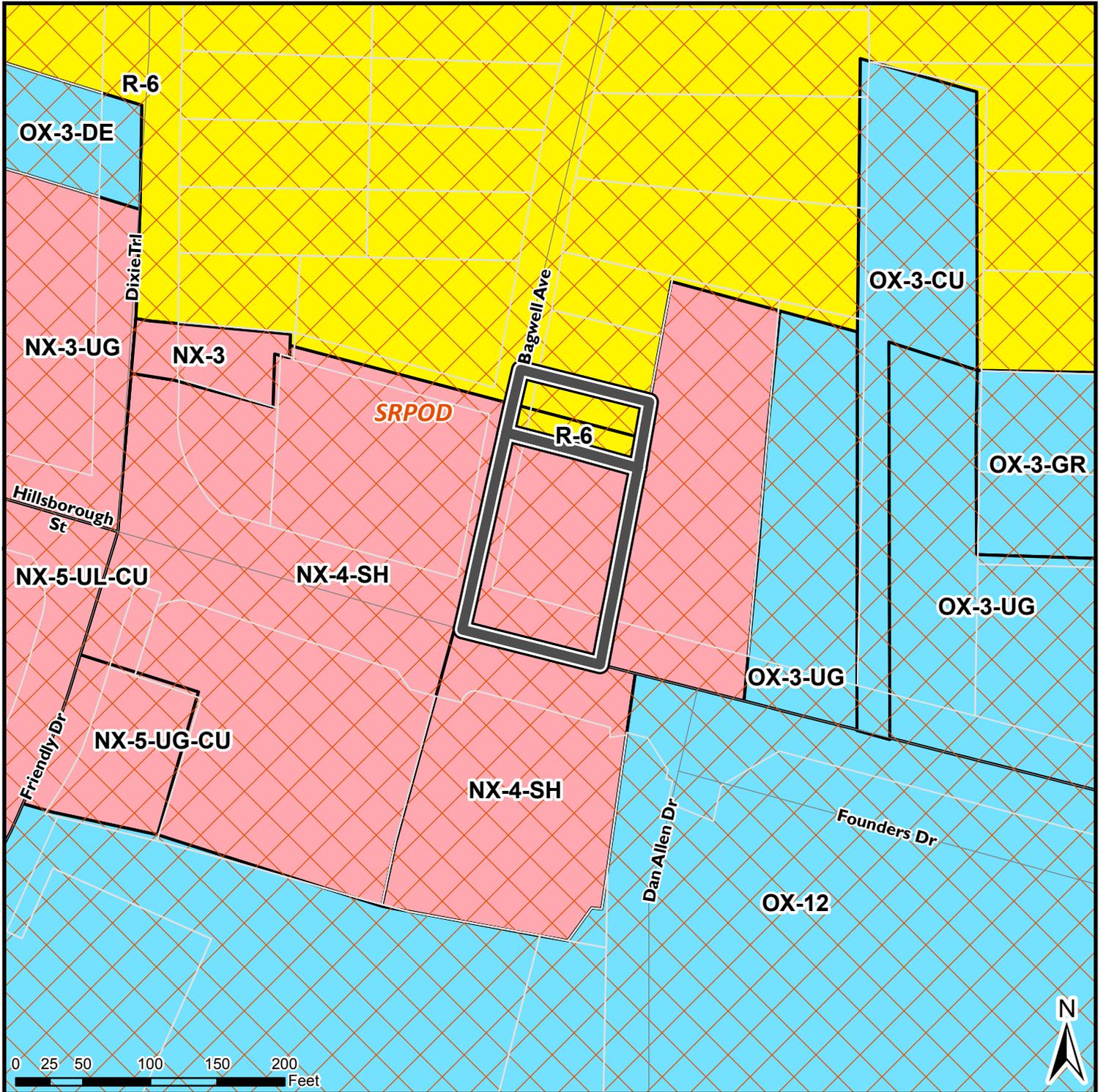


Existing Zoning Map

Z-32-2016

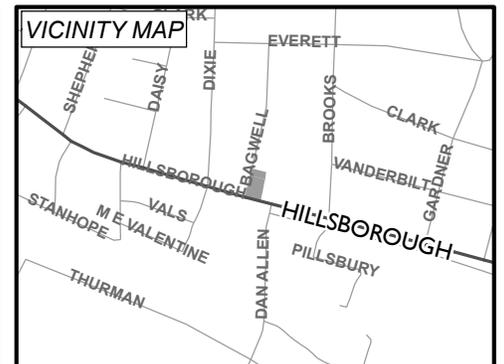


Submittal Date

10/6/2016

Request:

0.34 acres from
NX-4-SH & R-6 w/SRPOD
to **NX-5-SH-CU & RX-3-CU**
w/ SRPOD



Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

OCT 5 2016 PM 4:05

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction #
Existing Zoning Classification: <u>NX-4-SH and R-6, all with SRPOD</u>			
Proposed Zoning Classification Base District: <u>NX</u> Height: <u>-5</u> Frontage: <u>-SH</u> Overlay: <u>SRPOD</u>			
Proposed Zoning Classification Base District: <u>RX</u> Height: <u>-3</u> Frontage: <u>None</u> Overlay: <u>SRPOD</u>			
If the property has been previously rezoned, provide the rezoning case number: <u>Not Applicable</u>			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
486762 (Rezoning Pre-Application)			

GENERAL INFORMATION			
Property Address: 2812 Hillsborough Street and 6 Bagwell Street			Date
Property PIN: 0794-62-4441 and 0794-62-4551		Deed Reference (book/page): DB 3402, PG 451 and DB 3490, PG 028	
Nearest Intersection: Hillsborough Street and Bagwell Street			Property Size (acres): 0.34 acres
Property Owner/Address: Kathleen C. Hammon 1102 E. Franklin Street Chapel Hill, NC 27514	Phone	Fax	
	Email		
Project Contact Person/Address: Ted Van Dyk, New City Design 1304 Hillsborough Street Raleigh, NC 27605	Phone: 919.831.1308	Fax: 919.831.9737	
	Email: ted@newcitydesign.com		
Owner/Agent Signature	Email		

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

Conditional Use District Zoning Conditions

Zoning Case Number	OFFICE USE ONLY Transaction #
Date Submitted	
Existing Zoning: <u>NX-4-SH & R-6 w/SRPOD</u> Proposed Zoning: <u>NX-5-SH & RX-3 w/SRPOD</u>	

NARRATIVE OF ZONING CONDITIONS OFFERED

1. No dwelling unit constructed on the property shall contain four (4) or more bedrooms. Units will include a mix of studio/one bedroom, two bedroom, and three bedroom plans.
2. The maximum building height shall be sixty-two (62) feet as measured from the common property line of Lot 65 and Lot 66 as shown on that plat recorded in Book of Maps 1920, Page 140.
3. The uses permitted on that parcel identified as Lot 65 on plat recorded in Book of Maps 1920, Page 140 and described in deed recorded in Book 3490, Page 028 shall be limited to landscaping and parking.
4. Parking shall be provided on the property for each dwelling unit in excess of sixteen (16) dwelling units, in accordance with the provisions of Article 7.1.
5. A minimum of seventy-five percent (75%) of the building siding material shall be masonry or brick.
6. No EIFS or vinyl siding shall be permitted as a building siding material, except that EIFS shall be allowed for trim applications such as roof cornices, header details, or banding elements and window frames, doors, soffits and trim may be constructed of wood, fiberglass, metal or vinyl.
7. Parking will be screened by landscaping and/or architectural features compatible with the building design. Parking lot surface will be brick or concrete pavers except where concrete may be required by City of Raleigh Standards.
- 8.
- 9.
- 10.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature *Ra Hammor* Print Name *Ra Hammor*

REZONING APPLICATION ADDENDUM

Comprehensive Plan Analysis

OFFICE USE ONLY

The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.

Transaction #

Rezoning Case #

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

1. The 2812 Hillsborough Street parcel is designated "Neighborhood Mixed Use" on the Future Land Use Map, which recommends mixed use projects with upper-story housing. Also, the NMU description states that NX is the most appropriate zoning district for property designated NMU. Therefore, the rezoning to NX is consistent with the NMU designation. The 6 Bagwell parcel is designated "Low Density Residential" on the Future Land Use Map, which applies to property where single-family is planned. The rezoning request to RX with a condition limiting development on this parcel to a single-family detached structure or parking is consistent with this guidance.
2. The properties front along Hillsborough Street, which is designated a Transit Emphasis Corridor and Main Street on the Urban Form Map. Also, these properties are within the half-mile transit buffer. This guidance encourages the application of an urban frontage. The application of the Shopfront frontage is consistent with this guidance. Also, Table LU-2 Recommended Height Designations table states that a maximum of five stories is appropriate for property designated NMU on the Future Land Use Map and located within a Core/Transit Area. Given the property's location along a Transit Emphasis Corridor and within the transit buffer, the property is located within a Core/Transit Area. Therefore, the request for a height of five stories is consistent with the Urban Form Map and Comprehensive Plan guidance.
3. The rezoning request is consistent with Comprehensive Plan policies LU 1.2, LU 1.3, LU 2.2, LU 4.4, LU 4.7, LU 4.9, LU 5.1, LU 5.4, LU 5.6, LU 7.4, LU 7.6, LU 10.1, UD 2.1 and UD 2.3 because it is consistent with the Future Land Use Map and Urban Form Map and facilitates the redevelopment of an under-utilized site for a mixed-use building that provides appropriate transition to the surrounding low density neighborhood.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1. The rezoning request provides the public benefit of redeveloping an under-utilized and auto-oriented site for a mixed-use, pedestrian-oriented use that will activate this segment of Hillsborough Street and provide an appropriate transition to the nearby residential neighborhood.

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	<p>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.</p> <p>The rezoning request permits a mixed-use development consistent with this guideline.</p>
2.	<p>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.</p> <p>The rezoning conditions ensure appropriate transition to the nearby neighborhood, consistent with this guideline.</p>
3.	<p>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.</p> <p>The properties have access to Bagwell Street, which is part of the neighborhood road network, consistent with this guideline.</p>
4.	<p>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.</p> <p>No new streets are anticipated as part of this development.</p>
5.	<p>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.</p> <p>The properties are located at an intersection and are part of an established block, consistent with this guideline.</p>
6.	<p>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.</p> <p>The Shopfront frontage ensures the primary street will be lined with a building, and access will be located at the side and rear of the property, consistent with this guideline.</p>
7.	<p>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.</p> <p>The Shopfront frontage requires development consistent with this guideline.</p>
8.	<p>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.</p> <p>The Shopfront frontage requires development consistent with this guideline.</p>
9.	<p>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.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
10.	<p>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.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
11.	<p>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.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
12.	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
13.	<p>New public spaces should provide seating opportunities.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
14.	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>The Shopfront frontage prohibits parking between the building and the road, consistent with this guideline.</p>
15.	<p>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.</p> <p>The Shopfront frontage guideline requires development consistent with this guideline.</p>
16.	<p>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.</p> <p>No parking structures are contemplated as part of this development, but the Shopfront frontage would require any parking structure to be designed consistent with this guideline.</p>
17.	<p>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.</p> <p>The properties are within walking distance to existing and planned public transit facilities, consistent with this guideline.</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>Pedestrian access exists by way of Hillsborough Street to nearby public transit stops, consistent with this guideline.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>There are no known sensitive environmental features on the property.</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>No new streets are contemplated as part of this development, and a commercial driveway will comply with the UDO and Street Design Manual.</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>Sidewalks will be provided in accordance with the UDO.</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>Street trees and other landscaping will be provided in accordance with the UDO.</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>The Shopfront frontage requires development consistent with this guideline.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>The Shopfront frontage requires development consistent with this guideline.</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>The Shopfront frontage requires development consistent with this guideline.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>The Shopfront frontage requires development consistent with this guideline.</p>



1304 Hillsborough Street | Raleigh, NC 27605 | tel 919.831.1308 | fax 919.831.9737

www.newcitydesign.com

**Neighborhood Meeting Report
2812 Hillsborough, 06 Bagwell**

A meeting was held at the offices of New City Design Group, 1304 Hillsborough Street, on September 8, 2016 at 6 pm.

No members of the community attended. The development team discussed the project and adjourned at approximately 6:45 pm.

Note that the development team presented the case to the Wade CAC as a courtesy- no vote was to be taken- on September 27, 2016.

Project parameters, conditions, and details were discussed.

Neighborhood input included requesting assurances that conditions such as prohibiting 4 bedroom units, and offering a variety of unit types. Other input included a request for use of high quality materials for parking and landscaping areas, screening of parking, and possible inclusion of small site amenities such as special plantings in landscape areas.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ted Van Dyk", is written over a light blue horizontal line.

Ted Van Dyk, AIA
New City Design Group, PLLC



1304 Hillsborough Street Raleigh, North Carolina 27605

P) 919.831.1308 F) 919.831.9737

August 19, 2016

Neighbors,

We contacted you some ago concerning 2812 Hillsborough Street and 06 Bagwell Ave. We proposed zoning 2812 Hillsborough Street from NX 4SH to NX 5SH, and 06 Bagwell to RX3.

We have restarted this effort, and since many months have passed, and we have some new information to offer, we invite you to a neighborhood meeting to learn more about our plans and offer your input.

The meeting will be held at new City Design Group, 1304 Hillsborough Street, 6 pm., Thursday, September 8th.

If you have questions in the meantime, please contact me at 919 831 1308, and I will be happy to speak with you or:

Contact information for Raleigh Department of City Planning:

Phone: 919-996-2626

Email: rezoning@raleighnc.gov

Web: www.raleighnc.gov

Thanks for your consideration;

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Van Dyk".

Ted Van Dyk, AIA

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WAKE COUNTY ATTORNEY'S OFFICE
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CAPETANOS HOLDINGS LLC
3608 PINNACLE DR
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FERGUSON PROPERTIES LLC
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0794623538
FERGUSON PROPERTIES LLC
2230 WHITMAN RD
RALEIGH NC 27607-6649

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PLW BAGWELL LLC
11 BAGWELL AVE
RALEIGH NC 27607-7136

0794624201
FMW AT 2811 HILLSBOROUGH LLC
132 BREVARD CT
CHARLOTTE NC 28202-1927

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