Ordinance (2000) 898 ZC 489
Effective: November 21, 2000

Z-58-2000 / MP-1-00 U.S. 70 West, northeast side, extending across the Durham County Line. Approximately 232 acres are requested to be rezoned from Thoroughfare District, Thoroughfare District Conditional Use, Residential-4 and Durham County Rural District to Residential-4, Thoroughfare District and Thoroughfare District Conditional Use w/ Planned Development District.

1. No development shall take place on the subject property except in general accordance with the accompanying Master Plan, and amendments thereto approved by the City Council.

2. The developmental guidelines and conditions contained in the accompanying Master plan, and amendments thereto approved by the City Council replace the conditions contained in Z-90-86.

MP-1-2000 Ruby Jones Planned Development Master Plan. This request is to approve a master Plan for a Planned Development Conditional Use Overlay District, proposed in case Z-58-2000, currently Thoroughfare Conditional Use. The overall site proposed to be zoned PDD is 232 acres. The same uses are allowed under both the existing zoning and the proposed PDD for the Master Plan area. The master plan proposes uses ranging from residential dwellings at a min. 15 units per acre to uses allowed in the O&I-2 district (with some exclusions) to retail uses, as noted on a plan dated October 26, 2000. The Master Plan includes some maximum setbacks and minimum densities on certain tracts to promote an urban-scale high intensity development. An alternate means of compliance is proposed to eliminate the Thoroughfare District yard requirements for 50' tree protection area on all thoroughfares within the Master Plan area. 19.2% of the site is to be set aside as either open space or public greenway (37.5 acres).

MASTER PLAN
FOR A
PLANNED DEVELOPMENT DISTRICT

GLENWOOD AVENUE - T.W. ALEXANDER DRIVE
RALEIGH, NORTH CAROLINA

November 9, 2000

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MASTER PLAN FOR A MIXED USE COMMUNITY
GLENWOOD AVENUE - T.W. ALEXANDER DRIVE
RALEIGH, NORTH CAROLINA

I. INTRODUCTION

There are multiple purposes for this document. The primary purpose is to satisfy the "Master Plan" requirements of the City of Raleigh's Planned Development Overlay District Master Plan process. We also hope to document the long-term vision for the use of this property and to provide a vehicle by .which the unique nature of the project can be conveyed. Further, it is believed that through the dialogue that will be generated by this document a better understanding and acceptance of the goals and objectives of the Glenwood Avenue - T.W. Alexander Drive Master Plan can be established.

II. PROJECT LOCATION AND CONTEXT

Map MP-1 illustrates the general location of the site. The Glenwood Avenue - T.W. Alexander Drive tract is located on the north side of U. S. Highway 70 adjacent to its intersection with ACC Boulevard. The property site lies within the Umstead District Planning area and is included in the Triangle Regional Center Planning area. The 232-acre site is currently zoned Thoroughfare District CUD. This area is hereinafter defined as the Master Plan area. Adjacent land uses include La-Z-Boy Showcase Shoppes, Woodlawn Memorial Gardens Cemetery, the Briar Creek residential development (under construction), and a mixture of industrial uses. Surrounding zoning includes T.D. and Residential-4.

III. THE DEVELOPMENT CONCEPT

The Glenwood Avenue - T.W. Alexander Drive Master Plan proposes an urban intensity, mixed use community. The planned extensions of T. W. Alexander Drive, ACC Boulevard and the thoroughfare extension of Briar Creek Parkway through the Property will provide for internal traffic circulation as well as interconnectivity with U. S. Highway 70, Mt. Herman Road, Westgate Road and Leesville Road. The components of the master Plan include a mixture of office, institutional, retail and residential uses, while providing substantial open space. Where ever practical, land uses will be apportioned throughout the Master Plan so as to ease pedestrian and vehicular traffic between the uses, both by locating single use buildings in close proximity to one another and through the utilization of both vertical and horizontal mixed use buildings as defined in Article V (F) 13 of this document.

IV. SUPPORT FOR REZONING TO PLANNED DEVELOPMENT DISTRICT

A. Changed Circumstances

When the property was first brought into the City of Raleigh's zoning jurisdiction, ten or more years ago, the then owners of the property petitioned the City Council to zone the property TD, conditional use. With the petitioner's consent, action on the rezoning was delayed until the city's Comprehensive Plan was amended to include the Umstead Planning District. Eventually, in November 1988, the City Council voted to zone the property TD, conditional use (Z-90-86).

The reason for this rezoning is to modify phasing and realignment of the different land uses permitted under that zoning designation. This rezoning request is filed

contemporaneous with a Shopping Center CUD request on adjoining parcels. The effect of these dual filings will allow for the development of the property in a unified, yet feasible manner. The code requires that the first 25 acres of a Master Plan be developed for non-retail uses. Given the Code's broad definition of 'retail', only of fice and residential uses set back farther into the site would qualify as non-retail. The extension of arterial and thoroughfare roads and utilities through and past the Subject Property would be required for phasing in accordance with the master plan code requirements.

B. Developed in Harmony with the Comprehensive Plan

The Glenwood Avenue - T.W. Alexander Drive Master Plan complies with the Comprehensive Plan. The property is located in the Employment Area north of U.S. Highway 70 and Interstate 540. The considerable amount of office development called for in the Glenwood Avenue - T.W. Alexander Drive Master Plan advances the City's vision for this area. Although Employment Areas, as such, are not designated for residential development, the size of the Glenwood Avenue - T.W. Alexander Drive Tract provides the City with a unique opportunity to allow a mixed use development with high intensity uses and high density residential to fulfill the conceptual goals of the Comprehensive Plan. Placing high density residential developments next to high intensity office space and retail centers discourages use of the automobile and encourages use of the pedestrian traffic system called for in this plan.

The development of the Glenwood Avenue - T.W. Alexander Drive Tract will include the extension and intersections of a secondary arterial (T.W. Alexander Drive) a

minor thoroughfare (Briar Creek Parkway) and a collector (ACC Boulevard). These roadway improvements will give many commuters alternatives to Interstate 540 and U. S. Highway 70.

C. Benefits to the Community

The community as a whole will benefit from the development of this site. The approval of this rezoning and the accompanying PDD request will allow this uniquely situated property to develop to its fullest potential thereby greatly expanding the City's tax base. The proposed rezoning of the property in question is in accordance with the Comprehensive Plan. The proposed development will provide for the extension of arterial, thoroughfare and collector roads through the property.

V. GLENWOOD AVENUE - T.W. ALEXANDER DRIVE MASTER PLAN

It is the intent of this Master Plan that the Master Plan area be developed with the uses and intensities shown on the Land Use Summary Table attached hereto as Exhibit "A" and incorporated herein by reference. The parcel sizes, land use classifications, square footage numbers, dwelling number and hotel room numbers shown thereon are the target uses and intensities for the individual parcels shown on MP-1. If site plans are submitted to City Staff which do not meet these target uses and intensity numbers, plus or minus ten percent (10%), then those such site plans shall be subject to Planning Commission or City Council site plan approval per Code Section 10-2132.2. Building height limits shown on the Land Use Summary Table are not targets, but maximum height limits as customarily used in the Code, and as such shall not be exceeded without a variance granted by the

Board of Adjustment. The standards to which all Master Plan site plans shall be approved are as follows:

A. Office and Institution - Tract 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 7, 8, 9, 11-1, 11-2, 12-1, 12-2, and 13

1. Uses. The primary use anticipated for these tracts are customary office uses. Office square footage shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1, plus or minus 10%. As for Parcels 5-5 and 5-6, the land use designations on the Land Use Summary Table provide for office and/or day care. Either or both uses shall be approved administratively provided the total square footage is with ten percent (10%) of the target shown on the Land Use Summary Table. As for Parcels 7 and 9, the Land Use Summary Table reflects both office square footage and residential density are shown. Should either tract be developed for solely one such use, the corresponding square-footage or density numbers shall govern, otherwise, such numbers shall be prorated per acre of land for mixed development in such parcel. As for Parcel 12-1, the Land Use Summary Table reflects both a target office square footage and a target number of hotel rooms. Should this tract be developed for solely one such use, the corresponding square-footage or hotel room numbers shall govern, otherwise, such numbers shall be prorated per acre of land for mixed development in such parcel.

a. In the event any portion of these tracts designated for Office and Institution uses are developed for residential uses, such development shall achieve a density of no less than 15 units per acre. In the event any portion of these tracts designated for Office and Institution uses are developed for uses other than those shown on the Land Use Summary Table, then all uses allowed within the Raleigh Office and Institution-2 zoning classification shall be permissible except for the following:

(i) Airfield landing strip
(ii) Cemetery
(iii) Emergency shelter type B

b. Hotel/motel uses may be located on these tracts subject to the overall hotel room limit established herein.

2. **Building Height Limits** Building height maximums shall be those listed in the Land Use Summary Table.

3. **Pedestrian Orientation.** Structures may be located anywhere on the site, but a pedestrian connection must be made to link with the public sidewalk system and with the internal recreational path system outlined on sheet MP-3. It must be linked with each major pedestrian entrance to all buildings on the site, and must be made of a permanent, non-erodible surface at least 5' in width. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside of the

public right-of-way within corresponding public easements.

4. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

5. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein.

B. Hotel - Tract 1, Retail - Tract 10 and Village Retail - Tract 14

1. **Uses**. The intended uses for these parcels are commercial. Tract 1 is intended for hotel use with a target of 150 rooms. Tract 10 is intended for approximately 22,000 square feet of retail use(s), subject to the limitation of sub-paragraph (a) below. Tract 14 is intended for approximately 84,800 square feet of retail uses making up a neighborhood scale stopping center, subject to the limitations of sub-paragraph (a) below.

   a. In the event any portion of these three tracts are developed for uses other than those shown on the Land Use Summary Table, then all uses allowed within the Raleigh

Neighborhood Business zoning classification shall be permissible except for the following:

(i) Cemetery.
(ii) Dance, recording, music studio.
(iii) Free-standing telecommunications tower, not located on the roof of an occupiable building.
(iv) Airfield, landing strip or heliport.
(v) Correctional/Penal facility.
(vi) Outside stadium, outdoor theater, outdoor racetrack, outdoor movie theater.
(vii) Power plant, electric utility substation.
(vii) Landfill
(vii) Emergency Shelter Type A.

b. On Tract 14, no hotel/motel uses shall be permitted, and no single retail user other than a grocery store shall exceed 20,000 square feet, gross floor area. For purposes of this section, "grocery store" shall mean a "retail sales- convenience" facility, as the same is defined in the Code, which allocates no less than fifty-one percent (51%) of its public square footage to the display and/or sale of food stuffs.

2. **Building Heights.** Building height maximums shall be those listed in the Land Use Summary Table.

3. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. A pedestrian connection must be made to link with the public sidewalk system and with the internal recreational pat system outlined on sheet MP-3. It must be linked with each major pedestrian entrance to all buildings on the site, and must be made of a permanent, non-erodible surface at

least 5' in width. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside of the public right-of-way with corresponding public easements.

4. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

5. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein. Unity of development for Tract 14 shall share at least two (2) common elements with the unity of development for Tracts 6-2 and 6-3.

C. Single-Family Attached - Tract 6-1

1. **Uses**. The primary use anticipated for this tract is approximately 48 single-family attached townhouses. In the event this tract is not developed as such, all uses allowed within the Raleigh Residential-10 Zoning District shall be permissible except:

a. Church synagogue or religious education building.
b. Library, art gallery, or museum- governmental.
c. Utility service or substation.
d. Private or parochial school.

e. Recreational outdoor use-commercial.
f. Outdoor stadium, outdoor theater, outdoor racetrack.
g. Parking (lot, deck or garage) as a principal use for a residential institution (off site.)
h. Free-standing telecommunications tower, not located on the roof of an occupiable building
i. Guest house (visitor lodging)
j. Rooming house, boarding house, lodging house, or tourist home
k. Bed and breakfast.

2. **Townhouse Orientation.** The front entrances to dwellings built on lots abutting the southern right-of-way of ACC Boulevard shall be oriented towards ACC Boulevard or the intersecting street as the same is shown on MP-3, hereinafter referred to as the "pedestrian street". Such development shall achieve a minimum density of 6 units per acre (or minimum of 40 dwelling units) and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.

3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1.

4. **Pedestrian Orientation.** Principal structures must be located within 30' of the right-of-way of ACC Boulevard as noted in VII.B. herein. All pedestrian-level front entrances must be oriented to ACC Boulevard and be linked directly with the public sidewalk system and with the "Thru-Street" outlined on sheet MP-3. A continuous row of street trees will be established along both streets abutting this tract. No direct vehicular access will be allowed from ACC Boulevard. All units

will have rear-access drives. All parking areas for these units will be on the side of the building opposite ACC Boulevard. Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be provided at the intersection of the "Pedestrian Street" with ACC Boulevard.

6. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

7. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein.

D. High Density Residential - Tract 6-2

1. **Uses.** The intended use for this tract is high density residential consisting of approximately 630 dwelling units. All uses allowed within the Raleigh Residential-30 Zoning District shall be permissible except:

a. Church synagogue or religious education building.
b. Library, art gallery, or museum- governmental.
c. Utility service or substation.
d. Private or parochial school.
e. Recreational outdoor use- commercial.
f. Outdoor stadium, outdoor theater, outdoor racetrack.
g. Free-standing telecommunications tower, not located on the roof of an occupiable building

h. Guest house (visitor lodging)
i. Rooming house, boarding house, lodging house or tourist home
j. Bed and breakfast.

2. **Density**. Residential developments in this tract area shall achieve a minimum density of 15 units per acre, and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.

3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1.

4. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. Where abutting the "Pedestrian Street", ACC Boulevard or Brier Creek Parkway, pedestrian level entrances for structures must be oriented to these streets and be linked directly with the public sidewalk system, the internal pedestrian pathway system and with the "Thru-Street" as outlined on sheet MP-3. A continuous row of street trees will be established along all streets abutting this tract. No direct vehicular access will be allowed from ACC Boulevard and Brier Creek Parkway, except as approved by the Transportation Department and except as shown on MP-3. All parking areas for these units will be on the side of the building opposite ACC Boulevard, the "Pedestrian Street" and Brier Creek Parkway, except for parking along access drives. (The intent is to limit parking between buildings and public streets.) Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be

provided at the intersection of the "Pedestrian Street" with ACC Boulevard. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside the public right-of-way within corresponding public easements.

5. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

6. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein. The unity of development scheme for these tracts shall share at least two common elements with the unity of development scheme for adjacent Tract 14.

E. Assisted Living - Tract 6-3

1. **Uses**. The primary use anticipated on this tract is an Assisted Living Facility consisting of approximately 226 dwelling units. An "Assisted Living Facility" shall contain the open space can facilities of a Congregate Care Facility as defined by the Raleigh City Code. If not developed as an Assisted Living Facility, all uses allowed within the

Raleigh O&I-2 District shall be permissible except for the following:

a. Cemetery.
b. Dance, recording, music studio.
c. Free-standing telecommunications tower, not located on the roof of an occupiable building.
d. Airfield, landing strip or heliport.
e. Correctional/Penal facility.
f. Outside stadium, outdoor theater, outdoor racetrack, outdoor movie theater.
g. Emergency shelters.
h. Power plant, electric utility substation.
i. Landfill.

In the event the property is not developed as a Assisted Living Facility, it shall be developed as any use permitted under O&I-2 zoning district, exclusive of the special use permitted therein, and shall meet all of the standards in subsection A above for offices, or subsection D above for residential uses.

2. **Density.** An Assisted Living Facility consisting of cumulative development totals for areas designated Tract 6-3 shall achieve a minimum density of 15 dwelling units per acre and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.

3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1

4. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. Where abutting the "Pedestrian Street", pedestrian level entrances for structures must be oriented to

this street and be linked directly with the public sidewalk system, the internal pedestrian pathway system and with the "Thru-Street" as outlined on sheet MP-3. A continuous row of street trees will be established along all streets abutting this tract. No direct vehicular access will be allowed from T.W. Alexander Drive, except as approved by the Transportation Department, and except as shown on MP-3. Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be provided at the intersection of the "Pedestrian Street" with T.W. Alexander Drive. On this site a minimum of 1,000 square feet of pedestrian court area(s) must be provided with landscape amenities and seating areas conducive to pedestrian use and interaction, with appropriate focal points. This pedestrian court is to be linked directly to pedestrian entrances to structures on site and the major pedestrian linkage to the public street system, and should be a prominent feature of the site plan for the development.

5. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

6. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein. The unity of development scheme for these tracts shall share at least two common elements with the unity of development scheme for adjacent Tract 14.

F. STANDARDS APPLICABLE TO ALL SECTIONS

1. **Unity of Development.** Unity of Development Guidelines approved by the City of Raleigh Planning Director shall be established for the entirety of the Glenwood Avenue - T.W. Alexander Drive Master Plan Area prior to the issuance of building permits for new construction. Separate unity of development criteria may be established for each individual residential section and for non-residential uses, must be related to the overall unity statement. The Guidelines among other things shall establish complementary combination of elements such as wall and roof treatments, roof pitch, window fenestration, building colors, signage, and landscaping.

2. **Transitional Protective Yards.** Transitional Protective Yards will be provided where required by the City of Raleigh's landscape ordinance on the boundaries of the site. Transitional Protective Yards within the site will be provided based on the highest land use specified in the master plan except where the differing land uses are separated by a public street. Staff may approve alternative means of compliance on a case-by-case basis where shared parking, shared

access or private streets separate designated land uses on the master plan. Such alternative means may take into account the mixed-use and pedestrian friendly nature of this development project which encourages divergent uses to be located adjacent to one another without transition, but shall achieve, as a minimum, a Type-D transitional protective yard, or its equivalent. Where multiple uses are allowed in the master plan, 1/2 the width and planting requirements of transitional protective yards on developing tracts must be provided adjacent to vacant tracts anticipating the highest impact land use allowed in the master plan on the vacant tract.

3. **Landscape Maintenance and Location.** A property owners association will be established to maintain all common areas, open space and all planting islands located within public skeet rights-of-way. Required street yard plantings along any zero-setback street may be installed in the right-of-way. Encroachment agreements must be approved by the City Council prior to approval of planting plans for these facilities, where used. Any tree planting requirement under CP&L right of way shall be satisfied through alternate means of compliance acceptable to the power company and the city, as per normal City policies.

4. **Internal Pedestrian Pathway.** A sidewalk, bike trail or pedestrian way as shown on MP-3 shall connect to all public and private sidewalks and pedestrian crossings shown in the Master Plan, or in a

similar location as authorized by the Raleigh Director of Transportation. Except for the Raleigh Greenway, pathways shall be constructed by the developer of each individual tract and shall be constructed in accordance with the Phasing Plan noted herein.

5. **Stormwater Management.** Except for land that drains directly into a FEMA mapped watercourse, stormwater runoff shall not exceed R-4 levels for the 2-year and 10-year storms.

6. **Annexation Phasing.** Property Owners will submit voluntary annexation petitions prior to the issuance of any building permits, based upon the Phasing Plan noted herein.

7. **Right-of-Way Reimbursements.** Notwithstanding the foregoing, there shall be no reimbursement for right-of-way necessary for the relocated ACC Boulevard east of Skyland Parkway.

8. **Transit Access.** Property owners will make available to the City and/or TTA sites for transit stops in no less than two (2) locations throughout the PDD area. Locations of such sites to be determined prior to issuance of building permits for the parcels on which they are to be located.0

9. **Residential Development in TD Zone.** Any residential development, as permitted herein, may be constructed on tracts smaller than 10-acres.

10. **Street Interconnectivity.** The city's policy of street interconnectivity in residential developments may be achieved with public and/or private through streets, as shown on MP-3.

11. **Subdivision Created by Dedication of Public Rights-of-Way.** If an individual Tract as designated on MP-1 is ever divided by a public right-of-way, density and parking requirements may be satisfied within such Tract without regard to the subdivision created by the dedication of that right-of-way.

12. **Visibility from Rights-of-Way.** Building rears which are visible from public rights-of-way will be of similar materials and architectural design and features as the building front.

13. **Mixed-Use Buildings.** Nothing contained herein shall prohibit the development of a mixed use building (vertical or horizontal) wherein residential, office, retail, or other uses are combined. It is the expressed intent of the applicant to incorporate mixed use buildings throughout the Master Plan area wherever practical. It is understood that any vertical mixed use building will justify exceeding the maximum square footage for such parcel as shown on the Land Use Summary Table. A vertical mixed use building is a building of more than a single occupied floor and containing more than a single land use. A horizontal mixed use building is a single story building containing more than a single land use.

14. **Maximum Number of Hotel Rooms.** Notwithstanding anything herein to the contrary, the maximum number of hotels rooms permitted in the Master Plan area as defined herein shall be six hundred (600).

15. **Public Facility.** A minimum of one (1) site shall be reserved for five (5) years and made available to the City of Raleigh for use as a fire station, police station, or other such similar public need. Such site shall be located in the area of Parcels 5 or Parcel 14. The reservation described herein shall be from the date of administrative approval of the site plan on which such reserved site is identified. The site may be a tract of land no less than 1 acre in size, or may be leased space within a structure incorporating the neo-traditional pedestrian-friendly environment described by this Master Plan. The site would be provided to the City of Raleigh at 90% of its appraised fair market value. In addition to the public safety facility referred to above, should it be determined by the proper authorities that a site along Briar Creek is appropriate for a regional stormwater impoundment facility, such a site, not to exceed the boundaries of the designated open space as shown on map MP-1, would be provided to the City of Raleigh at 90% of its appraised fair market value.

16. **Floodplains.** No development shall be permitted in the floodplains as the same are shown on MP-1, except for installation and maintenance of public and private street crossings, pathways, bridges, utilities, stormwater

management facilities, or pedestrian furnishings. Excluding disturbance for the installation and maintenance of any regional stormwater facilities, not more than thirty percent (30%) of the floodplains and open space may be disturbed, without site plan approval pursuant to Code section 10-2132.2.

G. Group Housing Alternative Designs

In order to achieve the higher residential densities as shown in the plan in an urban setting, the following alternative designs to the Group Housing Standards (to be approved by the Planning Commission concurrent herewith) are incorporated into the Master Plan.

1. **Tree preservation:** Credit for existing trees may be taken from adjacent dedicated open space sites.
2. **Open Space:** The 12% tree preservation provision may be reduced to 8% and the 18% re-vegetation requirement may be reduced to 12%.
3. **Building to Building Relationships:** Building to building relationships (distance) may be reduced by 25%, subject to NC Building Code restrictions, and Fire Department access requirements. Front yards may be reduced so that the minimum front yard shall be the same as noted in Table 1 above, in order to achieve the City's Comprehensive Plan objective of urban scale development in the Regional Center area.

VI. GLENWOOD AVENUE - T.W. ALEXANDER DRIVE ALTERNATIVE DESIGNS

A. Streets

Public streets and private streets, if any, within the development shall conform to the current City of Raleigh standards with the following exceptions and clarifications:

1. City administration will approve provisions for traffic calming devices, including traffic circles, on a case by case basis at the subdivision approval stage. Any such variation will be approved only if the public interest is served and provisions for emergency service vehicles are fulfilled, as shown on MP-3.
2. The attached Diagrams 1a, 1b, and 1c show alternative street designs which may be employed as noted on MP-3, excluding T.W. Alexander Drive, ACC Boulevard, and Briar Creek Parkway.

B. Pedestrian Circulation

In order to provide a safe and attractive walkable community, the following alternative designs must be incorporated into the Master Plan:

1. Location of sidewalks within rights-of-way may vary from City of Raleigh standards. Alternatives to City of Raleigh standard sidewalks such as combination bike trail/pedestrian way may be utilized on thoroughfares and may be located outside the right-of-way in a public pedestrian easement, or in the right-of-way subject to a standard City encroachment agreement.

2. Street trees may be located between curbs and sidewalks within the public right-of-way subject to sight distance standards, a vegetative permit and to a standard City encroachment agreements if located in public rights-of-way.

C. Streetscapes and Streetyards

1. <u>Streetscapes</u>

The streetscapes for the streets in the master plan area shall conform to the minimum street yard and tree planting and preservation standards set forth in Table 1 below. In addition to these tree plantings, streetscapes may include additional vegetation, pedestrian furnishings, and/or other hardscape features subject to standard City encroachment agreements if on public rights-of-way. MP-3 shows alternative designs which may be implemented for the pedestrian street.

Streetyard Tree Planting & Preservation Standards

Along Streets	Streetyard Planting	Median Planting (If Provided)	Tree Preservation
US Highway 70	18" caliper (C) Per 50 linear feet (LF) (Where no trees exist or for replacing)	-	50'average/35' minimum (excluding Shopping Center CUD)
TW Alexander Drive	9" C/50 LF (each side)	3" C/50' LF of plantable area	Tree protection occurs at three open space nodes average 50'
ACC Boulevard	6" C/50 LF *	---	---
Briar Creek Parkway	6" C/50 LF	3" C/50' LF of plantable area	---
Pedestrian Street*	6" C/50 LF *	2" C/50 LF *	---
Other Public Streets	6" C/50 LF *	---	---

* Flowering, understory, or evergreen trees/shrubs may be substituted for shade trees in confined areas.
Note. Parking areas shall be screened/filtered according to conditions herein and city landscape ordinance.

Table 1

2. <u>Streetyards</u>

The streetyards for the Glenwood Avenue - T.W. Alexander Drive

Master Plan shall be as shown on the following Table 2.

Street Yard Table
(Average/Minimum)

From Streets	Residential	Office/Institutional	Retail	Other
US Highway 70*	50/35	50/35	50/35	50/35
T.W. Alexander Drive	25/15	25/15	25/15	25/15
ACC Boulevard	20/10	20/10	20/10	20/10
Briar Creek Parkway	25/15	25/15	25/15	25/15
Pedestrian Street**	N/A	N/A	N/A	N/A
Other Public Streets	15/7.5	15/7.5	15/7.5	15/7.5
Private Streets	N/A	N/A	N/A	N/A

* Note. Does not apply to Shopping Center CUD.
** Note. See Tree Planting Standards (Table 1) for Pedestrian Street

Table 2.

VII. SETBACKS AND BUILDING ORIENTATION.

A. **<u>Building Setbacks</u>.** Minimum building setbacks shall be as shown in Table 3 below.

Building Setback Table
Land Use

From Streets	Residential	Office/Institutional	Retail	Other
US Highway 70	50	50	50	50
T.W. Alexander Drive	15	15.	15	15
ACC Boulevard	10	10	10	10
Briar Creek Parkway	15	15	15	15
Pedestrian Street	0	0	0	0
Other Public Streets	10	10	10	10
Private Streets	5	5	5	5
From				
Interior Lot Lines	5	5	5	5

Perimeter Lot Lines Defaults to minimum protective yard width, or 10' if no transitional protective yard is required.

Table 3

B. **<u>Building Orientation Along Certain Rights-of-way.</u>**

1. ACC Blvd. Eastern Portion
   Seventy (70%) percent of the frontage along the residential portion of ACC Boulevard, east of its intersection with the thoroughfare extension

of Briar Creek Parkway, shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than thirty (30') feet from the right-of-way of ACC Boulevard. Such buildings shall be spaced not more than 60 feet apart, excluding drives and/or rights-of-way. The intent of these standards is to create a pedestrian friendly area which places buildings close to the streets which serve them and locates parking on the side of such buildings opposite of the right-of-way. Because the non-residential portion of ACC Blvd is separated from the residential portion by Briar Creek and related open space, the standards listed above shall not apply to Tracts 5-2, 5-3 and 5-4.

2. ACC Blvd. Western Portion

Fifty (50%) percent of the frontage along the residential portion of ACC Boulevard west of the thoroughfare extension of Briar Creek Parkway shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than forty (40') feet from the said right-of-way. Such buildings shall be spaced not more than 175 feet apart, excluding drives and/or rights-of-way. The intent of these standards is to create a pedestrian friendly area which places buildings close to the streets which serve them and locates parking on the side of such buildings opposite of the right-of-way. This provision shall not apply to residential developments containing buildings of 4 stories or more and

which do not utilize the Urban Density Group Housing Standards set forth herein.

3. Pedestrian Street

Seventy (70%) percent of the frontage along the high density residential portion of the pedestrian street shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than thirty (30') feet from the said right-of-way. Such buildings shall be spaced not more than 60 feet apart, excluding drives and/or rights-of-way. The intent of these standards is to create a pedestrian friendly area similar to that along ACC Boulevard; however, because this boulevard will be designed for a lower speed limit, on-street parking as shown on pedestrian boulevard street cross-sections may be permitted by City Council. Otherwise, parking shall be located on the side of such buildings opposite of the right-of-way.

Due to the unique needs of Assisted Living Facility residents, if this land use is located on Tract 6-3, buildings may be set back further from the right-of-way, up to an additional 30 feet, and building separations maybe increased to 120', exclusive of drives and rights-of-way.

Fifty (50%) percent of the frontage along the village retail portion of the pedestrian boulevard shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than thirty (30') feet

from the said right-of-way, except for highway retail sales uses or other uses with drive-through facilities, where the closest part of these such buildings shall be no more than sixty (60) feet from the right-of-way. Such buildings shall be spaced not more than 175 feet apart, excluding drives and/or rights-of-way.

4. Thoroughfare extension of Briar Creek Parkway

Fifty (50%) percent of the frontage along the high density residential portion of the extension of Briar Creek Parkway shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than forty (40') feet from the said right-of-way. Such buildings shall be spaced not more than 175 feet apart, excluding drives and/or rights-of-way.

Forty (40%) percent of the frontage along the village retail portion of the extension of Briar Creek Parkway shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than forty (40') feet from the said right-of-way, except for retail sales-highway or other uses with drive-through facilities, where the closest part of these such buildings shall be no more than sixty (60) feet from the right-of-way. Such buildings shall be spaced not more than 175 feet apart, excluding drives and/or rights-of-way.

VIII. PHASING

The Glenwood Avenue - T.W. Alexander Drive Master Plan shall be executed in phases primarily determined by market conditions. The phasing is subject to change based upon market conditions, availability of funding and site characteristics discovered upon field engineering and surveying. The anticipated phasing sequence is designated on Master Plan Map MP-2 and described further on the Transportation Plan Exhibit E attached hereto and incorporated herein by reference. Notwithstanding the foregoing, the petitioner reserves the right to develop any tract without regard to the Phasing Plan once all necessary infrastructure to serve such tract is in place. Amendments to the Phasing Plan will be subject to review and approval of the Raleigh Planning Director. The "constructed" requirement of §10-2057(f)(4)b.4, shall be satisfied with the issuance of a building permit pursuant to a site plan approved for the 25-acre minimum of non-retail development.

IX. ANNEXATION

To date annexation petitions for the eastern most portion of the master plan property have been submitted to the city. To facilitate the smooth phase development of the property, the remaining property will be annexed in no more than four additional annexation requests. The next such annexation request shall include as a minimum the remainder of property located east of the thoroughfare extension of Briar Creek Parkway. The remaining annexations will follow the phasing sequencing as designated on Master Plan Map MP-2, and will include the entirety of any development tract included therein. Amendments to the Annexation Plan will be subject to review and approval of the Raleigh Planning Director. Notwithstanding the foregoing, upon site plan

approval or subdivision approval of any property, such property shall be petitioned to be annexed into the city in accordance with current City policy.

X. ROAD DEPICTIONS

The roads depicted in the Master Plan are illustrations and may be altered by the City and the Applicant in accordance with the City policies.

XI. AMENDMENTS

As long as the parties signatory to this application own property within the Master Plan area, only such parties shall have the right to amend the Master Plan, but only to the extent such amendment would apply to their individual properties. The owners association created to own and maintain the common open space and landscape amenities must join in all other amendments to the Master Plan. Because conditional use zoning cases must be filed by the owners of property, the individual lot owners must execute such requests.

A. <u>Administrative Changes</u>.

1. In the Master Plan area, City Administration will approve site plans for each phase of the development and, if required, unity of development and unified landscape plans.
2. In the Master Plan area, City Administration may approve minor variations in the location and density of residential uses as long as the overall density allocated for such uses is not expanded or reduced by more than a total of ten percent (10%) in any section or cumulatively, and will approve all preliminary subdivision plans, but

for those sections where minimum density has been established, staff shall not have the ability to reduce this standard.

3. In the Master Plan area, City Administration may approve changes in the dimensions or arrangement of the nonresidential portions of the Master Plan, as long as the overall acreage or square footage allocated for such uses is not expanded or reduced by more than a total of ten percent (10%), but no expansion of any retail tract may be approved by administration. Staff may approve hotel / motel uses on tracts where the Master Plan documents permits the same; however, staff shall not approve site plans which would result in more than 600 hotel rooms in the total master plan area.

4. City Administration may approve changes in public street and collector locations, driveway access points onto the thoroughfare system, and minor changes in street or sidewalk construction standards that do not affect the traffic-carrying capacity of the streets or sidewalks.

B. <u>Planning Commission Changes</u>.

1. For group housing, townhomes, etc., variations in the building-to-building locational requirements and set backs from buildings, rights of way and outdoor living areas may be approved by the Planning Commission if it can be demonstrated that equal or better air, light and privacy can be provided with creative arrangement of buildings and window locations, fencing and landscaping, or other innovative design.

2. The Planning Commission shall resolve any question of interpretation of the Master Plan that may arise in the administrative approval of any site plan within the Master Plan area, and that is not resolved between City Administration and the applicant. As with any Certified Action of the Planning Commission, either the Planning Director or the applicant may appeal the judgment of the Planning Commission to the City Council.

C. <u>City Council Changes.</u>

1. City Council, after a recommendation of the Planning Commission, shall approve any change in the Master Plan that will create an expansion or reduction of portion of the Master Plan greater than ten percent (10%) of the approved acreage or square footage for that portion.
2. City Council, after a recommendation of the Planning Commission, shall approve any expansion in the amount of retail use, and substantial change in the location of the retail portions of the Master Plan, and any hotel/motel uses which results in more than 600 rooms in the total master plan area.
3. City Council or the Board of Adjustment, in accordance with the zoning Code, will approve all special-use permits or variances that may be required for specific uses proposed in site-specific development plans.
4. City Council, after a recommendation of the Planning Commission, shall approve any change in the Master Plan not addressed above.

LAND USE SUMMARY

PDD

TRACT	LAND USE CLASSIFICATION	ACREAGE	OPEN SPACE, BUFFERS, FLOOD PLAIN & WETLANDS	NET USEABLE ACREAGE	NUMBER OF ROOMS/UNITS	SQUARE FOOTAGE	BUILDING HEIGHT	DENSITY (DU/AC)
	RESIDENTIAL							
6-2	HIGH DENSITY RESIDENTIAL	37.98	3.71	34.27	630		100 FT	16.59
9	HIGH DENSITY RESIDENTIAL/OFFICE	8.64	1.47	7.17	160	(100,000 ALT.)	300 FT	18.52
6-3	MATURE LIVING/CONGREGATE CARE	8.12	0.72	7.40	226		200 FT	27.83
		54.74	5.90	48.84	1016			
	INSTITUTION/CIVIC							
5-5	DAYCARE	5.04	2.62	2.42		9,800	75 FT	
5-6	DAYCARE	6.75	2.59	4.16		16,000	75 FT	
		11.79	5.21	6.58		25,800		
	OFFICE							
5-1	OFFICE	8.12	2.28	5.84		84,750	100 FT	
5-2	OFFICE	3.63	0.87	2.76		20,250	75 FT	
5-3	OFFICE	7.49	2.08	5.41		59,000	100 FT	
5-4	OFFICE	3.73	0.88	2.85		18,500	75 FT	
7	OFFICE OR HIGH DENSITY RESIDENTIAL	28.10	4.29	23.81	(430 ALT.)	315,000	300 FT	(15.3 ALT.)
8	OFFICE	6.09	1.64	4.45		73,000	300 FT	
11-1	OFFICE	11.82	3.13	8.69		133,000	300 FT	
11-2	OFFICE	6.81	1.25	5.56		110,000	300 FT	
12-1	OFFICE OR BUSINESS HOTEL	7.44	2.76	4.68	(150 ALT.)	46,200	300 FT	
12-2	OFFICE	8.08	0.51	7.57		115,000	300 FT	
13	OFFICE	7.62	0.61	7.01		101,000	300 FT	
		98.93	20.30	78.63		1,075,700		
	COMMERCIAL							
1	HOTEL	7.20	3.23	3.97	150		75 FT	
10*	RETAIL	12.39	2.90	9.49		22000	60 FT	
14	VILLAGE RETAIL	9.71	0.00	9.71		84800	60 FT	
		29.30	6.13	23.17	150	106,800		

SC CUD

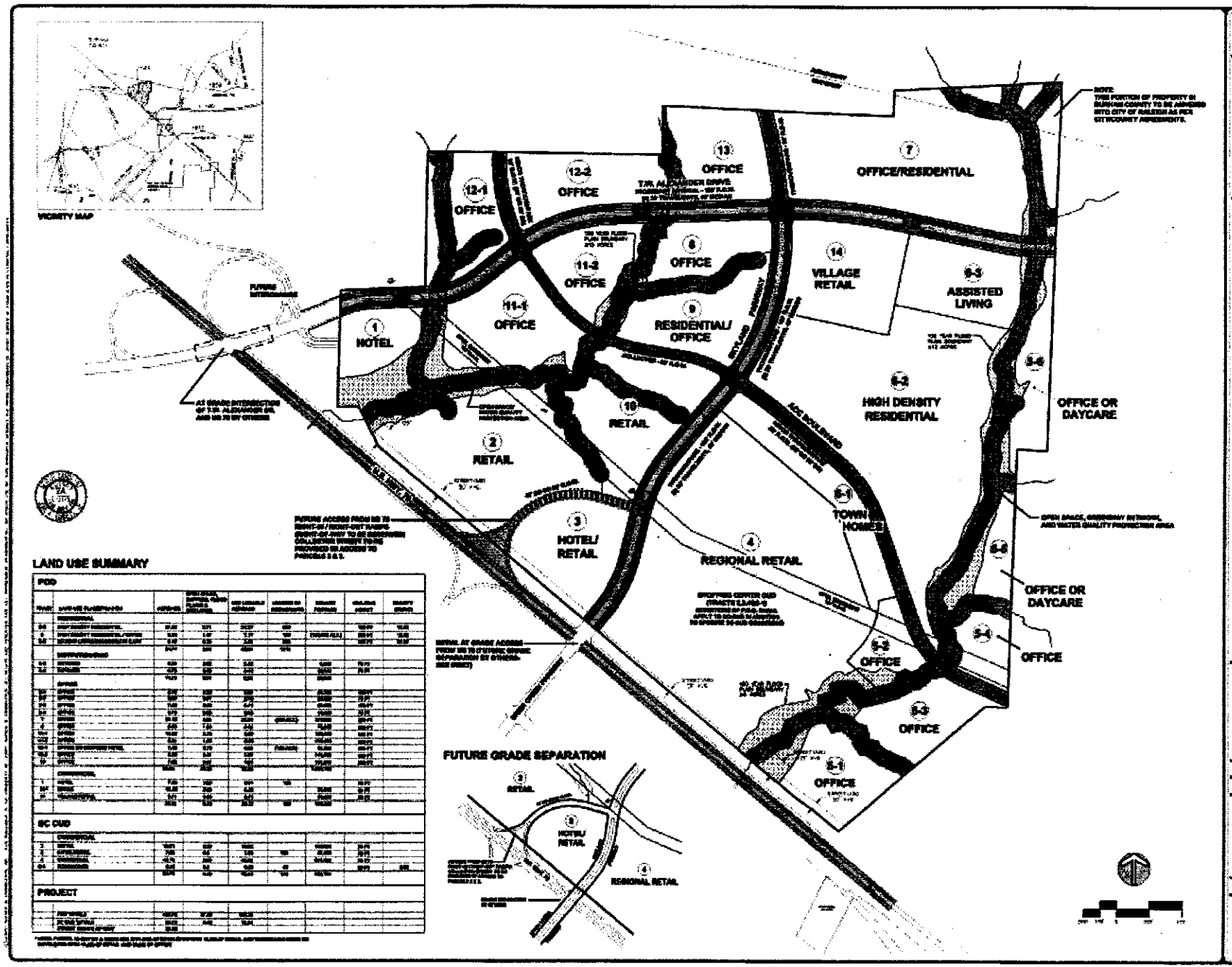
	COMMERCIAL							
2	RETAIL	19.51	3.59	15.92		110,600	75 FT	
3	HOTEL/RETAIL	7.99	0.00	7.99	100	47,500	75 FT	
4	COMMERCIAL	48.70	2.90	45.80		524,000	75 FT	
6-1	TOWNHOMES	6.53	0.00	6.53	45		50 FT	6.89
		82.73	6.49	76.24	145	682,100		

PROJECT

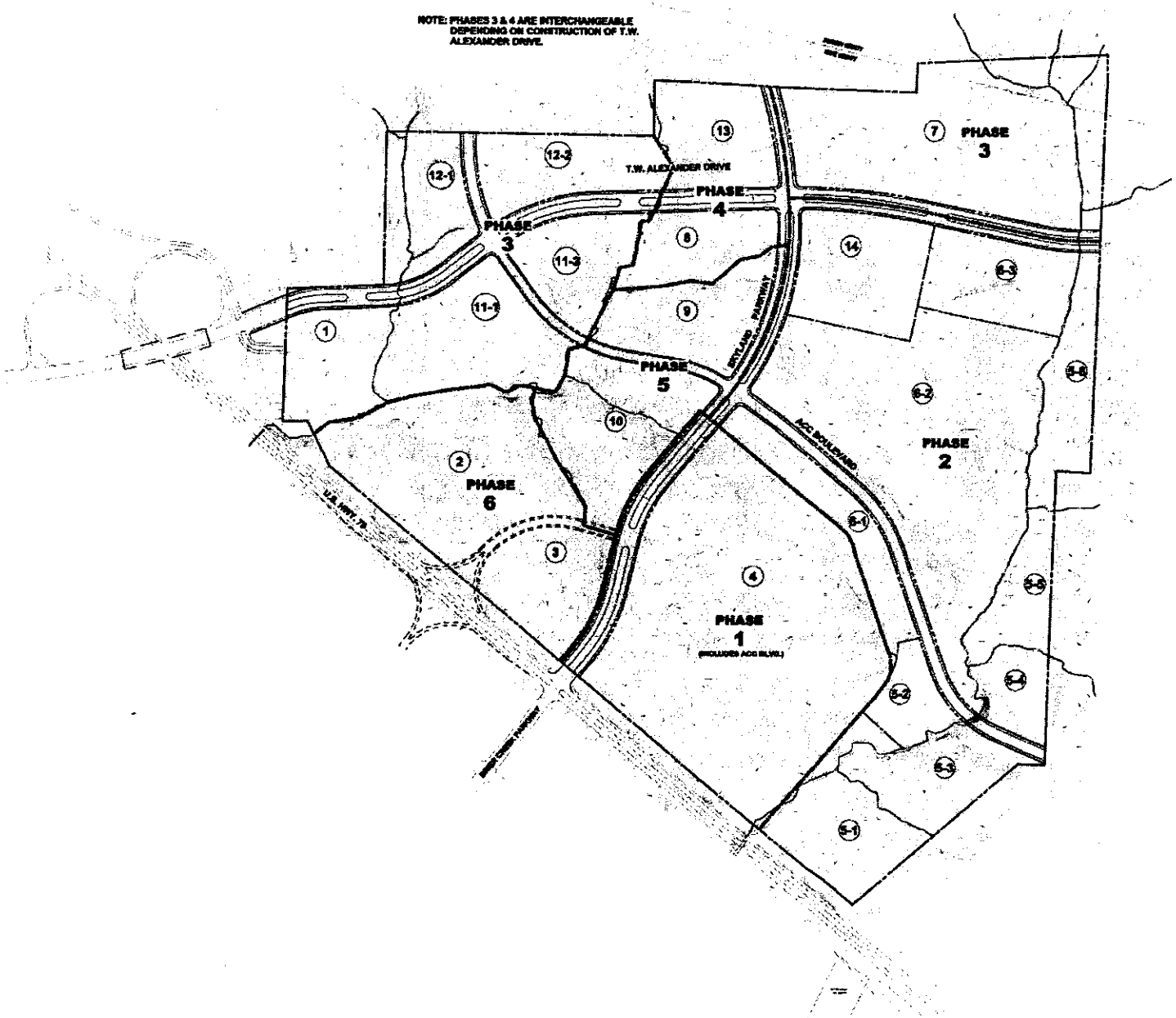
	PDD TOTALS	194.76	37.54	157.22				
	SC CUD TOTALS	82.73	6.49	76.24				
	STREET RIGHTS-OF-WAY	30.85						
	GROSS PROJECT AREA	308.34						

*NOTE: PARCEL 10 MAY BE A MIXED USE SITE AND BE DEVELOPED WITH 12,000 SF RETAIL AND 72 DWELLING UNITS OR DEVELOPED WITH 12,000 SF RETAIL AND 32,000 SF OFFICE.

EXHIBIT "A"


VICINITY MAP
1 HOTEL
2 RETAIL
3 HOTEL/ RETAIL
4 REGIONAL RETAIL
5-1 TOWN HOMES
5-2 OFFICE
5-3 OFFICE
5-4 OFFICE
5-5 ASSISTED LIVING
5-6 HIGH DENSITY RESIDENTIAL
5-7 OFFICE OR DAYCARE
5-8 OFFICE OR DAYCARE
6 OFFICE
7 OFFICE/RESIDENTIAL
8 OFFICE
9 RESIDENTIAL/ OFFICE
10 RETAIL
11-1 OFFICE
11-2 OFFICE
12-1 OFFICE
12-2 OFFICE
13 OFFICE
14 VILLAGE RETAIL
T.W. ALEXANDER DRIVE
AT GRADE INTERSECTION OF T.W. ALEXANDER DR. AND US 70 BY OTHERS
FUTURE ACCESS FROM US 70 RIGHT-IN / RIGHT-OUT RAMPS (RIGHT-OUT RAMP TO BE UNDERWAY COLLECTORS TRANSIT PADS PROVIDED IN ACCESS TO PARCELS 2 & 3.
RETAIL AT GRADE ACCESS FROM US 70 (FUTURE GRADE SEPARATION BY OTHERS - SEE INSET)
OPEN SPACE, GREENWAY NETWORK, AND WATER QUALITY PROTECTION AREA
NOTE: THIS PORTION OF PROPERTY IS SUBJECT TO BE ANNEXED INTO CITY OF RALEIGH AS PER CITY/COUNTY AGREEMENTS.
FUTURE GRADE SEPARATION
RETAIL
HOTEL/ RETAIL
REGIONAL RETAIL
LAND USE SUMMARY
POD
SC OUD
PROJECT
RUBY JONES TRACT
RALEIGH, NORTH CAROLINA
DEVELOPED BY:
STRATFORD LAND ADVISORS L.P.
MASTER LAND USE PLAN
MP-1

NOTE: PHASES 3 & 4 ARE INTERCHANGEABLE DEPENDING ON CONSTRUCTION OF T.W. ALEXANDER DRIVE.



JERRY YARBOROUGH & ASSOCIATES, INC.

Landscape Architecture
Land Planning
Environmental Design

RUBY JONES TRACT
RALEIGH, NORTH CAROLINA

DEVELOPED BY:
STRATFORD LAND ADVISORS L.P.

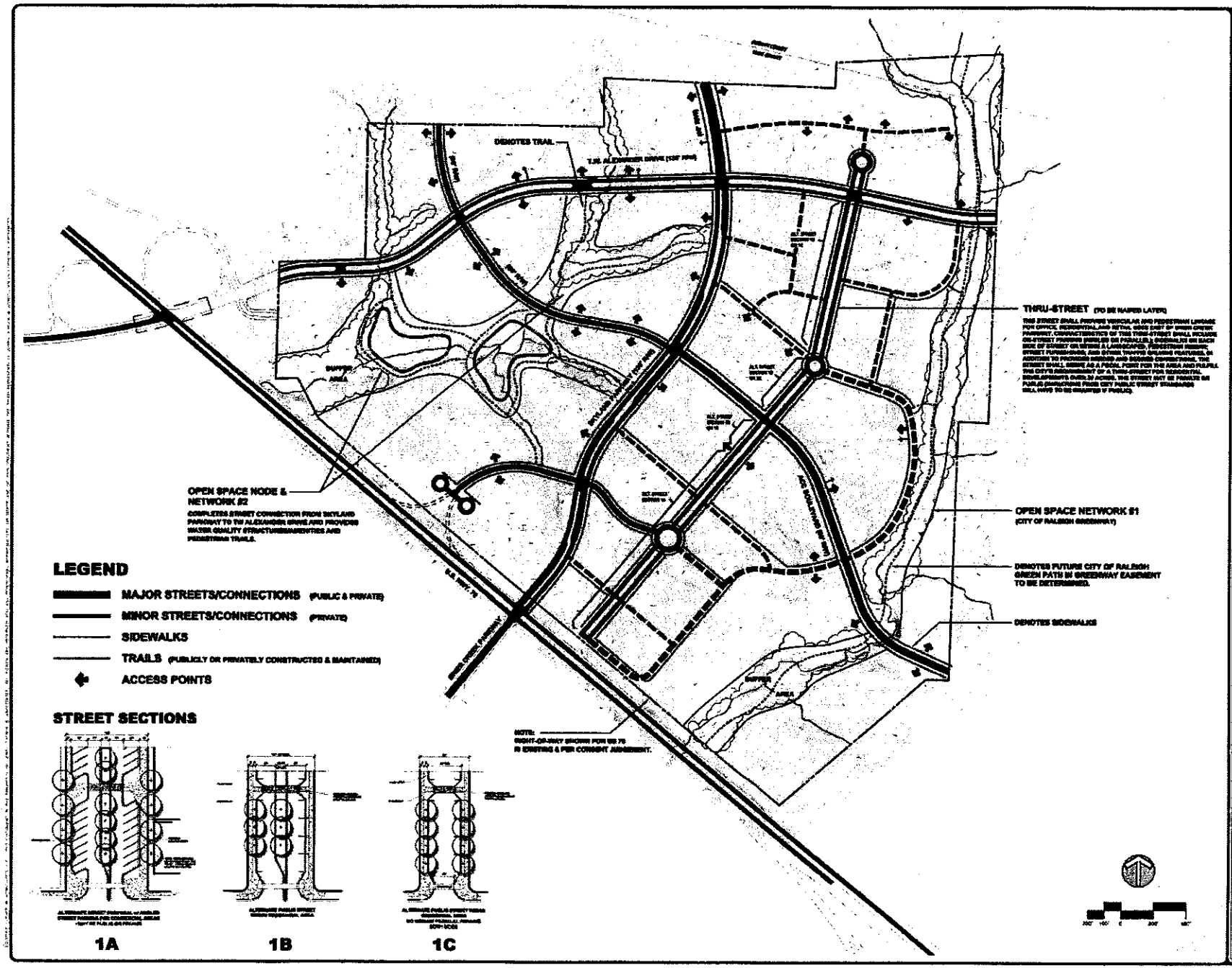
CIVIL ENGINEERS:
JOHN A. EDWARDS & CO.
RALEIGH, NC

TRANSPORTATION ENGINEERS:
KIMLEY-HORN & ASSOC.
CARY, NC

ENVIRONMENTAL ENGINEERS:
SOIL & ENVIRONMENTAL CONSULTANTS
RALEIGH, NC

PHASING PLAN

MP-2



JERRY TURNER & ASSOCIATES, INC.

Landscape Architecture
Land Planning
Environmental Design

RUBY JONES TRACT

RALEIGH, NORTH CAROLINA

DEVELOPED BY:
STRATFORD LAND ADVISORS L.P.

CIVIL ENGINEERS:
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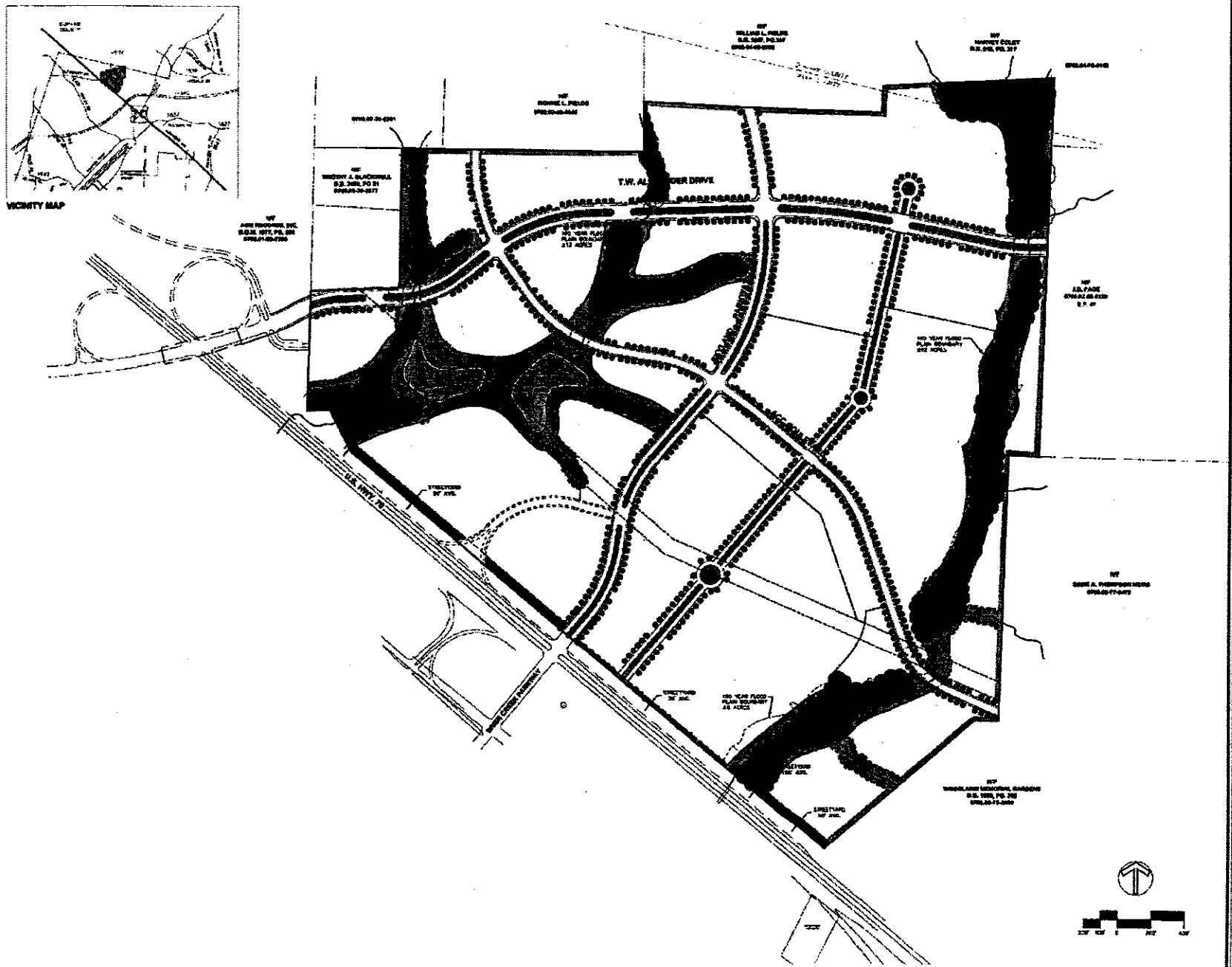
RALEIGH, NC

TRANSPORTATION ENGINEERS:
KIMLEY-HORN & ASSOC.
CARY, NC

ENVIRONMENTAL ENGINEERS:
SOIL & ENVIRONMENTAL CONSULTANTS
RALEIGH, NC

VEHICULAR & PEDESTRIAN CIRCULATION PLAN

MP-3



JOHN TURNER & ASSOCIATES, INC.

Landscape Architecture
Land Planning
Environmental Design

RUBY JONES TRACT

STRATFORD LAND ADVISORS L.P.

CIVIL ENGINEERS:
JOHN A. EDWARDS & CO.
RALEIGH, NC

TRANSPORTATION ENGINEERS:
KIMLEY-HORNE & ASSOC.
CARY, NC

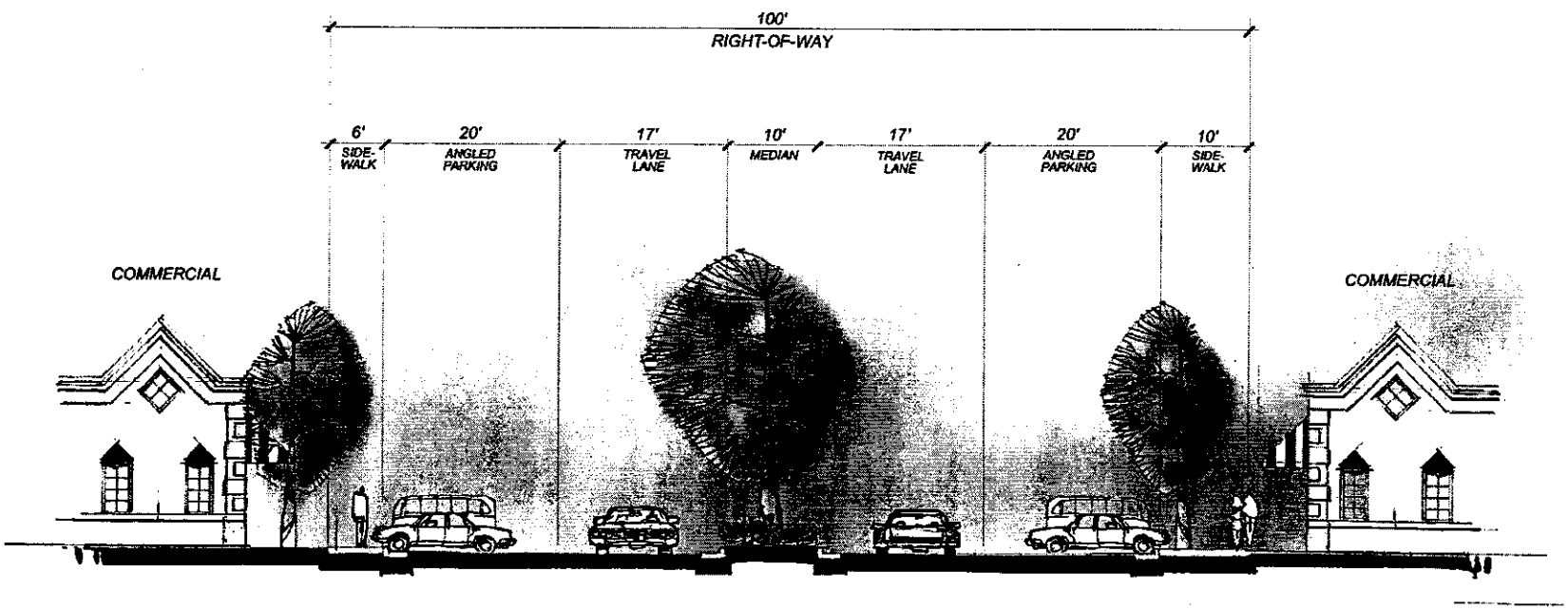
ENVIRONMENTAL ENGINEERS:
BOS & ENVIRONMENTAL CONSULTANTS
RALEIGH, NC

MASTER LANDSCAPE PLAN

PLANNED DEVELOPMENT DISTRICT

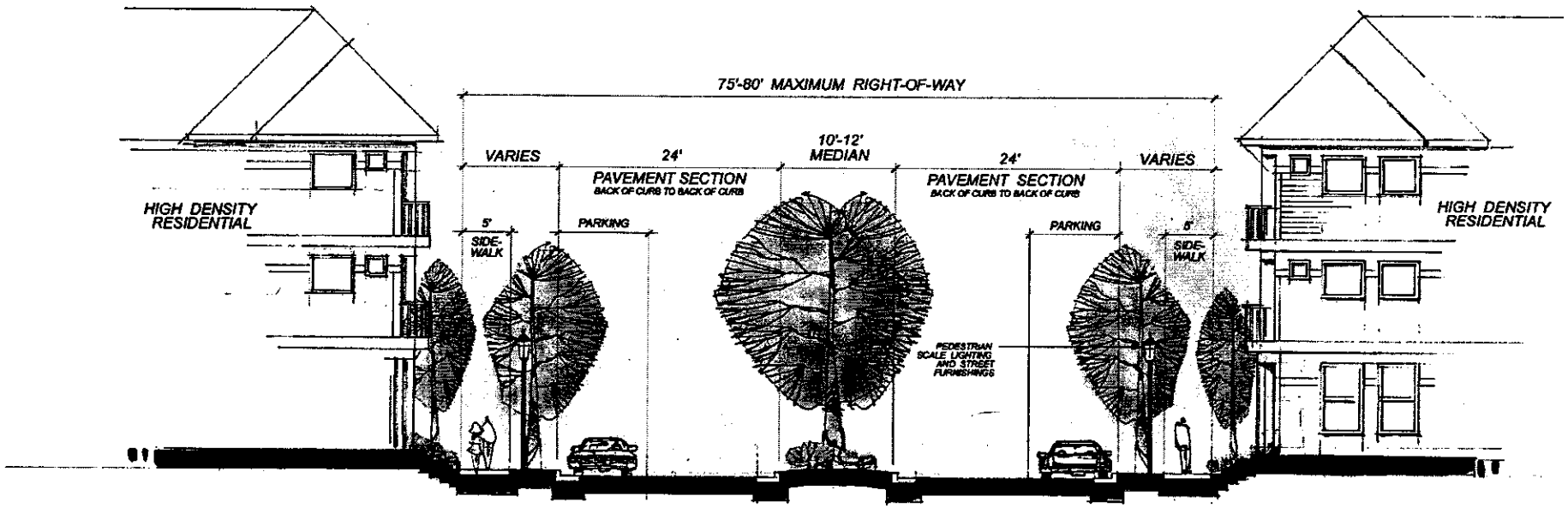
MP-4

For Illustrative Purposes Only



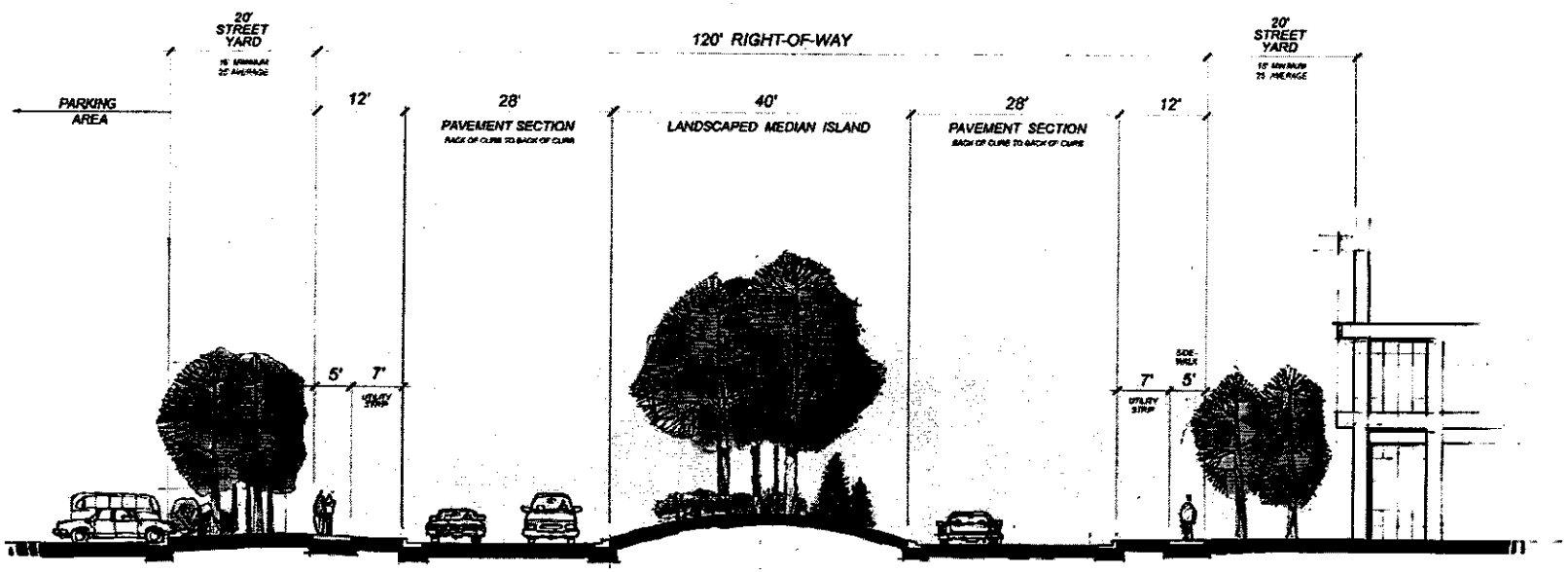
ALTERNATE STREET PROPOSAL W/ ANGLED PARKING FOR COMMERCIAL AREAS

For Illustrative Purposes Only



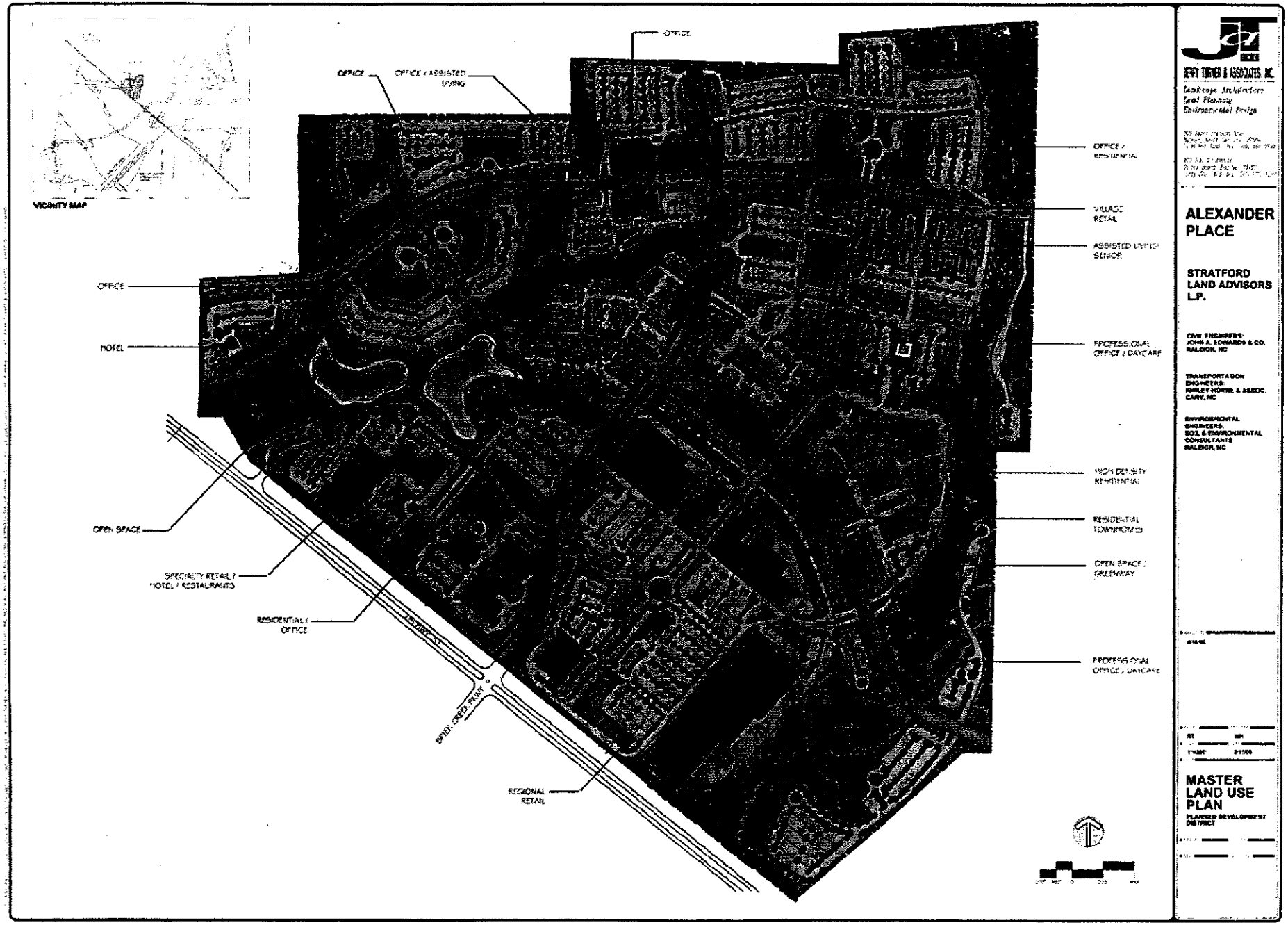
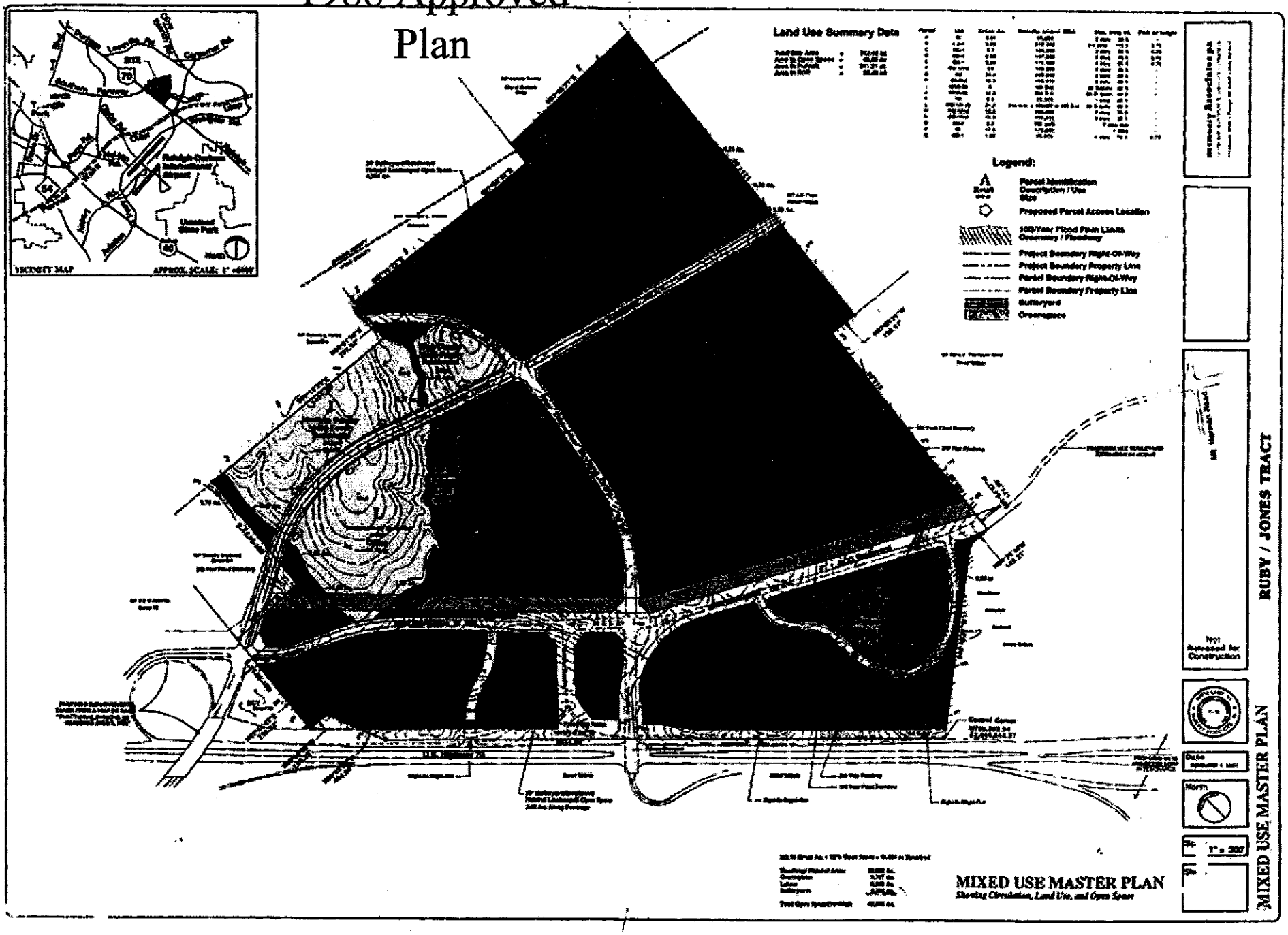
ALTERNATE PUBLIC STREET WITHIN RESIDENTIAL AREA

For Illustrative Purposes Only



T.W. ALEXANDER DRIVE STREET SECTION

For Illustrative Purposes Only



1988 Approved Plan