



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-14-09 Conditional Use; Glenwood Avenue and W. North Street

General Location: Glenwood Avenue, northwest quadrant of its intersection with W. North Street

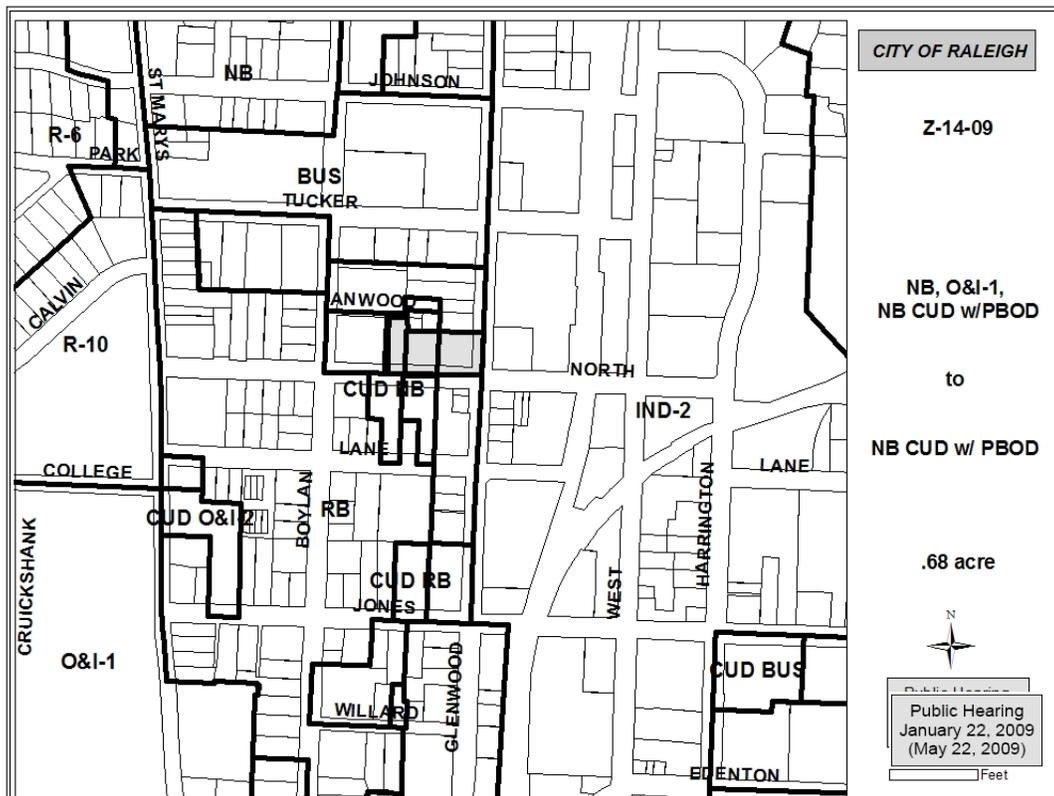
Planning District / CAC: University / Hillsborough

Request: Petition for Rezoning from **Neighborhood Business, Office & Institution-1, and Neighborhood Business Conditional Use District** (all with **Pedestrian Business Overlay District**) to **Neighborhood Business Conditional Use District with Pedestrian Business Overlay District**.

Comprehensive Plan Consistency: This proposal is consistent with the Comprehensive Plan.

Valid Protest Petition (VSPP): None.

Recommendation: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated January 21, 2009.



CASE FILE: Z-14-09 Conditional Use

LOCATION: This site is located in the northwest quadrant of the intersection of Glenwood Avenue, and W. North Street.

REQUEST: This request is to rezone approximately 0.68 acre, currently zoned Neighborhood Business, Office & Institution-1, and Neighborhood Business Conditional Use District (all with Pedestrian Business Overlay District). The proposal is to rezone the property to Neighborhood Business Conditional Use District with Pedestrian Business Overlay District.

COMPREHENSIVE PLAN CONSISTENCY: This proposal is consistent with the Comprehensive Plan.

RECOMMENDATION: The Planning Commission finds that this request is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated January 21, 2009.

FINDINGS AND REASONS:

- (1) The request is consistent with the Comprehensive Plan. The site is within the Downtown Regional Center, which designates the site as appropriate for intensive mixed uses.
 - (2) The request is compatible with existing land uses and development patterns in the adjacent area.
 - (3) The applicant has provided zoning conditions which prohibit uses and services less suited to the Pedestrian Business Overlay Districts in which the site is located, while permitting additional citizen input regarding future site development.
 - (4) Being consistent and compatible, and in seeking to mitigate potential impacts, the request can be considered reasonable and in the public interest.
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To PC: 1/27/09
Case History:

To CC: 2/3/09 **City Council Status:** _____

Staff Coordinator: Doug Hill

Motion: Harris Edmisten
Second: Mullins
In Favor: Anderson, Bartholomew, Butler, Chambliss, Gaylord, Haq, Harris Edmisten, Mullins
Opposed:
Excused:

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 Staff Report attached.

Signatures: (Planning Dir.) _____ (PC Chair) _____

date: _____ date: 1/29/09



Zoning Staff Report: Z-14-09 Conditional Use

LOCATION: This site is located in the northwest quadrant of the intersection of Glenwood Avenue, and W. North Street

AREA OF REQUEST: 0.68 acre

PROPERTY OWNER: Violet Meir

CONTACT PERSON: Joe Meir, (919) 783-9292, ext. 101

PLANNING COMMISSION RECOMMENDATION DEADLINE: May 22, 2009

ZONING:	<u>Current Zoning</u> Neighborhood Business, Office & Institution-1, and Neighborhood Business CUD	<u>Proposed Zoning</u> Neighborhood Business CUD
	<u>Current Overlay District</u> Pedestrian Business	<u>Proposed Overlay District</u> Pedestrian Business

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u> w / Staff approval: 8 units w / PC approval: 13 units PBOD permits densities up to 320 units per acre subject to compliance with performance standards.	<u>Proposed Zoning</u> 6 units PBOD permits densities up to 320 units per acre subject to compliance with performance standards.
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ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u> NB: No maximum specified. O&I-1 and NB CUD (which is conditioned to O&I-1): 15,291 square feet (0.75 FAR).	<u>Proposed Zoning</u> No maximum specified.
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ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u> NB: No maximum specified. O&I-1 and NB CUD (which is conditioned to O&I-1): Limited Retail Uses (maximum of 10%) permitted in association with an office building exceeding 30,000 square feet.	<u>Proposed Zoning</u> No maximum specified.
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**ALLOWABLE
GROUND SIGNS:**

Current Zoning

Proposed Zoning

Low Profile (as per the Peace and
Glenwood South streetscape plans)--
Area = 70 sq. ft., Height = 3.5 feet

Low Profile (as per the Peace and
Glenwood South streetscape plans)--
Area = 70 sq. ft., Height = 3.5 feet

ZONING HISTORY:

The portion of the site zoned O&I-1 has been so zoned since 1959 (Z-7-59).

The portion of the site zoned NB has been so zoned since 1965 (Z-36-65).

The two above areas are within the Glenwood South PBOD, and are thus subject to the Streetscape and Parking Plan effective January 31, 2000.

The parcel zoned NB CUD has been so zoned since 1997 (Z-29-97), under the following conditions:

1. The property shall be utilized only for accessory use parking and loading or utility service areas associated with buildings on parcels abutting the area proposed for rezoning and for uses allowed in the Office and Institution 1 District except those which are prohibited in the Neighborhood Business District.

2. Any dumpster placed upon tax parcels 1704.18 40 2761, 3721 and 3611 shall be screened from view from tax parcels 1704.18 40 1792, 2661 and 3661 in accordance with section 10-2082.8(a)(1) of the City Code. Any dumpster placed upon tax parcel 1704.18 40 3921 shall be screened from view from tax parcel 1704.18 40 2923 in accordance with section 10-2082.8(a)(1) of the City Code.

The NB CUD parcel is located within the Peace Street PBOD, and is thus subject to the revised Streetscape and Parking Plan effective March 15, 2005.

**SURROUNDING
ZONING:**

NORTH: NB w/ PBOD
SOUTH: NB w/ PBOD, NB CUD w/ PBOD: Z-29-1997 (crosses North Street from the portion of the subject site immediately to the north to include the parcel on the south side of the street), also Z-18-96, located immediately south the O&I-1 portion of the subject site, and zoned under the following conditions:

1. No building shall be located upon the property, which shall be utilized only for parking and service areas associated with the building or buildings upon adjoining parcels 1704.18-40-4587, 4681 and 4696.

2. Any dumpster placed upon the property shall be screened from view from parcels 1704.18-40-3661, 1704.18-40-3611 and 1704.18-40-3721.

EAST: IND-2
WEST: O&I-1

LAND USE:

East portion: office, surface parking; west parcel: parking/ service area

**SURROUNDING
LAND USE:**

NORTH: Restaurant, bar, surface parking
SOUTH: Restaurant/ bar, offices, retail, surface parking
EAST: Retail
WEST: Church building

**DESIGNATED
 HISTORIC
 RESOURCES:**

None on site. Nearby Raleigh Historic Landmarks: the Pine State Creamery building is within 70 feet; Tucker Carriage House, within 1,100 feet; Elmwood, within 1,300 feet; Cameron Park National Register Historic District, within 750 feet; Glenwood National Register Historic District, within 1,100 feet; St. Mary's School National Register Historic District, within 1,400 feet.

EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE
 PLAN SUMMARY**

TABLE:

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City's adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	University
Urban Form	East portion: Commercial Mixed Use; Central and west portions: Housing/ Mixed Use Infill
Specific Area Plan	Glenwood South Small Area Plan
Guidelines	East parcel: Glenwood South Streetscape and Parking Plan West parcel: Peace Street Streetscape and Parking Plan Entire site: Transit Oriented Development Guidelines, Office Use Floor Area Ratio and Building Lot Coverage Guidelines

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

This proposal is consistent with the Comprehensive Plan. The site is located within the Downtown Regional Center, which the Plan earmarks for "the most intense development in the city." The area is also designated for Transit-Oriented Development, toward creating "higher intensity, mixed use developments within walking distance (usually within 1/2 mile) from a [rail] transit stop."

The Transit Oriented Development Guidelines state that "The goal is to have a large, concentrated population which lives and/or works within the service area of the transit stop. Within walking distance of a transit stop (1/4 to 1/2 mile) should be high intensity multiple land uses or high density residential uses or both. A mix of uses near the transit stop minimizes the need to travel outside of the immediate area. All TODs consist of a mix of several land uses... The housing within TODs will be built at medium to high densities so that the maximum number of people can walk to the commercial center and transit stop. The highest intensities of development are therefore to be the closest to the transit station."

The site is located within 850 feet (approx. 1/7 mile) of the proposed State Government Transit Station. The Plan notes that the areas near this station and that downtown are expected to "accommodate increased densities and more intense patterns of development than other Station Areas," and states that the State Government Station "includes the Glenwood Avenue Corridor." It

concludes that “the State Government Center Station Area has the capacity to attract new or improved residential and/or commercial development. In recent years, the state government area has undergone significant revitalization and redevelopment, particularly along the Glenwood South corridor immediately to the west.”

The proposed rezoning is consistent with these concepts and provisions.

2. Compatibility of the proposed rezoning with the property and surrounding area.

Existing on-site and adjacent buildings are of heights which are less than the maximums provided by the streetscape plans, and generally are less than those permitted under existing zoning. The nearby 222 Glenwood (7 stories) and 510 Glenwood (6 stories) buildings exemplify more recent development. 630 North, a 10-story building has been approved (as SP-62-06) for the property immediately adjacent on the west. The development trend has been toward mixed-use, as would be permitted by the proposed zoning.

3. Public benefits of the proposed rezoning

The proposal would bring consistent zoning and zoning conditions to the full site, permitting unified redevelopment and opportunity for more intensive retail uses (which are restricted within the current O&I zoning), in accordance with the intentions of the PBODs. If the present O&I-1 zoning were proposed today, it would likely be viewed inconsistent with the Comprehensive Plan.

4. Detriments of the proposed rezoning

Traffic impacts could increase from higher density/ intensity of use.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Glenwood Avenue (2007 ADT - 7,800) is classified as a major thoroughfare and exists as a four lane undivided street with on street parking. Glenwood Avenue is constructed with a 45-foot back-to-back curb and gutter cross-section with sidewalks on both sides within a 66-foot right-of-way. This segment of Glenwood Avenue is within the Glenwood South pedestrian business overlay district which typically requires the installation of 14-18 foot sidewalks. North Street is classified as a minor thoroughfare and exists as a two-lane road with on street parking with a 41-foot back-to-back curb and gutter section with sidewalks on both sides within a 70-foot right-of-way. Neither NCDOT nor the City have any projects scheduled on any of these roadways in the vicinity of this case.

TRANSIT: This site is within close proximity of current bus routes but does not provide an appropriate space for a bus stop. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: None.
DRAINAGE BASIN: Pigeon House
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations. No Buffer. No WSPOD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>4,250</u> gpd	Approx. <u>4,250</u> gpd
Waste Water	Approx. <u>4,250</u> gpd	Approx. <u>4,250</u> gpd

The proposed rezoning would not impact the City’s wastewater collection or water distribution systems. There are existing sanitary sewer and water mains located adjacent to the zoning case’s boundary.

PARKS AND RECREATION:

This property is not adjacent to any greenway corridors. This proposal does not increase the possible number of residents therefore there is no impact upon existing park facilities.

WAKE COUNTY PUBLIC SCHOOLS:

The maximum number of dwelling units permitted by right under the current zoning is 13; the proposed rezoning could permit 8. This would result in an estimated net decrease in school enrollment of 2. The current base schools for the site, and their respective capacities, are indicated below:

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	385	100.0%
Daniels	1,162	101.5%	1,161	101.4%
Broughton	2,174	106.3%	2,174	106.3%

It should be noted, however, that with City Council approval, up to 320 residential units per acre can be permitted within the PBOD; the maximum units then permitted on site would be 217. This could result in an estimated increase in school enrollment of 58. The base school figures could be affected as indicated below:

School name	Current enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	414	107.5%
Daniels	1,162	101.5%	1,179	103.0%
Broughton	2,174	106.3%	2,186	106.9%

Maximum build out could thus have a marked impact on already overcrowded base schools.

IMPACTS SUMMARY: Approval of the maximum number of residential units could bring 58 new students to already overcrowded base schools.

OPTIONAL ITEMS OF DISCUSSION

- 1. An error by the City Council in establishing the current zoning classification of the property.**

N/A

- 2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be properly applied to it now were it being zoned for the first time.**

The applicant notes that under the present split zoning and zoning conditions “the character of the area is no longer best served.” Staff concurs.

**APPEARANCE
COMMISSION:**

This request is subject to Appearance Commission review (January 6:
Development Review Committee; January 15: full commission).

**CITIZENS'
ADVISORY COUNCIL:**

DISTRICT: Hillsborough
CAC CONTACT PERSON: Ana Pardo, 818-5933

SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

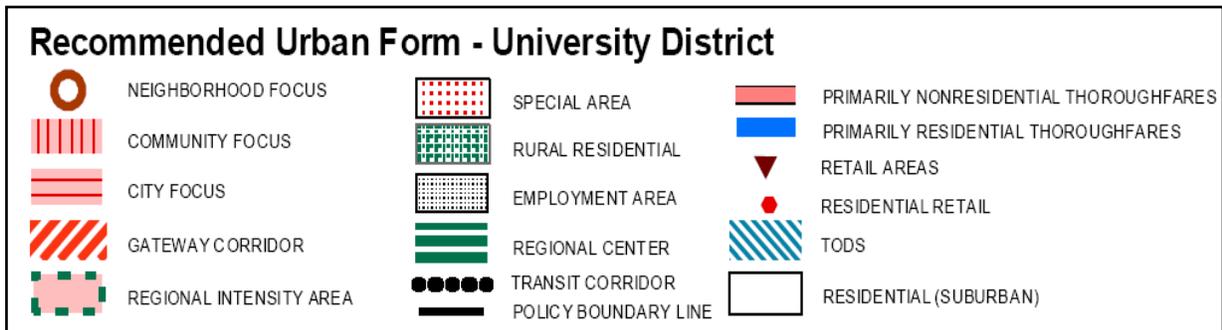
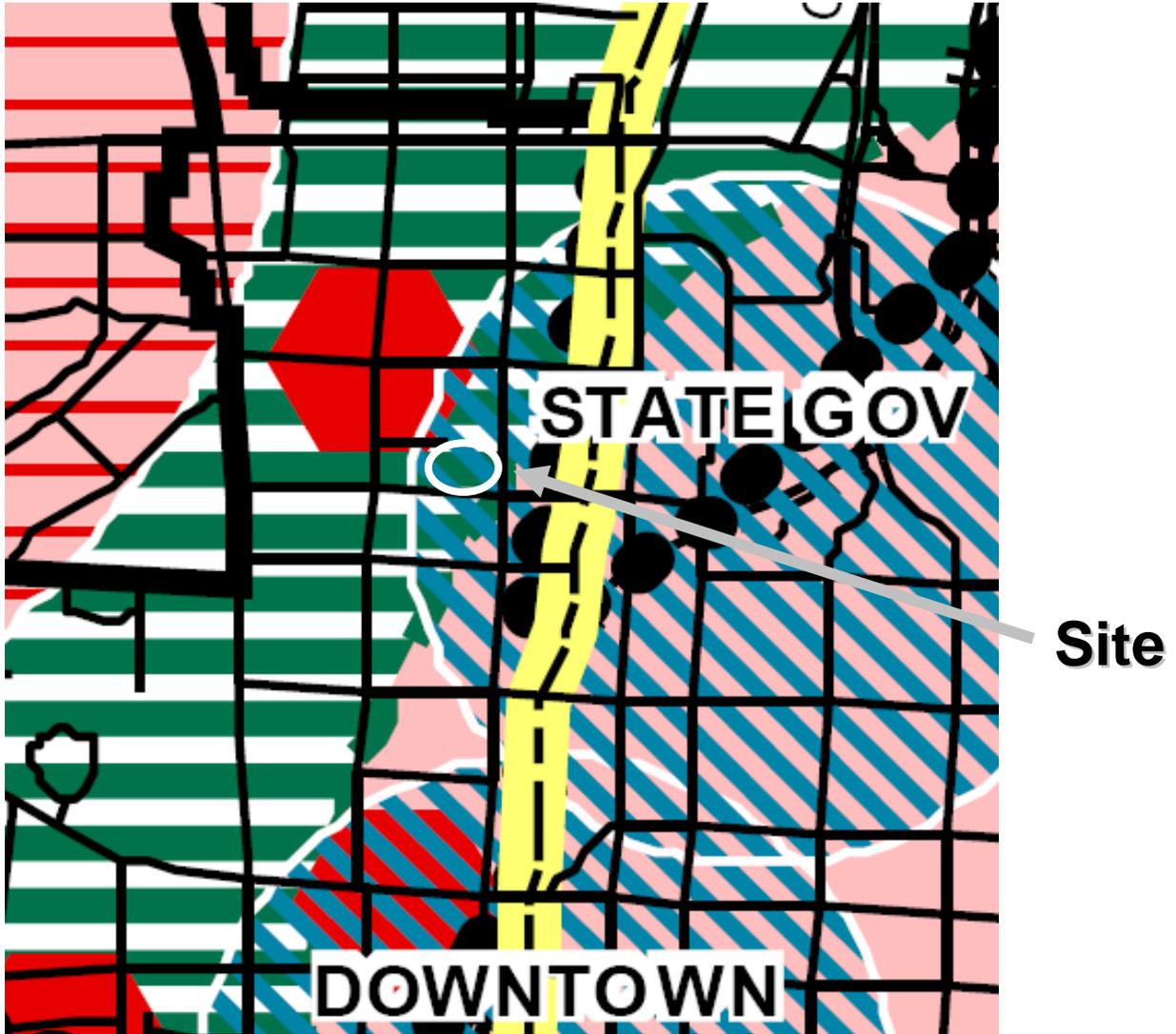
1. Outstanding issues

None.

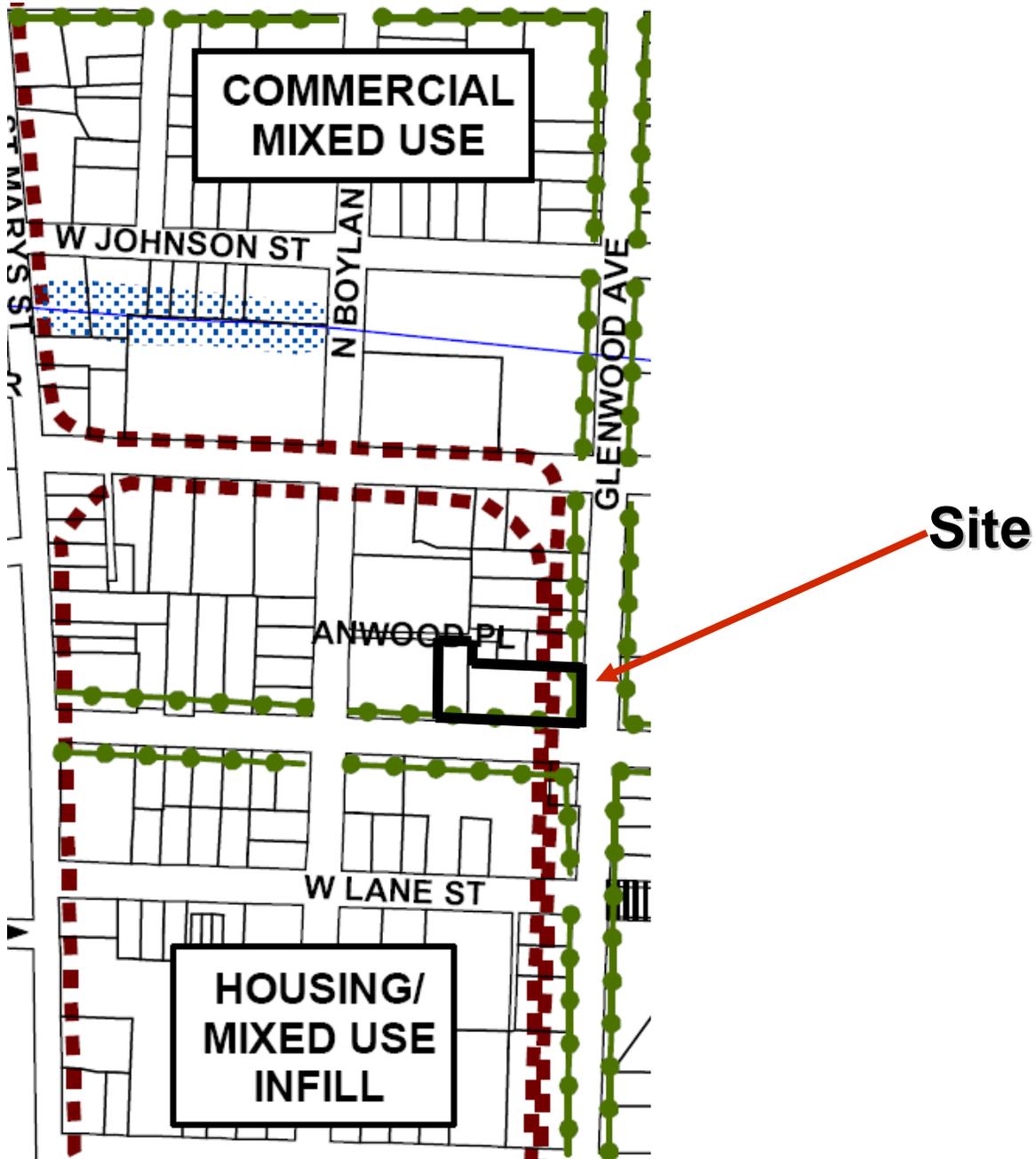
2. Suggested conditions

None.

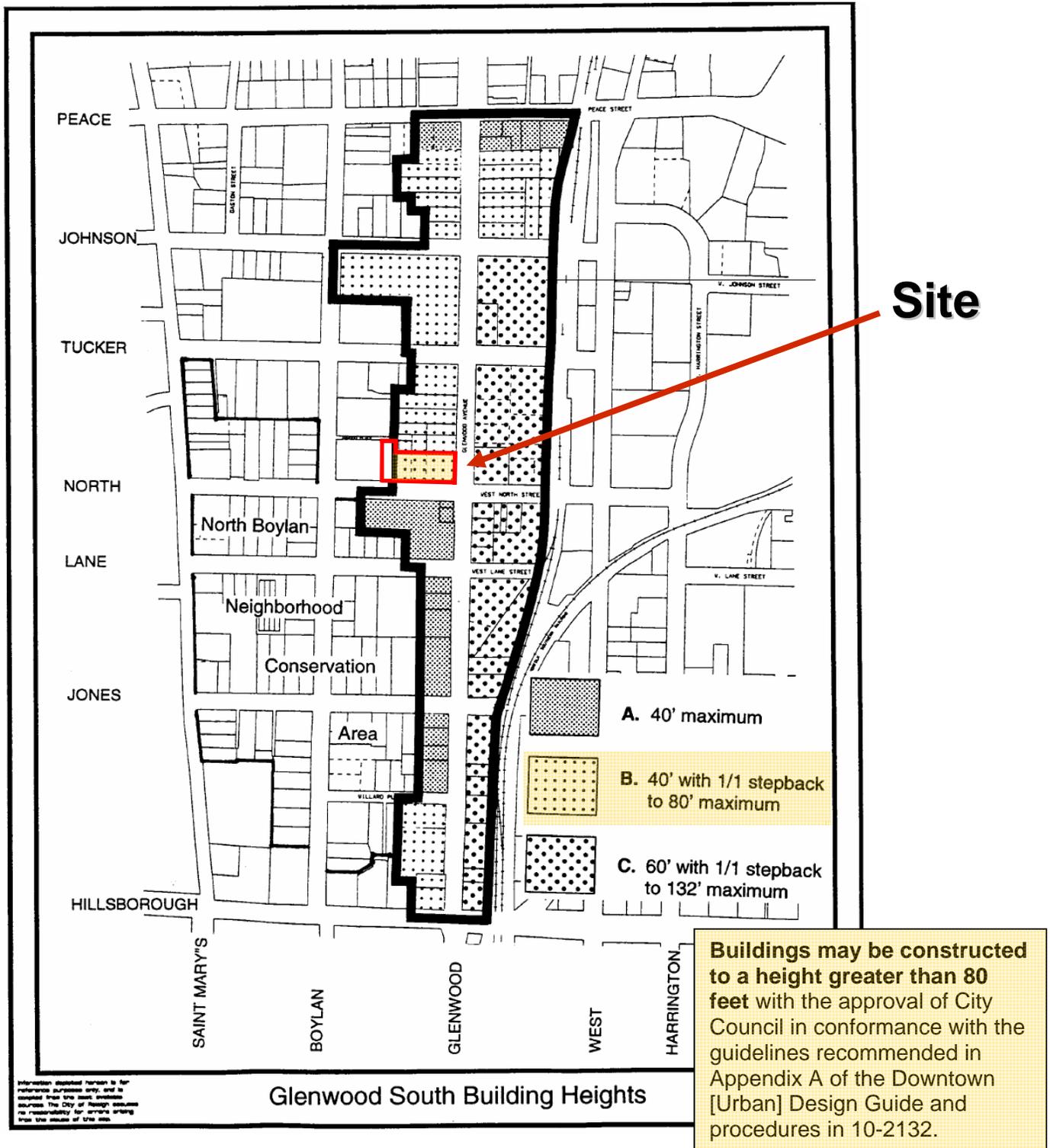
Urban Form— University District Plan



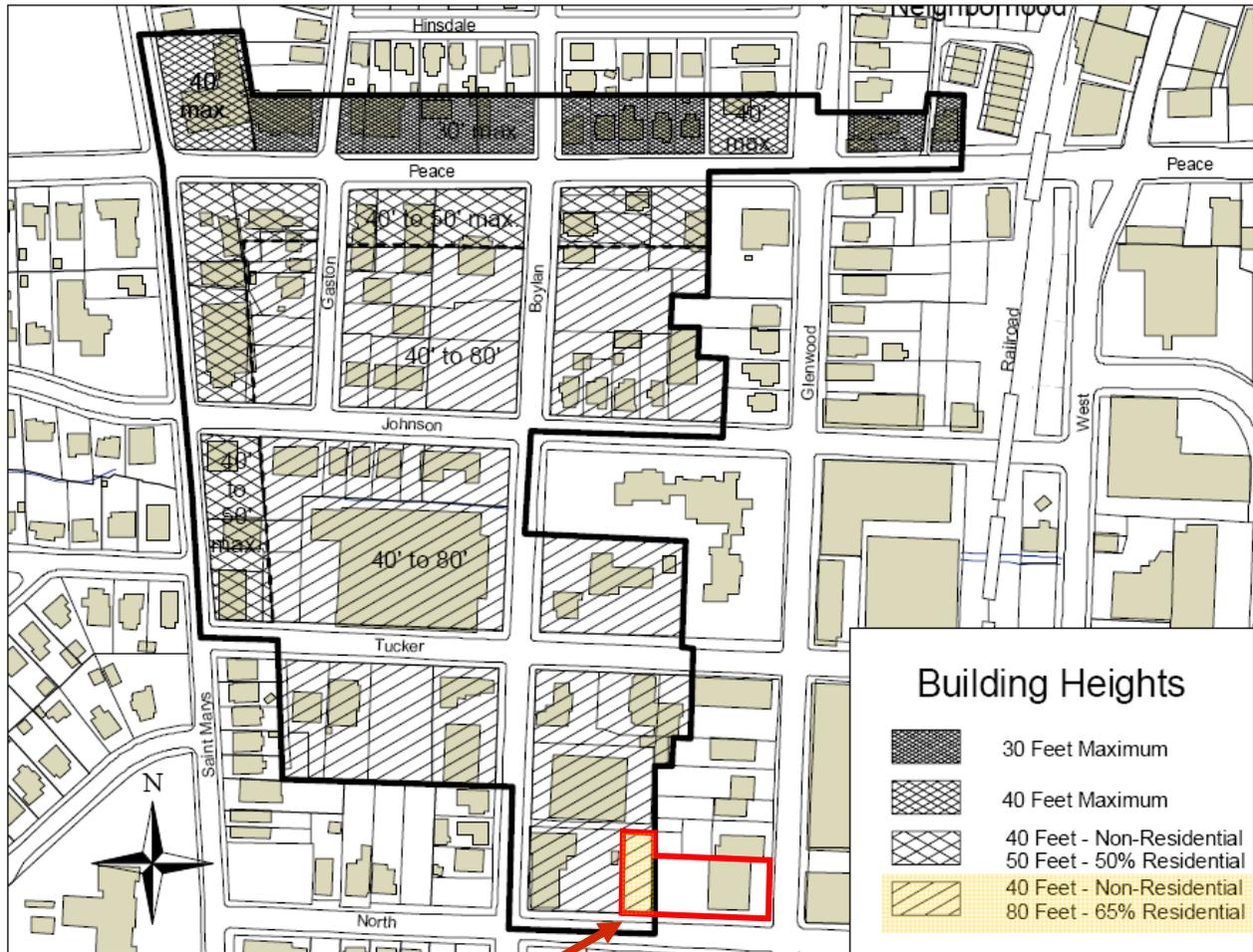
Urban Form— Glenwood South Small Area Plan



Height Guidelines— Glenwood South Streetscape Plan



Height Guidelines— Peace Street Streetscape Plan



Site

Additional height to a **maximum of 120 feet** may be considered by City Council when the site and building design is found to conform to the guidelines in Appendix A of the Downtown Urban Design Guide and the procedures described in 102132.2(d). The additional height must include a one foot building stepback for every two feet in height above 60 feet. This stepback may be inclusive of any setback from the building setback line and must include a minimum stepback of at least 10 feet.