

City Council Work Session Agenda

Monday October 19, 2015
4 p.m. City Council Chambers

1. UDO Remapping – Public Comment Review

Staff will introduce UDO zoning map public comments for two larger areas: Oakwood and Prince Hall. The commentors ask for more restrictive zoning for these areas. Staff will explain the implications of the comment and seeks guidance in proceeding. If the City Council wishes to proceed and respond to the comments, staff will provide direct mailed notice to all property owners affected by the change to the zoning map.

Staff will present a range of options, with the intention of receiving direction from City Council on each item.

2. City Council Comments

City Council has provided comments to staff related to the UDO zoning map. Three City Council raised comments will be discussed:

- a. Blue Ridge Road (Gaylord)
- b. Capital Boulevard (Maiorano)
- c. Empire Properties (Stephenson)

3. Staff Comments

Staff has identified two areas for potential revision to Public Hearing-advertised zoning:

- a. 600 S. Blount Street and 121-125 E. South Street
- b. 401 N. Harrington Street/West Condos

Index of attachments:

The following attachments are included for information.

a. Staff Report

Planning staff has assembled a staff report that contains items for City Council consideration. A decision option matrix is included.

b. Related Comments

Planning staff has assembled comments related to the items for discussion.

City Council Work Session – 19 October 2015

Z-27B-14/Citywide Remapping

During the July 7th and July 21st public hearings, City Council received a number of comments regarding the UDO zoning map. Staff has processed these comments, and will present the City Council with options to address the comments.

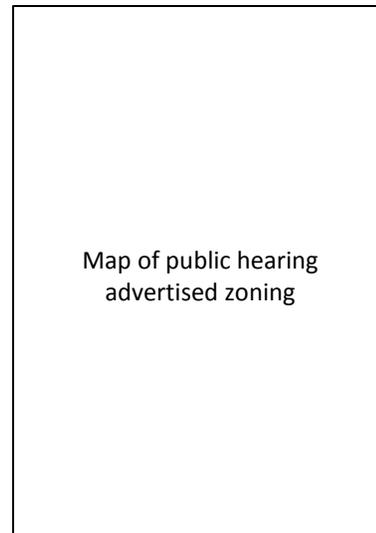
This report includes:

- 21 Public Hearing comments requesting **MORE** restrictive zoning related to 2 large areas (Oakwood, Prince Hall)
- 12 Council-initiated post-Public Hearing requests for **LESS** restrictive zoning
- 2 staff-initiated requests for **LESS** restrictive zoning

Each request for alternate zoning is formatted as shown here:

Location

Current	Current Part 10 zoning
Public Hearing	Zoning advertised as part of public hearing notification
Alternative	One or more options for Council consideration
Future Land Use	Future Land Use Map designation from the 2030 Comprehensive Plan
Urban Form	Urban Form Map designation, if any

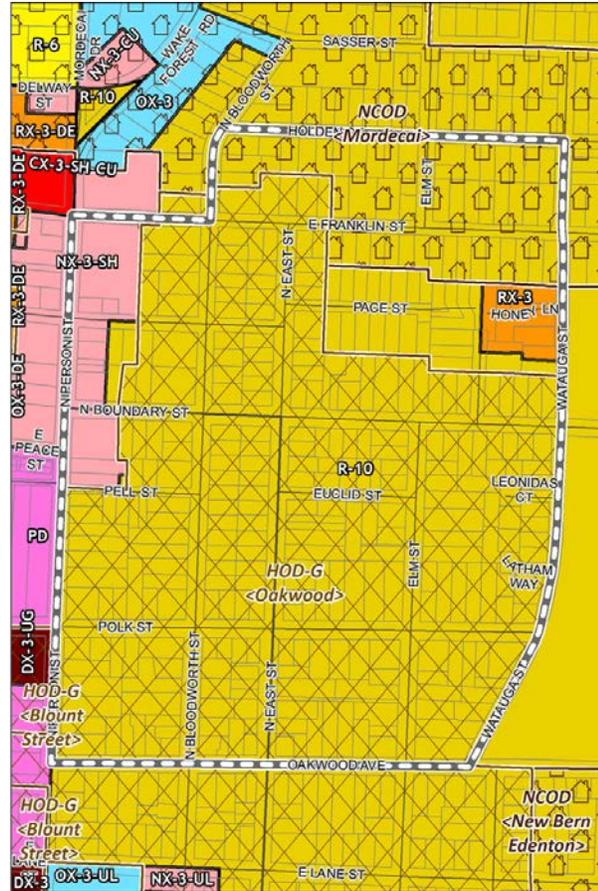


A. Requests for More Restrictive Zoning

The City Council received comments at the public hearing related to large areas of the City. The commentors all requested more restrictive zoning on an area-wide basis. The question before the City Council is whether or not a change to the proposed zoning should be considered, and if so what alternate zoning is preferable. If the City Council agrees that the request has merit, staff recommends additional direct-mail notification to impacted property owners and discussion at a future work session.

Oakwood (North)

- Requests different zoning at Honey Lane to limit residential density



40. Oakwood

Sixteen public hearing comments requested map-related changes in Oakwood.

Neighbors request different zoning to limit residential density in the Honey Lane area. The alternative zoning of R-10 would not create a potential pattern of spot zoning or any new non-conformities. One of the 6 lots in question, 618 Elm Street, is less than 45 feet wide and does not meet the minimum lot dimension requirements of either the R-10 or RX district.

- C. Block bounded by E. Martin Street, Chavis Way, E. Davie Street, and S. East Street
- D. Block bounded by E. Davie, S. Bloodworth, E. Cabarrus, and S. Person Streets (excluding area subject to Planned Development Overlay District and proposed for PD zoning).
- E. Block bounded by E. Cabarrus, S. Bloodworth, E. Lenoir, and S. Person Streets (excluding 501 S. Person Street)
- F. Block bounded by E. Lenoir, S. Person, E. South, and S. Blount Streets

Zoning related issues for Council consideration, in addition to citizen input, include:

- Location in the Prince Hall Historic Overlay District-General
- Existing entitlements associated with the Downtown Overlay District
- Existing entitlements for freestanding retail and personal service uses

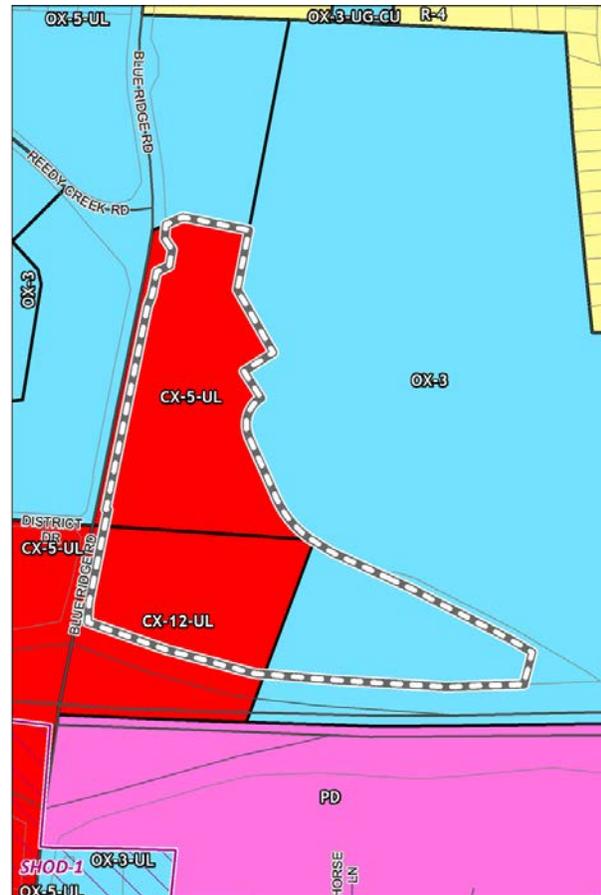
B. Requests for Less Restrictive Zoning

Since these requests are all less restrictive zoning than what was advertised for the July 7 & 21 Public Hearing, the question before Council related to these items is whether or not to refer them back to the Planning Commission for review and recommendation. New notification will be required for Planning Commission review, and depending on the Commission's recommendation a new Public Hearing and corresponding notification may be required.

1900 Blue Ridge Rd

Current	O&I-1 & AP
Public Hearing	CX-5-UL, CX-12-UL, OX-3
Alternative 1	CX-5-UL
Alternative 2	CX-12-UL

Future Land Use	Community Mixed Use; Public Facilities; Institutional
Urban Form	City Growth Center; Urban Thoroughfare; Parkway Corridor



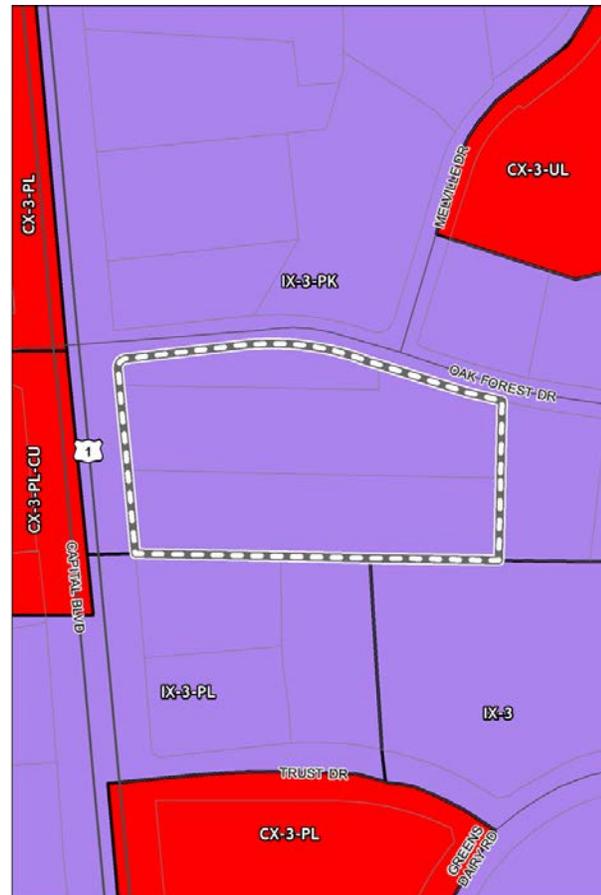
42. 1900 Blue Ridge Rd

The property owner requests less restrictive zoning to remedy split zoning on the property zoned O&I-1 and AP. The property is largely undeveloped; however the northernmost portion of the parcel is occupied by surface parking and flex warehouse uses. The Blue Ridge Road District Study (2012) recommends this area as Green Infrastructure. Neither alternative would create a potential pattern of spot zoning or create nonconforming uses.

5420, 5500 & 5510 Capital Blvd

Current	TD
Public Hearing	IX-3-PK
Alternative	IX-3

Future Land Use	Business & Commercial Services
Urban Form	City Growth Center; Transit Emphasis Corridor; Transit Stop Buffer



43. 5420, 5500 & 5510 Capital Blvd

The representative of the owner requests removal of the Parkway (-PK) frontage designation. Parkway frontage was proposed for this property to maintain the 50 foot streetyard requirement of the current Thoroughfare zoning.

The property is currently used for Vehicles Sales/Leasing. Provisions in a pending text change, TC-4-15/Development Standards and Nonconformities address this issue. The adoption of the text change would allow for expansions of preexisting buildings that fail to meet Frontage requirements under certain circumstances. The text change has been recommended by the Planning Commission for approval and ongoing review by the Council’s Comprehensive Planning Committee began on September 23.

This specific request is different from other requests related to application of a frontage. While the proposed text change would address many concerns voiced at the public hearing, it would not address this specific concern. The property would receive the Parkway frontage, which requires a 50-foot planted street yard. The Parkway frontage is intended to replace the former “thoroughfare yard” requirement in the Thoroughfare District.

These specific properties have a landscaped yard adjacent to Capital Boulevard; however the area is mostly devoid of trees. The application of the Parkway frontage would require this area to be planted with trees.

The alternative would result in a potential pattern of spot zoning; adjacent parcels are also proposed for frontage, a combination of –PK and –PL.

During its September 14 work session, Council reviewed 12 similar requests for removal of frontage and chose to defer any decision until after the resolution of TC-4-15.

425 S Person St

Current	RB w/HOD-G & DOD
Public Hearing	DX-3-DE w/HOD-G
Alternative	DX-7-UL w/HOD-G

Future Land Use	Central Business District
Urban Form	Downtown



44. 425 S Person St

The property owner requests additional height and an alternate frontage designation. Proposed rezoning reflects location in the Prince Hall Historic Overlay District-General and current intensity of development on neighboring parcels. While the alternative would not create nonconformity, it would create a potential pattern of spot zoning. All other parcels on the block are recommended for –DE frontage and the majority of adjacent parcels are recommended for 3 story height.

This same request was discussed by Planning Commission during their review.

105 & 107 Stronachs Aly; 116 E Cabarrus St;
 512 S Blount St;
 513 S Wilmington St

Current	BUS w/DOD
Public Hearing	DX-7-SH DX-7-UG DX-12-UG
Alternative	DX-20-SH

Future Land Use	Central Business District
Urban Form	Downtown



45. 105 & 107 Stronach’s Aly; 116 E Cabarrus St; 512 S Blount St; 513 S Wilmington St

The property owner requests additional height and an alternative frontage designation. Proposed height designation for these parcels reflects the need for a transition between the most intense heights of the Central Business District to the west and the Prince Hall Historic Overlay District to the east. The alternative would not create non-conformity or a potential pattern of spot zoning.

A request for 20 or 40 story height designation for these parcels was discussed by Planning Commission during their review and resulted in a recommendation to Council for 12 story height on this block. Council also reviewed the height recommendation for this block during the May 18 work session and acted to lower the recommended height to 7 stories south of Stronach’s Alley and on the northeast quadrant of the block.

All parcels on this block are recommended for an urban frontage in response to location in Downtown. Shopfront frontage was recommended only for the parcels on the block that front Wilmington Street, which is designated as a Secondary Retail Street in Map DT-6 of the 2030 Comprehensive Plan. None of the other streets that bound the block are designated as Primary or Secondary Retail Streets.

300 Hillsborough St

Current	BUS w/DOD
Public Hearing	DX-20-SH
Alternative	DX-40-SH

Future Land Use	Central Business District
Urban Form	Downtown; Transit Emphasis Corridor; Transit Stop Buffer



46. 300 Hillsborough St

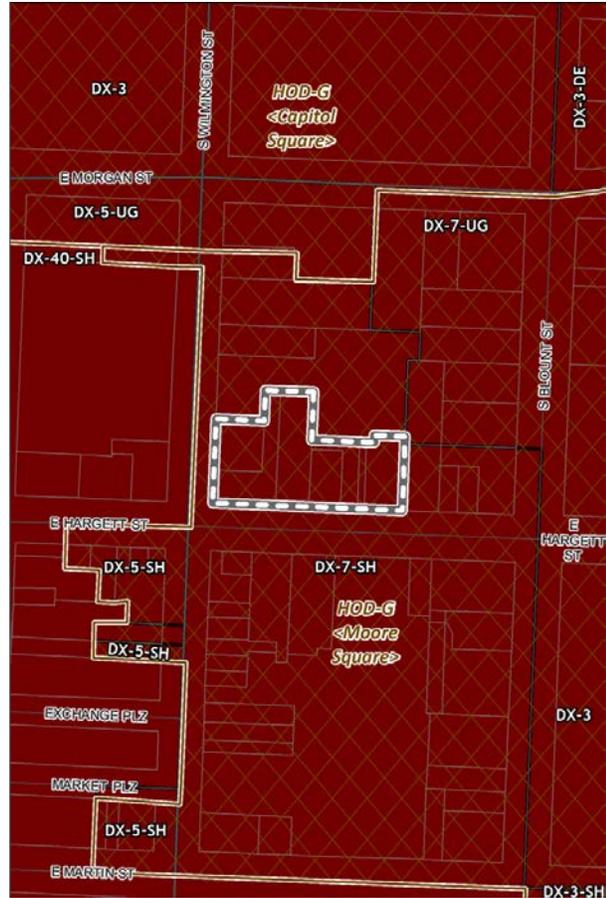
The property owner requests additional height of 40 stories.

This same request was discussed by Planning Commission during their review. Subsequently, Council discussed the height recommendation for this parcel in advance of the Public Hearing during a work session on May 18 and considered a Council comment for 12 stories for this parcel. Council did not act to change the Planning Commission's recommendation for 20 stories.

111, 115, 117, 119, &
 123 E Hargett St;
 131-137 S Wilmington St

Current	BUS w/DOD & HOD-G
Public Hearing	DX-7-SH w/HOD-G
Alternative	DX-20-SH w/HOD-G

Future Land Use	Central Business District
Urban Form	Downtown; Transit Emphasis Corridor



47. 111, 115, 117, 119, & 123 E Hargett St; 131-137 S Wilmington St

The property owner requests additional height of 40 stories. Height recommendation for these parcels reflects location within the Moore Square Historic Overlay District and current intensity of development on neighboring parcels. While much of this block is developed as 2 and 3 story buildings, the proposed height designation reflects the form of the existing parking deck in the center of the block that is constructed to 7 stories.

This same request was discussed by Planning Commission during their review.

600 W Hargett St

Current	IND-2 w/DOD
Public Hearing	DX-3
Alternative	DX-12

Future Land Use	Central Business District
Urban Form	Downtown; Transit Stop Buffer



48. 600 W Hargett St

The property owner requests additional height of 12 stories. Height recommendation for this parcel reflects the difficulty of access (W. Hargett Street only) to the site and location within the railroad wye. The property would be impacted by the proposed Southeast High Speed Rail project, which would utilize the adjacent corridor and proposes to close the grade crossing at Hargett Street.

This same request was discussed by Planning Commission during their review.

18 Commerce Pl; 319 & 325 W
 Martin St; 328 W Davie St

Current	IND-2 w/DOD
Public Hearing	DX-5-SH
Alternative	DX-12-SH

Future Land Use	Community Mixed Use
Urban Form	Downtown; Transit Stop Buffer



49. 18 Commerce Pl; 319 & 325 W Martin St; 328 W Davie St

The property owner requests additional height of 12 stories. Height recommendation for this parcel reflects location in the Depot District National Register District.

321 W Davie St;
416 & 418 S Dawson St

Current	IND-2 w/DOD
Public Hearing	DX-4-SH
Alternative	DX-12-SH

Future Land Use	Community Mixed Use
Urban Form	Downtown; Transit Stop Buffer



50. 321 W Davie St; 416 & 418 S Dawson St

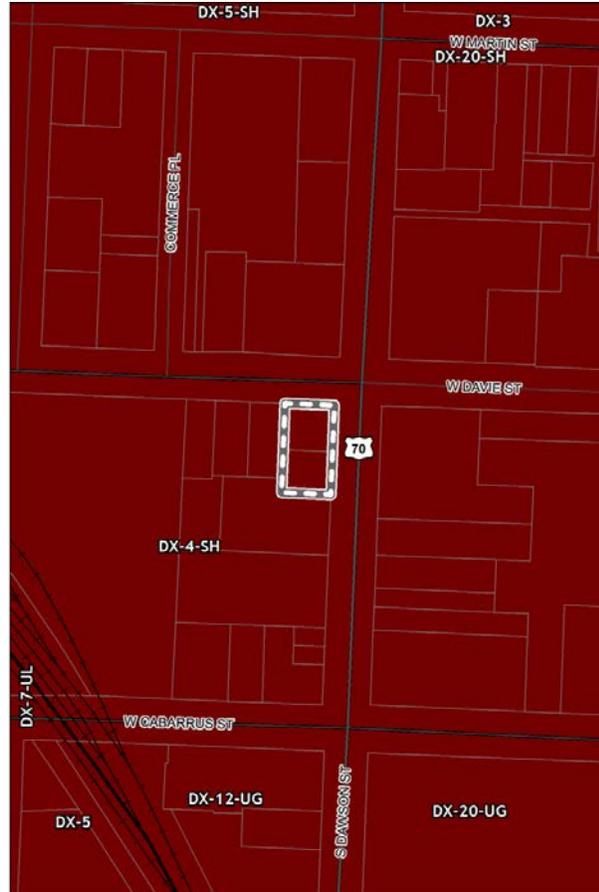
The property owner requests additional height of 12 stories. Height recommendation for this parcel reflects location in the Depot District National Register District.

This same request was discussed by Planning Commission during their review.

404 & 406 S Dawson St

Current	IND-2 w/DOD
Public Hearing	DX-4-SH
Alternative	DX-20-SH

Future Land Use	Community Mixed Use
Urban Form	Downtown; Transit Stop Buffer



51. 404 & 406 S Dawson St

The property owner requests additional height of 20 stories. Height recommendation for this parcel reflects location in the Depot District National Register District.

This same request was discussed by Planning Commission during their review.

600 S. Blount & 121 and 125 E. South Street

Current	NB w/HOD-G, part DOD
Public Hearing	OX-4-SH w/HOD-G
Alternative 1 600 S. Blount 121/125 E. South	OX-4-UG w/HOD-G OX-4-DE w/HOD-G
Alternative 2	OX-4 w/HOD-G

Future Land Use	Central Business District
Urban Form	Downtown



52. 600 S. Blount & 125 E. South Street

Shopfront Frontage was mistakenly referenced for these parcels in the Public Hearing advertisement. For consistency with adjacent parcels, Alternative 1 would be to apply Urban General Frontage to 600 S. Blount Street and Detached frontage to the other two parcels. Alternative 2 would be to apply no frontage to these parcels, similar to other Shaw University owned property.

West Condos

Current	IND-2 w/DOD
Public Hearing	DX-12-SH
Alternative	DX-20-SH

Future Land Use	Central Business District
Urban Form	Downtown; Transit Stop Buffer



53. West Condos (400 W North St / 401 N Harrington St)

Staff suggests additional height of 20 stories to accommodate existing building height of 13+ stories. Public Hearing advertised zoning for this property was 12 stories.

C. Summary of Options for Council Consideration

Item	Public Hearing Comment	Area / Property	Current Zoning	Public Hearing Zoning	Option 1	Option 2
40	PH-140 thru PH-155	Oakwood				
41	PH-156 PH-157 PH-158	Prince Hall	RB			
42	PH-159	1900 Blue Ridge Rd	O&I-1 & AP	CX-5-UL, CX-12-UL, OX-3	CX-5-UL	CX-12-UL
43	PH-160	5420, 5500 & 5510 Capital Blvd	TD	IX-3-PK	IX-3	
44	PH-161	425 S Person St	RB w/HOD- G & DOD	DX-3-DE w/HOD-G	DX-7-UL	
45	PH-162	105 & 107 Stronachs Aly; 116 E Cabarrus St; 512 S Blount St; 513 S Wilmington St	BUS w/DOD	DX-7-SH DX-7-UG DX-12-UG	DX-20-SH	
46	PH-163	300 Hillsborough St	BUS w/DOD	DX-20-SH	DX-40-SH	
47	PH-164	111, 115, 117, 119, & 123 E Hargett St; 131-137 S Wilmington St	BUS w/DOD & HOD-G	DX-7-SH w/HOD-G	DX-20-SH w/HOD-G	
48	PH-165	600 W Hargett St	IND-2 w/DOD	DX-3	DX-12	
49	PH-166	18 Commerce Pl; 319 & 325 W Martin St; 328 W Davie St	IND-2 w/DOD	DX-5-SH	DX-12-SH	
50	PH-167	321 W Davie St; 416 & 418 S Dawson St	IND-2 w/DOD	DX-4-SH	DX-12-SH	
51	PH-168	404 & 406 S Dawson St	IND-2 w/DOD	DX-4-SH	DX-20-SH	
52	Staff	600 S. Blount & 125 E. South Street	NB w/HOD- G, part DOD	OX-4-SH w/HOD-G	OX-4-UG w/HOD-G and OX-4-DE w/HOD-G	OX-4 w/HOD-G
53	Staff	West Condos	IND-2 w/DOD	DX-12-SH	DX-20-SH	

Speaker Comments from Z-27-14 Public Hearings

Comment ID	Date	Speaker	Subject Address (Property Discussed)	Comment at Public Hearing	Existing Zoning	Proposed Zoning	Future Land Use
PH-140	7/7/2015	Ian Shields	Oakwood (Blount Street Commons, NE corner of Oakwood, 600 Block of Watauga, Oakwood Ave)	Oakwood Resident; Historical zoning that doesn't necessarily reflect use pattern; R-20 zoning should not be rezoned to mixed use (focused on 600 Block of Watauga Ave)	R-20	RX-3	Moderate Density Residential
PH-141	7/21/2015	Ken Treimann	600 Block of Watauga St (Currently R-20)	600 Block of Watauga St being rezoned to RX-3; requesting that they be downzoned to R-10 instead.	R-20	RX-3	Moderate Density Residential
PH-142	7/7/2015	Eva Feucht	Bloodworth & Edenton, Person	Request to slow down the process to allow further examination by property owners; Concerned that rezoning would allow businesses & removal of historic houses	BUS, NB, O&I-2	DX-3-UG, DX-3-DE	Central Business District
PH-143	7/7/2015	Jason Horne	111 N Bloodworth St	Ask that the Council protect Historic Structures South of Edenton and West of Person St; Expressed concern that zoning seemed to be a done deal.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-144	7/7/2015	Chris Crew	306 Elm St	Expressed concerns about development around Oakwood that is not consistent with area; compared to suburban development on Six Forks Road and thought the UDO would lead to inconsistent development.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-145	7/7/2015	Gail Wiesner	401 E Lane St	Expressed that the public hearing letter was first notice she received of the remapping; opposing changes around Oakwood. Concerned about NX zoning and that HOD will not prevent teardowns, using Charlotte as an example.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-146	7/7/2015	Bruce Miller	406 E Lane St	Thought there were unanticipated consequences for Oakwood of proposed changes; Requested to maintain existing zoning in place and offer focused discussion for historic districts.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-147	7/7/2015	Mary Iverson	603 E Polk St	Expressed she was unaware of the process and that Oakwood should be protected.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-148	7/7/2015	Jerry Nowell	312 E Jones St	Expressed a notion that height allowance was being increased from 2 to 3 stories. Wants us to protect Oakwood...family in Oakwood for 150 years	O&I-1 w/HOD-G	OX-3-DE w/HOD-G	Office and Residential Mixed Use
PH-149	7/7/2015	Mary Lovelock	314 Polk St	Thought that 3 stories didn't seem like much, unless it was next to your house. Stated that 3 stories is too much for Oakwood and no more density needed.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-150	7/7/2015	Ann Forsthoefel	West side of 200 block of Polk	Expressed concerns about West side of 200 block of Polk (Blount Street Commons) and that it's completely devoid of trees and poor development.	O&I-1, O&I-2 w/PDD	PD	Central Business District
PH-151	7/7/2015	Dana Folley	710 N Bloodworth St	Expressed concerns about parking and not opening up the Person St Business district for expansion.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-152	7/7/2015	Don Becom	308 N East St	With Oak City Preservation Alliance; Asking for more time to consider; Concerned that new NX zoning South of Edenton St allowing bars/nightclubs, etc.	RB w/HOD-G & -NCOD	NX-3-DE w/HOD-G & -NCOD	Neighborhood Mixed Use
PH-153	7/7/2015	Teri Becom	308 N East St	Opposed to NX zoning near Oakwood and expressed concern that the UDO zoning does not support neighborhoods and may make citizens relocate.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential
PH-154	7/21/2015	David Wiesner	302 N. Bloodworth St.	Concerns about increase in density; Historic Oakwood doesn't need more density.	R-10 w/HOD-G	R-10 w/HOD-G	Moderate Density Residential

Speaker Comments from Z-27-14 Public Hearings

Comment ID	Date	Speaker	Subject Address (Property Discussed)	Comment at Public Hearing	Existing Zoning	Proposed Zoning	Future Land Use
PH-155	7/21/2015	Patricia Dixon	313 S Bloodworth St	Chose to live downtown for convenience; building a small urban oasis for retirement; want to be able to have input into what's going to be built next door; uncomfortable with unpredictability.	RB	NX-3-DE	Central Business District
PH-156	7/7/2015	Alton Haywood	300 E. Davie St.	Concerned about gentrification in area. RE: Davie St Presbyterian Church (300 E Davie St); speaking in reference to Z-28-14.	RB w/DOD & HOD-G	DX-3-DE w/HOD-G	Central Business District
PH-157	7/7/2015	Danny Coleman	Properties bounded by N Bloodworth, New Bern, N East, Edenton St	South of E Edenton St; Genesis one (NX) zoning, city project from the 1980s; Expressed one-to-one translation didn't seem followed.	RB w/HOD-G & NCOD	NX-3-DE w/HOD-G & NCOD	Neighborhood Mixed Use
PH-158	7/21/2015	Rosalind Blair	501 S. Person St.	Cofounder of daycare at S Bloodworth / E Cabarrus; reconsider OX for area. (Related to Z-28-14)	DX-3-CU w/HOD-G	DX-3-CU w/HOD-G	Central Business District
PH-159	Council Referral; 9/14/2015	Gaylord (for Museum of Art)	1900 Blue Ridge Rd	Request to revise OX-3 portion of zoning to match remainder of parcel as CX-5-UL or CX-12-UL.	O&I-1 & AP	CX-5-UL, CX-12-UL, OX-3	Community Mixed Use; Public Facilities; Institutional
PH-160	Council Referral; 9/14/2015	Gaylord (for Chad Essick)	5420, 5500 & 5510 Capital Blvd	MLC Automotive has frontage concerns regarding 5500, 5510 and 5420 Capital Boulevard which have a proposed PK frontage.	TD	IX-3-PK	Business & Commercial Services
PH-161	Council Referral; 9/14/2015	Stephenson (for Empire)	425 S Person St	Request for DX-7-UL: We see this site as a potential parcel to build something urban and commercial to the street edge	RB w/HOD-G & DOD	DX-3-DE w/HOD-G	Central Business District
PH-162	Council Referral; 9/14/2015	Stephenson (for Empire)	105 & 107 Stronachs Aly; 116 E Cabarrus St; 512 S Blount St; 513 S Wilmington St	Request for DX-20-SH: These parcels are a block away from Fayetteville Street, and could be an excellent site for density and growth downtown. Limiting height to 7 or 12 stories is inappropriate given the location of these parcels in the city.	BUS w/DOD	DX-7/12-UG	Central Business District
PH-163	Council Referral; 9/14/2015	Stephenson (for Empire)	300 Hillsborough St	Request for DX-40-SH: Hillsborough Street is a key corridor for future growth in downtown Raleigh; height here should reflect this.	BUS w/DOD	DX-20-SH	Central Business District
PH-164	Council Referral; 9/14/2015	Stephenson (for Empire)	111, 115, 117, 119, & 123 E Hargett St; 131-137 S Wilmington St	Request for DX-20-SH: These parcels--several of which are undeveloped land--are at the heart of the city, less than 2 blocks from Fayetteville Street. Base zoning should reflect this prime location in the city, and avoid redundancy with overlay zoning (historic, which is appropriate).	BUS w/DOD	DX-7-SH	Central Business District
PH-165	Council Referral; 9/14/2015	Stephenson (for Empire)	600 W Hargett St	Request for DX-12: These parcels are located in the middle of the warehouse district, a clear area of potential growth for downtown Raleigh. Height limitations of 4-5 stories here will stifle that growth and will reduce the return on investment of Union Station.	IND-2 w/DOD	DX-3	Central Business District
PH-166	Council Referral; 9/14/2015	Stephenson (for Empire)	18 Commerce Pl; 319 & 325 W Martin St; 328 W Davie St	Request for DX-12-SH: These parcels are located in the middle of the warehouse district, a clear area of potential growth for downtown Raleigh. Height limitations of 4-5 stories here will stifle that growth and will reduce the return on investment of Union Station.	IND-2 w/DOD	DX-5-SH	Community Mixed Use
PH-167	Council Referral; 9/14/2015	Stephenson (for Empire)	321 W Davie St; 416 & 418 S Dawson St	Request for DX-12-SH: These parcels are located in the middle of the warehouse district, a clear area of potential growth for downtown Raleigh. Height limitations of 4-5 stories here will stifle that growth and will reduce the return on investment of Union Station.	IND-2 w/DOD	DX-4-SH	Community Mixed Use

Speaker Comments from Z-27-14 Public Hearings

Comment ID	Date	Speaker	Subject Address (Property Discussed)	Comment at Public Hearing	Existing Zoning	Proposed Zoning	Future Land Use
PH-168	Council Referral; 9/14/2015	Stephenson (for Empire)	404 & 406 S Dawson St	Request for DX-20-SH: These parcels are located in the middle of the warehouse district, a clear area of potential growth for downtown Raleigh. Height limitations of 4-5 stories here will stifle that growth and will reduce the return on investment of Union Station.	IND-2 w/DOD	DX-4-SH	Central Business District
PH-169	Direct Email to City Clerk; 7/20/15	Lounette Williams		See email. Transmitted Central CAC comments on remapping. Did not actually sign up for public hearing. Sent comments to City Clerk who forwarded them to us 8/4/15. Concerns are about neighborhood transitions on east side and excessive height allowances in Nash Square/Warehouse District area.	0	0	0

Central CAC UDO Remapping Public Hearing Comments on Z-27- 14

Over the past year the Central CAC has been involved in discussions about the 2030 Comprehensive Plan and the UDO as they pertain to a growing number of rezoning cases. A number of rezoning proposals and even remapping to new UDO zoning districts directly conflict with adjacent homes and neighborhoods. These conflicts have highlighted the gap between the UDO and the Comprehensive Plan's visions and policies to protect and preserve neighborhoods.

The gap is real and is evidenced by the Planning Department's proposed changes to the Comprehensive Plan. These proposed changes threaten to eliminate edge conditions and revise fundamental definitions of neighborhoods . Proposals to change the Comprehensive Plan that was developed with extensive citizen input are unacceptable and opposed. The UDO is the law that is meant to implement the Comprehensive Plan and needs to be changed to meet the vision and policies of the Comprehensive Plan. The plan is a community drafted document designed to achieve consensus to balance development with neighborhood preservation

The disregard for appropriate transitions for edge neighborhoods in proposed zonings for the eastern and western edge neighborhoods of the Central CAC are viewed as having a tremendous negative impact on all of these areas. The South Park Neighborhood , located on the eastern edge of the downtown is currently zoned Residential Business with a proposed change to DX which will allow for complete change in the character of the neighborhood permitting a proliferation of bars, restaurants, lounges with alcohol permits, operating seven days a week until 2:00 AM, and no off street parking requirement , causing residents to lose more access to parking in front of their homes. The parking is already overburdened during work week hours and weekend events. Evening and weekend parking will dominate more of the resident parking in these areas, rendering without any parking in front of their homes. DX and NX are not desirable for the eastern edge neighborhoods and recommend the designation of OX for this area.

The western edge neighborhoods, the Nash Square/Warehouse areas, are concerned about the dramatic increase in the height of buildings ; the increase to 20 stories is deemed to be inappropriate and inconsistent with the stair step terracing starting from Fayetteville Street , the central corridor. A 20 story building is 10 times the average height of buildings in the area. The DX 20 is viewed as inappropriate zoning for the western edge of the downtown area within the Central CAC boundaries.

The Central CAC has opposed rezoning cases within these edge neighborhoods where the UDO mapping proposed changes have been presented.

Submitted by:

Frances Lonnette Williams, Chair
Central CAC



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February 6, 2015

Mr. Steve Schuster, Chairman
City of Raleigh Planning Commission
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: 2110 Blue Ridge Road (PIN 0784786489) (the "Property")

Dear Mr. Schuster:

On behalf of the North Carolina Museum of Art Foundation (the "Foundation"), owner of the Property, we are submitting this letter for consideration of the remapping designation for the Property.

The Property is currently zoned Office & Institution 1 (O&I-1) and Agricultural Productive District (AP). The City is proposing to remap the Property to a combination of CX-5-UL, CX-12-UL and OX-3. OX-3 is proposed for that portion of the Property containing the legacy AP zoning district.

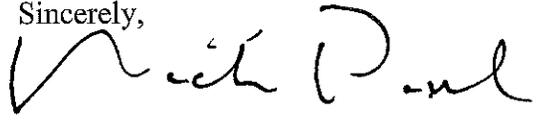
We respectfully request the AP zoned portion of the Property be remapped CX-12-UL or CX-5-UL consistent with the balance of the Property for the following reasons:

- One of the goals of the remapping process is to eliminate split-zoned properties.
- The AP district was placed on the property in connection with an agricultural program administered by NC State University.
- The agricultural use on the Property ceased on or about 1997, and NC State University no longer has an interest in the Property.
- The State of North Carolina conveyed the Property to the Foundation in 2012 with the understanding the Property may be developed to support the NC Museum of Art's operations. The proposed remapping to CX-12-UL and CX-5-UL reflects the use of the Property for such potential purpose.

We respectfully request that you direct this matter to staff so that they can bring it forward to Planning Commission.

Please feel free to call me should you have any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Mack Paul". The signature is written in a cursive style with a large, sweeping initial "M" and a distinct "P" for "Paul".

Mack Paul

From: [Walter, Bynum](#)
To: [Rezoning](#)
Subject: FW: Upcoming City Council UDO Zoning Remapping Public Work Sessions
Date: Wednesday, September 16, 2015 5:04:41 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

From: Essick, Chad W. [mailto:CEssick@poynerspruill.com]
Sent: Wednesday, September 16, 2015 11:06 AM
To: Walter, Bynum
Subject: FW: Upcoming City Council UDO Zoning Remapping Public Work Sessions

Bynum,

Following up from the work session on Monday. Since Councilor Maiorano raised a comment about 5500, 5510 and 5420 Capital Boulevard, I just wanted to confirm those have been added to the list of properties for future discussion. As I recall, you indicated that he had sufficiently identified those properties at the work session, but I just wanted to confirm.

Thanks in advance, Chad

Chad W. Essick | Partner

Poyner Spruill ^{LLP}
ATTORNEYS AT LAW

301 Fayetteville Street, Suite 1900, Raleigh, NC 27601
PO Box 1801, Raleigh NC 27602-1801
D: 919 783 2896 | **M:** 919 413 0556

cessick@poynerspruill.com | www.poynerspruill.com



From: Crane, Travis [mailto:Travis.Crane@raleighnc.gov]
Sent: September 11, 2015 5:07 PM
To: Essick, Chad W.; Bowers, Kenneth
Cc: Walter, Bynum
Subject: RE: Upcoming City Council UDO Zoning Remapping Public Work Sessions

Chad –

Staff cannot raise specific comments at this point. Our meeting agendas are comprised of comments delivered at

the public hearing. New comments must be raised by a City Council member at a work session. This was the same approach used for the Rock Quarry Parcels. I would suggest you speak with a Council member to raise the comment.

Thanks -

Travis R. Crane

Planning and Zoning Administrator
City of Raleigh
One Exchange Plaza
Raleigh, North Carolina 27602
919.996.2656
www.raleighnc.gov

From: Essick, Chad W. [<mailto:CEssick@poynerspruill.com>]
Sent: Thursday, September 10, 2015 1:28 PM
To: Bowers, Kenneth
Cc: Crane, Travis; Walter, Bynum
Subject: RE: Upcoming City Council UDO Zoning Remapping Public Work Sessions

Ken,

Just following up on my email below. It is my understanding the properties along Capital Boulevard owned by MLC Automotive will be discussed at the Council's work session on Monday. As noted in my email below, we also have concerns regarding the PK frontage proposed for 5500, 5510 and 5420 Capital Boulevard. Can these be added to the properties for discussion on Monday?

Thanks, Chad

Chad W. Essick | Partner

Poyner Spruill ^{LLP}

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From: Essick, Chad W.
Sent: September 04, 2015 1:42 PM
To: Bowers, Kenneth
Subject: FW: Upcoming City Council UDO Zoning Remapping Public Work Sessions

Ken,

Hope you are well. Am I correct that the issue I raised concerning automobile dealerships along the Capital corridor and the impact of proposed frontages will NOT be discussed at the September 8 work session? That is my understanding based on the agenda, but I just want to confirm because I'm scheduled

to be in DC for work on Tuesday.

Also, to clarify, MLC Automotive has frontage concerns regarding 5500, 5510 and 5420 Capital Boulevard which have a proposed PK frontage. I don't believe I mentioned those parcels at the public hearing due to the 2 minute time restriction. As you can imagine, it is hard to talk about 8 properties in 2 minutes. Can staff please add those parcels to the chart for discussion purposes?

Thanks, Chad

Chad W. Essick | Partner

Poyner Spruill^{LLP}

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From: City of Raleigh - Department of City Planning [<mailto:PlanningDevelopment@info.raleighnc.gov>]

Sent: September 04, 2015 12:35 PM

To: Essick, Chad W.

Subject: Upcoming City Council UDO Zoning Remapping Public Work Sessions

Having trouble viewing this email? [View it as a Web page.](#) |

City Council is scheduling work sessions to consider public comment received during the Public Hearing. Additional work sessions could be added as Council deems necessary. Agenda packets will be posted as they become available.

Tuesday, September 8, 4:00 p.m.
City Council Chamber, Room 201
222 W. Hargett Street
[Agenda](#)

Monday, September 14, 4:00 p.m.
City Council Chamber, Room 201
222 W. Hargett Street

raleighnc.gov

City of Raleigh
[Department of City Planning](#)



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This email was sent to cessick@poynerspruill.com using GovDelivery, on behalf of:
City of Raleigh · 222 West Hargett St · Raleigh, NC 27601

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Empire Property Requests

Category	Address	Current Zoning	Proposed UDO Zoning	Change proposed
Category 1: These parcels--several of which are undeveloped land--are at the heart of the city, less than 2 blocks from Fayetteville Street. Base zoning should reflect this prime location in the city, and avoid redundancy with overlay zoning (historic, which is appropriate).	111 E Hargett	BUS-DOD	DX-7-SH	DX-20-SH
	115, 115 1/2, 117 E Hargett	BUS-DOD	DX-7-SH	DX-20-SH
	131-135 S Wilmington	BUS-DOD	DX-7-SH	DX-20-SH
	137 S. Wilmington	BUS-DOD	DX-7-SH	DX-20-SH
	119 E Hargett	BUS-DOD	DX-7-SH	DX-20-SH
	117 E Hargett Street	BUS-DOD	DX-7-SH	DX-20-SH
	123 E Hargett Street	BUS-DOD	DX-7-SH	DX-20-SH
Category 2: These parcels are located in the middle of the warehouse district, a clear area of potential growth for downtown Raleigh. Height limitations of 4-5 stories here will stifle that growth and will reduce the return on investment of Union Station.	323 W Martin Street	IND-2-DOD	DX-5-SH	DX-12-SH
	24 Commerce Place	IND-2-DOD	DX-5-SH	DX-12-SH
	319 W Martin Street	IND-2-DOD	DX-5-SH	DX-12-SH
	328 W. Davie St	IND-2-DOD	DX-5-SH	DX-12-SH
	311 S. Harrington St	IND-2-DOD	DX-5-SH	DX-12-SH
	418 S Dawson St	IND-2-DOD	DX-4-SH	DX-12-SH
	321 W Davie Street	IND-2-DOD	DX-4-SH	DX-12-SH
	416 S. Dawson St.	IND-2-DOD	DX-4-SH	DX-12-SH
	404 S Dawson	IND-2-DOD	DX-4-SH	DX-20-SH
	406 S Dawson	IND-2-DOD	DX-4-SH	DX-20-SH
600 W Hargett	IND-2-DOD	DX-3	DX-12	
Category 3: These parcels are a block away from Fayetteville Street, and could be an excellent site for density and growth downtown. Limiting height to 7 or 12 stories is inappropriate given the location of these parcels in the city.	105 Stonachs Alley	BUS-DOD	DX-12-UG	DX-20-SH
	107 Stonachs Alley	BUS-DOD	DX-12-UG	DX-20-SH
	116 E Cabarrus St	BUS-DOD	DX-12-UG	DX-20-SH
	512 S Blount St	BUS-DOD	DX-7-UG	DX-20-SH
	513 S Wilmington St	BUS-DOD	DX-12-UG	DX-20-SH
Category 4: Hillsborough Street is a key corridor for future growth in downtown Raleigh; height here should reflect this.	300 Hillsborough St	BUS-DOD	DX-20-SH	DX-40-SH
Category 5: We see this site as a potential parcel to build something urban and commercial to the street edge	425 S. Person St	RB	DX-3-DE	DX-7-UL



To: Mayor and City Council

From: Sarah David, RHDC Chair

CC: Ruffin Hall, City Manager
James Greene, Assistant City Manager
Ken Bowers, Director, Department of City Planning
Travis Crane, Assistant Planning Director
Dan Becker, Long Range Planning Division Manager
Bynum Walter, Senior Planner, Department of City Planning
Martha Lauer, Executive Director, RHDC/Senior Planner, Department of City Planning

Date: October 17, 2015

RE: Increased Height Request by Empire Properties

The Raleigh Historic Development Commission (RHDC) respectfully requests that City Council vote to **not increase building heights** in several key historic areas of downtown as requested by Empire Properties.

The current proposal to allow tall building heights (up to twenty stories in some places) in the City's local historic districts flouts the work that so many citizens, Councilors, and planners have accomplished over decades. It creates contradictory zoning "entitlements" and stands in direct opposition to the following policies in the *2030 Comprehensive Plan*:

- *Policy HP 1.1: Stewardship of Place*: Foster stewardship of neighborhood, place, and landscape as the City grows and develops.
- *Policy HP 2.4: Protecting Historic Neighborhoods*: Protect the scale and character of the City's historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.
- *Policy HP 2.7: Mitigating Impacts on Historic Sites*: Development proposals adjacent to or including historic sites should identify and minimize or mitigate any negative development impacts on those sites.
- *Policy HP 3.1: Adaptive Use*: Encourage adaptive use of historic properties to preserve cultural resources and conserve natural resources.
- *Policy HP EP 1.7: Sustainable Development*: Promote the adaptive use of existing buildings, infill development, and brownfield development as effective sustainability practices that take development pressure off undeveloped areas.

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(919) 516-2682 fax

www.rhdc.org

The City has expended a great deal of effort creating logical and well-thought-out zoning and height maps to reflect existing building heights, contextual height limits based on existing overlay zoning, while acknowledging the goals of increased density imbedded in the Unified Development Ordinance. The zoning and heights that have come out of that process harmonize with what the City's *Design Guidelines* allow the RHDC to approve in the local historic districts. Permitting this rezoning would negate your earlier study and consideration of heights and would open the door for further challenges to the rezoning and height mapping work.

Additionally, this proposal threatens your investment in Raleigh's historic resources. City Council has spent money, time, and political capital over decades to create, foster, and protect Raleigh's history through historic overlay district zoning. That zoning provides the stability and beauty that attracts developers and property owners. Allowing contradictory zoning would undermine that balance and devalue the Council's historic and on-going investment in these districts.

Like the new zoning and height maps, the boundaries of our local HODs are also logical and well-thought-out. Our historic districts represent the most historically significant parts of our city, as agreed upon over the course of decades by architectural historians, the RHDC, City Council, and the State Historic Preservation Office. They compose only a tiny fraction of our city's land area and include only 13% of downtown (as defined in the recently adopted Downtown Plan). Allowing the proposed increased heights discounts the decades of work and agreement that it took to preserve these slices of Raleigh's history.

This proposal ignores your remapping and rezoning process and the work you, planning staff, and our fellow citizens put into it as it seeks the following:

- Thirteen extra stories in the Moore Square Historic District (twenty stories where it's currently zoned for seven stories): This would allow buildings **seventeen stories taller** than anything in the Moore Square HOD. The proposal includes rezoning three individually designated local historic landmarks to allow for twenty stories at those locations. These landmarks are three stories each and the tallest buildings in the HOD. Two of these landmarks are significant as important buildings on Raleigh's "Black Main Street."



Raleigh Furniture Building; Odd Fellows Building. Images courtesy of the Captial City Camera Club.

- Four extra stories within the Prince Hall Historic District (seven stories in an area currently zoned for three): This would allow a building five stories taller than anything on the block. In the block where this request is made, every single building is a house or small-scale church. Prince Hall, at three stories, is the tallest building located in the Prince Hall HOD.



SCALE: 1/16" = 1'-0"

E CABARRUS ST LOOKING NORTH



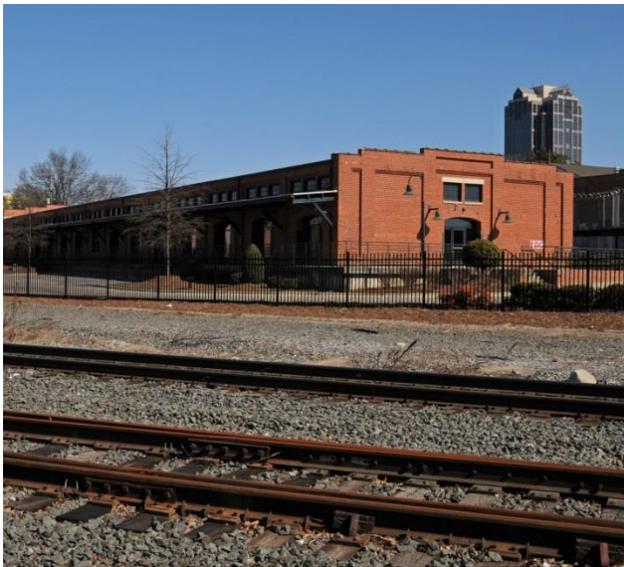
Proposed 7-story site (currently 3-story) adjacent to row of one- and two-story single family houses.





300 block of East Cabarrus Street, facing east. Second and third images courtesy of the Captial City Camera Club.

- Thirteen extra stories immediately on the boundary of the Prince Hall Historic District (twenty stories where it's currently zoned for seven stories). This is concerning, as it is adjacent to Stronach's Alley, a right-of-way protected by the Prince Hall HOD, and the two-story Raleigh Historic Landmark Dr. M.T. Pope House. This property is proximate to the 12-story zoning change at the corner of E. Lenoir and S. Wilmington streets, which was heralded as a "transition."
- Up to sixteen extra stories within the Depot National Register Historic District (twelve and twenty stories in sections zoned for four or five stories).



Long, low warehouse-style character of the Depot District National Register Historic District. Images courtesy of the Capital City Camera Club.

Recommendation

This request contradicts *2030 Comprehensive Plan* policies, negates decades of preservation investment, and threatens the balance and stability that the local historic districts provide.

Therefore, the Raleigh Historic Development Commission strongly recommends that Council deny this proposal.