section 4.7, below). The closest is at the corner of Harrington and Hillsborough—the late 19th-century Dodd-Hinsdale House, now

housing the Second Empire restaurant—set back some 40 feet from the street behind a landscaped, open-fenced front yard.

Outstanding Issues

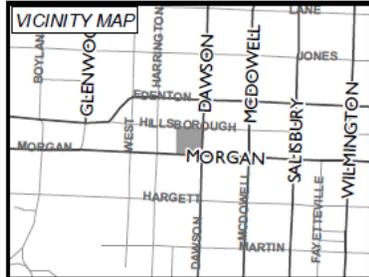
<i>Outstanding Issues</i>	1. Sewer and fire flow matters may need to be addressed upon development.	<i>Suggested Mitigation</i>	1. Address sewer and fire flow capacities at the site plan stage.
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Existing Zoning Map Z-38-2014



Submittal Date
12/9/2014

Request:
1.18 acres from
BUS w/DOD
to **DX-20-SH**



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	BUS	BUS	BUS	BUS	BUS
<i>Additional Overlay</i>	DOD	DOD	DOD	DOD	DOD
<i>Future Land Use</i>	Central Business District	Central Business District	Central Business District	Central Business District	Central Business District
<i>Current Land Use</i>	Parking lots	Hotel; parking lot	Mixed use (bar, retail, office, condos)	Institutional use (law school)	Parking lot
<i>Urban Form</i>	Downtown; Transit Emphasis (Dawson, & Morgan)	Downtown	Downtown; Transit Emphasis (Morgan)	Downtown; Transit Emphasis (Dawson)	Downtown

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	320 dwelling units/ acre (per DOD)	484 dwelling units/ acre
<i>Setbacks:</i>		<i>Shopfront frontage build-to:</i> 80% w/n 0 to 15 feet
<i>Front:</i>	- 0 -	<i>Mixed Use Building type:</i> 0 or 6 feet
<i>Side:</i>	- 0 -	0 or 6 feet
<i>Rear:</i>	- 0 -	0 or 6 feet
<i>Retail Intensity Permitted:</i>	45,000	48,000
<i>Office Intensity Permitted:</i>	555,000	601,000

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	1.18	1.18
<i>Zoning</i>	BUS w/ DOD	DX-20-SH
<i>Max. Gross Building SF</i>	925,000	925,000
<i>Max. # of Residential Units</i>	377	572
<i>Max. Gross Office SF</i>	555,000	601,000
<i>Max. Gross Retail SF</i>	45,000	48,000

<i>Max. Gross Industrial SF</i>	-0-	-0-
<i>Potential F.A.R</i>	18.0	18.0

*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:

(N/A)

Future Land Use Map

Z-38-2014



Submittal
Date

12/9/2014

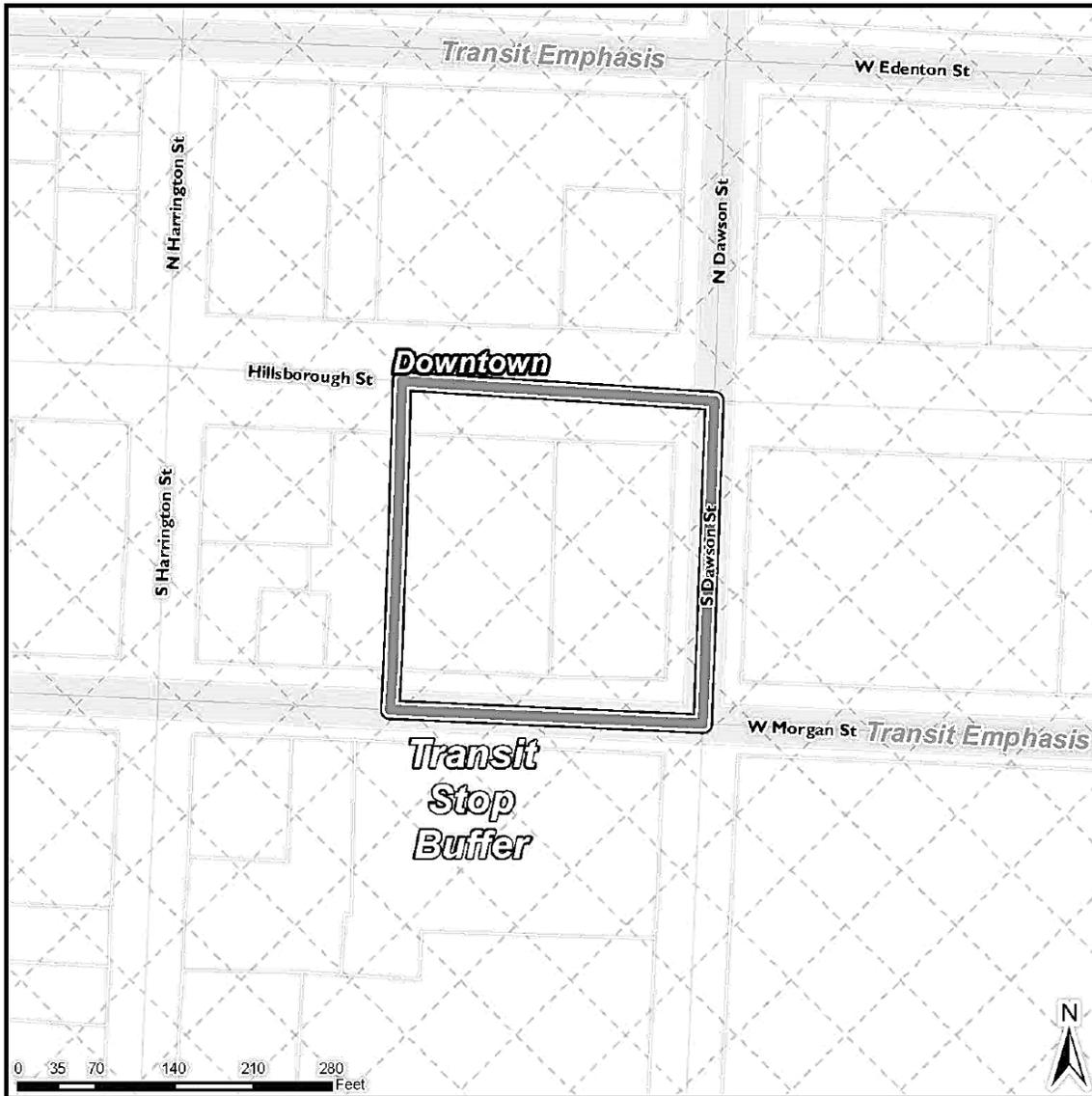
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Urban Form Map

Z-38-2014



**Submittal
Date**

12/9/2014

Request:

1.18 acres from
BUS w/DOD
to DX-20-SH



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 can be considered consistent with the vision, themes, and policies of the Comprehensive Plan, and the Future Land Use and Urban Form designations for the property. The Plan places the property within the Central Business District, in which DX is identified as being the appropriate zoning district.

The Urban Form Map shows the site to be within the Downtown Center, in which the Comprehensive Plan prescribes “an urban approach to frontage.” The Downtown Element of the Plan identifies the adjacent sections of Hillsborough, Dawson, and Morgan streets as Secondary Retail Streets. Hillsborough is also noted as being a Priority Pedestrian Street. The Shopfront Frontage requested is consistent with those designations.

The Plan also indicates the site is within a Core/ Transit area, categorically defined as “a mixed-use center of about 30 acres or more; within a quarter mile of a fixed-guideway transit stop; or fronting along a corridor programmed for high-capacity, frequent bus transit.” The downtown area is more than 30 acres, the site is less than a quarter mile from a future transit stop, and Dawson and Morgan streets are designated as Transit Emphasis Corridors. Core/ Transit calls for buildings to be a minimum of 3 stories, and maximum of 40.

Taken in combination, Plan guidance supports intensive site development, with active ground-floor uses and an enhanced pedestrian environment, all of which the rezoning proposes. Existing community facilities and streets appear sufficient to accommodate the 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

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:

(None.)

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

- Facilitation of the disposition and redevelopment of an underutilized downtown site.
- Implementation of Unified Development Ordinance (UDO) zoning on the property, ahead of city-wide remapping.
- Provision of greater certainty regarding maximum building height, ground floor form, build-to & setbacks, demands on City infrastructure, and related matters of design and function than are afforded by the current zoning.

3.2 Detriments of the Proposed Rezoning

(None identified.)

4. Impact Analysis

4.1 Transportation

Transportation Planning staff waives the requirement for a traffic study in case Z-38-14 due to the proposed DX zoning.

Impact Identified: None.

4.2 Transit

Morgan Street is identified as a Transit Emphasis Corridor and is currently served eastbound by CAT Routes 6 Crabtree, 16 Oberlin and the R-Line. Hillsborough Street is currently served eastbound by CAT Route 4 and Triangle Transit. Dawson Street is identified as a Transit Emphasis Corridor but is not currently served by CAT or Triangle Transit. There is a current stop on eastbound Hillsborough Street midway between Harrington Street and Dawson Street. To advance Policy LU 6.4, 15'x20' transit easements should be provided on Hillsborough Street and Dawson Streets. At the request of the Transit Program, please construct an ADA accessible shelter on the transit easement on Hillsborough Street, which will advance Policy T 4.15. In lieu of deeding the easement on Hillsborough Street, with the consent of the Public Works Department a transit shelter may be constructed in the public right-of-way at the sole expense of the owner of the re-zoned property in satisfaction of this condition.

Impact Identified: Development of this density in such close proximity to the new Union Station has the potential to significantly increase transit demand. This demand may be beyond the capacity of the current system and require additional resources. Assessing such demand will require careful monitoring, with the understanding that additional/ larger buses may have to be budgeted to meet future needs.

4.3 Hydrology

<i>Floodplain</i>	none
<i>Drainage Basin</i>	Rocky Branch
<i>Stormwater Management</i>	Subject Article 9.2
<i>Overlay District</i>	none

Subject to Article 9.2 of the UDO for stormwater regulations.

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	80,000 gpd	121,000 gpd
<i>Waste Water</i>	80,000 gpd	121,000 gpd

The proposed rezoning would add approximately 41,000 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water main adjacent to the property.

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 is not adjacent to existing or planned greenway trail or greenway connector, 1.08 miles to Rocky Branch Trail. Park services are available at Pullen Park (1.6 miles)

Impact Identified: None.

4.6 Urban Forestry

The combined acreage of the subject parcels is smaller than two acres. Therefore, compliance with UDO Article 9.1 Tree Conservation is not required.

Impact Identified: None.

4.7 Designated Historic Resources

Within 1,000 feet of the subject site are ten Raleigh Historic Landmarks:

- CP&L Car Barn and Auto Garage (also National Register listed),
- St. Paul AME Church (also National Register listed),
- Dodd-Hinsdale House (also National Register listed),
- Raleigh Electric Company Power House (also National Register listed),
- N.C. School of Blind and Deaf Dormitory (also National Register listed),
- Andrew-Goodwin House,
- First Baptist Church,
- First Presbyterian Church,
- Raleigh Water Tower (also National Register listed), and
- Professional Building (also National Register listed).

Additionally, the Capitol Square Historic Overlay District and National Register-listed Capitol Area Historic District are within 200 feet of the site and the National Register-listed Depot Historic District is within 600 feet.

Impact Identified: None.

4.8 Community Development

This site is not located within a redevelopment plan area.

Impact Identified: None.

4.9 Impacts Summary

Sewer and fire flow matters may need to be addressed upon development.

4.10 Mitigation of Impacts

Address sewer and fire flow capacities at the site plan stage.

5. Conclusions

The proposed rezoning provides the opportunity to implement the policy guidance of the Comprehensive Plan consistent with the site's Future Land Use and Urban Form designations, promoting redevelopment of an underutilized downtown site while affording greater certainty regarding site build-out, per the provisions of the Unified Development Ordinance.

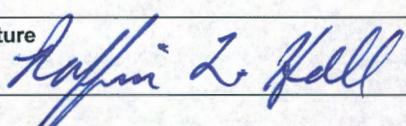


Planning & Development

**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 Existing Zoning Classification BUS with DOD Proposed Zoning Classification Base District DX Height 20 Frontage SH If the property has been previously rezoned, provide the rezoning case number. Z-12-05 Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 412590	Transaction Number

GENERAL INFORMATION		
Property Address 301 Hillsborough Street* and 320 W. Morgan Street <small>* Previously listed as 255 Hillsborough Street in Wake County Revenue Department records</small>		Date December 11, 2014
Property PIN 1703596095 and 1703595066	Deed Reference (Book/Page) 008205/02145 and 013669/00818	
Nearest Intersection Hillsborough Street and Dawson Street		Property size (in acres) 1.18
Property Owner/Address Ruffin Hall, City Manager City of Raleigh P.O. Box 590 Raleigh, NC 27602	Phone 919-996-3070	Fax 919-996-7598
	Email ruffin.hall@raleighnc.gov	
Project Contact Person/Address Vivian Ekstrom Department of Planning and Development City of Raleigh P.O. Box 590 Raleigh, NC 27602	Phone 919-996-2657	Fax 919-516-2684
	Email vivian.ekstrom@raleighnc.gov	
Owner/Agent Signature 	Email ruffin.hall@raleighnc.gov	

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



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Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
<p>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.</p>	Transaction Number
	Zoning Case Number

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.	<p>Future Land Use</p> <p>The properties are designated as Central Business District on the Future Land Use Map. According to the Comprehensive Plan, this category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. The category recognizes the area's role as the heart of the city, supporting a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses. Multiple zoning districts might apply within the CBD, corresponding to the different character and vision for its various neighborhoods, with DX being the primary district for the mixed use core of downtown. Heights in the downtown could reach as high as 40 stories in the core, but would taper down to meet the adjacent neighborhoods at a height of three to four stories.</p> <p>The proposed DX-20-SH rezoning request is consistent with the Future Land Use designation because it permits a mix of high-intensity uses in the downtown core. The proposed rezoning would further ensure the efficient and predictable use of land capacity, guide growth and development, and efficiently coordinate land use and infrastructure needs.</p>
2.	<p>Comprehensive Plan Analysis Summary</p> <p>The proposed rezoning is consistent with the following policies of the Comprehensive Plan:</p> <ul style="list-style-type: none"> • <i>Policy LU 2.2 – Compact Development</i> as mixed use zoning allows for a compact, integrated development pattern in the Downtown core. Such land use patterns support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the impacts of low intensity and non-contiguous development. • <i>Policy LU 3.2 – Location of Growth</i> as the rezoning promotes the development of vacant land within the city limits first to provide for more compact and orderly growth. • <i>Policy LU 4.4 – Reducing VMT Through Mixed Use</i> as mixed uses allowed by the proposed rezoning support reduced vehicles miles traveled by providing a range of uses within a short distance of residences. • <i>Policy LU 4.7 – Capitalizing on Transit Access</i> as the rezoning proposes intense residential and mixed uses on sites that are situated on existing bus routes, Transit Emphasis Corridors (Dawson Street and W. Morgan Street), and located within a half mile of planned transit stations.

	<ul style="list-style-type: none"> • <i>Policy LU 7.6 – Pedestrian Friendly Development</i> as the mixed use district and Shopfront frontage are supportive of a more pedestrian-oriented environment. • <i>Policy LU 8.10 – Infill Development</i> as the proposed rezoning will encourage infill development on vacant land within the city where gaps exist in the urban fabric. • <i>Policy ED 1.2 – Mixed-Use Redevelopment</i> as mixed uses encouraged by the rezoning enhance economic development and create transit and pedestrian- friendly environments. • <i>Policy UD 1.10 – Frontage</i> as the proposed zoning seeks a Shopfront frontage that matches the high level of walkability and activity in the Downtown core. • <i>Policy UD 2.3 – Activating the Street</i> as the proposed mixed-use zoning should help activate the pedestrian environment of the street frontage. • <i>Policy UD 4.5 – Improving the Street Environment</i> as the proposed zoning and Shopfront frontage helps create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall. • <i>Policy UD 6.1 – Encouraging Pedestrian-Oriented Uses</i> as the proposed zoning encourages new development, streetscape, and building improvements in the Downtown area to promote high intensity, pedestrian-oriented uses and discourages automobile-oriented uses and drive-through uses. • <i>Policy DT 1.2 – Vertical Mixed Use</i> and <i>Policy DT 1.3 – Underutilized Sites in Downtown</i> as the proposed rezoning encourages vertical mixed uses on an underutilized site in Downtown. • <i>Policy DT 1.7 – Redevelopment of City-Owned Sites</i> as the rezoning allows a mix of uses that will advance the vision of downtown as a vibrant employment, population, cultural, arts, and entertainment center. • <i>Policy DT 1.15 – High Density Development</i> as the proposed rezoning allows for high density development on a site that is within close proximity to planned transit stations and is located along an axial street (Hillsborough Street). • <i>Policy DT 3.2 – Ground Floor Uses on Secondary Retail Streets</i> as the Shopfront frontage requires active ground floor uses in a form that could accommodate retail and service uses.
3.	<p>Urban Form Map</p> <p>The subject properties are located in the Downtown Growth Center, within a half mile of planned transit stations, and at the intersection of two Transit Emphasis Corridors (Dawson Street and W. Morgan Street). The proposed zoning district allows for a mix of uses at a more intense scale in an area that is planned as a major growth center. The proposed Shopfront frontage and its requirements in terms of streetscape design and building transparency also support walkability and pedestrian activity.</p>

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	<p>Purchased by the City in 1998, these properties and the former building on the east parcel were originally used as office space and associated parking. With the site cleared in 2007 in anticipation of a sale to a potential developer, the subsequent recession prevented redevelopment and the site has since been vacant and leased for parking to the neighboring Campbell University School of Law. The proposed zoning will facilitate the disposition and redevelopment of these underutilized properties located in the heart of Downtown. Although similar development intensities and uses are allowed under both the current and proposed zoning, the UDO provides for a better urban form in terms of standards for build-to, building entrance orientation, parking deck screening, open space, and tower step-backs. The proposed rezoning will help further the City’s vision, goals and policies as expressed in the 2030 Comprehensive Plan, as well as promote an efficient real estate disposition process that will benefit the City and its taxpayers as a whole.</p>

2.	<p>The proposed rezoning offers the following Public Benefits:</p> <ul style="list-style-type: none"> a) Consistent with Comprehensive Plan policies, the Future Land Use designation, and the Urban Form designation; b) Prompt redevelopment of underutilized land within the downtown core; c) Investment spurred by pro-active and flexible zoning will incentivize development; d) Provides the opportunity for additional housing, retail, and/or office uses in the area; e) Implements UDO zoning which provides better urban form in terms of stricter standards for build-to, building entrance orientation, parking deck screening, open space, and tower step-backs; and f) Facilitates disposition of city-owned property which will remove costs for maintenance and management.
3.	
4.	

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

7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p>The proposed Shopfront frontage has build-to standards that require that 80% of the building width be located within 15 feet of the primary street right-of-way, and that 40% of the building width be located within 15 feet of the side street right-of-way. Off-street parking would not be allowed between the building and the street. Although Dawson is a high volume corridor, a bay of parking separating the building frontage from the street would not be appropriate in this urban context.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p>The Shopfront frontage does not allow parking or vehicular surface areas between the building and the street and requires a primary street-facing entrance.</p>
9.	<p><i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i></p> <p>The Mixed Use Building type (primary building type for Shopfront frontage) requires a minimum 10% outdoor amenity area in the DX district. There are UDO standards for outdoor amenity areas in DX districts with an urban frontage and buildings over 4 stories that require contiguity with the public sidewalk and visual permeability from the public right-of-way. There are also provisions that require an increased minimum amount of open space area for buildings that are over 7 stories in height.</p>
10.	<p><i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i></p> <p>The Mixed Use Building type (primary building type for Shopfront frontage) requires a minimum 10% outdoor amenity area in the DX district. There are UDO standards for outdoor amenity areas in DX districts with an urban frontage and buildings over 4 stories that require contiguity with the public sidewalk and visual permeability from the public right-of-way. There are also provisions that require an increased minimum amount of open space area for buildings that are over 7 stories in height.</p>
11.	<p><i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i></p> <p>The Mixed Use Building type (primary building type for Shopfront frontage) requires a minimum 10% outdoor amenity area in the DX district. There are UDO standards for outdoor amenity areas in DX districts with an urban frontage and buildings over 4 stories that require contiguity with the public sidewalk and visual permeability from the public right-of-way. There are also provisions that require an increased minimum amount of open space area for buildings that are over 7 stories in height.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>The Mixed Use Building type (primary building type for Shopfront frontage) requires a minimum 10% outdoor amenity area in the DX district. There are UDO standards for outdoor amenity areas in DX districts with an urban frontage and buildings over 4 stories that require contiguity with the public sidewalk and visual permeability from the public right-of-way. There are also provisions that require an increased minimum amount of open space area for buildings that are over 7 stories in height.</p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>For outdoor amenity areas in a DX district with an urban frontage and buildings over 4 stories, the UDO requires one linear foot of seating for each 50 square feet of required open space.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>The proposed Shopfront frontage would prohibit parking and vehicular surface areas between the building and the street.</p>
15.	<p><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></p> <p>The proposed Shopfront frontage would prohibit parking and vehicular surface areas between the building and the street.</p>

16.	<p><i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i></p> <p>The proposed Shopfront frontage would prohibit parking between the building and the street.</p>
17.	<p><i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i></p> <p>The proposed rezoning permits high density residential and higher intensity commercial uses on a site that is bounded by three streets that are all served by bus transit, although there are no bus stops on the site today. The site is also within a half-mile of planned transit stations.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>Although there are currently no transit stops on the property, there are several stops on adjacent properties and blocks. The Main Street streetscape requirements will help provide comfortable pedestrian access to adjacent properties.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>There are no sensitive landscape areas on the site.</p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>The Shopfront frontage requires a Main Street streetscape that is intended for highly walkable, pedestrian-centered areas.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>The Shopfront frontage requires a Main Street streetscape that is intended for highly walkable, pedestrian-centered areas. All sidewalks will meet UDO standards.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>The Shopfront frontage requires a Main Street streetscape that is intended for highly walkable, pedestrian-centered areas. All street tree plantings will meet UDO standards.</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>The primary building type for the Shopfront frontage is a Mixed Use building. The setback, transparency, and building element standards in the UDO for this building type (along with the required Main Street streetscape standards) will create a pedestrian-friendly environment and a well-defined streetscape.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>The Shopfront frontage requires a primary street-facing entrance.</p>

25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>The primary building type for the Shopfront frontage is a Mixed Use building. The minimum transparency requirement for a mixed use building in the DX district is 66% on the ground floor and 20% on upper stories. This building type also allows additional architectural elements such as balconies and galleries/awnings.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>The Shopfront frontage requires a streetscape and building form that accommodates a high level of pedestrian activity.</p>

Neighborhood Meeting Summary

On Monday, November 17, 2014, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. The attached PowerPoint was presented by Vivian Ekstrom, planner with the City of Raleigh.

The following items were discussed:

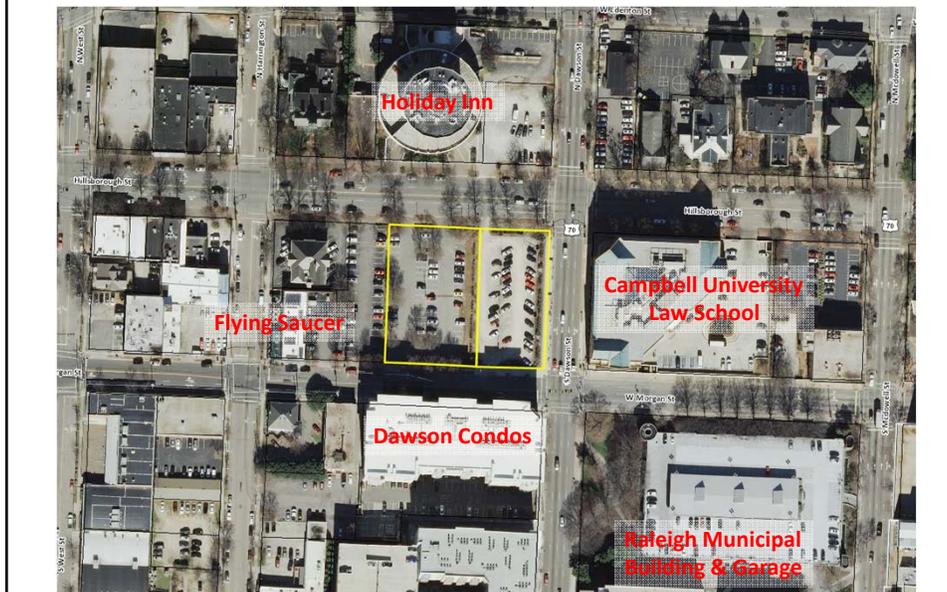
- Concerns with height and compatibility with surrounding area; there were questions about what staff has proposed under the citywide remapping process for this property and the surrounding properties and whether there is consistency and compatibility
- Concerns with increased vehicular traffic, particularly on Dawson Street
- Questions and concerns with how parking will be handled
- Concerns with increased noise, amplified sound, and echoes, especially if bar or entertainment type use is established
- Concerns with a possible “conflict of interest” with city staff writing and reviewing the application
- Questions about various form elements (setbacks, setbacks, tower massing, sidewalk width)
- Questions about the disposition process and when the city will lose control over what happens on the site
- Questions about the rezoning process – the various steps, opportunities for public comment, and how long it takes
- Support for the city adding conditions to this rezoning to require some level of affordable housing; seen as an opportunity for the city to encourage and help provide affordable housing downtown; a 5-7 story proposal would seem to be better in terms of affordability (less costs to developer in terms of infrastructure for underground or structured parking, etc.)
- Questions about how public input is involved in this process, i.e. a vote or survey taken of area residents/property owners to gauge support or opposition
- Questions about the benefits of rezoning to allow this kind of dense, more intense, mixed use development in the downtown core

255 Hillsborough Street/320 W. Morgan Street Rezoning

Neighborhood Meeting

November 17, 2014

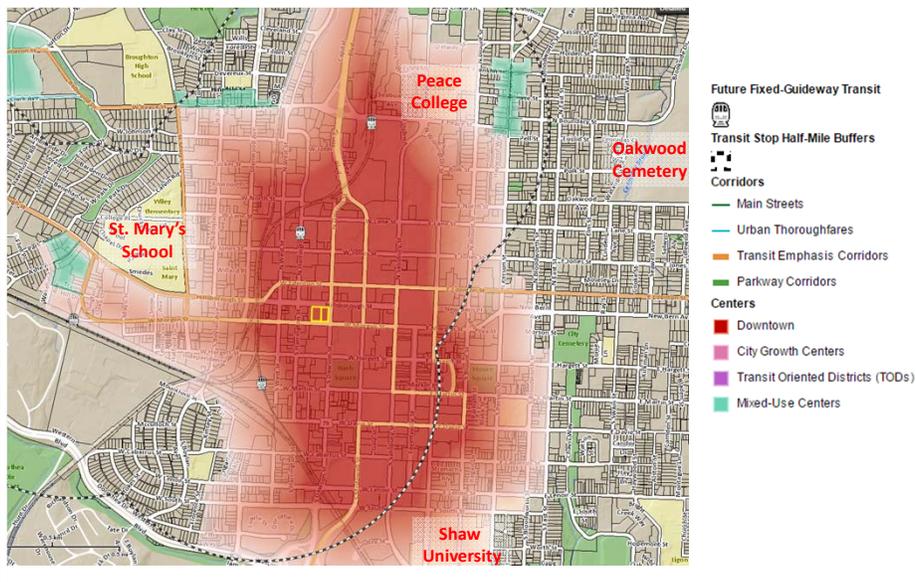
Aerial Perspective



Existing Zoning

- Business (BUS) district with Downtown Overlay District (DOD)
 - Raleigh’s Downtown central business district is the only applicable location for the Business zoning district, which permits very intense development in an urban setting. Residential, office, retail, warehousing and limited manufacturing are permitted. Though other scenarios are possible, these areas will generally be rezoned to DX-under the UDO, especially where coincident with the Downtown Overlay District.

Urban Form Map



Proposed Zoning

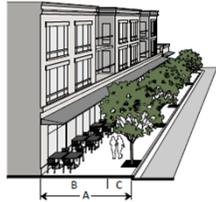
- Downtown Mixed Use with a Maximum Height of 20 Stories and Shopfront frontage (DX-20-SH)
- DX is intended to provide for intense mixed use development of the City's Downtown area.

Proposed Zoning

- Proposed maximum of **20 stories**; site is in the downtown core area where higher intensities and densities are envisioned
- **Shopfront frontage**
 - Intended for areas with highest level of walkability is desired
 - Requires active ground floor use
 - No parking allowed between building and street
 - Main Street streetscape required
 - Mixed use buildings are the primary building type allowed

Proposed Zoning

A. Main Street

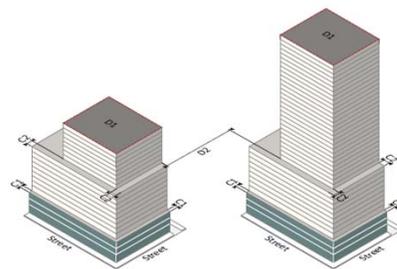


Frontages	
Applicable frontages	-SH, -UG, -UL, -GR, -PL
Zoning Districts	
Applicable zoning districts	Mixed use districts
Width	
A Streetscape width (max)	35'
Streetscape	
B Sidewalk (min)	10'
C Planting area (min)	6'
General	
Walkway type	Sidewalk
Planting type	Tree grate
Tree spacing	40' o.c. avg

- The required streetscape type is determined by the zoning district or by the designated frontage.
- Shopfront requires a Main Street streetscape
- Where there is a conflict between a designated frontage and the zoning district, the designated frontage standard applies.
- Design specifications for streetscape improvements can be found in the Raleigh Street Design Manual and City Tree Manual.

Proposed Zoning

- Building massing standards
 - Stepback between 3rd and 7th story required (minimum 15')
 - Floor plate size above 12 stories = 25,000 sf (max)



Height of Building	Up to 3	4 to 5	6 to 7	8 to 12	13 to 20	21 to 40
	Stories	Stories	Stories	Stories	Stories	Stories
D. Massing						
C1 3 rd - 7 th story stepback (min)	n/a	n/a	n/a	12'	15'	15'
E. Towers						
D1 Floor plate size above 12 stories (max)	n/a	n/a	n/a	n/a	25,000 sf	25,000 sf
D2 Spacing between towers - floors above 12 stories (min)*	n/a	n/a	n/a	n/a	n/a	100'

* Building separation is measured orthogonally to the wall plane

Process

- Application Submission
- Presentation to Central CAC
- Staff Review
- Planning Commission Review
- City Council Public Hearing

More Information & Contact

www.raleighnc.gov/development

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Neighborhood Meeting Summary

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Mailing List for November 17, 2014 Neighborhood Meeting

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501 DOM HOLDINGS, LLC 9 PORTFOLIO PL CHAPEL HILL NC 27514	823C DANIELS STREET LLC D/B/A DANIELS STREET CONDO... PO BOX 6356 RALEIGH NC 27628-6356	A & W ASSOCIATES 1715 PARK DR RALEIGH NC 27605-1610
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BRIGGS, PAUL C BRIGGS, KATHY L 317 203 W MORGAN ST RALEIGH NC 27601-1528	BRIGGS, PAUL C BRIGGS, KATHY L 13005 MOREHEAD CHAPEL HILL NC 27517-8449	BULL, SHANE K BULL, JAIME L 400 W NORTH ST APT 1416 RALEIGH NC 27603-1568
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CRAFT, WILLIAM D III 317 W MORGAN ST APT 513 RALEIGH NC 27601-1476	CRAIG, RYAN M 400 W NORTH ST APT 1420 RALEIGH NC 27603-1568	CREECH, LUTHER HOWARD 317 W MORGAN ST APT 305 RALEIGH NC 27601-1471
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10 WATERSIDE PLZ APT 9F
NEW YORK NY 10010-2611

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10 WATERSIDE PLZ APT 9F
NEW YORK NY 10010-2611

Attendance Roster:
 11/17/14 - 255 Hillsborough St / 320 W. Morgan St
 Rowan Neighborhood Meeting

<u>NAME:</u>	<u>ADDRESS:</u>
Drusilla Williams	1715 Park DR Ral 27605
Stan Williams	1715 Park Dr. Raleigh 27605
DAVID H. PERMAK	327 HILLSBORO ST 27603
Joseph Kreimer	317 W. Morgan St. #201 27601
5 Suave Bull	400 W. North St #1416 27603
Jon Kolkin	317 W. Morgan St. #512
Cecilia Kolkin	#512 317 W. Morgan 27601
npb2020@.gma.i.com Nancy Bledsoe	#205 317 W Morgan 27601
Andrew Lesper	629 W. Hargett St 27603
10 Greg W. Slerk	317 W. Morgan St #511 27601
Atty Hamilton	317 W Morgan St 27601
Jeffrey S. Hoeb, MD	317 W. Morgan St #315 27601
Campbell Law School Zeke Bridges	225 Hillsborough St, suite 401
Linda Davinport	225 Hillsborough St, suite 401
Sean Stephens Helms Eye	320 Hillsborough St
Tommie Puryear / JTT Properties	317 W. Morgan St, Unit 220 / 4 unit 220 27601
Steven Gray	317 W. Morgan St #411 27601
Tom Dillon	320 Hillsborough St. Ral. 27603
LOUIS ZELAYA	320 Hillsborough ST 27603
LIZ BARRY	317 W. MORGAN ST #204
TIM BARRY	" "
Wendy Oppenheimer	" # 500
ANNE S. FRANKLIN	200-410 S. DAWSON 27601

Attendance Roster for November 17, 2014 Neighborhood Meeting

FORGOTTEN
 X08
 @YAHOO.