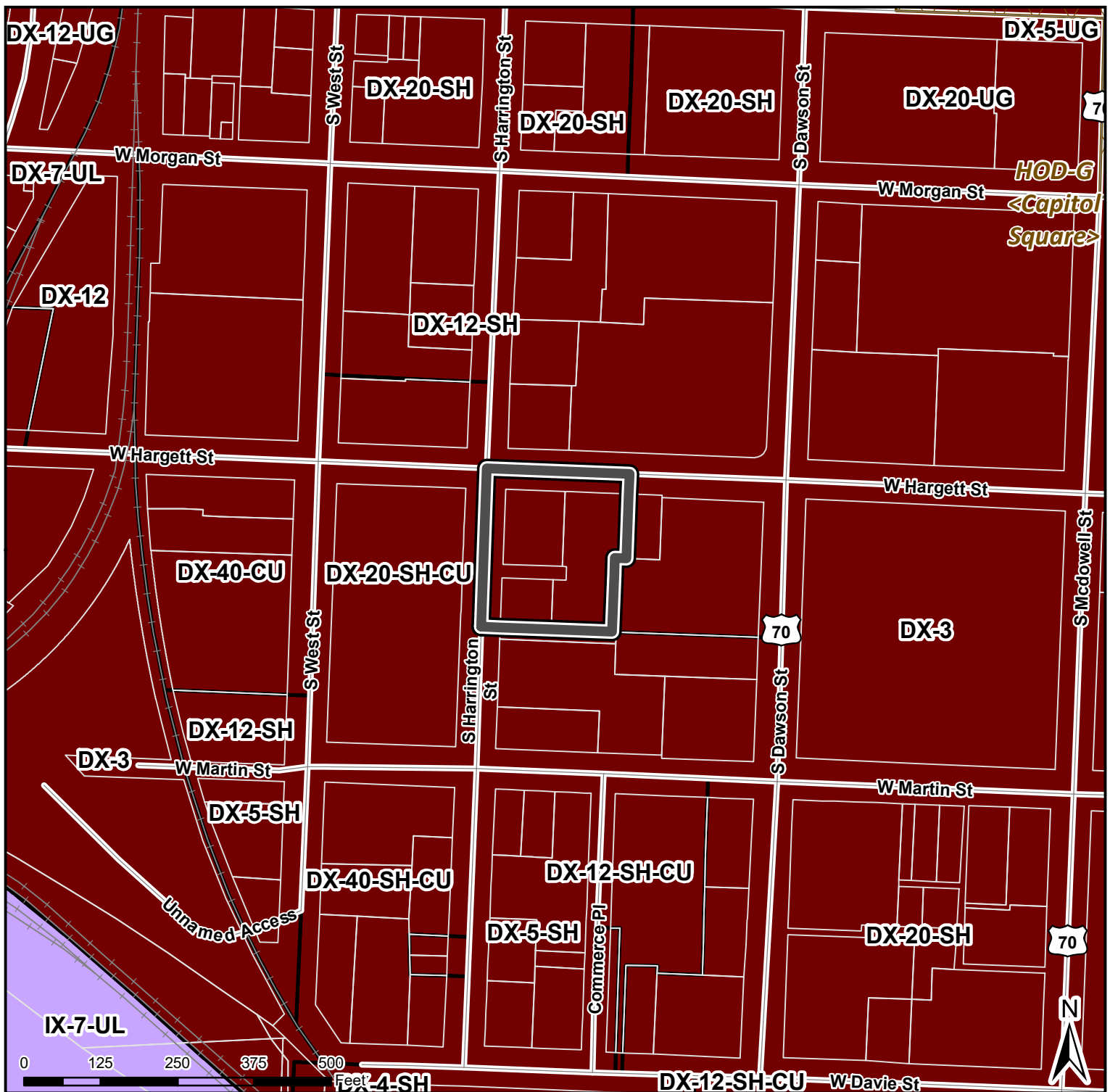


Future Land Use

Z-54-2020



Property	321 & 327 W Hargett St; 213 S Harrington St
Size	0.98 acres
Existing Zoning	DX-12-SH
Requested Zoning	DX-40-CU



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Ira Mabel, AICP, Senior Planner
Department	Planning and Development
Date	June 29, 2021
Subject	City Council agenda item for July 6, 2021 – Z-54-20

The public hearing for the following item was closed on June 15, 2021 so that the applicant could submit new zoning conditions.

Z-54-20: 321 & 327 W. Hargett Street, 213 S. Harrington Street, approximately 0.99 acres located at [the southwest corner of the intersection of Hargett Street and Harrington Street, one block west of Nash Square](#).

Unsigned zoning conditions provided on June 25, 2021 prohibit seven uses otherwise allowed in DX districts, specify build-to's for both Hargett Street and Harrington Street, prohibit surface parking between buildings and the street, require active ground-floor uses for parking decks, and require enhanced parking deck light screening adjacent to streets and parcels.

New conditions submitted since the public hearing require pedestrian entrances on Hargett Street, and require opaque screening of vehicle headlights on the eastern side of parking decks. Staff has suggested language changes to the new conditions to improve enforceability.

Current zoning: Downtown Mixed Use-12 stories-Shopfront (DX-12-SH).

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

The request is **consistent** with the 2030 Comprehensive Plan.

The request is **consistent** with the Future Land Use Map.

The request is **consistent** with the Urban Form Map.

The Planning Commission recommends approval of the request (8 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report.



RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 13010

CASE INFORMATION: Z-54-20 HARGETT ST & HARRINGTON ST

Location	At the southwest corner of the intersection of Hargett Street and Harrington Street, one block west of Nash Square Address: 321 & 327 W. Hargett Street, 213 S. Harrington Street PINs: 1703584233, 1703583355, 1703583232 iMaps , Google Maps , Directions from City Hall
Current Zoning	DX-12-SH
Requested Zoning	DX-40-CU
Area of Request	0.99 acres
Corporate Limits	The subject site is within the city's corporate limits.
Property Owner	Highwoods Realty 3100 Smoketree Court Suite 600 Raleigh, NC 27604
Applicant	Chad Essick, Poyner Spruill
Council District	D
PC Recommendation Deadline	6/21/2021

SUMMARY OF PROPOSED CONDITIONS

1. The following uses shall be prohibited: dormitory, fraternity, sorority; pawnshop; detention center, jail, prison; self-service storage; vehicle repair; vehicle fuel sales; and adult establishment.
2. A 0-15' build-to shall apply to W. Hargett Street for 80% of the frontage.
3. A 0-15' build-to shall apply to S. Harrington Street for 40% of the frontage.
4. No surface parking shall be permitted between the building and the street.
5. The ground story of structured parking must have active uses between the parking structure and any public sidewalk.
6. Upper stories of structured parking must be screened so that cars and sloped ramps are not visible from adjacent streets. Architectural or vegetative screens must be used to articulate the façade, hide parking vehicles, and shield lighting. Screening elements must meet certain minimum design standards.
7. Internal light sources shall not be visible from the adjacent right-of-way or parcels.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Central Business District
Urban Form	Downtown, Core Transit Area
Consistent Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 1.3—Conditional Use District Consistency Policy LU 2.6—Zoning and Infrastructure Impacts Policy LU 4.6—Transit-oriented Development Policy LU 4.7—Capitalizing on Transit Access Policy LU 4.8—Station Area Land Uses Policy LU 8.10—Infill Development Policy UD 1.10—Frontage Policy UD 7.3—Design Guidelines Policy UD 8.1—Transit-oriented Development Policy DT 1.3—Underutilized Sites in Downtown Policy DT 1.16—High Density Development Policy DT 2.23—Wrapped Parking Preference Policy DT 2.26—Active Ground-floor Parking Uses Policy DT 3.1—Ground-floor Uses on Primary Retail Streets Policy DT 4.1—Encouraging Downtown Housing Policy AP-DW 1—Zoning Consistency Policy AP-DW 8—Building Height Transition
Inconsistent Policies	Policy LU 8.12—Infill Compatibility

FUTURE LAND USE MAP CONSISTENCY

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

COMPREHENSIVE PLAN CONSISTENCY

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

PUBLIC MEETINGS

First Neighborhood Meeting	Second Neighborhood Meeting	Planning Commission	City Council
8/26/2020 14 attendees	3/10/2021 16 attendees	3/23/2021 (consent) 4/13/2021 4/27/2021	5/4/2021

PLANNING COMMISSION RECOMMENDATION

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

Reasonableness and Public Interest	Approval of the request is reasonable and in the public interest because the request is consistent with the policies of the Comprehensive Plan, and would allow increased land use intensity in the urban core of Raleigh with high access to transit and employment options.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: O'Haver; Second: Bennett In Favor: Bennett, Fox, Lampman, Mann, McIntosh, Miller, O'Haver, and Winters Opposed: None
Reason for Opposed Vote(s)	Not stated

ATTACHMENTS

1. Staff report
2. Original conditions
3. Traffic Impact Analysis summary
4. Rezoning application

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



Ken A. Bowers, AICP
Planning and Development Deputy Director

Date: 4/27/2021

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



ZONING STAFF REPORT – CASE Z-54-20

Conditional Use District

OVERVIEW

This request is to rezone approximately 0.99 acres from Downtown Mixed Use-12 stories-Shopfront (DX-12-SH) to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU). Proposed zoning conditions prohibit seven uses otherwise allowed in DX districts, specify build-to's for both Hargett Street and Harrington Street, prohibit surface parking between buildings and the street, require active ground-floor uses for parking decks, and require enhanced parking deck light screening adjacent streets and parcels.

The subject site consists of three parcels and approximately 100 linear feet of alley right-of-way at the southwest corner of the intersection of West Hargett Street and South Harrington Street. The site formerly housed a Goodwill store and donation center but is now vacant. The remainder of the block to the east contains the 46-unit Park Devereux condo building.

To the north of the site is the 208 condo units and ground-floor retail in the Hue building, and Legends Nightclub. To the east of Park Devereux is Nash Square. To the south is a City of Raleigh fire station, twelve condominium units, and low-rise office buildings. To the west is the Dillion mixed-use project comprised of two 7- and 17-story structures that together include 172 residential units, office space, retail space, and a nearly one-thousand space parking deck. Other nearby uses in the area are typical of the western part of downtown, ranging from single-story commercial uses in the Depot District, to newer multi-story apartment buildings. The site is two blocks east of Raleigh Union Station and the proposed RUS Bus facility.

The rezoning site is designated as Central Business District on the Future Land Use Map. The site is near the westernmost boundary of that land use category, which generally extends to Boylan Avenue and the railroad tracks in this area. All other nearby blocks are also designated as Central Business District, save for a few blocks to the south in the Depot District which are designated Community Mixed Use.

The site, and all adjacent parcels, are located within the Downtown Center and the Core Transit Area on the Urban Form Map. This classification suggests an urban frontage approach, which is included in the existing zoning as a Shopfront (SH) frontage. Most zoning districts nearby include the Shopfront frontage. In lieu of a frontage, the request includes zoning conditions that mimic some of the requirements of the SH frontage that are the most responsible for creating pedestrian-oriented development.

The site is within the boundaries of the Convention Center District of the Downtown West Gateway Area Plan. The relevant policies for that area have to do with encouraging high-intensity and mixed-use development to support the Convention Center.

Update for April 27, 2012 Planning Commission meeting:

The applicant has modified one zoning condition:

- The design standards for parking deck screening are now much more detailed.

The applicant has added two zoning conditions:

- The ground story of structured parking must have active uses located between the parking structure and any public sidewalk.
- Internal illumination of parking structures shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way or adjacent parcels

These changes have caused the request to become consistent with the following policies:

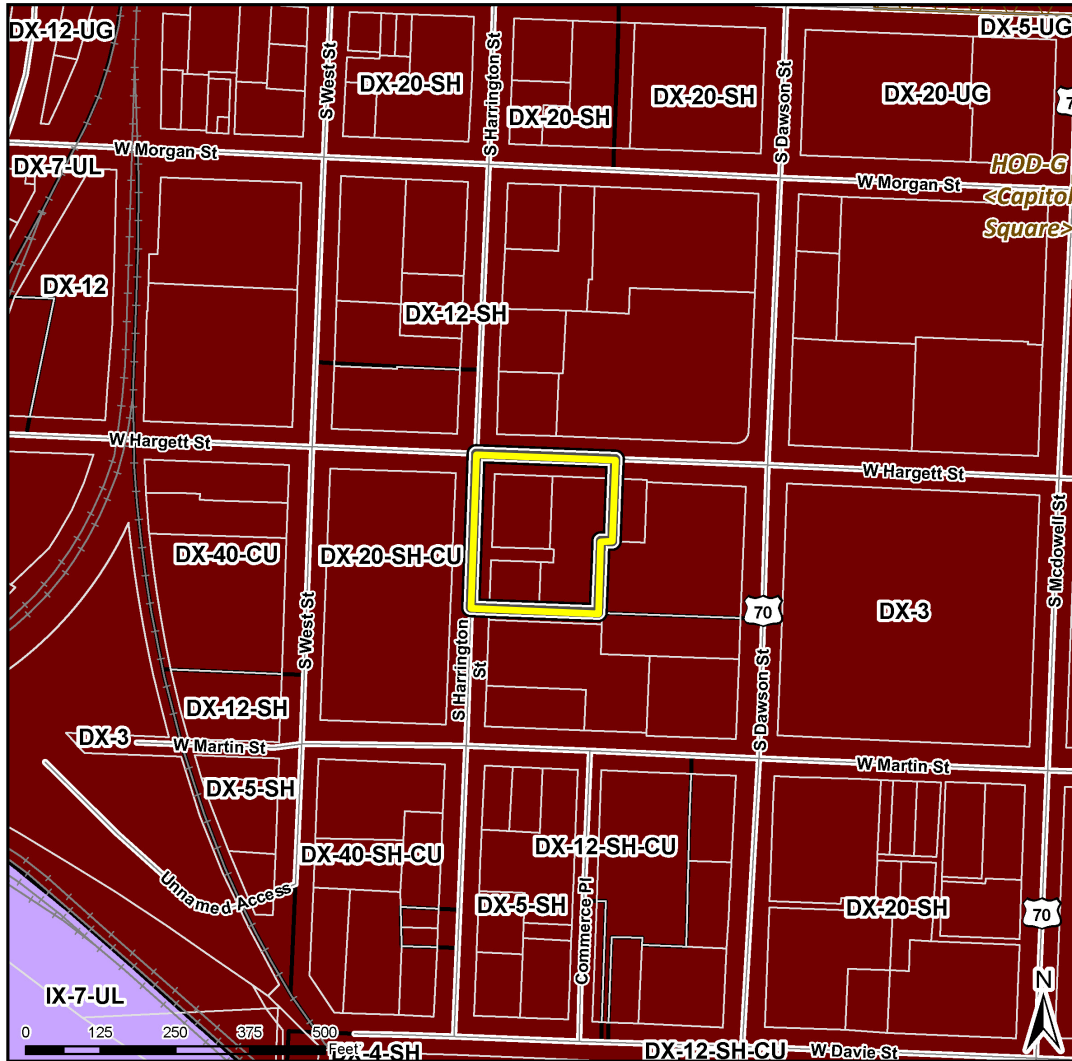
- Policy DT 2.23—Wrapped Parking Preference
- Policy DT 2.26—Active Ground-floor Parking Uses
- Policy DT 3.1—Ground-floor Uses on Primary Retail Streets

OUTSTANDING ISSUES

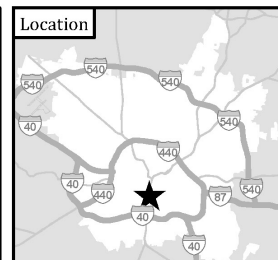
Outstanding Issues	1. None.	Suggested Mitigation	1. None.
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Future Land Use

Z-54-2020



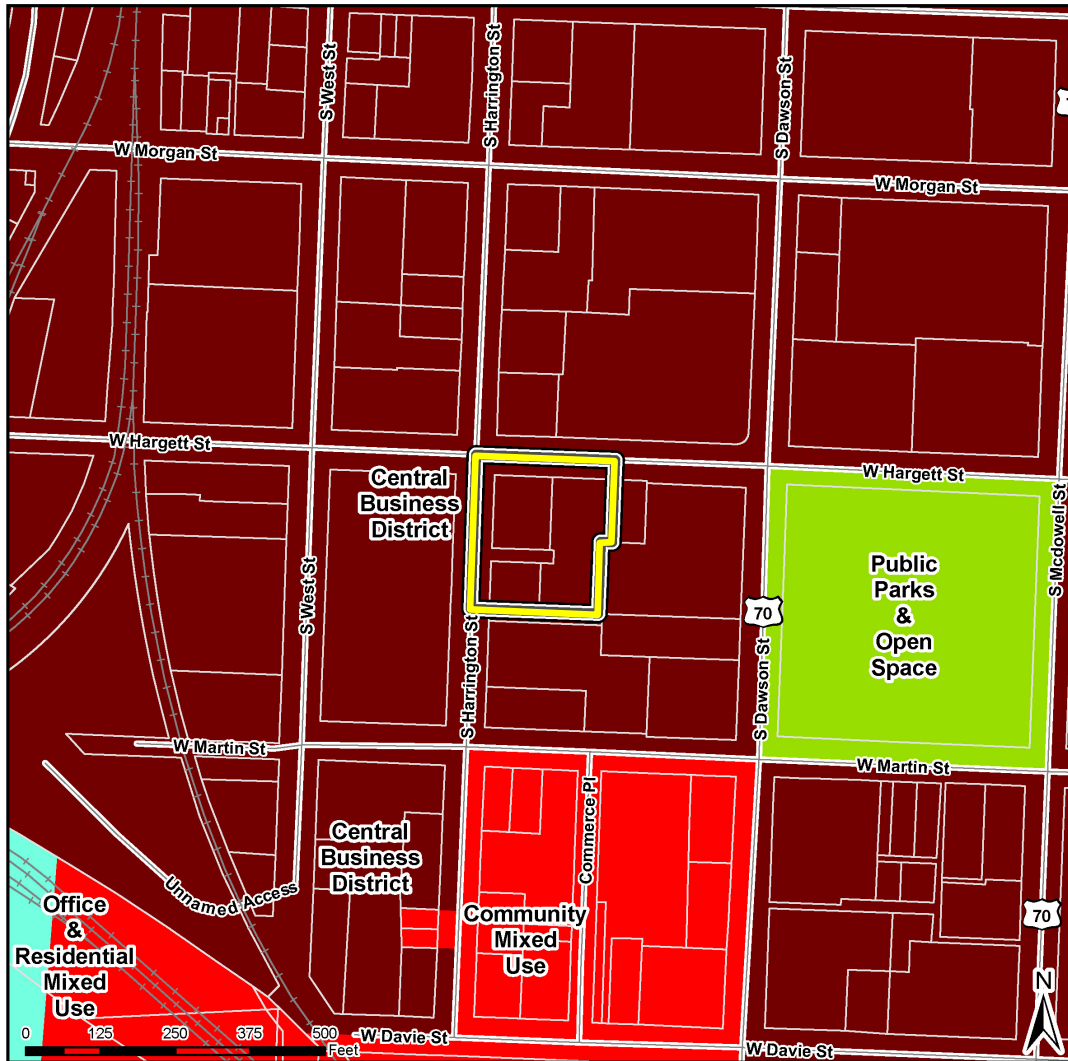
Property	321 & 327 W Hargett St; 213 S Harrington St
Size	0.98 acres
Existing Zoning	DX-12-SH
Requested Zoning	DX-40-CU



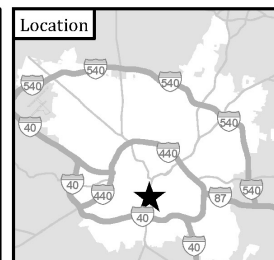
Map by Raleigh Department of City Planning (mansolf); 11/9/2020

Future Land Use

Z-54-2020



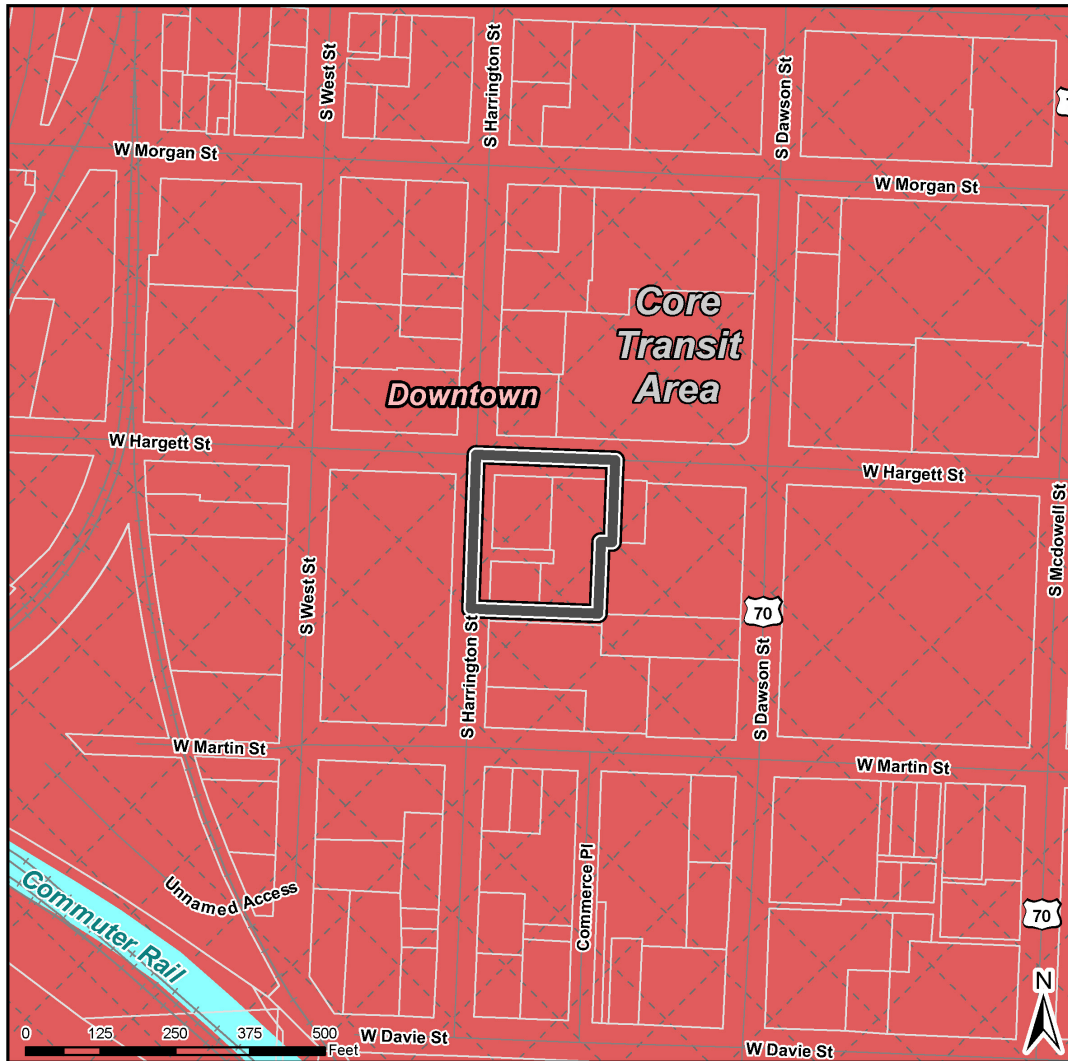
Property	321 & 327 W Hargett St; 213 S Harrington St
Size	0.98 acres
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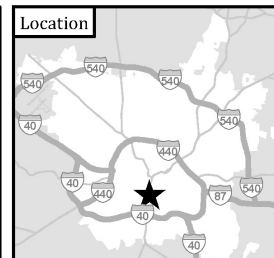
Map by Raleigh Department of City Planning (mansolf): 11/9/2020

Urban Form

Z-54-2020



Property	321 & 327 W Hargett St; 213 S Harrington St
Size	0.98 acres
Existing Zoning	DX-12-SH
Requested Zoning	DX-40-CU



Map by Raleigh Department of City Planning (mansoff): 11/9/2020

COMPREHENSIVE PLAN

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

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

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

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

The request is consistent with the **Coordinating Land Use and Transportation** vision theme. This theme envisions higher density residential and mixed-use development to support new local and regional public transit services. The subject site, less than 500 feet from the proposed future RUS Bus facility and only 0.4 miles from GoRaleigh Station at Moore Square, will have some of the best access to transit anywhere in the city.

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

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

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

N/A

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Yes, community facilities and streets appear to be sufficient to serve the proposed use. According to the Traffic Impact Analysis, the buildout of the proposed development under the proposed rezoning will have minor impacts to the surrounding roadway network and intersections relative to the existing zoning condition.

Future Land Use

Future Land Use designation: Central Business District

The rezoning request is

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

☐ **Inconsistent**

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

Due to the site's proximity to the future RUS Bus facility, this location would be classified as Core/Transit in Table LU-2, which recommends heights of 3 to 40 stories.

Urban Form

Urban Form designation: Downtown, Core Transit Area

The rezoning request is

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

☐ **Inconsistent**

Overview: The site is located within the Downtown Center and the Core Transit Areas, which suggest an urban frontage. The request does not include a frontage, although build-to and surface parking requirements have been applied via a zoning condition.

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

Compatibility: In lieu of a frontage, the request includes zoning conditions that mimic some of the requirements of the SH frontage that are the most responsible for creating pedestrian-oriented development. Specifically, a 0'-15' build-to is required for 80% of the frontage on Hargett Street and for 40% of the frontage on Harrington Street, and no on-site parking is permitted buildings and the street. In addition, a condition requires the ground floor of parking structures to be wrapped with active uses.

Compatibility

The proposed rezoning is

- ☒ **Compatible** with the property and surrounding area.
- ☐ **Incompatible.**

The density and building types permitted in DX districts are compatible with the urban nature of this part of the city. Nearby zoning districts include DX-5, DX-12, and DX-20, with general, mixed use, and apartment building types existing currently. The request also includes a condition which prohibits some of the uses allowed in DX districts that are the least compatible with downtown residential areas. Overall, the request is generally compatible with the property and the surrounding area and can potentially be established without adversely impacting neighboring properties.

Public Benefits of the Proposed Rezoning

- The request would allow increased land use intensity in the urban core of Raleigh with high access to transit and employment options.

Detriments of the Proposed Rezoning

- The request would permit an intense commercial zoning district and much taller buildings than are currently permitted adjacent to the site.

Policy Guidance

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

Policy LU 1.2—Future Land Use Map and Zoning Consistency

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

Policy LU 1.3—Conditional Use District Consistency

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

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

Policy LU 2.6—Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

- According to the Traffic Impact Analysis, the buildout of the proposed development under the proposed rezoning will have minor impacts to the surrounding roadway network and intersections relative to the existing zoning condition.

Policy LU 4.6—Transit-oriented Development

Promote transit-oriented development around planned bus rapid transit (BRT) and fixed commuter rail stations through appropriate development regulation, education, station area planning, public-private partnerships, and regional cooperation.

Policy LU 4.7—Capitalizing on Transit Access

Sites within walking distance of existing and proposed rail and bus rapid transit stations should be developed with intense residential and mixed uses to take full advantage of and support investment in transit infrastructure.

Policy LU 4.8—Station Area Land Uses

A complementary mix of uses, including multifamily residential, offices, retail, civic, and entertainment uses, should be located within transit station areas.

Policy UD 8.1—Transit-oriented Development

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

Policy DT 1.16—High Density Development

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

- If approved, the subject site would add more commercial and/or residential development in an area with easy access to transit and downtown. The site is in a Core Transit Area and within walking distance of the proposed RUS Bus facility and Raleigh Union Station. The DX zoning district allows a development intensity appropriate for a site with this level of transit access.

Policy LU 8.10—Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

Policy DT 1.3—Underutilized Sites in Downtown

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

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

Policy UD 1.10—Frontage

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

- A Downtown Center and Core Transit Area urban form designation suggests an urban frontage option; no frontage was included with this request. However, the request includes zoning conditions that mimic the build-to and surface parking requirements of the Shopfront frontage that are most responsible for creating pedestrian-oriented development. All of the zoning districts with frontage designations in the nearby area are also SH, including on all sides of the site.

Policy UD 7.3—Design Guidelines

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

- Overall, the proposed zoning conditions are consistent with the Urban Design Guidelines. The conditions replicating a build-to similar to what would be required with SH frontages makes the request conforming with Guidelines 6, 8, and 24. Prohibiting parking between buildings and the street conform to Guidelines 7, 14, and 15. Proximity to the future BRT route satisfies guideline 17.
- Without a zoning condition requiring street-facing entrances as the SH frontage does, the request is not consistent with Guideline 25.

Guideline 6	A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared-use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.
Guideline 7	Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.
Guideline 8	If the site is located at a street intersection, the main building of a complex or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.
Guideline 14	Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.
Guideline 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.
Guideline 17	Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.
Guideline 24	Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.
Guideline 25	The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances should be designed to convey their prominence on the fronting facade.

Policy DT 4.1—Encouraging Downtown Housing

Encourage high-density residential development in downtown, consistent with the target of accommodating another 25,000 residents by 2030.

- The rezoning request would nearly triple the potential residential entitlement from over 250 units to 700 units.

Policy DT 2.23—Wrapped Parking Preference

Where underground or below-grade parking is not feasible, parking garages should be “wrapped” with active uses along the entire vertical frontage of buildings along the public right-of-way.

Policy DT 2.26—Active Ground-floor Parking Uses

Active ground-floor uses should be provided in all parking garages on Retail Streets.

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

New development should dedicate at least 60 percent of its linear frontage along the public right-of-way of Primary Retail Streets as identified on Map DT-6 for ground-floor space designed and constructed to accommodate one or more retail uses including consumer-goods shops, dining and eating establishments, convenience goods,

- An urban frontage, which is recommended by the Urban Form Map at this location, requires the ground floor of parking structures to be wrapped with active uses. This request includes a comparable zoning condition.

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

Policy LU 8.12—Infill Compatibility

Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.

- The requested DX district is in keeping with the character of the surrounding area, and a 40-story building would not necessarily be incompatible with the surrounding context. Due to the site’s proximity to the future RUS Bus facility, this location would be classified as Core/Transit in Table LU-2, which recommends heights of 3 to 40 stories. However, 40 stories would be much taller than the existing one- to seven-story development in the area.

Area Plan Policy Guidance

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

Policy AP-DW 1—Zoning Consistency

Map AP-DW-1 shall be used alongside the Future Land Use Map to evaluate the consistency of all proposed zoning maps amendments within the Downtown West Gateway plan boundaries. Where there is a conflict regarding preferred densities, the guidance in this Area Plan shall control.

Policy AP-DW 8—Building Height Transition

Taller buildings are encouraged within the Station Area Core provided that a transition to lower heights is included along the area perimeter where in close proximity to existing single family neighborhoods.

- The site is within the boundaries of the Station Area Core of the Downtown West Gateway Area Plan. Map AP-DW-1 describes that area as “High Density Mixed Use: residential, retail, office, parking. 4 Story / 30 units/acre minimum.” Likewise, Policy AP-DW 8 calls for “taller buildings.” The rezoning request complies with both the use and intensity guidance of the area plan.

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

- None.

HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	76	The transit score will likely increase as the Wake Transit Plan is implemented.
Walk Score	31	95	The walk score for the site is much higher than the citywide average.
Bike Score	41	87	The bike score for the site is much higher than the citywide average.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

Summary: According to Walk Score, this part of Raleigh has walkability that is much higher than average. The dense street grid and general availability of potential destinations all likely contribute to this. The implementation of BRT will only increase the quality of transit service and walkability in the area.

Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

Summary: The proposed district would not alter the types of housing possible in the neighborhood. Approval of this rezoning request would allow the most energy-efficient housing units to be developed.

Housing Supply and Affordability

Does it add/subtract from the housing supply?	Adds	Increasing the maximum building height correspondingly increases the potential number of housing units possible.
Does it include any subsidized units?	No	
Does it permit a variety of housing types beyond detached houses?	Yes	The proposed district does not change the types of housing allowed.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	The subject site, less than 500 feet from the proposed future RUS Bus facility and only 0.4 miles from GoRaleigh Station at Moore Square, will have some of the best access to transit anywhere in the city.

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

Summary: The request will not alter the type of development that is possible under the existing entitlement but will allow a greater amount of housing to be built.

IMPACT ANALYSIS

Historic Resources

1. The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None.

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Nash Square (350 feet) and Municipal Building Green (0.1 miles).
3. Nearest existing greenway trail access is provided by Martin St. Connector Greenway Trail (0.4 miles).
4. Current park access level of service in this area is graded an A letter grade.
5. Please note the Council-adopted City of Raleigh Dog Park Study Report indicates a deficit in public access to dog parks in downtown Raleigh. See especially Downtown Recommendation #4: "Proactively seek out partnership opportunities to develop a publicly accessible dog park... This solution may require consideration of cost-share arrangements, leasing of privately owned land, or agreements to provide maintenance, indemnification, and other contributions" toward the creation of a public-private dog park facility (pages 62-69).

Impact Identified: None.

Public Utilities

1. The proposed rezoning would add approximately 174,387 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy

3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	613	63,250	175,000
Wastewater	613	63,250	175,000

Impact Identified: None.

Stormwater

Floodplain	N/A
Drainage Basin	Rocky
Stormwater Management	UDO Chapter 9
Overlay District	N/A

Impact Identified: Downstream structural flooding at 611 W South Street. Applicant has shown compliance with UDO 9.2.2.E.3.

Transportation

1. **Location:** The Z-54-20 site is located in Downtown Raleigh, on the southeast corner of W Hargett Street and S Harrington Street.
2. **Area Plans:** The Z-54-20 site is located within the Downtown plan boundaries.
3. **Existing Streets:** The subject property has frontage on W Hargett Street and S Harrington Street. Both streets are designated as Main Street with parallel parking in Map T-1 of the Comprehensive Plan (Street Plan). Both streets are maintained by the City of Raleigh.
4. **Street Network:** In accordance with UDO section 8.3.2, the maximum block perimeter for DX Zoning districts is 2,000 feet. The existing block perimeter is approximately 1,680 feet.
5. **Pedestrian Facilities:** Sidewalks are complete in the vicinity of the subject property. Development of the site will result in a wider sidewalk along Harrington Street as outlined in Article 8.5 of the UDO.

6. **Bicycle Facilities:** The Z-54-20 site is well served by bicycle facilities. This portion of Harrington Street is a portion of the first phase of the Downtown North-South Greenway Connector, which includes a separated bikeway on Harrington and West Streets between North Street and Martin Street. The project is expected to be extended to Peace Street in FY22. There are existing shared lane markings on Hargett Street consistent with its Main Street Bikeway designation in the Raleigh Bike Plan. Boylan Ave has existing shared lane markings between Peace Street and Western Boulevard. Peace Street has bicycle lanes between West Street and the CSX Railroad overpass as well as west of St. Mary's Street.

The Z-54-20 site is within the bikeshare service area. Stations nearest the site are at Raleigh Municipal Building, Morgan and West Street, and Raleigh Union Station. Bikeshare station spacing guidelines suggest that additional stations in the vicinity of this site may be appropriate. The addition of Bikeshare infrastructure may help to mitigate traffic concerns, as trips would be converted from motorized vehicles to bicycles. If the applicants wish to explore this option, Transportation Staff can help the applicant craft a condition requiring installation of bikeshare infrastructure.

7. **Transit:** The Z-54-20 site is well served by existing public transit. Nearby services include:
- R-Line/Free Downtown Circulator, 15-minute service, with nearest stop adjacent to the site
 - Route 6/Crabtree, 30-min peak hour service, 60-min off-peak service, this service is planned to be upgraded to frequent service in 2021 by the Wake Transit Plan
 - Route 8/Six Forks, 30-min peak hour service, 60-min off-peak service
 - Route 13/Chavis Heights, 30-minute service between Southeast Raleigh and Raleigh Union Station
 - Route 16/Oberlin, 30-min peak hour service, 60-min off-peak service

Additionally, the site is located two blocks east of Raleigh Union Station's intercity passenger rail service and the planned Raleigh Union Station Bus facility, which will serve as a major transit hub and provide connections to multiple GoTriangle and GoRaleigh bus routes.

8. **Access:** Access to the subject site may be via any of the surrounding streets.

Comprehensive Plan Policy DT 2.19, Parking and Economic Development, is relevant to this site. The policy reads:

Expand the role of the municipally-administered parking enterprise in supporting and promoting economic development, including using parking arrangements and public-private partnerships as a means to attract and catalyze development.

If the applicant wishes the Z-54-20 site to contain parking, Transportation Staff can facilitate discussions on how to craft this zoning case and the resulting site plan to be consistent with this policy.

9. **Other Projects in the Area:** GoRaleigh is designing bus rapid transit (BRT) infrastructure to provide a dedicated transitway between GoRaleigh Station and Wake Med Hospital. The service will extend beyond the I-440 beltway.

The City of Raleigh is beginning design to implement additional phases of the Blount Street, Person Street Corridor Plan, including potentially converting the street to two-way operation.

The City of Raleigh is designing an extension of West Street between Martin Street and Cabarrus Street to pass under the railroad tracks. This project will include a separated bikeway that extends the Downtown North-South Greenway Connector.

The City of Raleigh has plans to extend the Downtown North-South Greenway Connector northward and connect it to a separated bikeway on West Street, north of Peace Street.

10. **Traffic Impact Analysis (TIA) Determination:** Based on the Envision results, approval of case Z-54-20 would increase the amount of projected vehicular trips for the site as indicated in the table below. The proposed rezoning from DX-12-SH to DX-40-CU is projected to have 210 new trips in the AM peak hour and 228 new trips in the PM peak hour. These values trigger a Traffic Impact Analysis based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-54-20 Existing Land Use	Daily	AM	PM
	0	0	0
Z-54-20 Current Zoning Entitlements	Daily	AM	PM
	2,365	230	252
Z-54-20 Proposed Zoning Maximums	Daily	AM	PM
	4,584	440	480
Z-54-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	2,219	210	228

11. **TIA Review:** A TIA was performed by Kimley-Horn and Associates, Inc. (KHA) and reviewed by City staff. The analysis indicates that the buildout of the proposed development under the proposed rezoning condition will have minor impacts to the surrounding roadway network and intersections relative to the existing zoning condition.

Impact Identified: None.

Urban Forestry

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

Impact Identified: None.

Impacts Summary

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

Mitigation of Impacts

No mitigation necessary.

CONCLUSION

This request is to rezone three parcels totaling approximately 0.99 acres from Downtown Mixed Use-12 stories-Shopfront (DX-12-SH) to Downtown Mixed Use-40 stories-Conditional Use (DX-40-CU). Proposed zoning conditions prohibit seven uses otherwise allowed in DX districts, specify build-to's for both Hargett Street and Harrington Street, prohibit surface parking between buildings and the street, require active ground-floor uses for parking decks, and require enhanced parking deck light screening adjacent streets and parcels.

The request is **consistent** with Comprehensive Plan overall; **consistent** with the Future Land Use Map; and **consistent** with the Urban Form Map. The request is **consistent** with the Downtown West gateway Area Specific Guidance.

The request is **consistent** with Comprehensive Plan policies regarding development near transit, urban design, and development downtown. The request is **inconsistent** with policies regarding active uses on the ground floor.

The request would support the Vision Themes of *Managing Our Growth* and *Coordinating Land Use and Transportation*.

CASE TIMELINE

Date	Action	Notes
11/3/2020	Submitted application	TIA required, application incomplete
1/26/2021	Submitted TIA	
2/17/2021	TIA review completed	Application complete
3/23/2021	Planning Commission	Consent agenda
4/13/2021	Planning Commission	
4/27/2021	Planning Commission	Revised zoning conditions.

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	DX-12-SH	DX-12-SH	DX-5-SH	DX-12-SH	DX-20-SH-CU
Additional Overlay	N/A	N/A	N/A	N/A	N/A
Future Land Use	Central Business District	Central Business District	Central Business District	Central Business District	Central Business District
Current Land Use	Surface parking	Bar; mixed-use	Surface parking; office	Bar; multi-family	Mixed-use
Urban Form	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area	Downtown; Core Transit Area

CURRENT VS. PROPOSED ZONING SUMMARY

	EXISTING ZONING	PROPOSED ZONING
Zoning	DX-12-SH	DX-40-CU
Total Acreage	0.99	0.99
Setbacks:		
Front	3'	3'
Side	0' or 6'	0' or 6'
Rear	0' or 6'	0' or 6'
Build-to's:		
Primary street	0'/15', 80%	0'/15', 80% (Hargett)
Side street	0'/15', 40%	0'/15', 40% (Harrington)
Residential Density:	256	707
Max. # of Residential Units	253	700
Max. Gross Building SF	297,306	823,379
Max. Gross Office SF	216,942	439,839
Max. Gross Retail SF	14,865	20,584
Potential F.A.R	6.89	19.09

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

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number		OFFICE USE ONLY Rezoning Case #
Date Submitted		
Existing Zoning	Proposed Zoning	
Narrative of Zoning Conditions Offered		

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature _____ Print Name _____

By: Highwoods Properties, Inc., General Partner

By: _____
Thomas S. Hill, III, Vice President

RECEIVED

By Ira Mabel at 12:34 pm, Jun 25, 2021



Raleigh

MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

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

DATE: February 17, 2021

SUBJECT: Traffic Impact Analysis Review for Z-54-20 – 333 West Hargett Street Rezoning

We have reviewed the Traffic Impact Analysis (TIA) prepared by Kimley-Horn and Associates, Inc. (KHA) for the 333 West Hargett Street rezoning, case number Z-54-20. The following memorandum summarizes the most relevant information pertaining to the study as well as City Staff's review of the analysis and recommendations.

Development Details

<i>Site Location:</i>	Downtown on the southeast corner of West Hargett Street and South Harrington Street
<i>Address:</i>	213 S. Harrington St., 321 W. Hargett St., 327 W. Hargett St.
<i>Property PIN(s):</i>	1703583232, 1703584233, 1703583355
<i>Current Zoning:</i>	DX-12
<i>Proposed Zoning:</i>	DX-40
<i>Existing Land Use:</i>	Vacant buildings and surface parking
<i>Allowable Land Use:</i>	216,942 SF of Office
<i>Maximum Proposed Zoning Land Use:</i>	439,839 SF of Office
<i>Build-out Year:</i>	2024

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

Site Context

The site is located downtown near a variety of multi-modal infrastructure and a few blocks from Raleigh Union Station and Nash Square. Transportation access is provided to the site via the following infrastructure:

- **Streets**
 - W. Hargett Street – existing and planned two-lane undivided Main Street with parallel parking, 2,400 estimated Annual Average Daily Traffic (AADT) as of 2020, 35 mph
 - S. Harrington Street - existing and planned two-way undivided Main Street with parallel parking and a separated southbound bikeway, 2,100 estimated AADT as of 2020, 35 mph
- **Transit**
 - R-Line/Free Downtown Circulator, 15-minute service, stop adjacent to the site
 - Route 6/Crabtree, 30-min peak hour service, 60-min off-peak service, stop one block east of the site
 - Route 8/Six Forks, 30-min peak hour service, 60-min off-peak service, stop one block east of the site
 - Route 13/Chavis Heights, 30-minute service, stop one block east of the site
 - Route 16/Oberlin, 30-min peak hour service, 60-min off-peak service, stop one block east of the site
- **Pedestrian**
 - The sidewalk network is continuous in the vicinity of the site. The width of the S. Harrington Street sidewalk adjacent to the site is substandard, however, and there are utility poles in the center of this sidewalk along the site frontage.
- **Bicycle**
 - Separated bike lanes serve the site on Harrington Street (southbound) and West Street (northbound).
 - Shared Lane Markings are located on West Hargett Street adjacent to the site.

Study Area & Analysis Scenarios

The following intersections were studied as part of this TIA:

- | | |
|--|----------------|
| 1. S. Harrington Street at W. Hargett Street | (Unsignalized) |
| 2. S. Harrington Street at W. Martin Street | (Unsignalized) |
| 3. S. Harrington Street at Site Driveway | (Unsignalized) |

Traffic Counts and Trip Generation

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

- Traffic counts were collected on October 27, 2020 and were factored based on a comparison to pre-pandemic counts from 2014 to account for the pandemic's impact on current traffic volumes.
- A 2% growth rate was applied to the pre-pandemic 2014 count at S. Harrington St. and W. Hargett St. to grow this count to an assumed 2020 level for use in the factoring above.
- A 0.5% annual growth rate was applied to 2020 traffic volumes to estimate 2024 background volumes.
- No background developments were included.
- Trip generation was based on the *10th Edition ITE Trip Generation Manual* using Dense Multi-Use Urban rates.
- An office site corresponding to ITE Land Use Code (LUC) 710 was found to generate maximum trips for the proposed zoning condition, as presented in Table 1.

- ITE does not provide daily trip generation for LUC 710 in a DMUU setting, and therefore the daily trip generation was assumed to be ten times the PM peak hour.

Table 1: Maximum Proposed Zoning Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
General Office Building	710	439,839 SF	3,730	291	47	338	63	310	373

Site Traffic Distribution

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

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

- 25% to/from the east on W Hargett Street
- 20% to/from the north on S Harrington Street
- 20% to/from the east on W Martin Street
- 15% to/from the west on W Hargett Street
- 10% to/from the west on W Martin Street
- 10% to/from the south on S Harrington Street

Results and Impacts

Table 2: Study Area Levels of Service under 2024 Scenarios

Intersection	Approach	AM Peak Hour			PM Peak Hour		
		Back-ground	Existing Zoning	Proposed Zoning	Back-ground	Existing Zoning	Proposed Zoning
S. Harrington Street at W. Hargett St. (All-Way Stop Control)	Overall	A (8.4)	A (9.0)	A (9.7)	A (8.5)	A (9.2)	B (10.4)
	EB	A (8.1)	A (8.4)	A (8.8)	A (8.5)	A (9.0)	A (9.5)
	WB	A (8.5)	A (9.3)	B (10.2)	A (8.6)	A (9.2)	A (9.8)
	NB	A (8.1)	A (8.5)	A (8.9)	A (8.5)	A (9.6)	B (11.4)
	SB	A (8.6)	A (9.2)	A (10.0)	A (8.5)	A (8.9)	A (9.3)
S. Harrington Street at W. Martin St. (All-Way Stop Control)	Overall	A (7.7)	A (7.8)	A (8.1)	A (8.0)	A (8.4)	A (8.9)
	EB	A (7.4)	A (7.7)	A (8.0)	A (8.2)	A (8.5)	A (8.8)
	WB	A (7.6)	A (7.7)	A (7.9)	A (7.9)	A (8.2)	A (8.5)
	NB	A (7.3)	A (7.6)	A (7.9)	A (8.0)	A (8.2)	A (8.4)
	SB	A (7.9)	A (8.1)	A (8.4)	A (8.0)	A (8.6)	A (9.4)
S. Harrington Street at Site Driveway (Unsignalized)	WB	-	B (10.0)	B (11.6)	-	B (10.5)	B (13.0)
	SBL	-	A (7.6)	A (8.0)	-	A (7.5)	A (7.6)

Buildout under the proposed rezoning scenario is projected to add a small amount of delay to the study intersections relative to buildout under the existing zoning scenario. All intersections are projected to operate at Level of Service A or B under the proposed rezoning scenario during both peak hours.

Table 3: Study Area Vehicle Queuing Summary under 2024 Scenarios

Intersection	Approach	Available Storage	AM Peak Hour – Avg/Max Queue			PM Peak Hour – Avg/Max Queue		
			Back-ground	Existing Zoning	Proposed Zoning	Back-ground	Existing Zoning	Proposed Zoning
S. Harrington Street at W. Hargett St. (All-Way Stop Control)	EB LTR	200	33/65	39/84	40/89	36/72	37/77	40/82
	WB LTR	420	44/84	49/104	53/111	43/95	44/98	45/94
	NB LTR	425	29/68	31/78	35/73	39/81	50/100	62/130
	SB LTR	420	42/83	49/98	53/110	37/65	37/77	38/79
S. Harrington Street at W. Martin St. (All-Way Stop Control)	EB LTR	200	29/62	30/61	33/61	39/70	38/69	39/82
	WB LTR	425	30/54	33/62	35/72	34/68	35/71	35/73
	NB LTR	425	14/35	21/44	26/51	30/60	30/62	32/65
	SB LTR	425	30/51	33/66	34/60	30/57	36/78	43/81
S. Harrington Street at Site Driveway (Unsignalized)	WB L/R	n/a	-	18/41	27/59	-	43/84	69/149
	NB TR	~200	-	0/6	1/16	-	0/	0/5
	SB LT	~200	-	12/53	25/69	-	2/33	7/38

Buildout under the proposed rezoning scenario is projected to extend queue lengths at nearby intersections by a minor amount relative to buildout under the existing zoning scenario. No queueing issues were observed under either scenario on the roadways around the site.

Study Recommendations

The analysis performed by KHA indicates that the buildout of the proposed development under the proposed rezoning condition will have minor impacts to the surrounding roadway network and intersections relative to the existing zoning condition. The following roadway laneage is recommended at the site driveway.

- *S. Harrington Street at Site Driveway*
 - Construct the site driveway with at least one ingress lane and one egress lane

The study notes that the number of parking spaces in the parking deck have not been determined and parking access laneage will need to be reviewed and confirmed whenever the number of spaces in the deck has been determined.

Conclusions


City Staff agrees with the overall analysis performed in the TIA for the 333 W. Hargett Street rezoning and makes no further recommendations at this time.

EJL/ac

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Rezoning Case #
Existing Zoning Base District DX Height 12 Frontage SH Overlay(s) N/A			
Proposed Zoning Base District DX Height 40 Frontage N/A Overlay(s) N/A			
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.			
If the property has been previously rezoned, provide the rezoning case number: Z-27B-2014			
GENERAL INFORMATION			
Date		Date Amended (1)	
Property Address 321 and 327 W. Hargett Street; 213 S. Harrington Street; and 0.053 acres with no address			
Property PIN 1703854233; 1703583355; 1703583232; 0.053 acres with no PIN		Deed Reference (book/page) Book 17502, Page 1370; Book 17502, Page 1377; and Book 17827, Page 144	
Nearest Intersection West Hargett Street and South Harrington Street			
Property Size (acres) 0.983	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address Highwoods Realty Limited Partnership 3101 Smoketree Court, Suite 600 Raleigh, NC 27604		Phone See below	Fax See below
		Email See below	
Applicant Name/Address Chad W. Essick Poyner Spruill LLP 301 Fayetteville Street, Suite 1900 Raleigh, NC 27601		Phone 919.783.2896	Fax 919.783.1075
		Email cessick@poynerspruill.com	
Applicant* Signature(s) 		Email thomas.hill@highwoods.com	

Thomas S. Hill, III, Vice President

*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Rezoning Case #
<p>The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.</p>	
STATEMENT OF CONSISTENCY	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>1. The Property is designated as Central Business District on the City's Future Land Use Map which recognizes DX as being the primary district for the mixed use core of downtown. The Recommended Height Designations table in the Comprehensive Plan states that the maximum building height of of forty (40) stories is appropriate for for property designated CBD on the FLUM and located in a core/transit area. Therefore, the proposed DX-40-CU zoning is consistent with the City's Future Land Use Map.</p> <p>2. The Property is designated as "Downtown" on the City's Urban Form Map which recommends an urban approach to frontage. The applicant has offered zoning conditions that mimic some requirements of the Shopfront Frontage. The Property is not located along any designated corridor shown on the City's Urban Form Map.</p> <p>3. The Property is located within the boundary of the Downtown West Gateway Area Plan. As shown on Map AP-DW1, the Property is located within the "Station Area Core" and "High Density Mixed Use" is contemplated. Policy AP-DW 8 entitled "Building Height Transition" states that taller buildings are encouraged within the Station Area Core. Therefore, the proposed rezoning for a maximum building height of forty (40) stories is consistent with this Area Plan guidance. The rezoning is also consistent with Policy AP-DW-2 (Mixed Use Development) as it would allow for a vertical mix of uses in a multi-story building.</p> <p>4. The proposed rezoning is consistent with Policy DT 1.3 "Underutilized Sites in Downtown," which encourages the redevelopment of underutilized sites in downtown, including surface parking lots. The proposed rezoning is consistent with Policy DT 1.4 "Redevelopment around Raleigh Union Station," which supports the redevelopment of underutilized land adjacent to Raleigh Union Station. The Property is close proximity to Raleigh Union Station and the proposed Go Triangle Regional Bus Facility and the proposed rezoning will facilitate redevelopment that will contribute to the success of these transportation hubs and downtown overall. It is important to note that the Property is not within a Downtown Transition Area, additionally supporting the proposed building height of forty (40) stories. Policy DT 1.15 "High Density Development," which encourages the highest density development within close proximity to planned transit stations. Given the proximity to Union Station and the proposed Go Triangle Regional Bus Facility, the rezoning is consistent with this policy. The rezoning is also consistent with, among others, the following additional downtown policies in the Comprehensive Plan: DT 1.2 (Vertical Mixed Use), DT 1.6 (Supporting Retail Growth), DT 2.12 Development Around Major Transit Facilities and DT 3.8 (Downtown as a Regional Center).</p>	
PUBLIC BENEFITS	
<p>Provide brief statements explaining how the rezoning request is reasonable and in the public interest.</p>	
<p>1. The proposed rezoning provides a public benefit by facilitating the redevelopment of underutilized property located in close proximity to the City's major transit hubs.</p> <p>2. The proposed rezoning provides a public benefit by facilitating the development of additional office and ground floor retail space to accommodate major employment opportunities in the downtown region.</p>	

REZONING APPLICATION ADDENDUM #2	
Impact on Historic Resources The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	OFFICE USE ONLY Rezoning Case #
INVENTORY OF HISTORIC RESOURCES	
List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
None.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A	

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation N/A

Click [here](#) to view the Urban Form Map.

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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response:</p> <p>N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</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>Response: N/A</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting a conditional use district:					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
If applicable (see Page 11):					
10. Proof of power of attorney or owner affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting a Planned Development (PD) or Campus District (CMP):					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

MASTER PLAN SUBMITTAL REQUIREMENTS					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

PROPOSED REZONING

321 and 327 W. Hargett Street and 213 S. Harrington Street

REPORT OF AUGUST 26, 2020 NEIGHBORHOOD MEETING

In accordance with Section 10.2.4 of the Unified Development Ordinance, a neighborhood meeting was held with respect to this proposed rezoning case at 5:30pm on August 26, 2020. This meeting, per City policy, was held virtually. Attached as **Exhibit A** is a list of those persons and organizations contacted about the meeting. Those persons and organizations were mailed a letter of invitation concerning the meeting, a copy of which is attached as **Exhibit B**. The letters were mailed on or about August 14, 2020, by first class mail. Attached as **Exhibit C** is the Attestation Statement of Chad W. Essick that the letters were mailed in accordance with City policies and requirements.

Attached as **Exhibit D** is a list of individuals who attended the meeting on August 26, 2020. A summary of the items discussed at the meeting is attached as **Exhibit E**.

Respectfully submitted this the 26th day of October, 2020.

August 14, 2020

Chad W. Essick
Partner
D: 919.783.2896
F: 919.783.1075
cessick@poynerspruill.com

Dear Neighboring Property Owners:

We represent Highwoods Realty Limited Partnership ("Highwoods"). Highwoods recently purchased property located at 321 and 327 W. Hargett Street and 213 S. Harrington Street (collectively, the "Property"). Currently, the Property is zoned DX-12-SH. Highwoods is considering a rezoning of the Property that would rezone the Property to DX-40-CU to allow a mixed-use development that would exceed the current height restriction of 12 stories.

Highwoods plans to file its rezoning petition with the City of Raleigh (the "City") in the near future. Prior to the submittal of any rezoning petition, the City requires that a neighborhood meeting be held for all property owners within 500 feet of the area requested for rezoning. We are writing to invite you to the neighborhood meeting to discuss the proposed rezoning. Due to the ongoing COVID-19 crisis, the neighborhood meeting will be held virtually via Zoom on Wednesday, August 26, 2020 starting at 5:30 p.m. You may participate online or by telephone. To participate via computer, visit www.zoom.us/join, enter the **Meeting ID (971 5227 7041)** and click "Join." The password for the meeting is **016070**.

To participate via phone, please call 877-369-0926. This is a toll free number. When prompted, enter the Meeting ID (**971 5227 7041**). Again, the password for the meeting is **016070**. If prompted to enter a participant ID, just press #.

We plan to make an initial presentation at 5:30 p.m. and a second presentation at 6:30 p.m.

For your reference and convenience, enclosed as **Exhibit A** is an aerial photograph of the Property with the Property outlined in red. Enclosed as **Exhibit B** is a map showing the current zoning of the area, including the Property. Enclosed as **Exhibit C** is a draft of the rezoning petition that Highwoods intends to file with the City.

Information about the rezoning process is available online. You can visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, you may contact JP Mansolf at 919-996-2180 or JP.Mansolf@raleighnc.gov.

If you have any questions about the neighborhood meeting or this potential rezoning, you can contact me at 919-783-2896 or cessick@poynerspruill.com.

Sincerely,



Chad W. Essick
Partner

Enclosures

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. Chad Essick
2. Nick Tosco
3. Thomas "Skip" Hill
4. Alban Barrus
5. John Hogan
6. Steve Hepler
7. Ira Mabel
8. Anne Franklin
9. Pamela Chestek
10. Davey Steele
11. Leslie Silvestri
12. Gab Smith
13. Isabel Villa-Garcia
14. Lynn Percival

EXHIBIT E

SUMMARY OF DISCUSSION ITEMS

On Wednesday, August 26, 2020, at 5:30 p.m., the applicant held a neighborhood meeting for property owners adjacent to the parcel subject to the proposed rezoning. The following items were discussed:

1. Overview of the applicant's business and operations.
2. Existing zoning for the property.
3. Proposed zoning for the property.
4. How the property fits into the City of Raleigh's 2030 Comprehensive Plan.
5. Recent re-zonings of surrounding properties in the Warehouse District.
6. The height restrictions for the structure proposed to be built on the property.
7. Proposed uses for the property.
8. Proposed parking deck screening and design features.
9. The construction process and timeline for the proposed project.

10. Transit options located near the property.
 11. Viewshed considerations for nearby property owners.
 12. Street width compatibility with the proposed structure to be located on the property.
 13. Summary of rezoning process and future meetings.
 14. Summary of communications received from other neighboring property owners prior to the Neighborhood Meeting.
-

321 and 327 W. Hargett Street and 213 S. Harrington Street

REPORT OF MARCH 10, 2021 NEIGHBORHOOD MEETING

In accordance with Section 10.2.4 of the Unified Development Ordinance, a second neighborhood meeting was held with respect to this proposed rezoning case at 5:30pm on March 10, 2021. This meeting, per City policy, was held virtually. Attached as **Exhibit A** is a list of those persons and organizations contacted about the meeting. Those persons and organizations were mailed a letter of invitation concerning the meeting, a copy of which is attached as **Exhibit B**. The letters were mailed on or about February 26, 2021, by first class mail. Attached as **Exhibit C** is the Attestation Statement of Chad W. Essick that the letters were mailed in accordance with City policies and requirements.

Attached as **Exhibit D** is a list of individuals who attended the meeting on March 10, 2021. A summary of the items discussed at the meeting is attached as **Exhibit E**.

Respectfully submitted this the 12th day of March, 2021.



Chad W. Essick, Esq.
Attorney for Applicant

February 26, 2021

Chad W. Essick
Partner
D: 919.783.2896
F: 919.783.1075
cessick@poynerspruill.com

Dear Neighboring Property Owners:

We represent Highwoods Realty Limited Partnership ("Highwoods"). Highwoods recently purchased property located at 321 and 327 W. Hargett Street and 213 S. Harrington Street (collectively, the "Property"). Currently, the Property is zoned DX-12-SH. Highwoods has filed a petition with the City of Raleigh (the "City") to rezone the Property to DX-40-CU to allow a mixed-use development that would exceed the current height restriction of 12 stories.

Under certain circumstances, following the submittal of a rezoning petition, the City requires that a second neighborhood meeting be held for all property owners within 1,000 feet of the area requested for rezoning. We are writing to invite you to the second neighborhood meeting to discuss the proposed rezoning. Due to COVID-19, the neighborhood meeting will be held virtually via Zoom on Wednesday, March 10, 2021 starting at 5:30 p.m. You may participate online or by telephone. To participate via computer, visit www.zoom.us/join, enter the **Meeting ID (974 7810 7905)** and click "Join." The password for the meeting is **161545**.

To participate via phone, please call 877-369-0926. This is a toll free number. When prompted, enter the Meeting ID (**974 7810 7905**). Again, the password for the meeting is **161545**. If prompted to enter a participant ID, just press #.

For your reference and convenience, enclosed as **Exhibit A** is an aerial photograph of the Property with the individual parcels outlined in yellow. Enclosed as **Exhibit B** is a map showing the current zoning of the area, including the Property. Enclosed as **Exhibit C** is a portion of the rezoning petition that Highwoods filed with the City last year. The City has assigned a case number of Z-54-20 to this rezoning case.

Information about the rezoning process is available online. You can visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, you may contact Ira Mabel at Ira.Mabel@raleighnc.gov or 919-996-2652.

If you have any questions about the neighborhood meeting or this potential rezoning, you can contact me at 919-783-2896 or cessick@poynerspruill.com.

Sincerely,



Chad W. Essick
Partner

Enclosures

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

1. Chad Essick
2. Colin McGrath
3. Thomas “Skip” Hill
4. Richard Adams
5. Jeff Emerson
6. Megan Bowles
7. Ira Mabel
8. Anne Franklin
9. Pamela Chestek
10. Chase Zadnik
11. Danielle Leach
12. Thomas Porter
13. Judy Porter
14. Cody Leach
15. Ariel McLamb
16. Lynn Percival

EXHIBIT E

SUMMARY OF DISCUSSION ITEMS

On Wednesday, March 10, 2021, at 5:30 p.m., the applicant held a neighborhood meeting for property owners adjacent to the parcel subject to the proposed rezoning. The following items were discussed:

1. Updates from first neighborhood meeting, including proposed zoning conditions and results from Traffic Impact Analysis.
2. Overview of the applicant's business and operations.
3. Existing zoning for the property.
4. Proposed zoning for the property.
5. How the property fits into the City of Raleigh's 2030 Comprehensive Plan.
6. Recent re-zonings of surrounding properties in the Warehouse District.
7. The current and proposed height restrictions for the structure proposed to be built on the property.
8. Design features of the building, including UDO requirements governing stepbacks.

9. Proposed uses for the property.
10. Office-space leasing market conditions and considerations.
11. Proposed parking deck screening and design features.
12. Potential development under existing zoning and residential versus office or retail development.
13. The construction process and timeline for the proposed project.
14. Transit options and infrastructure located near the property.
15. Property value impacts on nearby property owners.
16. Viewshed and light disruption considerations for property owners at Park Devereux.
17. Summary of rezoning process and future meetings.