

ORDINANCE NO. (2021) 196 ZC 815

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF RALEIGH WHICH IS CODIFIED IN PART 10 OF THE CITY OF RALEIGH CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Zoning District Map, which is codified in Part 10 of the City of Raleigh Code, be and the same is hereby amended as follows:

- 1. TCZ-2-20: 0, 0, 6300, 6620, and 6655 The Lakes Drive**, located on both sides of The Lakes Drive south of Sandy Forks Road, consisting of Wake County PINs 1717111325, 1717015477, 1717003706, 1717005113, and 1707907349, approximately 74.3 acres zoned Planned Development (PD).

Conditions dated: **See Attached Master Plan dated February 21, 2021**

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If this ordinance or any application thereof is held invalid as to any person or application thereof, such invalidity shall not affect other provisions or applications of the ordinances which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance is being adopted following a recommendation from the Raleigh City Planning Commission and a duly advertised public hearing of the Raleigh City Council. No written comments were received by the City Clerk within twenty-four hours following the close of the public hearings for each rezoning application referenced herein.

Section 5. That this ordinance shall become effective five (5) days after adoption.

Adopted: February 16, 2021

Effective: February 21, 2021

Distribution: Planning and Development
 Inspections
 City Attorney
 Transcription Services – Taylor

MASTER PLAN (MP-4-16)
NORTH RIDGE PD
PLANNED DEVELOPMENT DISTRICT

± 74.31 ACRES

OWNER:

North Ridge Land Partners LLC
&
North Ridge Apts LLC

CONSULTANTS:

Michael Birch
Longleaf Law Partners

Brian Purdy
McAdams Company

Adopted: May 1, 2017 (Z-33-16/MP-4-16)

Amended: February 21 ,2021 (TCZ-2-20)

TABLE OF CONTENTS

- 1. INTRODUCTION**
- 2. COMPREHENSIVE PLAN**
- 3. RENOVATION OF EXISTING BUILDINGS**
- 4. DEVELOPMENT OF PARK AND OPEN SPACE**
- 5. INTENT FOR PD DISTRICTS**
- 6/ GENERAL DESIGN PRINCIPLES AND URBAN DESIGN GUIDELINES**
- 7. LAND USE DENSITY AND DESIGN CONTROL**
 - A. Subdistrict A
 - B. Subdistrict B
 - C. Subdistrict C
 - D. Subdistrict D
 - E. Subdistrict E
- 8. TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS**
- 9. MODIFICATIONS REQUESTED PURSUANT TO UDO SECTION 4.7.2**
 - A. News Street and Block Perimeter
 - B. Use Standards
 - C. Building/Structure Setbacks and Build-To
 - D. Parking Setbacks and Parking Reduction
 - E. Lot Dimension
 - F. Floor Heights
 - G. Transparency
 - H. Blank Wall
 - I. Common Sign Plans
 - J. Landscaping and Screening
 - K. Open Space
 - L. Outdoor Amenity Area
 - K. Common Signage Plan

SUMMARY INFORMATION

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1. INTRODUCTION

This document and the accompanying exhibits submitted herewith (collectively, the "Master Plan") are provided pursuant to provisions of the Unified Development Ordinance (the "UDO") associated with the Planned Development ("PD") District for Hawthorne North Ridge (the "Development"). The Development encompasses approximately 74.38 acres bounded by Sandy Forks Road to the west, Spring Forest Road to the north and east and Shanda Drive to the south (the "Property"). The Property was originally developed in the 1970s as a garden-style, apartment community with approximately 600 units (the "Existing Buildings"), a clubhouse and recreational facilities, including a pool and tennis courts. It also contains two remnant ponds created for an agricultural use that predated the original apartment development.

The City made significant improvements along Sandy Forks Road adjacent to the Property, including widening and installation of sidewalks and streetscape. The Development includes the renovation of the Existing Buildings and adding new multifamily units. In addition, it will include new recreational amenities, including walking trails, community garden, playground, a dog park and greenway. The Development is proposed at densities appropriate to the location of the Development, market conditions, Comprehensive Plan guidance, the nature of land uses in the vicinity, and the City's investment in existing infrastructure. Accordingly, the Master Plan sets forth density and square footage limitations as well as modifications to the UDO as appropriate to accomplish the development program described herein.

A prior rezoning request (Z-33-16/MP-4-16), adopted by City Council on May 1, 2017, first rezoned the Property to a Planned Development district. This amended Master Plan retains most of the prior plan's standards, but moderately increases the amount of allowable residential units in Subdistrict E with a corresponding decrease in the amount of units in Subdistrict A, increases the allowable height from 4 to 5 stories in Subdistricts D and E, and eliminates the 2' ground floor elevation above average grade requirement in all subdistricts. These minor changes preserve the spirit and intent of the initial plan.

2. COMPREHENSIVE PLAN

The Master Plan for the Development addresses the development and redevelopment of approximately 74.38 acres located in North Raleigh along a recently improved Sandy Forks Road. For a graphic depiction of the area to be rezoned, please refer to the existing conditions plan submitted with this Master Plan as plan sheet P-1. The purpose of this rezoning and Master Plan is to support, in an economically viable manner, the redevelopment of the Property, which a) provides the public significant recreational amenities in this part of the City, b) provides for the renovation, conformity and preservation of existing building stock, c) adds appropriately scaled new multifamily housing to meet the City's growing needs and d) improves circulation in the area.

The Future Land Use Map ("FLUM") identifies the Property as split between Medium Density Residential and Public Parks and Open Space. Medium density residential applies to garden apartments, condominiums and suburban-style apartment complexes. Consistent with the FLUM, the proposed density in connection with the Development is Medium Density Residential. The area of the Property identified as Public Parks and Open Space currently contains two manmade ponds and no recreational amenities. In its place, the Development will include new recreational amenities, including walking trails, community garden, playground, a dog park and greenway. As the headwaters to the Big Branch Creek, the Property offers an opportunity to restore a natural environmental feature and connect it to the nearby Cedar Hills Park as well as establish a critical future link to the City's greenway system. In addition, the Development will further a number of policies in the Comprehensive Plan. For example, it will serve as a pedestrian-oriented development with improved circulation within the Property and to surrounding street networks. It will also add several new connections to the surrounding public street network, improving interconnectivity in the area.

3. RENOVATION OF EXISTING BUILDINGS

The Owner commits to spend a minimum of \$8,000,000 on site improvements, interior and exterior building improvements and amenity improvements related to the Existing Buildings in Subdistrict A ("Subdistrict A Improvements") to preserve more affordable building stock in this area of the City as follows: From May 2, 2017 (the date of adoption of MP-4-2016) forward, Owner will spend a minimum of \$4,000,000 on Subdistrict A Improvements prior to obtaining a Certificate of Occupancy for a maximum of 300 newly constructed residential units in Subdistrict B, D or E. From May 2, 2017 forward, Owner will spend not less than a total of \$8,000,000 on Subdistrict A Improvements prior to obtaining a Certificate of Occupancy for more than 300 newly constructed residential units in Section B, D or E.

4. DEVELOPMENT OF PARK AND OPEN SPACE

The Owner commits to create parks and open space that provide needed improvements for the public in this area of the City. In connection with the initial site plan for new development on the Property, the Developer will include development of parks and open space. In Subdistrict C, the site plan shall include a minimum of three improvements among the following: dog park, walking trail, greenway connection, open field, playground and community garden. Such improvements shall be situated in an open space area with a minimum of five acres. This park and open space area in Subdistrict C will be available to the public. It is anticipated that the improvements in Subdistrict C shall be constructed to City standards and conveyed to the City for maintenance upon approval by the City. It is also anticipated the improvements in Subdistrict C shall include public art and a venue for entertainment. In addition, the Development will include other open space areas such that the overall open space shall exceed the requirements for Planned Development Districts.

5. INTENT FOR PD DISTRICTS

The proposed Development meets the intent of the PD District in several ways. In particular, the PD District will help the Development to achieve a high quality project design. It will facilitate the integration of a cohesive development that allows residents access to a range of amenities, including parks and open space and recreational amenities, better pedestrian and bicycle circulation throughout the area that is walkable and medium scale. The PD District allows the Development to update an older suburban site while keeping some existing, more affordable building stock, improve transportation circulation in this area and provide better amenities to residents and the public while in keeping with the surrounding scale and placing minimal impact on the area's infrastructure. Finally, the PD acts as a relief valve to the prescriptive aspects of the UDO. The Existing Buildings were constructed prior to many UDO requirements. As such, this master plan will bring a number of aspects of the Existing Buildings into conformity with the UDO.

6. GENERAL DESIGN PRINCIPLES AND URBAN DESIGN GUIDELINES

The Development meets the General Design Principles for PD Districts in a number of ways. It preserves existing building stock, bringing it into conformity with the UDO, while creating an opportunity for new residential development to meet the City's growth. Internal connections provide convenient pedestrian access throughout the Development along with connections to the surrounding area, tying into the newly upgraded Sandy Forks Road. Instead of using private drives as many other multifamily developments do, the Development will have public streets (classified as Neighborhood Streets) throughout with sidewalks and a width sufficient to accommodate bicycles. It will also provide new connectivity to the surrounding street system such as Sandy Forks Road, Shanda Drive and the potential for a connection to Spring Forest Road. Therefore, it will create a bicycle friendly environment throughout, accommodating bicycle circulation and tying into the proposed greenway trail that provides connectivity to Cedar Hills Park and other future greenway corridors.

The Development will be well-integrated and provide ample recreational amenities- both passive and active - to serve the public. A substantial buffer and landscaping surround the Development. Architecture and landscaping will provide a cohesive design to the buildings and surroundings, fitting with the topography, site and climate. For example, new buildings will face the public streets, affording easy access for pedestrians and helping to delineate streets and mask parking lots. The Development restores two manmade ponds to a natural state that can be utilized as an amenity for the public. Finally, the development pattern has a scale that ensures the residents have ample access to open space and light.

In addition, the Development incorporates a number of elements of the Urban Design Guidelines. For example, open spaces provide convenient seating opportunities and are integrated throughout the Development. In particular, the Development includes a number of parks and open space amenities such as walking trails, dog park, playground and community garden for the public. Internal streets are interconnected throughout, providing ease of circulation and access for residents along with sidewalks for pedestrian mobility. The Development transitions to the surrounding neighborhoods include substantial buffering and landscaping. It also provides new connections to the surrounding public street network, improving interconnectivity in the City.

7. LAND USE INTENSITY

Land use intensities for the Development are described in the site data table on plan sheet P-2 submitted with this Master Plan. The maximum development intensities can be transferred among subdistricts so long as the overall limitation on intensities for the *five* subdistricts is not exceeded. Subdistrict sizes and general building locations are shown on Plan Sheet P-2 submitted with this Master Plan. In Phase 1, the Development shall include at least two of the following buildings types: apartment, townhome, civic, general, and open lot.

The maximum land use intensities for each subdistrict and building types shown in the land use plan are outlined below:

- A. Subdistrict A
 - 1. **Uses and Density.** Subdistrict A may be developed for up to 525 dwelling units and 7000 square feet of nonresidential use.
 - 2. **Building Height.** Buildings located in Subdistrict A shall be limited to 4 stories and 62 feet in height.
 - 3. **Building Type.** Subdistrict A may contain Apartment and Townhome Building Types for residential uses and Civic, General, and Open Lot Building Types for nonresidential uses.
- B. Subdistrict B
 - 1. **Uses and Density.** Subdistrict B may be developed for up to 7000 square feet of nonresidential use and 350 dwelling units.
 - 2. **Building Height.** Buildings located in Subdistrict B shall be limited to 4 stories and 62 feet in height.
 - 3. **Building Type.** Subdistrict B may contain Apartment and Townhome Building Types for residential uses and Civic, Open Lot, General Building Types for nonresidential uses.
- C. Subdistrict C
 - 1. **Uses and Density.** Subdistrict C may be developed for recreational uses in addition to parks and open space and 7000 square feet of nonresidential use.
 - 2. **Building Height.** Buildings located in Subdistrict C shall be limited to 3 stories and 45 feet in height.
 - 3. **Building Type.** Subdistrict C may contain Open Lot, Civic and General Building Types for nonresidential uses.
- D. Subdistrict D
 - 1. **Uses and Density.** Subdistrict D may be developed for up to 450 dwelling units and 7000 square feet of nonresidential use.
 - 2. **Building Height.** Buildings located in Subdistrict D shall be limited to 5 stories in height.
 - 3. **Building Type.** Subdistrict D may contain Apartment and Townhome Building Types for residential uses and Open Lot, Civic, and General Building Types for nonresidential uses.
- E. Subdistrict E
 - 1. **Uses and Density.** Subdistrict E may be developed for up to 175 dwelling units and 7000 square feet of nonresidential use.
 - 2. **Building Height.** Buildings located in Subdistrict E shall be limited to 5 stories in height.
 - 3. **Building Type.** Subdistrict E may contain Apartment and Townhome Building Types for residential uses and Civic, Open Lot, and General Building Types for nonresidential uses.

8. TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS

Development pursuant to this Master Plan is subject to the "Recommended Improvements by Developer" for the three scenarios set forth in Section 11 "Recommendations" of the Traffic Impact Analysis prepared by Ramey Kemp & Associates, Inc. and dated December 2016. Specifically, development of Scenario 3 conditions, which assumes development of 600 new apartment units in addition to the 600 existing apartment units, requires construction of a new site access point at Shanda Drive via a full movement intersection with one ingress lane and one egress lane and with stop control for the site driveway at Shanda Drive.

9. MODIFICATIONS REQUESTED PURSUANT TO UDO SECTION 4.7.2

This PD District proposes certain modifications to the UDO pursuant to UDO Section 4.7.2. They are as follows:

A. New Streets and Block Perimeter

The existing, internal street network was constructed prior to new street and block perimeter requirements in the UDO. As such, existing streets in the Development will not be subject to the new streets requirements contained in Article 8.4. In addition, block perimeter standards contained in Article 8.3 shall be satisfied for the Development based upon the existing and proposed public street network as conceptually shown on the plan sheets, which will not create any lots without direct street frontage or create safety issues or contribute to congestion.

B. Use Standards

This master plan selects Residential Mixed Use (RX) district as its base district, which is appropriate for properties identified as medium density residential on the Future Land Use Map. The following uses permitted in the RX District shall be prohibited:

college, community college, university;
retail sales
dormitory, fraternity, sorority;
telecommunications tower;
cemetery; and
hospitality house.

C. Building/Structure Setbacks and Build-To

The Existing Buildings in Subdistrict A were constructed prior to building/structure setback and build-to requirements. Therefore, there shall be no building/structure setback requirements and build-to requirements applicable to Subdistrict A. For new development in other subdistricts, there shall be a build-to of 0-100' and a minimum of 25% of the building width shall be situated within the build-to when located adjacent to a public street. These standards relate to the curvilinear nature of the internal street system on the Property.

D. Parking Setbacks and Parking Reduction

The Existing Buildings in Subdistrict A were constructed with parking lots immediately adjacent to the internal street network. Therefore, the parking setbacks shall be 0 feet for Subdistrict A. In addition, residents of the Development utilize on-street parking as the existing internal street network contains streets with an average width of 41' back-to-back sufficient to accommodate parking on both sides. For continuity, proposed new streets will be built to this same standard. Consequently, the parking requirements contained in Article 7.1 shall be reduced by 15%. Each subdistrict shall provide parking based on the numbers of units contained within it.

E. Lot Dimensions

The Existing Buildings as of the date of this master plan were constructed on a single lot prior to lot and dimension requirements. The Property may be subdivided in the future. The minimum lot dimension area and width requirements applicable to the building types in Article 3.2 shall not apply.

F. Floor Heights

The Existing Buildings in Subdistrict A as of the date of this Master Plan were constructed prior to minimum floor heights. Therefore, there shall be no minimum ground floor elevation requirement applicable to Subdistrict A. Additionally, Subdistricts B, C, D and E shall also be exempt from the minimum ground floor elevation requirements (UDO Sections 3.2.3.G1. and 3.2.4.F1).

G. Transparency

The Existing Buildings in Subdistrict A as of the date of this master plan were constructed prior to minimum transparency requirements. Therefore, there shall be no transparency requirement applicable to Subdistrict A.

H. Blank Wall

The Existing Buildings in Subdistrict A as of the date of this master plan were constructed prior to maximum blank wall space requirements. Therefore, there shall be no maximum blank wall area requirement applicable to Subdistrict A.

I. Landscaping and Screening

The Existing Buildings in Subdistrict A as of the date of this master plan have landscaping and screening installed under standards different from those in the UDO. Consequently, Subdistrict A shall be exempt from landscaping and screening requirements.

J. Open Space

The Development shall exceed 10% open space per the standards contained in UDO Article 2.5 and reflected in P-4 Pedestrian Circulation and Open Space Plan. Open space totals may, with the consent of the City Administration, be shifted or reallocated among subdistricts or lots within the Development. However, UDO Section 2.5.7.A shall be modified so that a property owners' association or property owners representing owners of the Development may own the open space. The property owners' association or owners of the Property must have lien authority to ensure collection of dues from all property owners. The responsibility for maintaining the open space and any facilities is borne by the property owners' association or property owners.

L. Outdoor Amenity Area

The Existing Buildings in Subdistrict A as of the date of this master plan were constructed prior to any outdoor amenity area requirements. Therefore, Subdistrict A shall be exempt from an outdoor amenity area requirement. Subdistricts B, C, D and E shall meet the outdoor amenity area requirements but can do so cumulatively among various subdistricts or lots within the Development and not on a subdistrict by subdistrict or lot by lot basis.

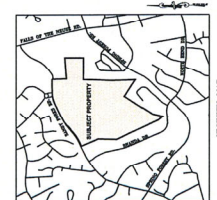
K. Common Signage Plan

The Development shall be subject to a common signage plan contained in the plan sheets.

PD/MASTER PLAN

REZONING CASE #Z-33-16 / TRANSACTION # 484852
MASTER PLAN CASE # MP-4-16/ TRANSACTION # 490182
RALEIGH, NORTH CAROLINA
PROJECT NUMBER: AVC-19000

DATE: OCTOBER 5, 2016
 REVISED: DECEMBER 2, 2016
 REVISED: JANUARY 20, 2017
 REVISED: OCTOBER 7, 2020



CLIENT: AVENTON COMPANIES
5420 WADE PARK BLVD, SUITE 320
RALEIGH, NORTH CAROLINA

SHEET INDEX

- | SHEET INDEX | |
|-------------|--|
| P-1 | EXISTING CONDITIONS |
| P-2 | DEVELOPMENT PLAN |
| P-3 | STREET AND BLOCK PLAN |
| P-4 | PEDESTRIAN CIRCULATION AND OPEN SPACE PLAN |
| P-5 | UTILITY AND STORMWATER PLAN |
| P-6 | TREE CONSERVATION PLAN |
| P-7 | COMMON SIGNAGE PLAN |
| P-8 | 3D MASSING STUDY |



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PRELIMINARY HEARING - NOT RELEASED FOR CONSIDERATION

