

Z-39-2014



12/15/2014

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





Certified Recommendation

Raleigh Planning Commission

CR# 11614

Case Information: Z-39-14 – Hillsborough Street & W. Morgan Street

<i>Location</i>	Hillsborough Street, south side, extending south along S. Harrington Street & west along W. Morgan Street Addresses: 301 Hillsborough Street & 320 W. Morgan Street PINs: 1703593193, 1703594073, 1703594000 & 170359051
<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>	0.84 acres
<i>Property Owners</i>	327 Associates/ 327 Hillsborough Street/ Raleigh, NC 27603 Vandy LLC/ PO Box 6522/ Raleigh, NC 27628
<i>Applicant</i>	David H. Permar: 327 Hillsborough Street/ Raleigh, NC 27603 dhpermar@hatchlittlebunn.com
<i>Citizens Advisory Council (CAC)</i>	Central -- Lonnelle Williams: flonnetewms@bellsouth.net
<i>PC Recommendation Deadline</i>	May 15, 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	(None identified.)

Summary of Proposed Conditions

(No conditions - General Use)

Public Meetings

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

☐ **Valid Statutory Protest Petition**

Attachments

1. Staff report

Planning Commission Recommendation

Recommendation	Approve. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
Findings & Reasons	<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.
Motion and Vote	Motion: Buxton Second: Terando In Favor: Braun, Buxton, Lyle, Schuster, Sterling-Lewis, Terando and Whitsett Opposed: Swink

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	<u>2/24/14</u> Date
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Staff Coordinator: Doug Hill: (919) 996- 2622; Doug.Hill@raleighnc.gov



Zoning Staff Report – Case Z-39-14

Conditional/General Use District

Case Summary

Overview

The proposal seeks to rezone four parcels which collectively comprise nearly one half the 300 block between Hillsborough and W. Morgan streets, extending to the east side of S. Harrington Street. The portion of site near the center of the block currently is occupied by two surface parking lots, accessed from Hillsborough and Morgan. Properties 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.. 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 four parcels share the block with two other properties, both of which span from Hillsborough Street south to W. Morgan Street; the easternmost also has frontage on S. Dawson Street. Those two properties are also currently proposed for rezoning (as Z-38-14); both have the same current zoning (BUS w/DOD) as the Z-39-14 properties, and the same requested rezoning (DX-20-SH).

All other nearby properties also are zoned Business/ Downtown Overlay. Current uses are diverse—from restaurants and a hotel across Hillsborough Street, to the middle school and a bar across S. Harrington Street, to two small office buildings across W. Morgan (that at the corner was originally a residence). A parking lot and retail buildings stand diagonally northwest across Harrington, and diagonally to the southwest lies another small office building.

Urban form nearby is equally varied. Surface parking covers the entire block area east of the site, extending to Dawson Street. Diagonally northeast on Hillsborough Street is the tallest structure close by—a 19-story hotel. The cylindrical-shaped parking deck circling the base of the hotel traces a curved setback of 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 west of the hotel, directly opposite the subject site, stands up by the sidewalk. Contrasting further, on the corner of Harrington and Hillsborough is the two-story, central-towered historic Dodd-Hinsdale House, set back some 40 feet from the street behind a landscaped, fenced-in front yard. Across Harrington, the school and bar are both two-story, set back at their respective street corners behind surface parking; the school building turns to meet the sidewalk mid-block. On Morgan, the office diagonally across Harrington is one-story; those directly south are two-story.

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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Z-39-2014



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>	Offices; bar/ offices; parking lots	Eating establishments; hotel	Mixed use (bar, retail, office, condos)	Parking lots	School; bar
<i>Urban Form (if applicable)</i>	Downtown; Transit Emphasis (Morgan)	Downtown	Downtown; Transit Emphasis (Morgan)	Downtown	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 -	
<i>Retail Intensity Permitted:</i>	32,000	34,000
<i>Office Intensity Permitted:</i>	395,000	428,000

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	0.84	0.84
<i>Zoning</i>	BUS w/ DOD	DX-20-SH
<i>Max. Gross Building SF (if applicable)</i>	659,000	659,000
<i>Max. # of Residential Units</i>	269	407
<i>Max. Gross Office SF</i>	395,000	428,000

<i>Max. Gross Retail SF</i>	32,000	34,000
<i>Max. Gross Industrial SF</i>	-0-	-0-
<i>Potential F.A.R</i>	18.01	18.01

*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.

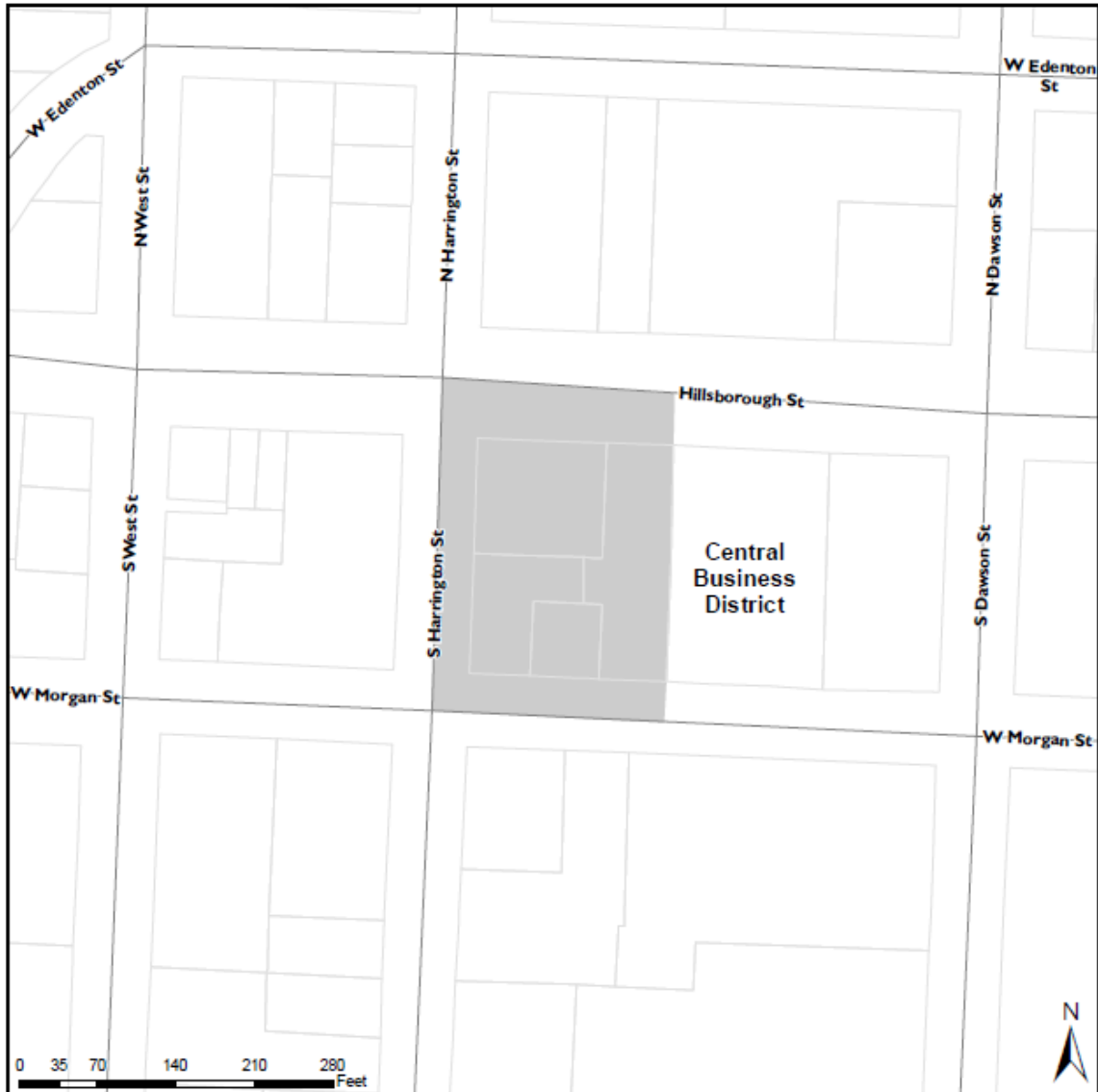
☐ **Incompatible.**

Analysis of Incompatibility:

(N/ A)

Future Land Use Map

Z-39-2014

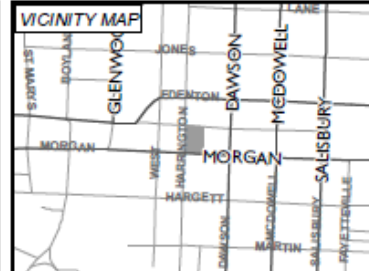


**Submittal
Date**

12/15/2014

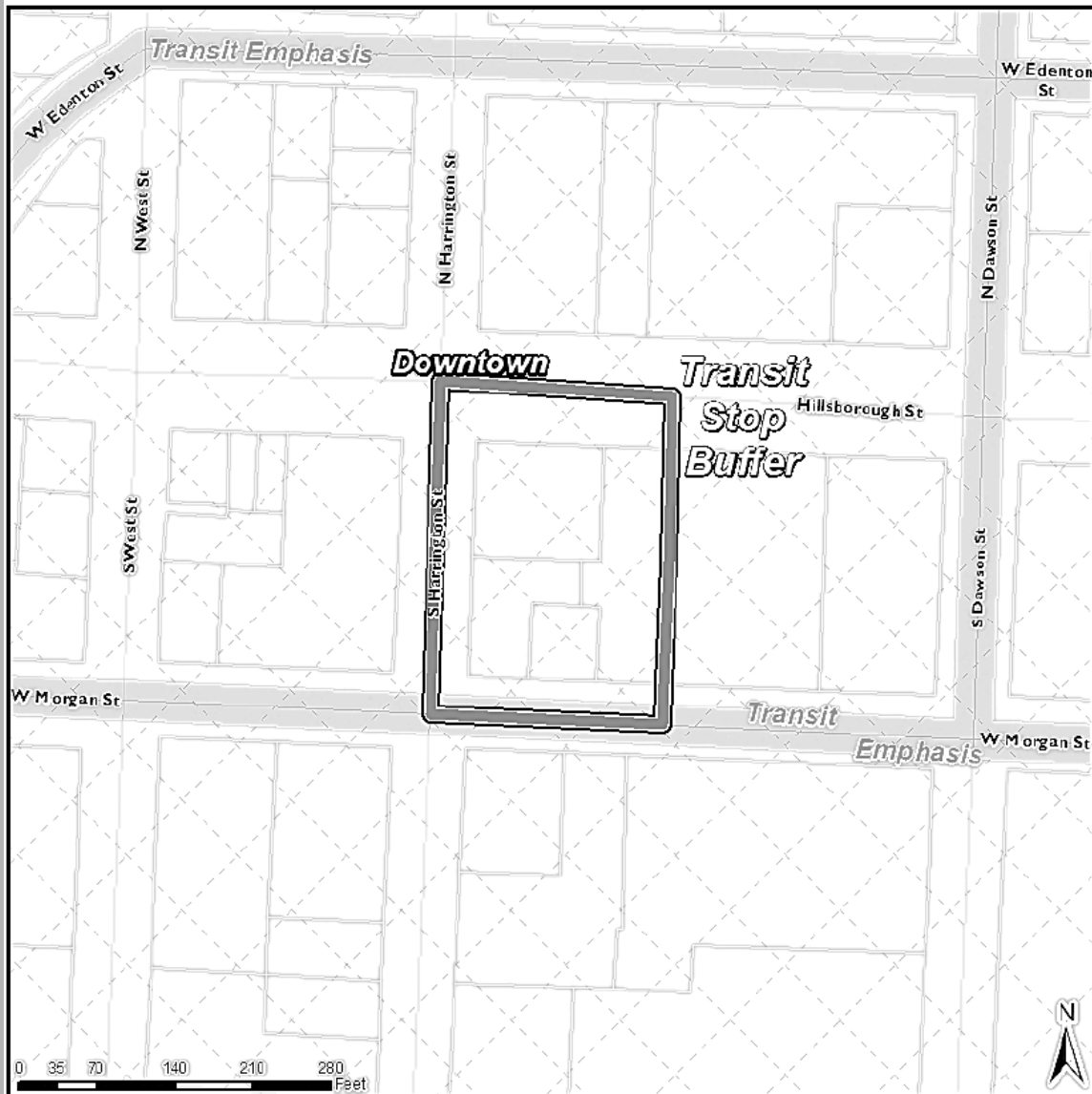
Request:

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Urban Form Map

Z-39-2014

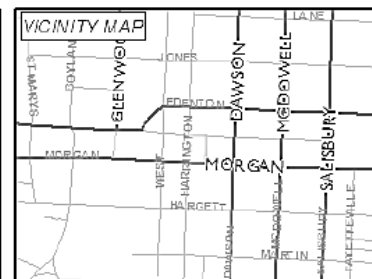


**Submittal
Date**

12/15/2014

Request:

0.84 acres from
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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; permitted site uses and built form are commensurate with existing and potential build-out. The Comprehensive Plan identifies the site as being within the Central Business District, for which the DX is identified as being the appropriate zoning district.

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

The Plan also indicates the site is within a Core/ Transit area, 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 Morgan Street is designated as a Transit Emphasis Corridor. Core/ Transit calls for buildings to be a minimum of 3 stories, and maximum of 40.

Plan guidance thus 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:

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

2.3 Urban Form

Urban Form designation:

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

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

(N/ A)

2.4 Policy Guidance

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

(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-39-14 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 while Harrington Street is currently served northbound by CAT Route 8 Six Forks.

There are current stops on eastbound Hillsborough Street midway between Harrington Street and Dawson Street and on northbound Harrington Street at Hillsborough Street.

To advance Policy LU 6.4 please provide 15x20' transit easements on Hillsborough Street and Harrington Streets. Please construct an ADA accessible shelter on the transit easements which will advance Policy T 4.15. In lieu of deeding either or both easements, 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>	No
<i>Drainage Basin</i>	Rocky Branch
<i>Stormwater Management</i>	Subject to Article 9, Section 2
<i>Overlay District</i>	None

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	94,250 gpd	143,000 gpd
<i>Waste Water</i>	94,250 gpd	143,000 gpd

The proposed rezoning would add approximately 48,750 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

All of the subject parcels are smaller than two acres in size, therefore compliance with UDO Article 9.1. Tree Conservation will not be required when the properties are developed.

Impact Identified: No impact identified vis a vis tree conservation on private property.

4.7 Designated Historic Resources

The site is across Hillsborough Street from the Raleigh Historic Landmark and National Register listed Dodd-Hinsdale House (constructed 1879). Within 1,000 feet of the subject site are six other Raleigh Historic Landmarks:

- CP&L Car Barn and Auto Garage (also National Register listed),
- St. Paul AME Church (also National Register listed),
- Raleigh Electric Company Power House (also National Register listed),
- NC School of Blind and Deaf Dormitory (also National Register listed),
- Andrew-Goodwin House, and
- Raleigh Water Tower (also National Register listed).

Additionally, the Capitol Square Historic Overlay District and National Register-listed Capitol Area Historic District Depot Historic Districts are within 1,000 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

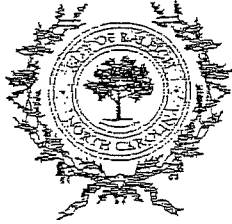
Sewer and fire flow matters may need to be addressed upon development.

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

1:25pm
12-15-14
Paul

Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input checked="" type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification Business with Downtown Overlay District <i>AMP</i>	
Proposed Zoning Classification Base District DX-20-SH Height 20 stories Frontage 175.15' - 210.00' - 175.22' <i>SH</i>	
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.	

GENERAL INFORMATION			
Property Address 327&309 Hillsborough St. 324&328 W. Morgan		Date	
Property PIN 1703593051 1703593193 1703594073 1703594000 <i>AMP</i>		Deed Reference (Book/Page) 10819 1022+1028 078710199	
Nearest Intersection Southeast Corner of Harrington & Hillsborough		Property size (in acres) 0.87 0.84 <i>AMP</i>	
Property Owner/Address 327 Associates Vandy, LLC 327 Hillsborough St. PO Box 6522 Raleigh, NC 27603 Raleigh, NC 27628		Phone 919-856-3940	Fax 919-856-3950
Project Contact Person/Address David H. Permar 327 Hillsborough Street Raleigh, NC 27603		Phone 919-856-3940	Fax 919-856-3950
Owner/Agent Signature 327 Associates		Email dhpermar@hatchlittlebunn.com	

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

327 Associates
By: *David H. Permar*
David H. Permar, General Partner

Vandy LLC
By: *Andrew Leager*
Andrew Leager, Member Manager



Planning & Development

**Development Services
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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> <p>The proposed rezoning (DX-20-SH) is consistent with the 2030 Comprehensive Plan, the Future Land Use Map and the Urban Form Map</p>	<p>Transaction Number 417558</p> <p>Zoning Case Number 2-39-14</p>

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 2030 Comprehensive Plan encourages the highest density along axial streets such as Hillsborough Street
2.	The future land use map designates these lots for the Central Business District
3.	
4.	

PUBLIC BENEFITS	
Provide brief statements regarding the public benefits derived as a result of the rezoning request.	
1.	The proposed zoning would be subject to the stricter design standards of the UDO
2.	The proposed zoning reinforces the William Christmas Plan for Raleigh
3.	The Central Business District encourages a mixed use, vibrant urban project on this site
4.	The rezoning supports the redevelopment of a surface parking lot site

Comprehensive Plan Analysis Summary

The proposed rezoning is consistent with the following policies of the Comprehensive Plan:

Policy LU 2.2 – Compact Development 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.

Policy LU 3.2 – Location of Growth as the rezoning promotes the development of vacant land within the city limits first to provide for more compact and orderly growth.

Policy LU 4.4 – Reducing VMT Through Mixed Use 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.

Policy LU 4.7 – Capitalizing on Transit Access 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.

Policy LU 7.6 – Pedestrian Friendly Development as the mixed use district and Shopfront frontage are supportive of a more pedestrian-oriented environment.

Policy LU 8.10 – Infill Development as the proposed rezoning will encourage infill development on vacant land within the city where gaps exist in the urban fabric.

Policy ED 1.2 – Mixed-Use Redevelopment as mixed uses encouraged by the rezoning enhance economic development and create transit and pedestrian- friendly environments.

Policy UD 1.10 – Frontage as the proposed zoning seeks a Shopfront frontage that matches the high level of walkability and activity in the Downtown core.

Policy UD 2.3 – Activating the Street as the proposed mixed-use zoning should help activate the pedestrian environment of the street frontage.

Policy UD 4.5 – Improving the Street Environment 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.

Policy UD 6.1 – Encouraging Pedestrian-Oriented Uses 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.

Policy DT 1.2 – Vertical Mixed Use and Policy DT 1.3 – Underutilized Sites in Downtown as the proposed rezoning encourages vertical mixed uses on an underutilized site in Downtown.

Policy DT 1.15 – High Density Development 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).

Policy DT 3.2 – Ground Floor Uses on Secondary Retail Streets as the Shopfront frontage requires active ground floor uses in a form that could accommodate retail and service uses.

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.

1. 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.

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.

2. 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.

The subject property is not adjacent to a low density neighborhood.

3. 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.

New roads would not be required.

4. 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.

New roads would not be required.

5. 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.

New roads would not be required.

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.

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.

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.

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.

8. 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.

The Shopfront frontage does not allow parking or vehicular surface areas between the building and the street and requires a primary street-facing entrance.

9. 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.

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.

10. 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.

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.

11. 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.

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.

12. A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.

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.

13. New public spaces should provide seating opportunities.

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.

14. Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.

The proposed Shopfront frontage would prohibit parking and vehicular surface areas between the building and the street.

15. 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.

The proposed Shopfront frontage would prohibit parking and vehicular surface areas between the building and the street.

16. 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.

The proposed Shopfront frontage would prohibit parking between the building and the street.

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.

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.

18. Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.

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.

19. 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.

There are no sensitive landscape areas on the site.

20. 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.

The Shopfront frontage requires a Main Street streetscape that is intended for highly walkable, pedestrian-centered areas.

21. 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.

The Shopfront frontage requires a Main Street streetscape that is intended for highly walkable, pedestrian-centered areas. All sidewalks will meet UDO standards.

22. 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.

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.

23. 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.

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.

24. 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.

The Shopfront frontage requires a primary street-facing entrance.

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.

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.

26. The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.

The Shopfront frontage requires a streetscape and building form that accommodates a high level of pedestrian activity

November 7, 2014

Re: 309 & 327 Hillsborough Street; 324 & 328 W. Morgan Street

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Monday, November 24, 2014. The meeting will be held at 327 Hillsborough Street, Raleigh, NC 27603 and will begin at 5:30 p.m.

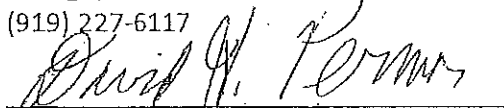
The purpose of this meeting is to discuss a potential rezoning of the property located at 309 & 327 Hillsborough Street and 324 & 328 West Morgan Street. This site is current zoned Business with Downtown Overlay District and is proposed to be rezoned DX-20-SH. This rezoning under the new Unified Development Ordinance is similar to the current zoning under the old ordinance.

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 100 feet of the area requested for rezoning. A map showing the subject property and neighboring property is attached.

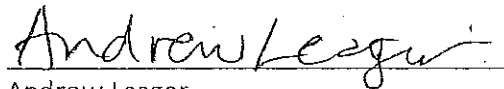
If you have any concerns or question I (we) can be reached at:

David H. Permar
327 Associates
327 Hillsborough Street
Raleigh, NC 27603
(919) 856-3940

Andrew Leager
Vandy, LLC
PO Box 6522
Raleigh, NC 27628
(919) 227-6117



David H. Permar



Andrew Leager



SUBMITTED DATE: _____

SUMMARY OF ISSUES

A NEIGHBORHOOD MEETING WAS HELD ON November 24, 2014 to discuss a potential rezoning of property located at 309 & 327 Hillsborough Street and 324 & 328 W. Morgan Street. The neighborhood meeting was held at Campbell Law School at 225 Hillsborough Street, Raleigh, NC. The meeting was relocated from 327 Hillsborough Street to accommodate an unexpectedly large crowd. A person was stationed at 327 Hillsborough Street to direct neighbors to 225 Hillsborough Street. There were approximately sixteen (16) neighbors in attendance. The general issues discussed were:

Summary of Issues:

1. Building height limitations - neighbors in the Dawson advocated for 5-7 story limitation.
2. UDO Remapping: Proposed Building Heights and the rationale therefore.
3. Traffic and driveway cuts. Neighbors in the Dawson (317 W. Morgan) were concerned about difficulty of ingress and egress from the Dawson.
4. City of Raleigh's proposed sale process of 301 Hillsborough & 320 W. Morgan Street -- lack of public input and arbitrary selection of the sale methodology.

Attendance Roster:

Name

Address

Andrew Leager

Cee Kolkin

Tim Barry

Drusilla Williams

Stan Williams

Wilson Farrell

Elizabeth Byrd

Maura Brinson

Scott Seinfeld

ART HOWARD

ANNE S. FRANKLIN

Graham McLamb

Jon Kolkin

Freel Watke

Ann Watke

Boylan Bridge Brown

317 W. Morgan St #512

317 W. Morgan St #204

1715 Park Dr Raleigh

1715 Park Drive Raleigh

317 W. Morgan St #401

1326 Pinerow Dr 27606

317 W. Morgan St #413

"

200 S. DAWSON ST

200-410 S. DAWSON ST

317 W. Morgan St #301

317 W. Morgan St #512

317 W. Morgan St #410

" " "

THE PERSONS AND ORGANIZATIONS MAILED NOTICE OF THE NEIGHBORHOOD MEETING

RALEIGH PARK INN LLC
3850 BIRD RD STE 302
MIAMI FL 33146-1515

HILLSBOROUGH ANISA EMPIRE LLC
133 FAYETTEVILLE ST FL 6
RALEIGH NC 27601-1356

REYNOLDS HOLDINGS LLC
PO BOX 26506
RALEIGH NC 27611-6506

Owner
TIE ONE LLC
PO BOX 9271
OAK BROOK IL 60522-9271

TIE ONE LLC
PO BOX 9271
OAK BROOK IL 60522-9271
Property Description

IA RALEIGH LAND LLC
2809 BUTTERFIELD RD
OAK BROOK IL 60523-1151

401 HILLSBOROUGH LLC
PO BOX 12929
RALEIGH NC 27605-2929

EDWARDS, PATRICIA THORNHILL DRAKE FAMILY LLC
MIKELS & JONES
3901 BARRETT DR STE 102
RALEIGH NC 27609-6611

MURRAY, ROSA
3407 REDBUD LN
RALEIGH NC 27607-6832

A & W ASSOCIATES
1715 PARK DR
RALEIGH NC 27605-1610

GREENE REALTY CO INC
323 W MORGAN ST
RALEIGH NC 27601-1353

DAWSON ON MORGAN CONDOS
GREGG SANDRESTER
104 LAKE CLIFF CT
CARY NC 27513-5695

Owner
RALEIGH CITY OF
ATTN: FRANCIS RASBERRY
PO BOX 590
RALEIGH NC 27602-0590

LAMBSHANK LLC
6510 CHAPEL HILL RD STE 200
RALEIGH NC 27607-5010

327 ASSOCIATES ETAL WHITE, A BARTLETT
327 HILLSBOROUGH ST
RALEIGH NC 27603-1725

VANDY LLC
PO BOX 6522
RALEIGH NC 27628-6522

TIE ONE LLC
PO BOX 9271
OAK BROOK IL 60522-9271

Supplemental List of Adjoining Property Owners

**BAKER, JOHN M BAKER, NANCY
317 W MORGAN ST APT 105
RALEIGH NC 27601-1567**

**BARRY, TIMOTHY C BARRY, ELIZABETH A
317 W MORGAN ST APT 204
RALEIGH NC 27601-1528**

**BRIGGS, PAUL C BRIGGS, KATHY L
317 203 W MORGAN ST
RALEIGH NC 27601-1528**

**CAMPBELL UNIVERSITY INC
ATTN: ROBERT C COGSWELL JR
PO BOX 116
BUIES CREEK NC 27506-0116**

**COLODONATO, RAY J BORREGGINE,
RICHARD J
317 W MORGAN ST APT 510
RALEIGH NC 27601-1476**

**CORDLE, HAZEL JUNE
317 200 W MORGAN ST
RALEIGH NC 27601-1564**

**CRAFT, WILLIAM D III
317 W MORGAN ST APT 513
RALEIGH NC 27601-1476**

**CREECH, LUTHER HOWARD
317 W MORGAN ST APT 305
RALEIGH NC 27601-1471**

**DAVIS, JEFFREY T DAVIS, JOYCE E
317 W MORGAN ST APT 506
RALEIGH NC 27601-1476**

**DAWSON ON MORGAN CONDOS
GREGG SANDRESTER
104 LAKE CLIFF CT
CARY NC 27513-5695**

**DIANE V POWELL REVOCABLE LIVING
TRUST THE ANDREW K...
317 515 W MORGAN ST
RALEIGH NC 27601-1476**

**ELIZABETH MASNIK LLC BOROUGH LLC
THE
317 W MORGAN ST APT 117
RALEIGH NC 27601-1567**

**FOYE, DWON
317 W MORGAN ST APT 403
RALEIGH NC 27601-1475**

**GRAY, STEVEN J
317 W MORGAN ST APT 411
RALEIGH NC 27601-1475**

**HAMILTON, BETTY B
317 W MORGAN ST APT 400
RALEIGH NC 27601-1475**

**HUCKSTEPH, TREVOR
317 W MORGAN ST APT 208
RALEIGH NC 27601-1528**

**JEFFREYS, HARRY JEFFREYS, DANA
317 W MORGAN ST APT 309
RALEIGH NC 27601-1471**

**KING, ALAN S
317 W MORGAN ST APT 507
RALEIGH NC 27601-1476**

**KOLKIN, JON KOLKIN, CECILIA
317 W MORGAN ST APT 512
RALEIGH NC 27601-1476**

**KREINER, JOSEPH C
317 201 W MORGAN ST
RALEIGH NC 27601-1564**

**KRETZER, BLAIR SUTTON
317 W MORGAN ST APT 404
RALEIGH NC 27601-1475**

**LINTON, ASHLEY C
317 217 W MORGAN ST
RALEIGH NC 27601-1528**

**LOEB, JEFFREY S
317 315 W MORGAN ST
RALEIGH NC 27601-1471**

**MCLAMB, GRAHAM KENT
317 W MORGAN ST APT 301
RALEIGH NC 27601-1471**

**NOECKER, DREW W
317 W MORGAN ST APT 215
RALEIGH NC 27601-1528**

**OPPENHEIMER, WENDY BRAGANZA,
ASHISH
317 W MORGAN ST APT 500
RALEIGH NC 27601-1476**

**OSLISLO, JANE
317 W MORGAN ST APT 405
RALEIGH NC 27601-1475**

**QUARLES, ORAGE III QUARLES,
TERRY LINDA
317 W MORGAN ST APT 306
RALEIGH NC 27601-1471**

**ROBSON, THOMAS DOUGLAS
317 W MORGAN ST APT 415
RALEIGH NC 27601-1475**

**ROLE, DEBORAH A
317 W MORGAN ST APT 211
RALEIGH NC 27601-1528**

**SAUNDERS, JOSHUA N WELLONS,
ANTHONY S
317 W MORGAN ST APT 224
RALEIGH NC 27601-1528**

**SCOTT, GARY W SCOTT, PENNY F
317 W MORGAN ST APT 508
RALEIGH NC 27601-1476**

**SHAH, BHAGRIAPH SHAH, INDUMATI
317 W MORGAN ST APT 412
RALEIGH NC 27601-1475**

**SHERK, WILLIAM G SHERK, ROSA W
317 W MORGAN ST APT 511
RALEIGH NC 27601-1476**

**SOLOMON, THOMAS NATHANIEL
317 406 W MORGAN ST
RALEIGH NC 27601-1475**

**SPARROW, R MICHELLE
317 W MORGAN ST APT 111
RALEIGH NC 27601-1567**

**STECKER, SHAWN MARTY
317 W MORGAN ST APT 313
RALEIGH NC 27601-1471**

**STEWART, MELISSA BRINSON
317 W MORGAN ST APT 413
RALEIGH NC 27601-1475**

**WATKE, FREDERIC W. WATKE, ANN M.
317 W MORGAN ST APT 410
RALEIGH NC 27601-1475**

**WELLER, DENNIS P WELLER, JANIS GAIL
317 W MORGAN ST APT 207
RALEIGH NC 27601-1528**

**WILLIAM C. STEPHENSON, III,
REVOCABLE TRUST
317 504 W MORGAN ST
RALEIGH NC 27601-1476**

**WOODHALL, JONATHAN A
317 W MORGAN ST APT 307
RALEIGH NC 27601-1471**