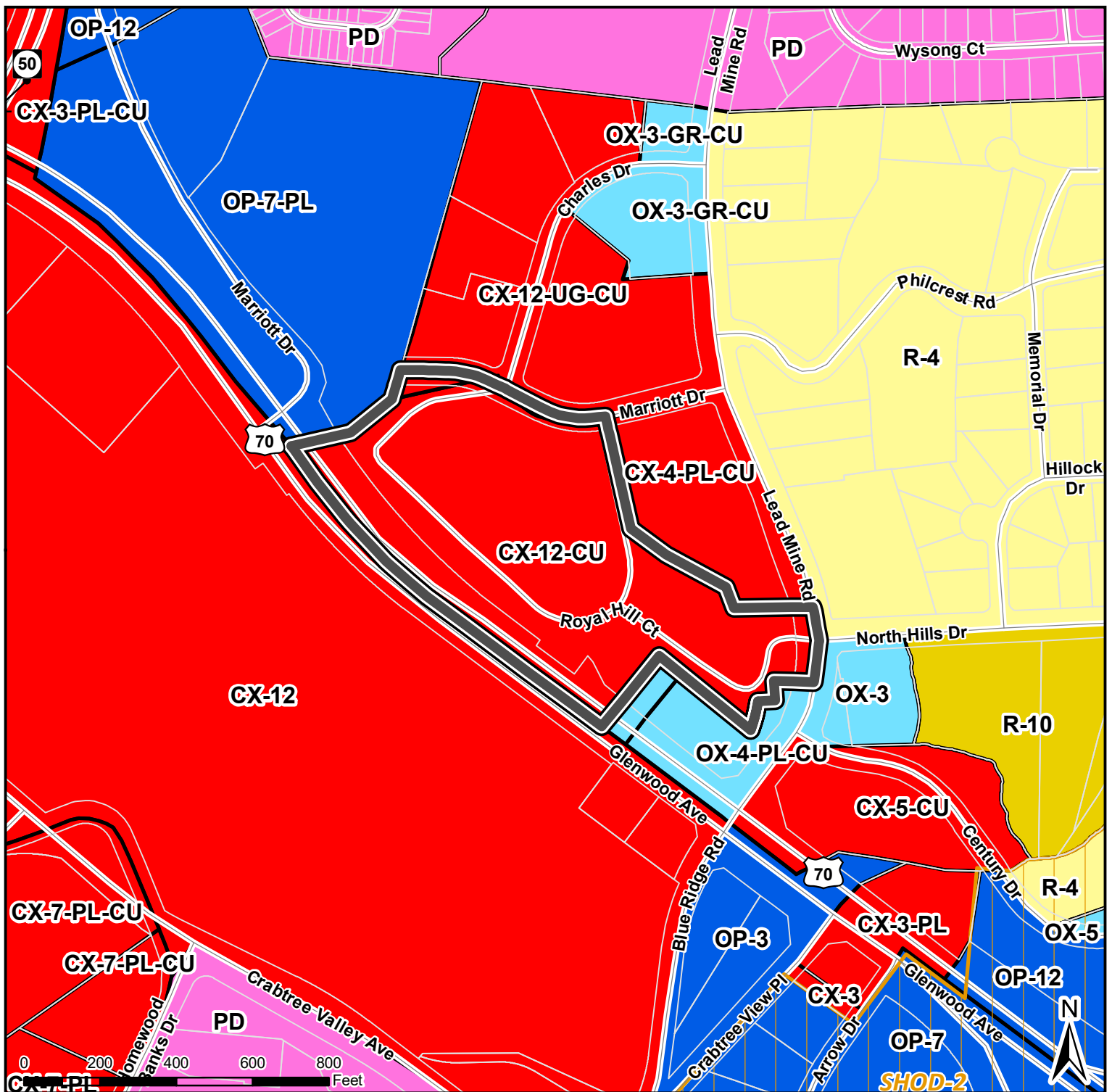
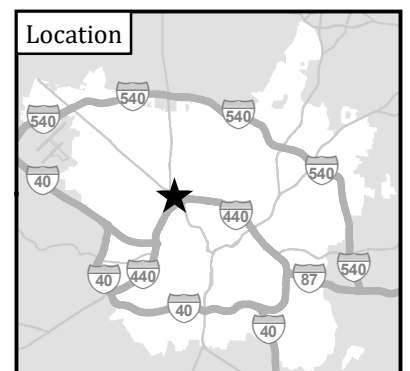


Existing Zoning

Z-25-2018



Property	4315 Lead Mine Rd
Size	10.93 acres
Existing Zoning	CX-12-CU
Requested Zoning	CX-7-PL-CU





Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Jason Hardin, AICP

DEPARTMENT: City Planning

DATE: November 12, 2019

SUBJECT: Special item for November 19, 2019 – Rezoning Z-25-18

On November 6, 2019, City Council closed the public hearing for rezoning Z-25-18 Lead Mine Road and deferred action for two weeks to allow the applicant to submit new conditions. Following the closing of the hearing, the applicant submitted new conditions relating to several topics, including density, stormwater, uses, tree conservation, and access, that had been discussed during Growth and Natural Resources Committee review. The committee has referred the item back to Council, and Council may now take action on the request.

Rezoning Overview

Z-25-18 4315 Lead Mine Road, approximately 10.93 acres, on the west side of Lead Mine Road at its intersection with North Hills Drive.

Current zoning: Community Mixed Use-12 Stories-Conditional Use (CX-12-CU).

Requested zoning: Community Mixed Use-Seven Stories-Parking Limited-Conditional Use (CX-7-PL-CU).

Conditions provided on November 6, 2019:

- Prohibit certain uses;
- Limit dwelling or lodging units to 275 and reduce that number by one for every 500 square feet of office or medical space;
- Limit office/medical space to 45,000 square feet;
- Limit other commercial uses to 10,000 square feet;
- Specify facade materials;
- Specify that any parking structure either have the same materials as the primary buildings or that it be screened from Glenwood Avenue and Lead Mine Road;
- Establish a 0'-50' build-to area along Marriott Drive; provide a tree conservation area along Glenwood Avenue;
- Modify block perimeter requirements;
- Address access to the site;
- Address stormwater runoff;
- Require an easement for and construction of an ADA-accessible multi-use path connecting Marriott Drive to Glenwood Avenue through the site.

Revisions made after the public hearing include:

- Reducing the maximum number of units from 350 to 275;

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222 West Hargett Street
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(Mailing Address)

- Prohibiting tattoo parlors;
- Increasing the amount of tree conservation area from 12,000 square feet to 18,000 square feet;
- Prohibiting non-emergency vehicular access to Lead Mine Road;
- Specifying that the pedestrian passage will connect to Glenwood Avenue near the existing intersection at Marriott Drive;
- Ensuring that peak post-development stormwater runoff will not exceed the pre-development rate for the 2-, 10-, 25-, 50-, and 100-year storms.

The request is **consistent** with the 2030 Comprehensive Plan and the Future Land Use Map

The **Planning Commission** recommends **approval** in a vote of 7 to 0.

The **Northwest CAC** supports **approval** in a vote of 6-2 (November 13, 2018).

The revisions with respect to access have been incorporated into an addendum to the TIA, which is summarized in an attached memo. The revisions affected two intersections: Lead Mine Road and North Hills Road and Lead Mine and Marriott Drive. The memo focuses on vehicular LOS at those two intersections, which improves with the revisions in comparison with the previous version. No movements at those intersections drops below LOS E. The original TIA memo, which discusses the area more broadly, including the Lead Mine/Glenwood intersection, is also included in this backup packet on page 48.

Attachments

Attached are the new conditions, the TIA Addendum Review memo, the Planning Commission Certified Recommendation (including Staff Report), the Petition for Rezoning, and the Neighborhood Meeting Report.

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number Z-25-18		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted November 7, 2019		
Existing Zoning CX-12-CU	Proposed Zoning CX-7- PL CU	
Narrative of Zoning Conditions Offered		

1. The following uses, otherwise permitted in the CX zoning district, shall be prohibited on the subject property: Adult establishment; Cemetery; Telecommunication tower (less than 250 feet); Telecommunication tower (greater than or equal to 250 feet); Vehicle Fuel Sales (including gasoline and diesel fuel); Detention Center, jail, prison; Light Manufacturing; Research and Development; Self-service storage; and Vehicle Service uses, including Car wash, vehicle repair (minor), vehicle repair (major) and vehicle repair (commercial vehicle); and drive-thru facilities.

2. Residential uses or Overnight Lodging uses shall be permitted as follows: (i) up to 275 dwelling units; or (ii) Overnight Lodging uses, provided that the total number of rooms for overnight guests (a "lodging unit") does not exceed 275. The total number of dwelling units or lodging units permitted on the subject property shall be reduced by one (1) dwelling or lodging unit for every five hundred (500) square feet of Office or Medical uses constructed on the subject property.

3. Non-residential uses shall not exceed a total of 55,000 square feet except for Overnight Lodging uses which shall be permitted as described in paragraph 2 above.

(a) Office and Medical uses shall not exceed 45,000 square feet of the allowable 55,000 square feet of non-residential uses permitted on the subject property.

(b) The following Commercial uses shall be permitted provided that (i) they do not exceed a total of 10,000 square feet of the allowable 55,000 square feet of non-residential uses permitted on the subject property; and (ii) they are located within the Mixed Use building type. Day care center; Dance, martial arts, music studio or classroom; Health club; Sport Academy; Hospitality house; Parking; Personal Services except for tattoo parlor, body piercing which are prohibited; Animal care (indoor); beauty/hair salon, copy center; Optometrist; Restaurant/Bar, Bar, nightclub, tavern, lounge; Eating Establishment; and Retail Sales except as prohibited in condition 1 above.

4. Building facades shall be constructed of one or more of the following materials: brick, stone, manufactured stone, simulated stone, fiber cement, and/or wood. Trim may be wood, fiber cement, or vinyl. Synthetic stucco shall be prohibited as a building material, and its use limited to accent materials for cornices only.

5. Parking structures, if any, shall be designed such that (i) at least seventy percent (70%) of the exterior walls are finished with the same materials as the primary building; (ii) the parking structure is located such that it is not visible from Glenwood Avenue and Lead Mine Road; or (iii) an opaque landscape screen obstructs view of the parking structure from Glenwood Avenue and Lead Mine Road. Lighting fixtures on any parking structure shall be installed to prevent light from being directed onto adjacent properties zoned for residential use.

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

2652 LLC

Pete O. Kotarides

Print Name

Pete O. Kotarides

Manager

CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number Z-25-18		OFFICE USE ONLY Transaction # Rezoning Case #
Date Submitted November 7, 2019		
Existing Zoning CX-12-CU	Proposed Zoning CX-7- PL CU	
Narrative of Zoning Conditions Offered		

6. Marriot/ Charles Drive shall include a build-to requirement of a minimum of zero feet (0') and a maximum of fifty feet (50') for fifty percent (50%) of the frontage.

7. A Tree Conservation Area (TCA) having a minimum area of 18,000 square feet shall be designated within fifty feet (50') of the common boundary line with Glenwood Avenue meeting the requirements of the City of Raleigh UDO Article 9.1 (Tree Conservation) provided that any land area dedicated to the City of Raleigh or NCDOT along the Glenwood Avenue shall be subtracted from the required 18,000 square feet of tree conservation area. Such TCA will be specifically delineated during subdivision or site plan approval, whichever shall first occur, and may be interrupted by proposed or existing cross access easements or rights, utility easements and rights, and pedestrian access connections required by these conditions and the UDO.

8. The proposed development shall not directly access Lead mine Road except for an emergency (fire, police, ems, etc.) entrance. Access to the development shall be through Marriott/Charles Drive. The existing cross-access site drives at the intersection with Lead Mine Road and associated parking on the subject property, however reconfigured, shall remain open for use by parcels of property described in Deed Book 6693, Page 89, Wake County Registry (Triangle Bank/PNC Bank) and in Deed Book 16560, Page 1033, Wake County Registry (Generation SRE Raleigh, LLC) pursuant to recorded easement agreements.

9. Given the site constraints and the City Council's desire to limit access from the development to Lead Mine Road using the existing driveway across from North Hills Drive, the provisions of Section 8.3.2 of the Unified Development Ordinance, which is denominated Blocks, shall be modified to 9,000 linear feet given the unique site constraints, including access restrictions and steep slopes. In support of this modification, prior to the issuance of the first certificate of occupancy, the property owner shall install a multi-use path as follows: (a) property owner shall cause to be recorded in the Wake County Registry an easement for a multi-use path measuring at least twenty feet (20') wide generally as shown on the attached Exhibit B, provided that all governmental permission to connect to Glenwood Avenue and Charles Drive/ Marriot Drive are granted (the "Multi-use Path Easement"); (b) Within the Multi-use Path Easement, the property owner shall construct an at least ten foot (10') wide paved path with "switch back style" handicapped access meeting the requirements of Pedestrian Passage pursuant to Section 8.4.8(B) of the City of Raleigh UDO (the "Multi-use Path").

10. The post-development stormwater discharge peak flow rate for the property area shall not exceed pre-development peak flow rates for the 2, 10, 25, 50 and 100 year storms calculated for the entire parcel. Site must be designed such that downstream stormwater infrastructure will function as it does during pre-development conditions for the 2, 10, 25, 50 and 100 year storms. Direct Discharge to the west shall not be allowed.

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

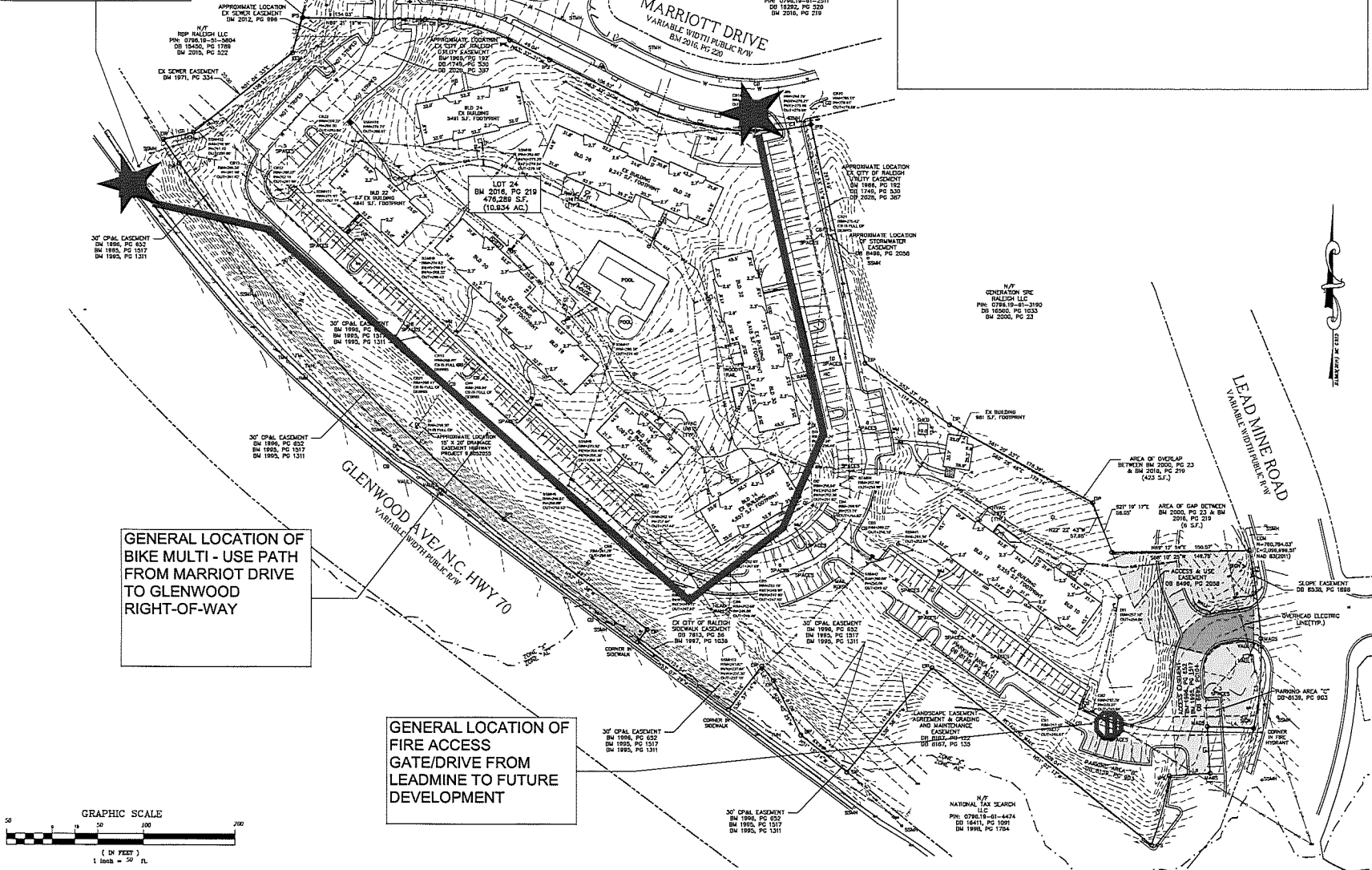
2652, LLC
Pete O Kotarides

Print Name

Pete O. Kotarides
Manager

EXHIBIT B
ZONING CASE Z-25-18

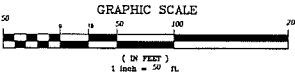
GENERAL LOCATION OF
PATH AND SWITCHBACK
RAMP FROM SITE TO
GLENWOOD SIDEWALK

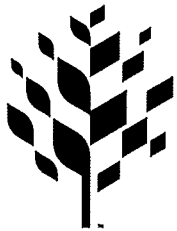


GENERAL LOCATION OF
BIKE MULTI - USE PATH
FROM MARRIOT DRIVE
TO GLENWOOD
RIGHT-OF-WAY

GENERAL LOCATION OF
FIRE ACCESS
GATE/DRIVE FROM
LEADMINE TO FUTURE
DEVELOPMENT

Exhibit B





Raleigh MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE, Transportation Planning Manager *EJL*

DEPARTMENT: Transportation

DATE: November 5, 2019

SUBJECT: TIA Addendum Review -- Z-25-18 Crabtree Apartments

I have reviewed the Traffic Impact Analysis (TIA) Addendum prepared by Ramey Kemp & Associates (RKA) for the proposed rezoning Z-25-18, Crabtree Apartments. The following memorandum summarizes the most relevant information in the addendum.

In March 2019, Raleigh Transportation staff approved the submitted TIA for the subject project. However, during the rezoning process, a city council member raised a concern about vehicular queueing on Lead Mine Road due to folks turning left into the site access at the intersection of North Hills Drive and Lead Mine Road. It was ultimately agreed on by staff and the development team that vehicles shall not directly access Lead Mine Road except for an emergency (fire, police, EMS) entrance. Access to the development shall be through Marriott/Charles Drive. Based on this concern and condition, an addendum to the TIA was provided.

The addendum provides an additional analysis scenario that only considers the intersections impacted by the proposed access condition. Therefore, the scope of this addendum consists of the following two intersections since the remainder are projected to operate at the same level of service indicated in the original study.

- Lead Mine Road and North Hills Road
- Lead Mine Road and Marriott Drive

Trips that were expected to utilize the site driveway aligned with North Hills Drive have been reassigned to the site driveway along Marriott Drive. The table below indicates the projected levels of service for the two study intersections under this new condition.

		Proposed		Proposed-Improved	
		AM	PM	AM	PM
Lead Mine Rd at North Hills Dr	Overall	C	B	-	-
	EB	C	D	-	-
	WB	D	E	-	-
	NB	B	B	-	-
	SB	B	A	-	-
Lead Mine Rd at Marriott Dr (unsignalized)	EB	F	D	E	C
	NB	D	B	D	B

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No approach or overall level of service drops below LOS E except for the eastbound maneuver (combined left-right) at Lead Mine Road and Marriott Drive for the AM peak. RKA proposes that striping the Marriott Drive approach with a dedicated left turn and a dedicated right turn will improve the side street operation to LOS E. The existing roadway width allows for this improvement.

RKA also provided analysis of the peak hour signal warrants. It is expected that the PM peak hour warrant will be met, however not the AM peak hour.

At the time of this review, RKA stated that the development intensity is expected to be reduced to 275 multifamily residential units with no other uses. If that is the case, then the analysis provided will be a conservative projection for the reduced intensity.

City staff agrees with the analysis in this addendum and makes no further recommendation at this time.

EJL / bc



RALEIGH PLANNING COMMISSION

CERTIFIED RECOMMENDATION

CR# 11898

CASE INFORMATION: Z-25-18 LEAD MINE ROAD

Location	Lead Mine Road, west side, at its intersection with North Hills Drive Address: 4315 Lead Mine Road PINs: 0796600994 iMaps , Google Maps , Driving/Transit from Municipal Building
Current Zoning	CX-12-CU
Requested Zoning	CX-7-PL-CU
Area of Request	10.93 acres
Corporate Limits	The subject site is located within the corporate limits and is adjacent to properties also within corporate limits.
Property Owner	2652 LLC
Applicant	2652 LLC (Represented by Beth Trahos)
Citizens Advisory Council (CAC)	Northwest CAC
PC Recommendation Deadline	June 24, 2019

SUMMARY OF PROPOSED CONDITIONS

1. Several uses prohibited, including Vehicle Fuel Sales, Vehicle Service, Self-Service Storage, and Light Manufacturing.
2. Maximum of 350 dwelling units or 350 lodging rooms. The number of dwelling units or lodging units is reduced by one for every 500 square feet of Office or Medical space.
3. Maximum of 45,000 square feet of Office or Medical space. Maximum of 10,000 square feet for other commercial uses including Retail and Eating Establishment.
4. Facades will include one or more of: brick, stone, manufactured/simulated stone, fiber cement, or wood. Synthetic stucco can be used for cornice accents only.
5. At least 70 percent of the exterior walls of any parking structures will be finished with the same materials as the primary building; or any parking structure will not be visible from Glenwood Avenue and Lead Mine Road; or landscaping will obstruct the view of any parking structure from Glenwood Avenue and Lead Mine Road.
6. A 0'-50' build-to requirement will be in place along Marriott Drive, with at least 50 percent of the building within the build-to area.
7. A tree conservation area will be maintained within 50 feet of Glenwood Avenue. The area may be interrupted by pedestrian paths, utility easements, or similar encroachments, but will have a minimum area of 12,000 square feet.
8. The required block perimeter will be modified from 2,500 feet to 9,000 feet.

9. A 10-foot-wide multi-use path within a 20-foot-wide easement bisecting the site from Marriott Drive to Glenwood Avenue will be provided.
10. A second easement and a 6-foot-wide walkway with stairs will be provided on the northwest side of the site connecting Marriott Drive with Glenwood Avenue.

COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Community Mixed Use
Urban Form	City Growth Center; Urban Thoroughfare (Lead Mine Road); Transit Emphasis Corridor (Glenwood Avenue)
Consistent Policies	LU 1.2 Future Land Use Map and Zoning Consistency LU 2.2 Compact Development LU 6.1 Complimentary Uses and Urban Vitality T 2.3 Eliminating Gaps T 5.9 Pedestrian Networks H 1.8 Zoning for Housing UD 1.10 Frontage UD 3.11 Parking Structures AP-C1 Crabtree Parking Structures
Inconsistent Policies	AP-C3 Crabtree Mall Connections AP-C6 Crabtree Area Pedestrian Circulation Plan

FUTURE LAND USE MAP CONSISTENCY

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the Future Land Use Map.

COMPREHENSIVE PLAN CONSISTENCY

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the 2030 Comprehensive Plan.

PUBLIC MEETINGS

Neighborhood Meeting	CAC	Planning Commission	City Council
7/24/18	8/14/18; 9/11/18; 10/9/18; 11/13/18 (Y-6, N-2)	3/26/18 (7-0)	4/2/19

PLANNING COMMISSION RECOMMENDATION

- ☒ The rezoning case is **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Consistent** with the relevant policies in the comprehensive Plan, but **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning is **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the rezoning request is reasonable and in the public interest.
- ☐ The rezoning case is **Inconsistent** with the relevant policies in the Comprehensive Plan, but **Approval** of the rezoning request is reasonable and in the public interest due to changed circumstances as explained below. Approval of the rezoning request constitutes an amendment to the Comprehensive Plan to the extent described below.

Reasonableness and Public Interest	The request is consistent with the Future Land Use Map and Comprehensive Plan and received a favorable CAC vote. The request would provide additional housing in an area where substantial amounts of retail exists. It would provide additional pedestrian access and connectivity to the Crabtree Valley retail area.
Recommendation	Approval
Motion and Vote	Motion: Braun Second: Jeffreys In favor: Braun, Geary, Hicks, Jeffreys, McIntosh, Novak, Swink Opposed: None
Reason for Opposed Vote(s)	N/A

ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions
4. Current Zoning Conditions
5. Staff Report from 2013 rezoning.

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report and Comprehensive Plan Amendment Analysis.

Planning Director 3/26/19

Planning Commission Chair 3/26/19

Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov



ZONING STAFF REPORT – CASE Z-25-18

Conditional Use

OVERVIEW

This proposal is to rezone a 10.93-acre parcel on the west side of Lead Mine Road at its intersection with North Hills Drive. The parcel also is adjacent to Marriott Drive and is across Glenwood Avenue from Crabtree Valley Mall.

The property is currently the site of a 113-unit apartment complex. The rezoning would permit the redevelopment of the site with a larger number of dwelling or lodging units and with a smaller amount of commercial development.

The property is adjacent to a range of uses and building types in addition to the mall to the south. These include apartments and a hotel to the north; a hotel parking lot to the west; and, across Lead Mine Road to the east, a church.

The property is currently zoned Commercial Mixed Use-12 Stories-Conditional Use (CX-12-CU). Existing conditions limit the number of housing units to 175 and limit height to nine stories, while permitting up to 125,000 square feet of retail. The request is to rezone the property to Commercial Mixed Use-Seven Stories-Parking Limited-Conditional Use. Conditions offered with the rezoning request would permit additional housing – up to 350 housing or lodging units – while reducing allowed retail to 10,000 square feet. Other uses would be limited to 45,000 square feet of office or medical space. The number of residential units would decrease if office space is built. If 45,000 square feet of office is built, the number of allowed housing units drops to 260.

The subject property, as well as a portion of the area to the north, is designated Community Mixed Use on the Future Land Use Map. Areas to the north and west are designated Office and Residential Mixed Use; to the east, Institutional and Office/Research and Development; to the south, Regional Mixed Use.

The property and all adjacent properties to the north, south, and west are designated as part of a City Growth Center on the Urban Form Map. Glenwood Avenue is a Transit Emphasis Corridor, and Lead Mine Road is an Urban Thoroughfare.

In addition to the conditions mentioned above, proposed zoning conditions would prohibit several vehicle-oriented uses, specify building materials; address the visibility or materials of any parking structures; establish a 0'-50' build-to area along Marriott Drive; and require a tree conservation area along Glenwood Avenue.

Transportation-related conditions would reduce block perimeter requirements. Typically, that would create significant inconsistency with policies that support the development of a more well-connected street network and improved pedestrian connectivity. However, conditions also require the construction of a multi-use path bisecting the site and a second path on the western edge of the site. Both would connect to Glenwood Avenue. Those conditions satisfy the intent of Plan policies and the path system created would meet the requirements of the

UDO's block perimeter standard, making the block perimeter condition potentially unnecessary.

In terms of vehicle trips, a traffic impact analysis determined that the rezoning would add to the number of peak hour trips generated in comparison to the current land use, but would represent a reduction compared to current zoning.

The Z-25-18 site is located near the NCDOT Project I-5870, which plans to improve the Glenwood Avenue/I-440 Interchange. This project may also include alternatives for the Glenwood Avenue/Lead Mine intersection, which is 150 feet from the site.

Other differences between the existing and proposed conditions exist in addition to those mentioned above. Existing conditions prohibit any retail development in the absence of a bicycle/pedestrian bridge across Glenwood Avenue. Existing conditions also prohibit retail in the absence of a street connecting Charles Drive/Marriott Drive to the Glenwood Avenue right of way and to the portion of Marriott Drive to the west of the subject property.

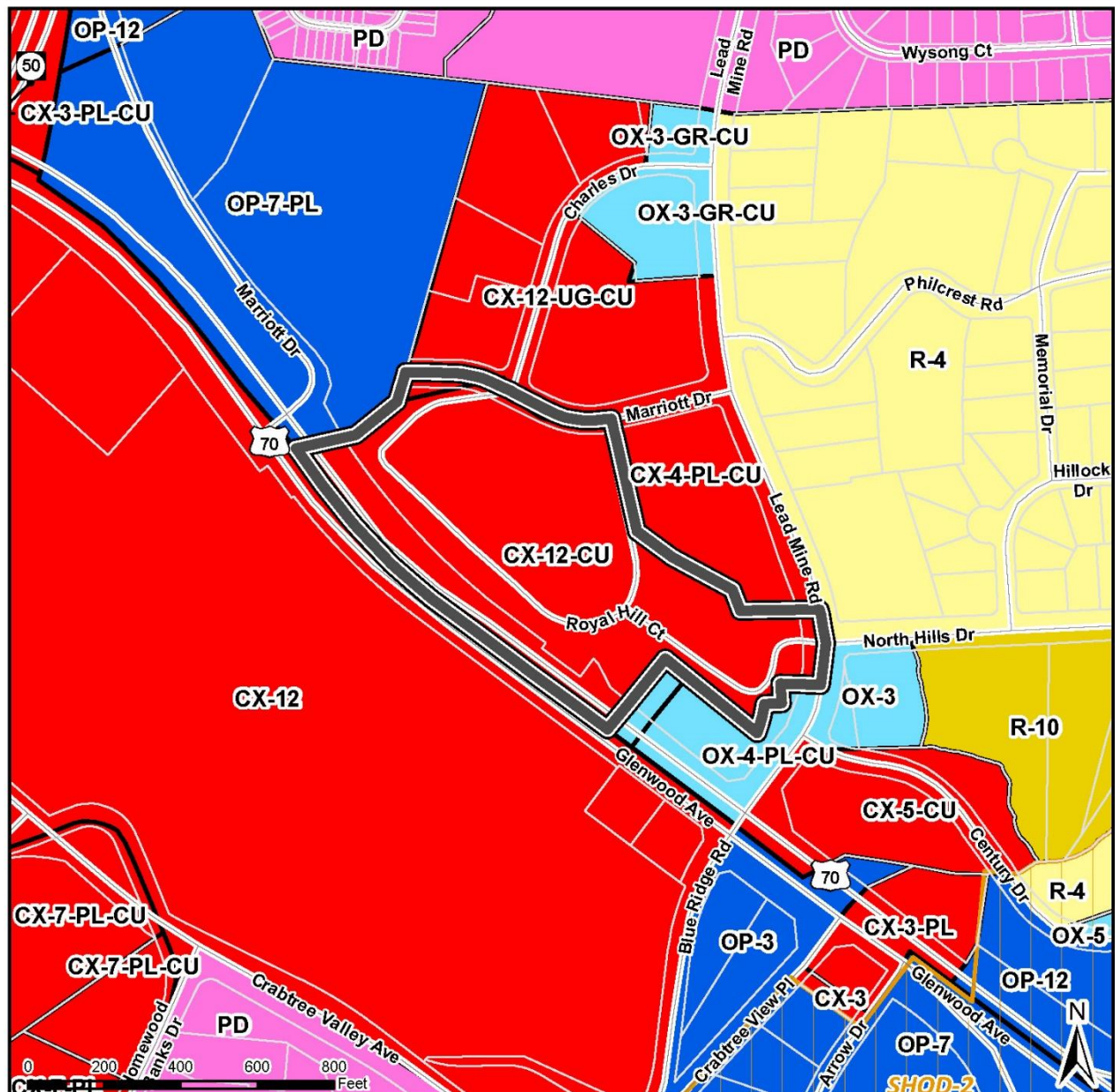
The existing zoning conditions date to the 2013 rezoning of the subject property, which was also found to be consistent with the Comprehensive Plan. The conditions and staff report from that rezoning are included as attachments with this document.

OUTSTANDING ISSUES

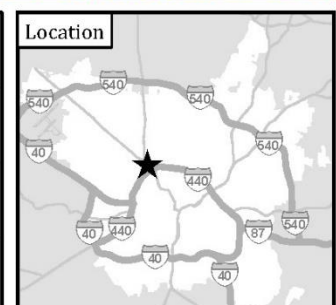
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
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Existing Zoning

Z-25-2018

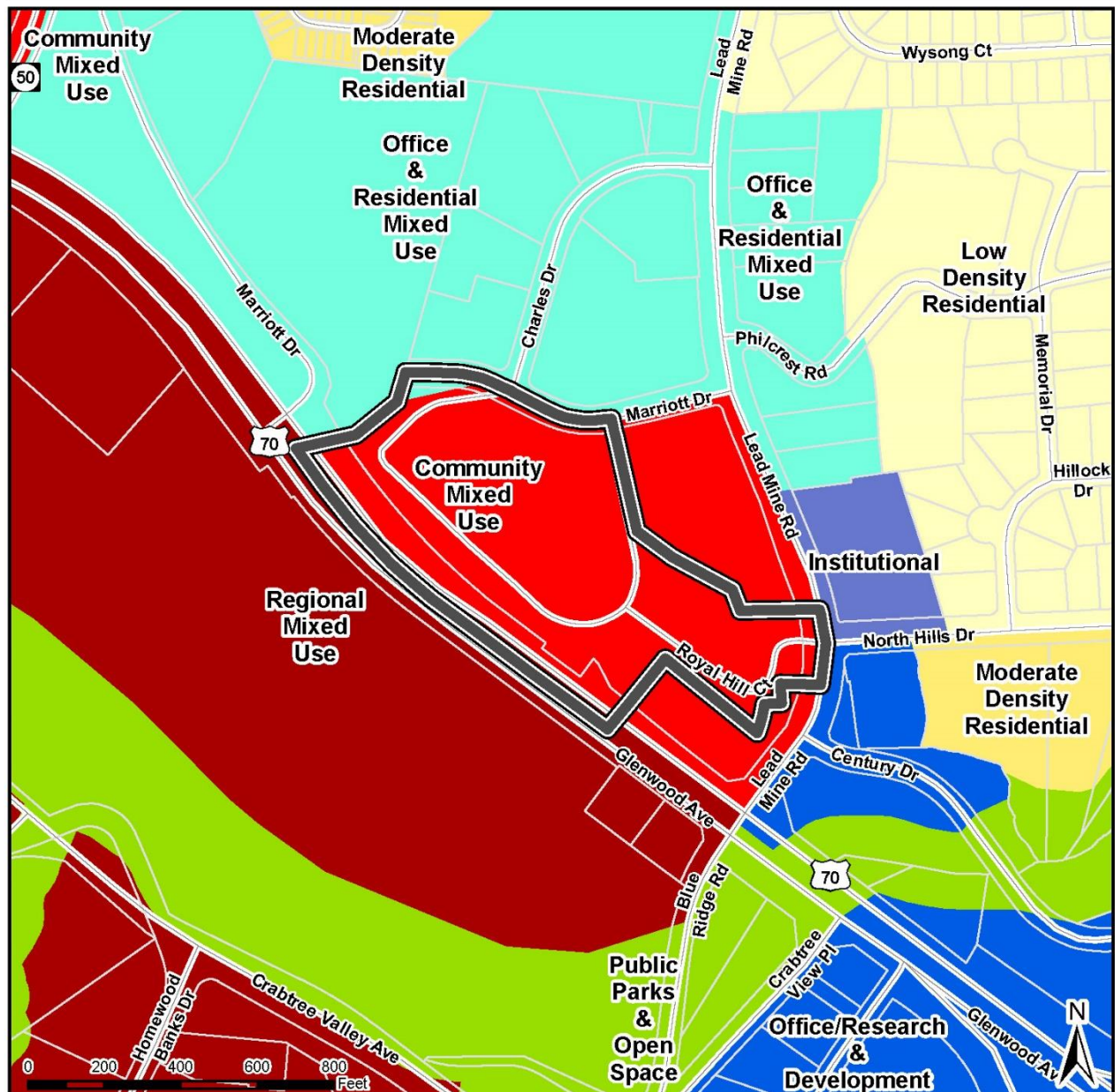


Property	4315 Lead Mine Rd
Size	10.93 acres
Existing Zoning	CX-12-CU
Requested Zoning	CX-7-PL-CU

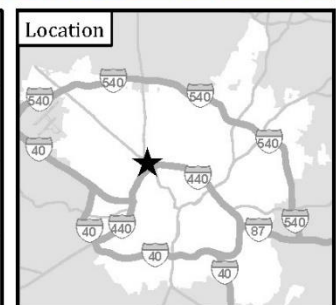


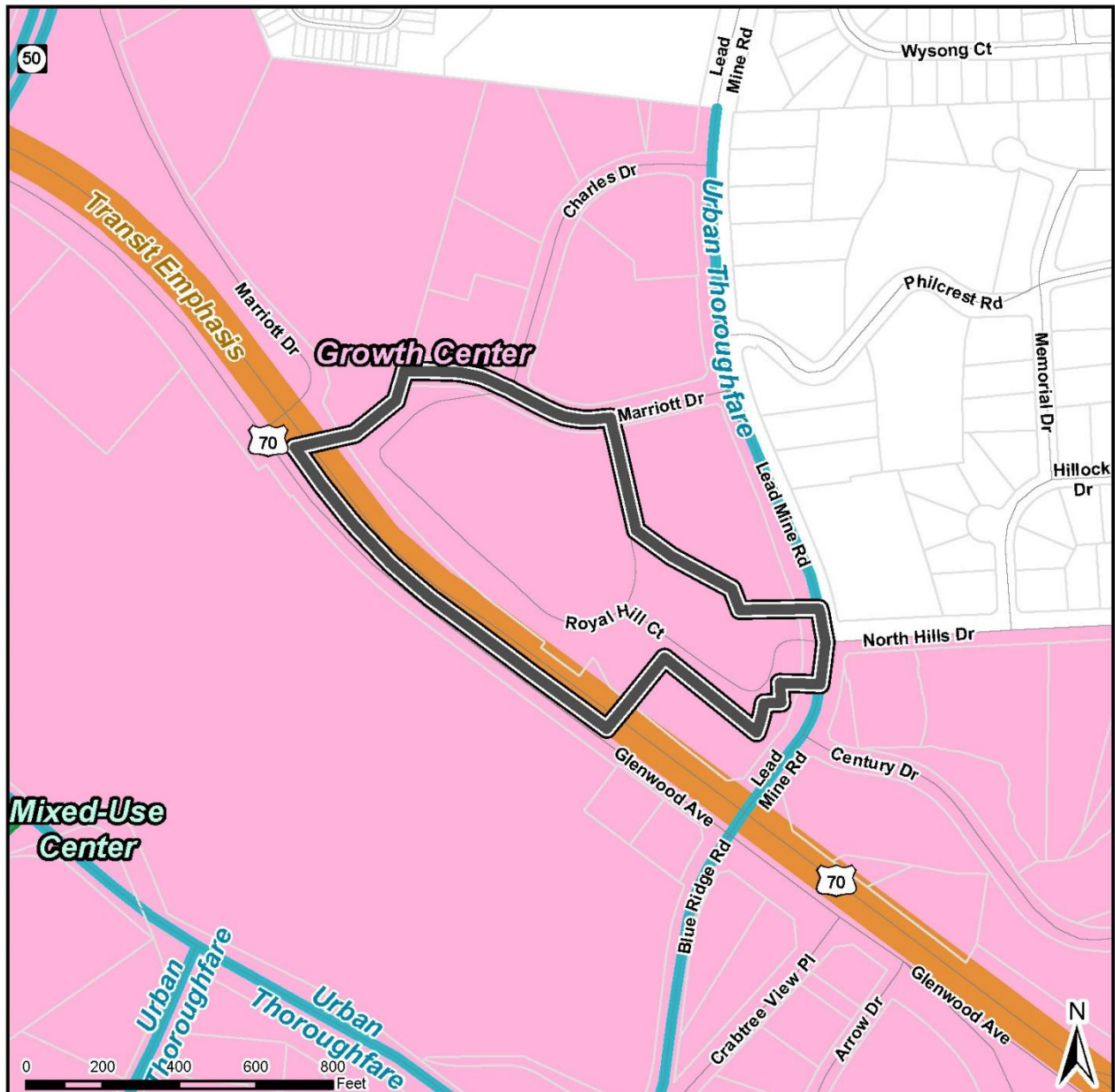
Future Land Use

Z-25-2018

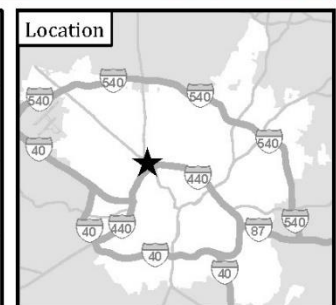


Property	4315 Lead Mine Rd
Size	10.93 acres
Existing Zoning	CX-12-CU
Requested Zoning	CX-7-PL-CU





Property	4315 Lead Mine Rd
Size	10.93 acres
Existing Zoning	CX-12-CU
Requested Zoning	CX-7-PL-CU



COMPREHENSIVE PLAN

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

The request is generally consistent with the vision, themes, and policies of the Plan. The request is consistent with the Expanding Housing Choices vision theme, which encourages expanding the supply and diversity of housing opportunities for all segments of the population. By permitting a greater number of housing units than the existing zoning, the rezoning would provide additional housing choice and supply and would improve housing affordability. It is also consistent with the Managing Our Growth theme, which envisions a greater mix of land uses and a focusing of growth in key locations. The request is also consistent with the Urban Form Map and with policies that support a more connected street network.

- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

Yes. The requested CX-7-PL-CU zoning is consistent with the Community Mixed Use FLUM designation.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

The use is consistent with the FLUM

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

The Traffic Impact Analysis conducted as part of this rezoning process indicates that the proposed zoning likely would produce fewer peak hour trips than the current zoning, though it likely would produce a greater number of trips overall. This is a result of the reduction of potential retail space from 125,000 square feet to 10,000 square feet.

Future Land Use

Future Land Use designation: Community Mixed Use

The rezoning request is

☒ **Consistent** with the Future Land Use Map.

☐ **Inconsistent**

The requested CX-7-UL-CU zoning is consistent with the Community Mixed Use designation. That designation envisions heights of up to 12 stories within the core of

a mixed-use center, which reasonably describes the area. The requested height of seven stories is consistent with that guidance.

Urban Form

Urban Form designation: Growth Center; Urban Thoroughfare (Lead Mine Road); Transit Emphasis Corridor (Glenwood Avenue)

The rezoning request is

☒ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

The Urban Form designations that apply to the site all suggest a more urban form and an approach to design that supports walkability. This translates into guidance for an urban or hybrid approach to zoning frontage. In this case, the zoning request includes the Parking Limited frontage, which is considered a hybrid frontage in that it allows some parking between the building and the street. However, the request also includes specific provisions that would apply to Marriott Drive and Glenwood Avenue. Marriott Drive would receive a more urban treatment, with a 0'-50' build-to area.

Glenwood Avenue, reflecting the steep slope along the south side of the property and the fact that this portion of Glenwood Avenue represents a less obvious opportunity for orienting buildings to the street, would receive a different treatment. Along Glenwood, existing trees would be maintained for an average width of 40', but two pedestrian connections would be made from the site to the street before the 200th certificate of occupancy can be granted.

Compatibility

The proposed rezoning is

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The rezoning would facilitate a mix of uses, including higher-density residential uses on a site that is currently characterized by that use and that is adjacent to a major retail and employment center

Public Benefits of the Proposed Rezoning

- The proposal would facilitate the supply of additional housing.
- The proposal would facilitate housing and other development in an area characterized by higher intensities, a mix of uses, and a relatively high level of transit provision.

Detriments of the Proposed Rezoning

- The rezoning would remove a provision of the existing zoning that would, if retail uses are included, require a grade-separated pedestrian connection across Glenwood Avenue.

Policy Guidance

The rezoning request is **consistent** with the following policies:

LU 1.2 Future Land Use Map and Zoning Consistency. The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

- *The requested Community Mixed Use (CX) zoning district is consistent with the Community Mixed Use Future Land Use Map category. The requested seven-story height is consistent with Table LU-2 Height Designations for the Community Mixed Use Category. That table envisions up to 12 stories in areas at the core of a large mixed-use center, which describes the subject area.*

LU 2.2 Compact Development. New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

- *The rezoning would permit a compact land use pattern.*

LU 6.1 Complimentary Uses and Urban Vitality. A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers and developments to maintain the City's livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistent with this policy.

- *The rezoning would allow more housing and reduce retail entitlement in a mixed-use center heavily oriented toward retail uses and with relatively smaller amounts of housing. The rezoning would help create an improved mixture of uses in the Crabtree area.*

T 2.3 Eliminating Gaps. Eliminate “gaps” in the roadway system and provide a higher roadway grid density that will increase mobility options and promote the accessibility of nearby land uses.

T 5.9 Pedestrian Networks. New subdivisions and large-scale developments should include safe pedestrian walkways or multi-use paths that provide direct links between roadways and major destinations such as transit stops, schools, parks, and shopping centers.

- *The Transportation policies above envision a more closely gridded street network, which facilitates pedestrian activity and reduces vehicle trips by shortening walks and providing safe and comfortable facilities.*
- *The request includes a modification to block perimeter requirements, which typically would violate the intent of these policies. That condition would mean that no improvements to the existing street network or any pedestrian connections through the site would be required. However, conditions would also require two pedestrian paths that would improve access from the site and from properties to the north to the mall. The paths likely would enable the development to meet block perimeter standards even if not modified and would improve pedestrian access in the area more broadly.*

H 1.8 Zoning for Housing. Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.

- *The request would decrease retail intensity in an area with a large amount of existing retail while adding to the amount of housing that can be build. Conditions currently permit 175 housing units; the proposed zoning would allow 350, significantly expanding the housing supply in a large commercial/employment center.*

UD 1.10 Frontage. Coordinate frontage across multiple sites to create cohesive places. Encourage consistency with the designations on the Urban Form Map. Development in centers and along corridors targeted for public investment in transit and walkability should use a compatible urban form.

- *The frontage established by request is consistent with the Urban Form Map and consistent with adjacent properties.*

UD 3.11 Parking Structures. Encourage creative solutions including landscaping and other aesthetic treatments to design and retrofit parking structures to minimize their visual prominence. Where feasible, the street side of parking structures should be lined with active and visually attractive uses to lessen their impact on the streetscape.

- *The request addresses the location and design of a potential parking structure by specifying that it either will not be visible from Glenwood Avenue and Lead Mine Road or that it will be finished with the same materials as the primary building.*

The rezoning request is **inconsistent** with the following policies:

None

Area Plan Policy Guidance

The rezoning request is **consistent** with the following Area Plan policies:

AP-C1 Crabtree Parking Structures. New parking structures in the Crabtree area should be designed with careful attention given to their street faces.

- *The request addresses the location and design of a potential parking structure by specifying that it either will not be visible from Glenwood Avenue and Lead Mine Road or that it will be finished with the same materials as the primary building.*

The rezoning request is **inconsistent** with the following Area Plan policies:

AP-C3 Crabtree Mall Connections. A two-level circulation system is proposed for the Crabtree Mall area. The lower level, which corresponds to the lower level of the Mall, should include vehicular, transit, and pedestrian circulation (including greenways). The upper circulation level corresponds to the upper level of the Mall but ground level of Kidds Hill Plaza and the hotel areas to the north and east of the Mall and requires that pedestrian bridges be accommodated as sites adjacent to the Mall are developed.

AP-C6 Crabtree Area Pedestrian Circulation Plan. The focus of the Crabtree Valley Pedestrian Circulation Plan is to create a primary loop around the mall, which is the key activity center in the area. This loop will be comprised of the Capital Area Greenway Crabtree Trail on the south and east, Glenwood Avenue on the north, and an upper level mall connection on the west (connecting the proposed pedestrian bridge from Marriott Drive to the mall and the planned pedestrian bridge from the Promenade over Crabtree Valley Avenue and Crabtree Creek to the mall). Also identified are the key connections from the surrounding hotel/office/residential activity centers to the primary pedestrian loop. Marriott Drive is designated as the preferred Glenwood Avenue street level crossing. Pedestrians from the east (Lead Mine Road and Holiday Inn areas) would be directed to cross under Glenwood Avenue using the greenway trail.

- *The two area plan policies above envision an improved pedestrian circulation network to and around Crabtree Valley Mall, given that Glenwood Avenue and other nearby streets create a significant barrier to pedestrians. A major part of that network is a pedestrian bridge across Glenwood Avenue. Current zoning conditions on this property require that such a bridge be built before any retail uses are permitted on the site. This proposal would remove any requirement for a pedestrian bridge.*

IMPACT ANALYSIS

Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

Parks and Recreation

1. This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors.
2. Nearest existing park access is provided by Lt. Col. George F. Marshall Memorial Park (0.7 miles) and North Hills Park (0.8 miles).
3. Nearest existing greenway trail access is provided by Crabtree Creek Greenway Trail (0.4 miles).
4. Park access level of service in this area is considered to be above average.

Impact Identified: None

Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	81,000 gpd	125,625 gpd	249,074 gpd
Waste Water	81,000 gpd	125,625 gpd	249,074 gpd

1. The proposed rezoning would add approximately 249,074 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

Impact Identified: None requiring additional mitigation.

Stormwater

Floodplain	None
Drainage Basin	Crabtree
Stormwater Management	Article 9.2 of the UDO
Overlay District	None

Site is subject to Stormwater control requirements under Article 9.2 of the UDO for runoff and water quality. The site generally drains in to Crabtree Creek via existing pipe infrastructure within Lead Mine Rd, Glenwood Ave, and through the Crabtree Valley Mall property.

The Western portion of the site drains through a known undersized/problem section of pipe on the south side of Glenwood Ave through the Crabtree Valley Mall property. As with prior developments to this same pipe system, additional detention for post development conditions may be required to mitigate the issues of the receiving system. This would only apply to areas of the site draining to this specific point.

Impact Identified: Additional detention may be required.

Transportation

Site Location and Context

Location

The Z-25-2018 site is located in northwest Raleigh, just north of I-440. The site is across Glenwood Avenue from the Crabtree Valley Mall.

Area Plans

The Z-25-18 site is located within the Crabtree Area Plan, which includes Crabtree Valley Mall and the surrounding properties. The plan goal is for a walkable urban community with enhanced transit services and pedestrian amenities. The plan specifies that interconnectivity should be encouraged wherever feasible. Action AP-C1 specifically calls for a pedestrian bridge over Glenwood Avenue to link the mall to hotels and other developments to the northeast. The plan suggests that a possible location for this bridge is in the vicinity of the intersection of Glenwood Avenue and Marriott Drive. Map AP-C3 locates the connection north of the intersection of Marriott Drive and Glenwood Avenue.

Other Projects in the Area

The Z-25-18 site is located near the NCDOT Project I-5870, which plans to improve the Glenwood Avenue/I-440 Interchange. This project may also include alternatives for the Glenwood Ave and Lead Mine intersection, which is 150 feet from the site. The extent of changes and corresponding impact to this development are not yet defined. The City is also

widening, improving sidewalks, and adding bike facilities on Blue Ridge Road, south of the Z-25-18 site.

Existing and Planned Infrastructure

Streets

In the Raleigh Street Plan, Lead Mine Road is classified as a 4-lane divided avenue and Marriott Drive is classified as a 2-lane, undivided avenue. The Raleigh Street Plan specifies connecting Marriott Drive westward to the other section of Marriott Drive near the intersection with Glenwood Avenue just west of the site. Marriott Drive was added to the street plan in 2015, by comprehensive plan amendment CP-1A-15.

In accordance with UDO section 8.3.2, the maximum block perimeter for CX-7 zoning districts is 2,500 feet. The existing block perimeter for Z-25-18 is approximately 8,500 feet between Glenwood Ave, Marriott Drive, Creedmoor Road, Sugar Bush Road, and Lead Mine Road. When the two sections of Marriott Drive are connected, the block perimeter will be approximately 3,600 feet.

Under UDO Section 8.3.2.B.3, maximum block perimeter may be extended by 50% where the block includes a pedestrian passage or an alley that connects the 2 streets on opposing block faces. This 50% extension equates to a total block perimeter standard of 3,750 feet for this parcel, given the Marriott connection. Thus, the development can meet block perimeter standards if a Pedestrian Passage (UDO section 8.4.8.B) is provided connecting Glenwood Avenue and Marriott Drive.

Condition 8 (a & b) describes a standard pedestrian passage that connects Glenwood and Marriott. The development will meet block perimeter requirements when this connection is constructed.

The applicant has also included a modification to connectivity standards in Condition 8. The applicant has provided a memorandum in support of this condition (Exhibit A). City Staff has reviewed this memorandum under the requirements specified in UDO Section 10.2.4.E.2. City Staff is not in agreement that the site cannot meet the block perimeter requirements, given the pedestrian passage proposed in condition 8 providing a 50% bonus and bringing the site into compliance with block perimeter. It would be more consistent with City goals and plans if Condition 8 were revised to eliminate the block perimeter modification language.

Pedestrian Facilities

There are existing sidewalks along the property frontage on Glenwood Avenue and Lead Mine Road. There were 5 pedestrian crashes in the vicinity of the site in the last 10 years, including at the Glenwood Avenue intersections east and west of the site.

Condition 8 requires construction of a Pedestrian Passage (UDO section 8.4.8.B, a 10-foot multi-use path on a 20-foot easement) between Glenwood Avenue and Marriott Drive. Condition 9 requires construction of a 6-foot sidewalk and stairs on a 10-foot easement connecting Marriott Drive to Glenwood Avenue at the western boundary of the site

The current zoning conditions, from case Z-13-16, require a pedestrian bridge across Glenwood Avenue to be built if any retail is built on the site. This location was not the same as the location envisioned in the 2003 Crabtree Valley Pedestrian Circulation Plan, which was the source of Comprehensive Plan Map AP-C3. That plan envisioned a more direct

connection from the Marriott Hotel to the Mall. The current zoning conditions remove the requirement for a bridge.

Bicycle Facilities

There are no existing bicycle facilities surrounding the Z-25-18 parcel. The Long-Term Bikeway Plan calls for a separated bike facility on Glenwood Ave and on Lead Mine Road just east of the site. Lead Mine Road north of the site is designated for bike lanes and so is Marriott Drive.

Transit

The Crabtree Valley area serves multiple GoRaleigh Bus routes. The closest stop to the subject site is for GoRaleigh Route 23L, which stops at the corner of Marriott Drive and Lead Mine Road every 30 minutes. Nearby stops for GoRaleigh Routes 4, 6, 16, 26 and 36 with service every 30 min may also serve this development. In the Wake Transit Plan, Crabtree Valley will be a regional transit hub where several frequent transit services connect.

Access

Access to the subject site is assumed to be via Lead Mine Road and Marriott Drive. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D.

TIA Determination

Approval of case Z-25-18 would decrease vehicle trips when compared against existing entitlements. This is a result of decreased retail entitlement.

There are several site contextual conflicts that trigger the TIA requirement. The site is located near a highly congested intersection, which is being planned for potentially significant improvements. The Crabtree Valley Mall area presents challenging traffic conditions that may be exacerbated by this development. Thus, a traffic study was required for case Z-25-18.

TIA review

The applicant has submitted a Traffic Impact Analysis (TIA) for the subject development. City Staff agrees with how the analysis was performed and with the corresponding conclusions and recommendations. The intersection vehicular capacity, measured in level of service (LOS), for the proposed zoning scenarios are approximately the same or improved as compared to current zoning scenario for each of the studied intersection. Additional analysis and discussion are anticipated at the Administrative Site Review (ASR) stage of development to understand how the actual proposed development compares to the existing situation and to determine the access point configurations and any other infrastructure requirements. This analysis has demonstrated that either the right-in / right-out or full access configuration result in acceptable LOS under the proposed zoning. The multimodal analysis performed shows the rezoning does not significantly impact multimodal level of service for the surrounding intersections and street segments. See the TIA review memo dated March 1, 2019 for a complete summary of City Staff's review of the TIA.

Urban Forestry

1. The proposed rezoning adds a Parking Limited frontage which would eliminate the tree conservation requirement along the streets, but then adds a 12,000-square-foot tree conservation area within 50' of Glenwood Ave.

Impact Identified: A smaller tree conservation area will exist than would be the case if the Parking Limited frontage was not a part of the request.

Impacts Summary

The project will add to the number of peak hour trips generated in comparison to the current land use, but will represent a reduction compared to current zoning.

Mitigation of Impacts

Specific stormwater and transportation improvements are likely to be required at the time of site plan review.

CONCLUSION

The request is consistent with the Future Land Use Map, which envisions a high level of development intensity in the area. By permitting more housing, particularly given its location near a regional retail center, it also is consistent with several specific Comprehensive Plan policies, particularly those that support the provision of additional housing and a complimentary mix of uses in mixed-use areas.

The request, by including guarantees of construction of two separate pedestrian facilities that would connect the site and adjacent properties to Glenwood Avenue, is consistent with policies that support improved pedestrian networks and connectivity.

The request, by removing a provision that prevents any retail development before a bicycle/pedestrian connection crossing Glenwood Avenue, is inconsistent with Crabtree area-specific policies that support such a connection. However, given the consistency with the FLUM and the other policies mentioned above, it is consistent overall with the Comprehensive Plan.

CASE TIMELINE

Date	Action	Notes
5/4/18	Pre-application conference	
7/24/18	Neighborhood meeting	
9/10/18	Petition filed	
11/11/18	Conditions revised	Reduced overall entitlement; committed to constructing paths, not just providing easements
3/15/19	Conditions revised	Trigger for constructing paths changed from 200 th housing unit to the time of any site development
3/20/19	Technical revisions	Wording of tree conservation condition revised in response to staff concerns

APPENDIX

SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	CX-12-CU	CX-12-UG-CU; CX-4-PL-CU	CX-12; OX-4-PL-CU	OX-3; R-4	OP-7-PL
Additional Overlay	-	-	-	-	-
Future Land Use	Community Mixed Use	Community Mixed Use; Office and Residential Mixed Use	Regional Mixed Use	Institutional; Office/Research and Development	Office and Residential Mixed Use
Current Land Use	Residential	Residential	Retail; Bank	Office; Place of Worship	Hotel
Urban Form	City Growth Center; Urban Thoroughfare; Transit Emphasis Corridor	City Growth Center; Urban Thoroughfare	City Growth Center; Urban Thoroughfare; Transit Emphasis Corridor	City Growth Center; Urban Thoroughfare; None	City Growth Center; Transit Emphasis Corridor

CURRENT VS. PROPOSED ZONING SUMMARY

EXISTING ZONING		PROPOSED ZONING
Zoning	CX-12-CU	CX-7-PL-CU
Total Acreage	10.93	10.93
Setbacks: Lead Mine Glenwood Marriott	5' if primary; 0' or 6' otherwise 5' if primary; 0' or 6' otherwise 5' if primary; 0' or 6' otherwise	0'-100' (Parking Limited) 40' (TCA condition) 0'-50' (condition)
Residential Density:	16 units/acre	32 units/acre
Max. # of Residential Units	175	350
Max. Gross Building SF	317,500	395,000
Max. Gross Office SF	-	45,000
Max. Gross Retail SF	125,000	10,000
Max. Gross Industrial SF	-	-
Potential F.A.R	.67	.83

*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

Relevant Planning Commission Minutes March 26, 2019: Z-25-18

AGENDA ITEM (E): NEW BUSINESS

AGENDA ITEM (E) 1: Z-25-18 – 4315 Lead Mine Road

This site is located 4315 Lead Mine Road, west side, at its intersection with North Hills Drive.

This is a request to rezone property from CX-12-CU to CX-7-PL-CU.

Planner Hardin presented the case.

There was discussion regarding the block perimeter; any way to provide for or include pedestrian bridge.

Beth Trahos representing the applicant spoke regarding the site and being better suited to residential; down zoning has resulted in reduction in traffic.

There was discussion of whether the applicant has considered offering affordable units?

Ms. Trahos responded regarding this not being a luxury complex although not considered as affordable housing; will allow residents to stay and if needed will assist with finding other accommodations.

Craig Ferry neighbors to north, spoke regarding being generally in support, just concerned that there is no plan to complete the Marriott Drive corridor also would like to see a traffic light at Charles Drive, this seems to be a need.

Mr. Myers, Transportation Department responded regarding Lead Mine being a NC DOT street and not sure if there is enough traffic to warrant a stop light at this intersection.

Mr. Braun made a motion to approve. Ms. Jeffreys seconded the motion. The vote was unanimous, 7-0.

Minutes from October 16, 2019 Growth and Natural Resources Committee

The Growth and Natural Resources (GNR) Committee of the City of Raleigh met in regular session on Wednesday, October 16, 2019, at 4:00 p.m. in the City Council Chamber, Room 201, Raleigh Municipal Building, 222 West Hargett Street, Avery C. Upchurch Government Complex, Raleigh, North Carolina, with the following present:

GNR Committee

Council Member Dickie Thompson, Presiding
Council Member David Cox
Council Member Stef Mendell
Council Member Russ Stephenson

Staff

City Attorney Robin Tatum Currin
Assistant City Manager Tansy Hayward
Senior Planner Jason Hardin
Planning Manager Mark Holland
Housing and Neighborhoods Assistant
Department Director Niki Jones
Planning Supervisor Bynum Walter

These are summary minutes unless otherwise indicated. Council Member Thompson called the meeting to order at 4:00 p.m. Chairperson Crowder was absent.

Item 17-10 Z-25-18 – 4315 Lead Mine Road (5/7/19)

This item was referred to the Growth and Natural Resources (GNR) Committee at the May 7, 2019 City Council meeting. The following information was contained in the agenda packet:

Z-25-18: 4315 Lead Mine Road, located on the west side of Lead Mine Road at its intersection with North Hills Drive, consisting of Wake County PIN 0796600994. Approximately 10.93 acres are requested by 2652 LLC to be rezoned from Commercial Mixed Use-12 Stories-Conditional Use (CX-12-CU) to Commercial Mixed Use-Seven Stories-Parking Limited-Conditional Use (CX-7-PL-CU).

At its meeting of May 7, 2019, Council opened the public hearing on the request. At that meeting, Council held the hearing open and referred the item to the Growth and Natural Resources Committee. The Committee discussed the request on June 12. The Committee recommended that the public hearing be continued on September 17 but held the item for further consideration.

Conditions provided on March 20, 2019 prohibit certain uses; limit dwelling or lodging units to 350 and reduce that number by one for every 500 square feet of office or medical space; limit office/medical space to 45,000 square feet; limit other commercial uses to 10,000 square feet; specify facade materials; specify that any parking structure either have the same materials as the primary buildings or that it be screened from Glenwood Avenue and Lead Mine Road; establish a 0'-50' build-to area along Marriott Drive; provide a tree conservation area along Glenwood Avenue; modify block perimeter requirements; and require the construction of a multi-use path bisecting the site and a second path on the western edge of the site, both connecting to Glenwood Avenue.

The Planning Commission recommends approval in a vote of 7 to 0. The Commission found that the request is consistent with the Future Land Use Map and the 2030 Comprehensive Plan and noted that the request received a favorable CAC vote. The Commission found that the request is reasonable and in the public interest because it would provide additional housing in an area where substantial amounts of retail exist and would provide additional pedestrian access and connectivity to the Crabtree Valley retail area.

The Northwest CAC voted 6-2 in support of the request on November 13, 2018.

Senior Planner Jason Hardin presented this item with the assistance of a PowerPoint presentation including the following information that he explained further.

Zoning Case Z-25-18 – 315 Lead Mine Road

- Request to rezone 10.93 acres from CX-12-CU to CX-7-PL-CU.
- Consistent with 2030 Comprehensive Plan.
- Planning Commission (7-0) and Northwest CAC (6-2) recommend approval.
- Public hearing is still open.

Image: Aerial View of Subject Site

Topics from Previous GNR

1. Stormwater;
 2. Transportation impact;
 3. Tree Conservation Area; and
 4. Housing affordability.
-
- No conditions can be filed until hearing is closed (continued to November 6).
 - Staff is available to respond to questions about potential new conditions.

Beth Trahos, 4140 Parklake Avenue, Nelson Mullins, reminded the Committee they had asked the applicant to reduce the dwelling units from 350 to 275 and work with Transportation staff on the access point across from North Hills Drive, which have both been addressed in proposed revised conditions. She noted the applicant has recorded cross access obligations; however, has included in the conditions that the development would not have access to North Hills Drive. The location would have a gate for emergency personnel and gain main access from the Marriott Drive and Charles Drive intersection. This would allow the developer to fulfill the Committee's desire for limited access at North Hills Drive and also honor the contractual obligations to the surrounding businesses. She dispersed a copy of revised conditions which would be filed at the close of the public hearing. Per questioning from Council Member Thompson, Ms. Trahos further explained the emergency personnel access gate.

The Committee further discussed past agreements relating to block perimeter requirements, use prohibitions, tree conservation, and stormwater conditions. Ms. Trahos added the apartments would be more affordable, pointing out the application was filed more than a year ago, prior to the Council adopting a policy with regard to affordability. She stated the significant investment for ADA accessibility is a benefit to the public.

Per questioning from Council Member Thompson, Ms. Trahos confirmed she would be bringing revised and signed conditions to the November 6 Council meeting. Council Member Thompson moved to recommend the Council conduct the hearing. His motion was seconded by Council Member Mendell which resulted in all members voting in the affirmative except for Chairperson Crowder, who was absent.

Minutes from September 11, 2019 Growth and Natural Resources Committee

Item 17-20 Z-25-18 – 4315 Lead Mine Road (5/7/19)

This item was referred to the Growth and Natural Resources (GNR) Committee at the May 7, 2019 City Council meeting. The following information was contained in the agenda packet:

Z-25-18: 4315 Lead Mine Road, located on the west side of Lead Mine Road at its intersection with North Hills Drive, consisting of Wake County PIN 0796600994. Approximately 10.93 acres are requested by 2652 LLC to be rezoned from Commercial Mixed Use-12 Stories-Conditional Use (CX-12-CU) to Commercial Mixed Use-Seven Stories-Parking Limited-Conditional Use (CX-7-PL-CU).

At its meeting of May 7, 2019, Council opened the public hearing on the request. At that meeting, Council held the hearing open and referred the item to the Growth and Natural Resources Committee. The Committee discussed the request on June 12. The Committee recommended that the public hearing be continued on September 17 but held the item for further consideration.

Conditions provided on March 20, 2019 prohibit certain uses; limit dwelling or lodging units to 350 and reduce that number by one for every 500 square feet of office or medical space; limit office/medical space to 45,000 square feet; limit other commercial uses to 10,000 square feet; specify facade materials; specify that any parking structure either have the same materials as the primary buildings or that it be screened from Glenwood Avenue and Lead Mine Road; establish a 0'-50' build-to area along Marriott Drive; provide a tree conservation area along Glenwood Avenue; modify block perimeter requirements; and require the construction of a multi-use path bisecting the site and a second path on the western edge of the site, both connecting to Glenwood Avenue.

The Planning Commission recommends approval in a vote of 7 to 0. The Commission found that the request is consistent with the Future Land Use Map and the 2030 Comprehensive Plan and noted that the request received a favorable CAC vote. The Commission found that the request is reasonable and in the public interest because it would provide additional housing in an area where substantial amounts of retail exist and would provide additional pedestrian access and connectivity to the Crabtree Valley retail area.

The Northwest CAC voted 6-2 in support of the request on November 13, 2018.

Senior Planner Jason Hardin presented this item with the assistance of a PowerPoint presentation including the following information that he explained further. He added revised conditions have not been filed since the public hearing is still open.

- Request to rezone 10.93 acres from CX-12-CU to CX-7-PL-CU
- Consistent with 2030 Comprehensive Plan.
- Planning Commission (7-0) and Northwest CAC (6-2) recommend approval.
- Public hearing is still open.

Summary of Proposed Conditions

1. Several uses prohibited, including Vehicle Fuel Sales, Vehicle Service, Self-Service Storage, and Light Manufacturing.
2. Maximum of 350 dwelling units or 350 lodging rooms. The number of dwelling units or lodging units is reduced by one for every 500 square feet of Office or Medical space.

3. Maximum of 45,000 square feet of Office or Medical space. Maximum of 10,000 square feet for other commercial uses including Retail and Eating Establishment.
4. Facades will include one or more of: brick, stone, manufactured/simulated stone, fiber cement, or wood. Synthetic stucco can be used for cornice accents only.
5. At least 70 percent of the exterior walls of any parking structures will be finished with the same materials as the primary building; or any parking structure will not be visible from Glenwood Avenue and Lead Mine Road; or landscaping will obstruct the view of any parking structure from Glenwood Avenue and Lead Mine Road.
6. A 0'-50' build-to requirement will be in place along Marriott Drive, with at least 50 percent of the building within the build-to area.
7. A tree conservation area will be maintained within 50 feet of Glenwood Avenue. The area may be interrupted by pedestrian paths, utility easements, or similar encroachments, but will have a minimum area of 12,000 square feet.
8. The required block perimeter will be modified from 2,500 feet to 9,000 feet.
9. A 10-foot-wide multi-use path within a 20-foot-wide easement bisecting the site from Marriott Drive to Glenwood Avenue will be provided.
10. A second easement and a 6-foot-wide walkway with stairs will be provided on the northwest side of the site connecting Marriott Drive with Glenwood Avenue

Current Zoning vs. Proposed Zoning

	Current Zoning	Proposed Zoning
Zoning	CX-12-CU	CX-7-PL-CU
Total Acreage	10.93	10.93
Height	Nine stories	Seven stories
Residential Density	16 units/acre	32 units/acre
Max. Units	175	350 (dwelling/lodging)
Setback/Build-to:		
Lead Mine	5' if primary; 0' or 6' otherwise	0'-100' (Parking Limited)
Glenwood	5' if primary; 0' or 6' otherwise	40' (TCA Condition)
Marriott	5' if primary; 0' or 6' otherwise	0'-50' (Condition)
Max. Gross Building SF	317,500	395,000
Office SF	-	45,000
Retail SF	125,000	10,000

Maps: Future Land Use and Urban Form

Topics from Previous GNR

1. Stormwater;
 2. Transportation Impact;
 3. Tree Conservation Area; and
 4. Housing Affordability.
- No conditions can be filed until hearing is closed (continued to September 17).
 - Staff is available to respond to questions about potential new conditions.

Planner Hardin reminded the Committee the applicant cannot file new conditions until the public hearing is closed.

Beth Trahos, Partner with Nelson Mullins, 4140 Parklake Avenue, thanked Planner Hardin for being a great resource. She presented with the assistance of a PowerPoint that showed various maps regarding pedestrian and vehicle access and a list of changes in conditions (listed below) since the last meeting.

Changes Since Last Meeting:

- Prohibited tattoo parlors, body piercing and drive-thru facilities;
- Increased tree conservation area from a minimum of 12,000 square feet to a minimum of 18,000 square feet less right of way dedication for Glenwood avenue;
- Revised stormwater condition to address post-development peak flow rates for the 2, 10, 25, 50 and 100 years storms and to prohibit direct discharge to the west (Crabtree Valley Mall).
- Required that lighting fixtures on parking structures be installed to prevent light from being directed onto adjacent properties zoned for residential use;
- Limited left in vehicular access from Leadmine Road/North Hills Drive as shown on the exhibit map until NCDOT makes final determination as to corridor improvements; and
- Relocated pedestrian access as requested.

Per questioning from Council Member Thompson, Transportation Manager Jason Myers discussed potential NCDOT configurations and upcoming work, which will not be finalized for at least a few months. Council Member Thompson stated the improved pedestrian access, stormwater conditions, and tree conservation would benefit the area; however, expressed concern about the left turn off of Lead Mine Road. He pointed out traffic is already backed up onto Glenwood Avenue as it is today, and the intersection is rated a Level F. He added the proposed density is too high since there is already so much density at surrounding developments.

Per questioning from Chairperson Crowder, Ms. Trahos explained the left-in access could be managed by one-way streets and directional signage. Council Member Thompson and Chairperson Crowder further emphasized the primary entrance should be placed off Marriott Drive since traffic is already problematic off Lead Mine Road near North Hills Drive. Ms. Trahos pointed out PNC Bank and the hotel have the right to use the driveway which could not be impeded by the proposed development. After further discussion, it was mentioned that NCDOT would have to ultimately decide since both Lead Mine Road and Glenwood Avenue are state-maintained.

Council Member Thompson asked Ms. Trahos to continue working on density and left turn issues. She replied she would continue to work with staff on the language and bring it back to the Committee. Assistant City Manager Tansy Hayward confirmed the item would remain in Committee and the Committee could suggest the hearing be continued to the full Council.

Minutes from June 12, 2019 Growth and Natural Resources Committee

Item No. 17-20 – Z-25-18 – 4315 Lead Mine Road. During the May 7, 2019 City Council meeting this item was referred to the Growth and Natural Resources Committee for further discussion. The public hearing on this item remains open.

Z-25-18: 4315 Lead Mine Road, located on the west side of Lead Mine Road at its intersection with North Hills Drive, consisting of Wake County PIN 0796600994. Approximately 10.93 acres are requested by 2652 LLC to be rezoned from Commercial Mixed Use-12 Stories-Conditional Use (CX-12-CU) to Commercial Mixed Use-Seven Stories-Parking Limited-Conditional Use (CX-7-PL-CU).

At its meeting of May 7, 2019, Council opened the public hearing on the request. At that meeting, Council referred the item to the Growth and Natural Resources Committee. Once the item returns to Council and the hearing is closed, action can be taken on the request.

Conditions provided on March 20, 2019 prohibit certain uses; limit dwelling or lodging units to 350 and reduce that number by one for every 500 square feet of office or medical space; limit office/medical space to 45,000 square feet; limit other commercial uses to 10,000 square feet; specify facade materials; specify that any parking structure either have the same materials as the primary buildings or that it be screened from Glenwood Avenue and Lead Mine Road; establish a 0'-50' build-to area along Marriott Drive; provide a tree conservation area along Glenwood Avenue; modify block perimeter requirements; and require the construction of a multi-use path bisecting the site and a second path on the western edge of the site, both connecting to Glenwood Avenue.

The Planning Commission recommends approval in a vote of 7 to 0. The Commission found that the request is consistent with the Future Land Use Map and the 2030 Comprehensive Plan and noted that the request received a favorable CAC vote. The Commission found that the request is reasonable and in the public interest because it would provide additional housing in an area where substantial amounts of retail exist and would provide additional pedestrian access and connectivity to the Crabtree Valley retail area.

The Northwest CAC voted 6-2 in support of the request on November 13, 2018.

Senior Planner Jason Hardin used a PowerPoint presentation to summarize the rezoning request including a summary of the proposed conditions which were listed as follows:

1. Several uses prohibited, including Vehicle Fuel Sales, Vehicle Service, Self-Service Storage, and Light Manufacturing.
2. Maximum of 350 dwelling units or 350 lodging rooms. The number of dwelling units or lodging units is reduced by one for every 500 square feet of Office or Medical space.
3. Maximum of 45,000 square feet of Office or Medical space. Maximum of 10,000 square feet for other commercial uses including Retail and Eating Establishment.
4. Facades will include one or more of: brick, stone, manufactured/simulated stone, fiber cement, or wood. Synthetic stucco can be used for cornice accents only.
5. At least 70 percent of the exterior walls of any parking structures will be finished with the same materials as the primary building; or any parking structure will not be visible from Glenwood Avenue and Lead Mine Road; or landscaping will obstruct the view of any parking structure from Glenwood Avenue and Lead Mine Road.
6. A 0'-50' build-to requirement will be in place along Marriott Drive, with at least 50 percent of the building within the build-to area.
7. A tree conservation area will be maintained within 50 feet of Glenwood Avenue. The area may be interrupted by pedestrian paths, utility easements, or similar encroachments, but will have a minimum area of 12,000 square feet.
8. The required block perimeter will be modified from 2,500 feet to 9,000 feet.
9. A 10-foot-wide multi-use path within a 20-foot-wide easement bisecting the site from Marriott Drive to Glenwood Avenue will be provided.

10. A second easement and a 6-foot-wide walkway with stairs will be provided on the northwest side of the site connecting Marriott Drive with Glenwood Avenue.

Attorney Beth Trahos, Nelson Mullins, 4140 Parklake Avenue, Suite 200, representing the Applicant, used a PowerPoint presentation to illustrate her argument in support of the rezoning. She stated her clients prefer to construct apartments and propose to include 1 mixed use building of either office or retail. She indicated the property will have 3 vehicular access points: 1 at the intersection of North Hills Drive and Lead Mine Road, and 2 off of Marriott Drive. She used a map to point out 2 proposed pedestrian access points: one existing area on the west side of the property near the Marriott and one ADA-compliant access on the east side with zig-zag sidewalks for wheelchair access to Glenwood Avenue.

Councilor Stephenson questioned what happens once the pedestrians reach Glenwood Avenue with Ms. Trahos responding there are existing sidewalks along Glenwood and indicated pedestrians could cross Glenwood at Marriot Drive on the on the west side using an existing pedestrian signal and on the east side by crossing Lead Mine Road and using the greenway to pass under Glenwood.

Ms. Trahos talked about her client receiving input from the Planning Commission and the community as well as proposed stormwater runoff mitigation and stated her client's project would provide housing on an existing site using existing infrastructure and asserted the project would provide additional tax revenue to the City. She expressed her hope the Committee would agree with the Planning Commission and the CAC and recommend approval.

Councilor Thompson indicated he met with the Applicant at the site and expressed his concern with the proposed project stating the project as proposed is not acceptable to him. He indicated his constituents are concerned the project would prove disastrous and expressed his belief the rezoning would not be a good deal. He went on to express concern there would be no pedestrian bridge over Glenwood Avenue. He stated he reviewed the options offered by the Applicant pointing out each option without a pedestrian bridge and includes a propose increase in the number of apartments from 175 to 372. He indicated he is also concerned with the amount of proposed mixed-use as well as traffic impact noting Lead Mine Road and North Hills Drive is already at Level F with the current apartment occupancy. He questioned whether a no-left-turn could be installed at Lead Mine Road to the entrance of the apartments with Transportation Supervisor Jason Myers responding staff discussed both right-in/right-out as well as full signaled options at Lead Mine Road and had decided to look at NCDOT plans for the intersection before making any determination and Councilor Thompson pointing out traffic is already backed up from North Hills Drive to the Beltline and would prefer a traffic light at Marriott Drive.

Councilor Thompson talked about storm drainage on the subject property pointing out the left side of Glenwood (Clerk's note: the Crabtree Valley Mall area) already has flooding issues with Ms. Trahos responding her client will work with staff to address that issue.

Discussion took place regarding proposed prohibited uses with Councilor Thompson stating he did not want to see a tattoo and body piercing parlor included as a as a prohibited use given the close proximity to the families who would be living in the apartments with Councilor Cox indicating he was not entirely sure about prohibiting a tattoo and body piercing parlor as it is a permitted use across the street at the mall.

Councilor Thompson indicated the pedestrian access on the west side should also be ADA compliant as there is a pedestrian signal in close proximity. He acknowledged the topography on the west side of the property is a challenge as it is pretty steep; however, switch-back walkways can be installed. He stated he would not want to cross the street a Lead Mine Road as he believes it is too dangerous.

Councilor Cox questioned what the tree conservation area (TCA) would look like with Ms. Trahos responding there will be approximate 12,000 square feet of TCA along Glenwood Avenue with interruptions for the 2 pedestrian access points. Councilor Thompson questioned the proposed lineal footage of TCA along Glenwood Avenue with Ms. Trahos she did not have that information available at the meeting and Councilor Thompson indicating he would like to have better information on the linear footage for a more

clear picture of the TCA and Ms. Trahos pointing out the property's natural topography along Glenwood Avenue will help preserve the TCA.

Chairperson Crowder talked about the public hearing being held open at the May 7, 2019 Council meeting without setting a "hold-to" date and suggested holding the hearing open to one of the Council meetings in September. Following further discussion, Chairperson Crowder moved to recommend continuing the public hearing to the Council's September 17, 2019 agenda. Her motion was seconded by Councilor Stephenson and put to a vote that resulted in all Committee members voting in the affirmative. Chairperson Crowder ruled the motion adopted on a 5-0 vote.

Councilor Stephenson, referring to the transportation map included in staff's report, questioned the status of extending and connecting Marriott Drive with Ms. Trahos responding her clients do not on the property where the extension/connection would be located and noted there is no pressing interest from the owners of the Marriott Hotel to connect the 2 streets and Councilor Stephenson noting that would be a good opportunity to improve access to Lead Mine Road. He also talked about the Traffic Impact Analysis (TIA) and expressed concern regarding the proposed development and current traffic levels with Transportation Supervisor Myers noting there is a TIA included in the application packet and Councilor Stephenson pointing out the issue is existing bad conditions as opposed to what is proposed and stated there used to be a pedestrian bridge over Glenwood Avenue proposed, but is no longer part of the project and Supervisor Myers noting a new TIA will be done at site plan.

Brief discussion took place regarding the proposed deck with Ms. Trahos pointing out the building materials are addressed in the proposed conditions. Councilor Stephenson questioned how the Applicant plans to address light bleeding from the parking deck with Ms. Trahos responding her client is considering using full cut-off shielding and Councilor Stephenson indicating he would like to see more discussion on that matter.

Councilor Stephenson questioned the status of including affordable housing as part of the conditions with Ms. Trahos pointing out that provision was enacted after her client filed the rezoning application and noted her client owns 3 apartment complexes with rents that start at about \$935 for a one-bedroom and indicated her client intends to include similar apartments in this project.

Councilor Stephenson talked about the proposed \$.01 for affordable housing in the upcoming bond referendum next year and stated the Council plans on asking for a significant number of affordable housing units from developers and indicated he wants to discuss this matter further with the Applicant.

Ms. Trahos noted the proposed rezoning permitted an amount of retail that would have come with plans for a pedestrian bridge; however, her clients seek to reduce the amount of retail and have offered the option for an easement for a future pedestrian bridge. She indicated her client recognizes this is a difficult traffic area; however, her client is not in a position to offer significant improvements, and argued the proposed project would result in a +1 second increase to AM peak hours, and indicated her client is willing to re-examine the traffic portion of the project.

The item remains in Committee for further discussion.

Rezoning Application



RALEIGH



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST

☐ General Use ☒ Conditional Use ☐ Master Plan

Existing Zoning Base District **CX** Height **12** Frontage **N/A** Overlay(s) _____

Proposed Zoning Base District **CX** Height **7** Frontage **PL** Overlay(s) _____

Click [here](#) to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.

OFFICE USE ONLY

Transaction #

Rezoning Case #

If the property has been previously rezoned, provide the rezoning case number: Z-6-2013

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

553768

GENERAL INFORMATION

Date 9/5/2018

Date Amended (1)

Date Amended (2)

Property Address 4315 Lead Mine Road

Property PIN 0796600994

Deed Reference (book/page) 17229/2649

Nearest Intersection Lead Mine Road and North Hills Drive

Property Size (acres) 10.93

(For PD Applications Only) Total Units

Total Square Feet

Property Owner/Address

2652 LLC

1128 INDEPENDENCE BLVD STE 200

VIRGINIA BEACH VA 23455

Phone 919-824-2219

Fax

Email ryanh@kotarides.com

Project Contact Person/Address

Beth Trahos - Nelson Mullins

4140 Parklake Ave., Suite 200

Raleigh, NC 27612

Phone 919-329-3884

Fax

Email beth.trahos@nelsonmullins.com

Owner/Agent Signature

Email peteo@kotarides.com

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

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p>
<p>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.</p>	<p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p align="center">STATEMENT OF CONSISTENCY</p>	
<p>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.</p>	
<p>The proposed rezoning is consistent with the Future Land Use designation of Community Mixed Use, which</p> <p>1. encourages multi-story residential buildings in transit-rich areas.</p>	
<p>The proposed rezoning is consistent with Policy H 1.8 Zoning for Housing's directive to "ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types", as well as</p> <p>2. Policy UD 3.11 Parking Structures that "encourage(s) creative solutions...to design and retrofit parking structures to minimize their visual prominence".</p>	
<p>3.</p>	
<p>4.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>The proposed rezoning will allow additional housing within close proximity to high-frequency transit</p> <p>1. service and employment and commercial centers.</p>	
<p>The proposed rezoning substantially reduces potential traffic impacts on congested streets and intersections.</p> <p>2.</p>	
<p>3.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources****OFFICE USE ONLY****Transaction #****Rezoning Case #**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

INVENTORY OF HISTORIC RESOURCES

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

There are no historic resources on the property.

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

N/A

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
 - b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"
- as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: City Growth Center

Click [here](#) to view the Urban Form Map.

1.	<p><i>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.</i></p> <p>Response: The proposed rezoning permits mixed-use development in the form of ancillary retail, hotel, and residential on site. In addition, the provision of these uses on site within close proximity to Crabtree Valley Mall creates a mixed-use environment while not adding substantial traffic to an already congested area.</p>
2.	<p><i>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.</i></p> <p>Response: The proposed development is not adjacent to lower density neighborhoods and compliments the adjacent multi-family residential and hotel uses in scale.</p>
3.	<p><i>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.</i></p> <p>Response: The proposed development of the site provides additional connections to Lead Mine Road and Marriott/Charles Drive, and maintains the access easement for the adjacent hotel use.</p>
4.	<p><i>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.</i></p> <p>Response: To the extent practicable, the proposed development of the site provides additional connectivity to adjacent uses, while limiting connectivity to the congested Glenwood Avenue corridor to bicycle and pedestrian pathways.</p>
5.	<p><i>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.</i></p> <p>Response: To the extent practicable, the proposed development creates block structure, interconnectivity and multi-modal site access while balancing preservation of steep slopes and tree cover. Where the creation of new block faces are not possible, bicycle and pedestrian pathways are provided.</p>

6.	<p><i>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.</i></p> <p>Response: The development of the site will utilize topography to minimize the scale of parking areas by tucking parking underneath buildings, thereby permitting the placement of buildings adjacent to streets and sidewalks.</p>
7.	<p><i>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.</i></p> <p>Response: Buildings will be placed along Charles/Marriott Drive, with parking placed underneath the structures and to the rear, thereby creating a pedestrian-oriented street.</p>
8.	<p><i>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.</i></p> <p>Response: Due to the unique site constraints in terms of topography and dimension, and an existing access easement for the adjacent hotel, placement of buildings at the intersection of North Hills Drive and Lead Mine Road will not be practicable; however, that corner space will be marked with landscaped sidewalks that lead directly to the site's buildings.</p>
9.	<p><i>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.</i></p> <p>Response: The future development of the site will incorporate meaningful common open spaces for residents that is commonly accessible and a key feature of the residential community.</p>
10.	<p><i>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.</i></p> <p>Response: The proposed development of the site includes multiple open spaces that are connected both to one another as well as to all buildings on site via landscaped pedestrian pathways.</p>
11.	<p><i>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.</i></p> <p>Response: Open spaces will be a key feature of site development and placed in prominent locations that are easily accessible to all site residents.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: The primary open space will form a forecourt to the main residential building and serve as an entry feature that is directly accessible for all project residents.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: The proposed development's open spaces will feature seating, landscaping, and other features that encourage active use by all residents.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p>Response: The proposed development's parking areas are spread throughout the development in on-street parking, small scale surface parking areas as well as structured parking underneath residential buildings. These small parking areas are carefully placed so as to not interfere with pedestrian circulation and to permit buildings to frame streets.</p>
15.	<p><i>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.</i></p> <p>Response: The proposed parking fields are all placed to the side and rear of the residential buildings, thereby allowing the buildings to frame the pedestrian-oriented Charles/Marriott Drive.</p>
16.	<p><i>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.</i></p> <p>Response: Development of the site will take advantage of the sloping topography of the site to tuck parking under residential buildings, thereby reducing the perceived scale of any structured parking. Any structured parking on the perimeter of the building will feature complimentary building materials to ensure seamless integration with the residential components of the building.</p>
17.	<p><i>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.</i></p> <p>Response: The site is in close proximity to the major transit hub at Crabtree Valley Mall, and development will incorporate direct pedestrian paths to Glenwood Avenue for ease of transit access.</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>Response: The proposed rezoning includes a condition requiring the creation of pedestrian pathways that will provide a convenient link between the site and transit corridors on Glenwood Avenue and Crabtree Valley Mall.</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>Response: Development of the site will preserve the mature tree cover and steep slopes closest to Glenwood Avenue, which will provide environmental benefit as well as screen the site development from the Glenwood Avenue corridor.</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>Response: The streets and driveways constructed as part of the development of the site will be scaled for low-volume vehicular traffic and will prioritize bicycle and pedestrian access through the design of wide pathways and streetscapes.</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>Response: Sidewalks proposed as part of the development of the site will be scaled to residential and minimal commercial use, and to encourage pedestrian circulation.</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>Response: The proposed development of the site will feature street trees placed to ensure shade, pedestrian comfort, and vehicular safety.</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>Response: Charles/Marriott Drive will be framed with a wide landscaped strip including street trees, and buildings 4-5 stories which are in keeping with the character of the surrounding development.</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>Response: Primary entrances will be visually prominent, and noted through architectural, circulation and landscaping features.</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>Response: The ground level of residential buildings will feature windows, prominent entry features, and high quality, pedestrian scale building materials.</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>Response: All streets and driveways feature sidewalks and landscaping that connect streets, buildings, and open spaces.</p>

2652 LLC

November 1, 2019

Mr. Jason Hardin, AICP
Raleigh Department of City Planning
One Exchange Plaza, Suite 300
Raleigh, NC 27602

Re: Crabtree Apartments – Zoning Case Z-25-18 – Block Perimeter Modification

Dear Jason,

We understand that Zoning Case Z-25-18 will require a waiver on block perimeter requirements due to the nature of the existing development, topography, and the surrounding roadways and properties. Accordingly, this memorandum is to provide background and support for modifying this parcels block perimeter requirements. We offer the following information in support of this modification:

1. The property is bounded on three sides by public streets, and the only opportunity to further interconnect the grid is to extend Marriot Drive from its existing location to Glenwood Avenue. This work is off-site, a topographic challenge, and requires permission from adjacent property owners.
2. The topography limits any connection from our site to Glenwood Avenue. In addition, the street type along Glenwood Avenue limits any connections or new driveways to that street.
3. The property has adequate access by multiple modes, including vehicular access from Marriott Drive, Lead Mine Road, and vehicular cross connection with PNC bank and Candlewood Suites. Transit access is available via the bus terminal at Crabtree Valley Mall, and pedestrian access is available via existing sidewalks on Marriot Drive, Lead Mine Road, and Glenwood Avenue.
4. Proposed zoning conditions provide for additional pedestrian access through the site to Glenwood Avenue via a pedestrian path and stairway on the western edge of the property, a multi-use path through the property and down a steep slope (via switchback) to Glenwood Avenue in the center of the site, and existing sidewalks along Lead Mine Road on the eastern edge of the property.

The existing block perimeter for the site is approximately 8,500 feet between Glenwood Ave, Marriott Drive, Creedmoor Road, Sugar Bush Road, and Lead Mine Road. The maximum perimeter for CX-7 zoning district is 2,500 feet. Under UDO section 8.3.2.B.3, maximum block perimeter may be extended by 50%, where the block includes a pedestrian passage that connects 2 streets on opposing block faces. The development cannot meet the block perimeter requirements even with this 50% extension and the future extension of Marriott Drive.

The property's location, topographic constraints, and urban form guidance along Glenwood Avenue limits its ability to meet block perimeter requirements and therefore a mid-block pedestrian/multi-use path is proposed. Condition 9, and Exhibit B identifies the location of the

2652 LLC

proposed pedestrian and multi-use paths in a general way and will be finalized during the site planning stage. This multi-use path will be designed for bicycle and pedestrian use through the site with a minimum of 10' wide path on a 20' easement. The path will run along the proposed roadway network down to Glenwood Avenue. The topographic constraints will require a switchback path from the proposed development down to the sidewalk along Glenwood Avenue. In addition to the multi-use path a pedestrian only path with a stairway down the steep slope from Marriot Drive to Glenwood Avenue will be provided by the development. This will allow direct connection to the Crabtree Valley Mall / Glenwood Pedestrian crosswalk.

There are also existing cross access easements that interconnect the site to PNC bank (PIN _ 0796604474) and Candlewood Suites (PIN_ 0796613190)

Given that connectivity is provided for the subject parcel to the extent practical, and that the subject parcel is surrounded by public streets with pedestrian access via the public streets and the proposed mid-block multi-use path, we request the block perimeter modification for Zoning Case Z-25-18.

Should you have any questions, please do not hesitate to contact me at 919-824-2219 or RyanH@Kotarides.com

Sincerely,

 11/1/19

Ryan Hambleton

Project Manager



Raleigh MEMO

TO: Bynum Walter, AICP, Comprehensive Planning Supervisor

FROM: Eric J. Lamb, PE, Transportation Planning Manager *EJL*

DEPARTMENT: Transportation

DATE: March 1, 2019

SUBJECT: Traffic Impact Analysis Review

Z-25-18

4315 Lead Mine Road (Crabtree Apartments)

I have reviewed the Traffic Impact Analysis (TIA) prepared by Ramey Kemp & Associates (RKA) for the proposed rezoning Z-25-18, referred to in the TIA as the Crabtree Apartments. The following memorandum summarizes the most relevant information pertaining to the study as well as City Staff's review of the analysis and recommendations.

Development Details

<i>Site Location:</i>	Northwest Raleigh, north of I-440, at the corner of Glenwood Avenue and Lead Mine Road, near the Crabtree Valley Mall
<i>Address:</i>	4413 Marriott Drive
<i>Property Pin:</i>	0796600994
<i>Current Zoning:</i>	CX-12-CU
<i>Proposed Zoning:</i>	CX-7-PL
<i>Existing Land Use:</i>	111 Low Rise Multifamily Housing
<i>Existing Allowable Land Use:</i>	175 High Rise Multifamily Housing Units and 125,000 square feet (SF) Retail
<i>Proposed Allowable Land Use:</i>	350 Hotel Rooms, or 350 Mid Rise Multifamily Units, or 350 Mid Rise Multifamily Units & 10,000 SF Retail, or 260 Mid Rise Multifamily units, 10,000 SF Retail, & 45,000 SF Office
<i>Build-out Year:</i>	Not Applicable

As scoped with City Staff, RKA studied existing and proposed conditions under the year 2018. Existing traffic conditions in this area are known to be poor. There is an NCDOT TIP Project I-5870 currently in the planning phase, scheduled for construction in 2025. This project intends to improve traffic in the area. It includes modifications to the Glenwood Avenue and Lead Mine Intersection. The TIP project assumes the current zoning for this parcel. Under this downzoning, that is an appropriately conservative assumption.

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

Recommendations

The analysis performed by RKA illustrates the differences in vehicular and multimodal impacts between the studied scenarios. The intersection vehicular capacity, measured in level of service (LOS), for the proposed zoning scenarios are approximately the same or improved as compared to current zoning scenario for each of the studied intersection.

Additional analysis and discussion is anticipated at the Administrative Site Review (ASR) stage of development to understand how the actual proposed development compares to the existing situation and to determine the access point configurations and any other infrastructure requirements. This analysis has demonstrated that either the right-in / right-out or full access configuration result in acceptable LOS under the proposed zoning.

The multimodal analysis performed shows the rezoning does not significantly impact multimodal level of service for the surrounding intersections and street segments. The right-in / right-out configuration at Lead Mine and North Hills marginally improves Pedestrian Crosswalk LOS.

Study Area & Analysis Scenarios

The following intersections were studied as part of this TIA:

- | | |
|--|-----------------------|
| 1. Glenwood Avenue and Lead Mine Road | (Signalized) |
| 2. Lead Mine Road and North Hills Road | (Signalized, RI / RO) |
| 3. Lead Mine Road and Marriott Drive | (OWSC) |
| 4. Lead Mine Road and Charles Drive | (OWSC) |

RI / RO = Right-in / Right-out

OWSC = One Way Stop Control

The above list does not account for any changes to intersection configuration that may be proposed under the TIP project.

RKA studied a right-in / right-out alternative for the site drive at the intersection of Lead Mine Road and North Hills Drive. In either case, the intersection is still signalized.

Trip Generation

Ramey Kemp made the following assumptions as agreed to by City Staff:

- 10th Edition ITE Trip Generation Manual – Land Use Codes as listed in Tables 1-3
- No growth rate is assumed because the scenarios are modeled under year 2018
- Internal Capture and Pass-by reductions are assumed based on ITE 3rd Edition Methodology in both the current and proposed zoning scenarios

Table 1: Existing Land Use Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM			PM		
				In	Out	Total	In	Out	Total
Multifamily Housing (Low-Rise)	220	111 Units	800	12	41	53	41	24	65

Table 2: Existing Zoning Maximum Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM			PM		
				In	Out	Total	In	Out	Total
Multifamily Housing (High-Rise)	222	175 Units	900	15	47	62	41	27	68
Shopping Center	820	125,000 SF	7,000	133	81	214	308	333	341
Total Trips:			7,900	148	128	276	349	360	709
Internal Capture & Pass-by Reduction:			--	--	--	--	-126	-126	-252
Total Primary Trips:			7,900	148	128	276	223	234	457

Table 3: Proposed Zoning Maximum Trip Generation

Land Use	ITE Code	Intensity	Daily Traffic (vpd)	AM			PM		
				In	Out	Total	In	Out	Total
Multifamily Housing (High-Rise)	221	260 Units	1,420	22	65	87	68	43	111
General Office Building	710	45,000 SF	490	72	10	82	21	94	115
Shopping Center	820	10,000 SF	1,260	6	3	9	47	52	99
Total Trips:			3,170	100	78	178	136	189	325
Internal Capture & Pass-by Reduction:			--	-4	-4	-8	-31	-31	-62
Total Primary Trips:			3,170	96	74	170	105	158	263
Proposed Zoning Trips vs. Existing Zoning Trips			-4,730	-52	-54	-106	-118	-76	-194

There are fewer trips generated under the proposed zoning maximum scenario as compared to the existing zoning maximum scenario overall.

Site Traffic Distribution

Trips generated by the proposed the Development are distributed differently per scenario.

Existing Development

Residential

- 50% to/from the east via Glenwood Avenue
- 10% to/from the west via Glenwood Avenue
- 15% to/from the north via Lead Mine Road
- 15% to/from the south via Blue Ridge Road
- 10% to/from the east via North Hills Drive

Current Zoning

Residential

- 50% to/from the east via Glenwood Avenue
- 5% to/from the west via Glenwood Avenue
- 5% to/from the west via Marriott Drive Extension
- 15% to/from the north via Lead Mine Road
- 15% to/from the south via Blue Ridge Road
- 10% to/from the east via North Hills Drive

Commercial

- 20% to/from the east via Glenwood Avenue
- 10% to/from the west via Glenwood Avenue
- 10% to/from the west via Marriott Drive Extension
- 30% to/from the north via Lead Mine Road
- 15% to/from the south via Blue Ridge Road
- 15% to/from the east via North Hills Drive

Proposed Zoning

Residential

- 50% to/from the east via Glenwood Avenue
- 10% to/from the west via Glenwood Avenue
- 15% to/from the north via Lead Mine Road
- 15% to/from the south via Blue Ridge Road
- 10% to/from the east via North Hills Drive

Commercial

- 20% to/from the east via Glenwood Avenue
- 20% to/from the west via Glenwood Avenue
- 30% to/from the north via Lead Mine Road
- 15% to/from the south via Blue Ridge Road
- 15% to/from the east via North Hills Drive

Office

- 35% to/from the east via Glenwood Avenue
- 35% to/from the west via Glenwood Avenue
- 20% to/from the north via Lead Mine Road
- 5% to/from the south via Blue Ridge Road
- 5% to/from the east via North Hills Drive

The proposed zoning distribution varies for the right-in / right-out scenario. Refer to the TIA for all distribution figures.

Current zoning requires extension of Marriott Drive to Glenwood Avenue to the west. As such, RKA modeled the current zoning scenario with some traffic distributed via this connection.

Results and Impacts

Level of Service (LOS) results for the studied intersections are summarized below in Table 4.

Table 4: Level of Service Results

Intersect.	Appr.	Existing (2018)		Current Zoning (2018)		Proposed Zoning (2018)		Proposed Zoning RIRO (2018)	
		AM	PM	AM	PM	AM	PM	AM	PM
Glenwood & Lead Mine (Signal)	Overall	F (155)	F (373)	F (155)	F (382)	F (156)	F (379)	F (156)	F (378)
	EB	F	F	F	F	F	F	F	F
	WB	F	F	F	F	F	F	F	F
	NB	E	F	E	F	E	F	E	F
	SB	E	F	E	F	E	F	E	F
Lead Mine & North Hills (Signal)	Overall	C (21)	B (16)	C (30)	C (29)	C (22)	C (21)	B (17)	B (13)
	EB	D	D	C	F	D	E	A	A
	WB	D	E	D	E	D	E	D	D
	NB	B	B	B	B	B	B	B	B
	SB	C	A	C	B	C	B	B	A
Lead Mine & Marriott (OWSC)	Overall	NA	NA	NA	NA	NA	NA	NA	NA
	EB	E	C	F	D	F	C	F	D
	NB	C	B	C	B	C	B	D	B
	SB	--	--	--	--	--	--	--	--
Lead Mine & Charles (OWSC)	Overall	NA	NA	NA	NA	NA	NA	NA	NA
	EB	E	C	E	C	E	C	E	C
	NB	C	B	C	B	C	B	C	B
	SB	--	--	--	--	--	--	--	--

The results generate the following conclusions concerning the rezoning:

- For the Glenwood Ave / Lead Mine Road intersection, the proposed zoning results in approximately the same or slightly improved approach and overall LOS as compared to current zoning
 - Delays decrease from current zoning to proposed by up to 4 seconds
- The RI / RO configuration at Lead Mine Road and North Hills Drive results in improved LOS as compared to the full access alternative
 - Still, the full access alternative results in approach LOS E or better and overall LOS C
- The RI / RO increases traffic at the Lead Mine / Marriott intersection and thus worsens LOS at the EB and NB approaches to LOS D
- There are no measurable impacts to the Lead Mine Road and Charles Drive intersection under proposed zoning as compared to current zoning
 - The intersection operates at LOS E or better
- There is no overall intersection nor intersection approach that was studied that worsens to LOS F as a result of the proposed zoning

Pending the extent and layout of the actual proposed development as compared to the existing condition, additional analysis and proposal of mitigation may be required. A determination may then be made with NCDOT involvement concerning the right-in / right-out or full access alternatives for Lead Mine Road and North Hills Drive.

Multi Modal Analysis

RKA performed Multi Modal analysis using ArtPlan 2012. RKA used Synchro for Pedestrian Crosswalk LOS at the signalized intersections. Refer to the Multimodal Analysis Addendum for the existing, background, and proposed Multimodal Level of Service (MMLOS) results for the study area.

These results show marginal (if any) impact to multimodal level of service in the surrounding area under the proposed conditions as compared to existing. The right-in / right-out configuration at Lead Mine and North Hills marginally improves Pedestrian Crosswalk LOS.

Crash Analysis

RKA has provided analysis of the crash data for the study area. Refer to their TIA for the number and types of crashed recorded for the study area.

Most crashes occur as rear ends at the intersection of Lead Mine Road and Glenwood Avenue. RKA assumes these will be addressed in NCDOT's design for the intersection.

Most of the crashes at the intersection of Lead Mine Road and North Hills Drive are sideswipes and then rear ends. This should be considered in making a determination about the intersection / access configuration during site planning.

Conclusions

City Staff agrees with the analysis performed in the TIA for Crabtree Apartments Development (Z-25-18) prepared by RKA.

City Staff makes no further recommendation at this time.

EJL / th

Z-6-13 – Charles Drive located on the south side, northwest of its intersection with Leadmine Road being Wake County PIN 0796509976. Approximately 10.84 acres are to be rezoned from R-10, R-15 Conditional Use District and O&I Conditional Use District to SC Conditional Use District.

Conditions Dated: 5/1/13

Narrative of conditions being requested:

1. The following uses shall be prohibited;

- (a) Automotive service and repair facilities;
- (b) Landfills of all types;
- (c) Manufacturing of all types;
- (d) Mini-warehouse storage facility;
- (e) Cemetery;
- (f) Civic club;
- (g) Funeral home;
- (h) Hospital;
- (i) Radio and television studio;
- (j) Utility substation;
- (k) Dance, recording, music studio;
- (l) Emergency shelter;
- (m) Telecommunications towers;
- (n) Adult establishment;
- (o) An orphanage; or
- (p) A correctional/penal facility

2. Prior to obtaining a building permit for the redevelopment of any property which is part of this rezoning (PIN 0796509976) (also referenced herein as “Property”), the property owner requesting the permit shall make offers of cross access to the adjoining properties to the north, PIN 0796-51-8795, Crabtree Apartments Assoc., LLC, Deed Book 14280, Page 2657 and PIN 0796-51-5804, Chief Raleigh Hotel, LLC Deed Book 12420, Page 2647; and east PIN 0796-61-3190, Generation Suites of Raleigh Crabtree LLC, Deed Book 8471, Page 744; and/or accept previously extended offers from such adjoining owners, if any.

3. Prior to obtaining a building permit for the redevelopment of any of the Property which is part of this rezoning (PIN 0796509976), the property owner shall execute and record a pedestrian transit easement measuring no more than 15 x 15 feet to accommodate the north side of a pedestrian bridge from the subject Property to either (a) the public right-of-way on the south side of Glenwood Avenue; or (b) the property of Crabtree Valley Mall. The exact location of this easement shall be approved by the City Public Works Director and the form of the easement shall be approved by the City Attorney. In addition, a certificate of occupancy for any retail uses on the

Property shall be issued only after a pedestrian bridge has been constructed connecting the property to the south side of Glenwood Avenue, according to specifications approved by the City of Raleigh and NC Department of Transportation ("NCDOT"). The bridge shall be a bow truss design, subject to NCDOT and City of Raleigh approval; except that, if such approval cannot be obtained, the approved bridge shall contain ornamental details which will ensure that the bridge will be a gateway feature, at a cost of at least 10% of the cost of the bridge, subject to the approval of the Planning Director or his designee. Prior to the granting of any certificate of occupancy for any retail use on the Property, the Property owner will grant the public the right of pedestrian and bicycle access over the Property and the right to cross the pedestrian bridge. Prior to the issuance of a building permit for any retail use, the Property owner will obtain approval of an encroachment agreement for the pedestrian bridge from NCDOT.

4. Prior to obtaining a building permit for the redevelopment of any Property which is part of this rezoning (PIN 0796509976), the property owner shall execute and record a pedestrian easement measuring no more than 20' wide to the following properties: Chief Raleigh Hotel, LLC (PIN 0794-51-5804), Deed Book 12420, Page 2647; Crabtree Apartments Associates, LLC (PIN 0796-51-8795), Deed Book 14280, Page 2657; RBC Bank USA (PIN 0796604474); anti Generation Suites of Raleigh Crabtree LLC, Deed Book 8471, Page 744. The exact location of this easement shall be approved by the City Public Works Director and the form of the easement shall be approved by the City Attorney.

5. Prior to the issuance of a building permit for the redevelopment of any Property which is part of this rezoning (PIN 0796509976), the property owner will dedicate to the City of Raleigh a right-of-way of a width agreeable to the City of Raleigh, not to exceed 60 feet for the purpose of roadway construction along the 173 foot western property line of the subject Property and adjacent to the eastern property line property of Chief Raleigh Hotel, LLC (PIN 0794-51-5804), Deed Book 12420 Page 2657 or at a similar location approved by the City and the property owner, which will connect Charles Drive to the Glenwood Avenue right-of-way. At the City's request and if needed, the property owner will also convey a slope easement to the City of a width of no more than 20 feet at the same location. In addition, a certificate of occupancy for any retail uses on the Property shall be issued only after the road has been constructed connecting Charles Drive to Glenwood Avenue right-of-way, according to specifications approved by the City of Raleigh and NC Department of Transportation.

6. Prior to the issuance of a building permit for the redevelopment of any Property which is part of this rezoning (PIN 0796509976), the owner of the Property will provide streetscape elements, including enhanced landscaping, street furnishings and sidewalks, on the northern portion of the subject Property which abuts Charles Drive. These streetscape elements are as follows and are further illustrated at Exhibits 1 through 5, which are attached hereto and incorporated herein by reference:

A. The installation of street trees with a minimum size of 6 1/4" caliper at least every 40 feet along Charles Drive. The following types of trees are permitted, although alternate similar street tree species may be substituted at the time of site plan approval as approved by the City of Raleigh Urban Forester to accommodate the availability of species:

- i. *Zelkova serrata* — Japanese Zelkova
- ii. *Pistacia chinensis* — Chinese Pistache
- iii. *Carpinus betulus fastigiata* — Columnar European Hornbeam
- iv. *Quercus phellos* "Wynstar" — Wynstar Willow Oak
- v. *Lagerstroemia x Tuskegee* — Tuskegee Crape Myrtle;

If such trees are installed in the right-of-way, an encroachment agreement subject to approval by the City Attorney will be required.

B. The installation of a sidewalk eight (8) to fourteen (14) feet wide along the portion of the Property that abuts Charles Drive;

C. The installation of decorative light fixtures and light poles as necessary to satisfy City of Raleigh photometric requirements along Charles Drive. These light fixtures shall be Sternberg Vintage - Home Town Series decorative light fixtures (or an equal approved by the City of Raleigh Staff) mounted on Sternberg Vintage - Dover Series poles (or an equal approved by the City of Raleigh Staff);

D. The installation of 4 Victory Stanley - Classic Series benches (or an equal approved by the City of Raleigh Staff) along Charles Drive;

E, The installation of 2 Victory Stanley - Ironsites Series trash receptacles (or an equal approved by the City of Raleigh Staff) along Charles Drive; and

F. The installation of a minimum of 4 Madrax — Heavy Duty Challenger "U" bike racks (or an equal approved by the City of Raleigh Staff) along Charles Drive.

7. The height of any building on any Property which is a part of this application shall not exceed 115 feet or nine (9) stories.

8. The total residential density on the Property which is the subject to this application shall not exceed 175 units, Prior to the recordation of a subdivision plat for the Property, the owner of the Property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable residential density for the Property to all existing lots of record comprising the Property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of a subdivision plat for the Property and prior to recordation of the restrictive covenant, and such restrictive covenant shall be promptly recorded following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee, which consent shall not be unreasonably withheld.

9. Total retail development on the Property which is the subject of this application will not exceed 125,000 square feet of floor area gross Prior to the recordation of a subdivision plat for the Property, the owner of the Property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable retail floor area upon the Property to all existing lots of record comprising the Property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of a subdivision plat for the Property and prior to recordation of the restrictive covenant, and such restrictive covenant shall be promptly recorded following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee, which consent shall not be unreasonably withheld. Office uses will not be allowed on the Property except as incidental and accessory to the permitted residential and/or retail uses.

10. Above ground portions of parking decks visible from adjoining properties or the public right-of-way shall be clad in the same materials as the principal buildings on site. Parking decks along Charles Drive; however, will be located behind building facades.

11. No building permit for any retail development shall be issued for the Property until a roadway connection has been constructed by the property owner or the City of Raleigh from the ROW described in Condition 5 above, to the existing Marriott Drive ROW (the "Marriott Connection"). If required at the time of retail development, the property owner will dedicate the ROW for the Marriott Connection to the City of Raleigh of a width agreeable to the City of Raleigh, not to exceed 60 feet, for the purpose of roadway construction and will construct the Marriot Connection.

12. Building surfaces fronting on, and adjacent to and visible from public rights-of-way, shall consist of at least 80% brick, stone or masonry veneer, exclusive of roofs, windows, Storefronts (as defined below), doors, cornices and trim; other exterior building surfaces shall consist of at least 50% brick, stone or masonry veneer, exclusive of roofs, windows, Storefronts (as defined below), doors, cornices and trim. No external building surface shall consist of vinyl, wood fiber, utility grade concrete masonry unit, or synthetic stucco.

13. Building entrance doors for residential buildings (exclusive of hardware and insulation) facing public rights-of-way or internal courtyards shall consist of all wood or a combination of glass and wood.

14. Garbage dumpsters/compactors shall be screened from view from adjacent properties and public rights-of-way, provided that any enclosures may have gated openings to be opened when dumpsters/compactors are being emptied. All such enclosures shall be constructed from the same materials as the principal buildings they serve and shall include a wood trellis covering at least 50% of the enclosure.

16. "Storefronts," which are defined as the exterior surfaces of retail uses between the foundation and 12 feet above ground, shall consist of at least 50% glass or glazing.

16. At least 6% of the required vehicular parking spaces for residential uses will have electrical charging facilities.

17. The Property owner will install a minimum of one-hundred (100) bicycle parking spaces, at least twenty-five (25) of which will be in an enclosed area.

18. No single retail use on the Property shall exceed 56,000 square feet of floor area gross.

19. Prior to the issuance of a certificate of occupancy for any redevelopment on the Property, the Property owner will install a pedestrian refuge island on Lead Mine Road at a location and with a design, subject to approval by NCDOT and the City of Raleigh.

Exhibit 1

Charles Drive Loop Conceptual Plan – Streetscape One Side

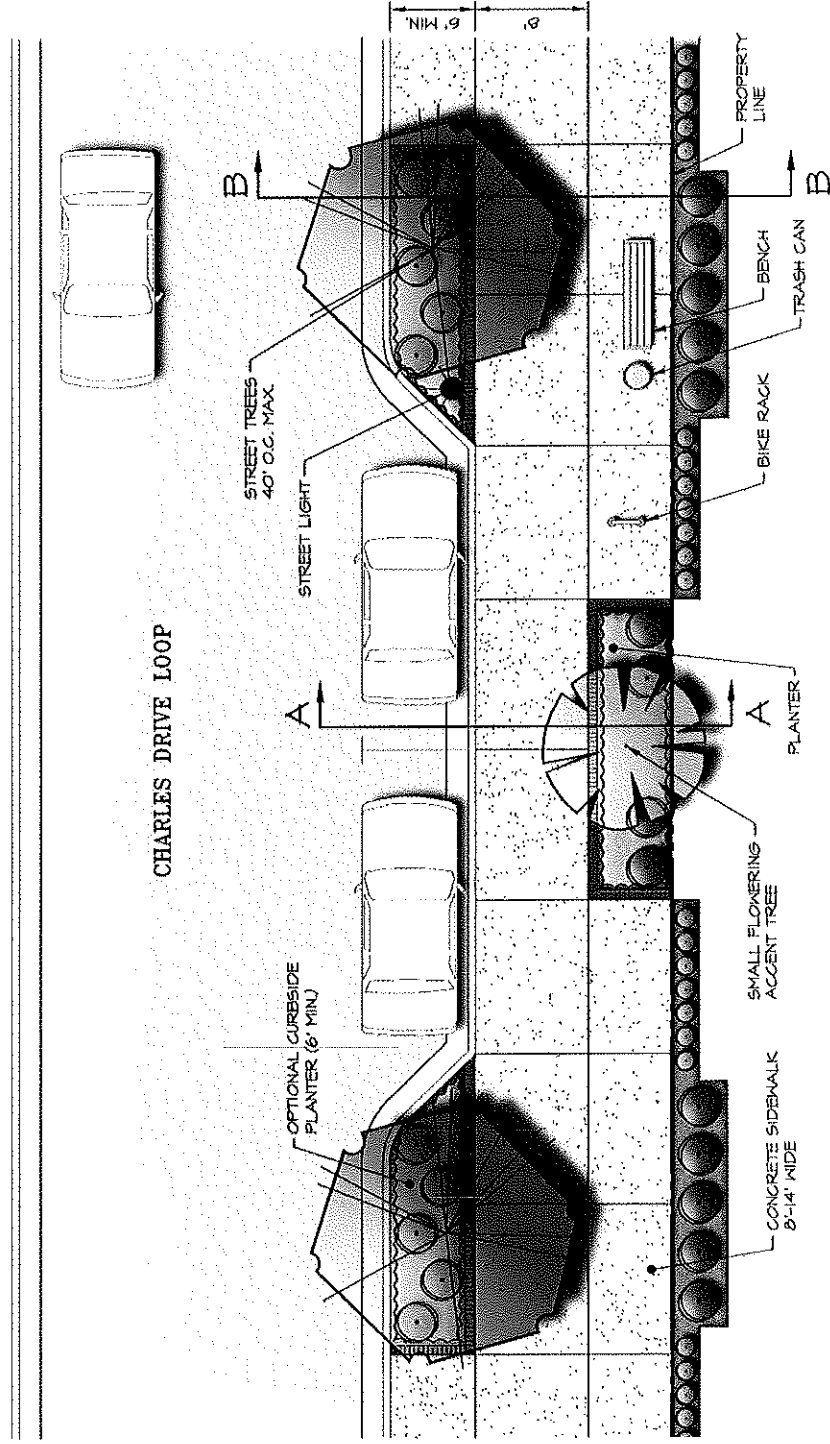
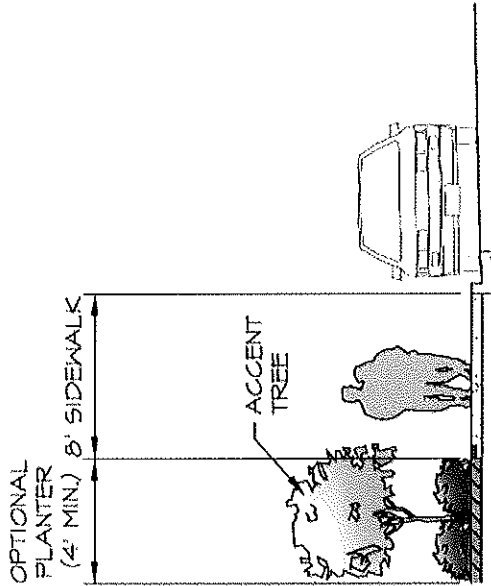
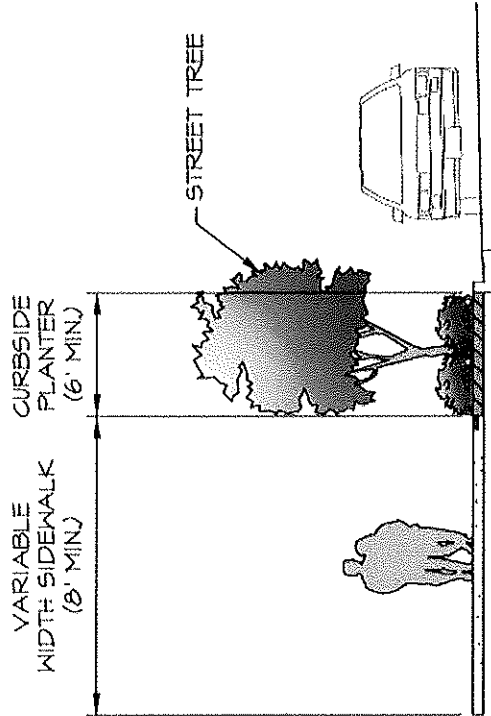


Exhibit 2

Charles Drive Loop Conceptual Section – Streetscape One Side



SECTION A



SECTION B

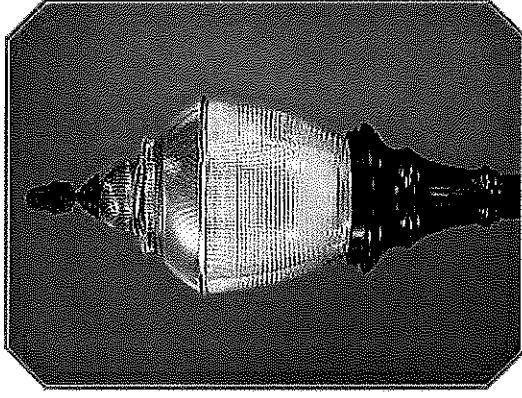
Exhibit 3

Fixture

Manufacturer: Sternberg Vintage Lighting

Specification: Home Town Series

(or approved equal)



Pole

Manufacturer: Sternberg Vintage Lighting

Specification: Dover Series

(or approved equal)

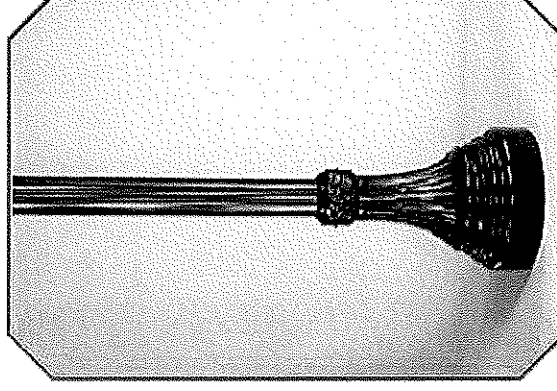
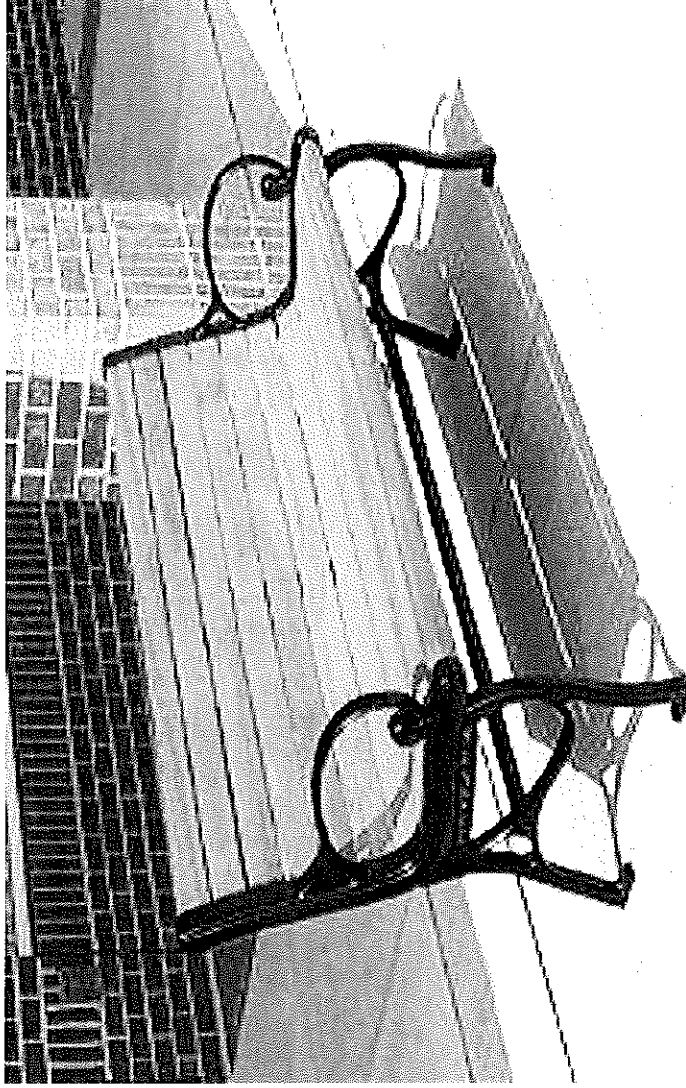


Exhibit 4

Benches

Manufacturer: Victory Stanley
Specification: Classic Series
(or approved equal)



Trash Receptacles

Manufacturer: Victory Stanley
Specification: Ironsites Series
(or approved equal)

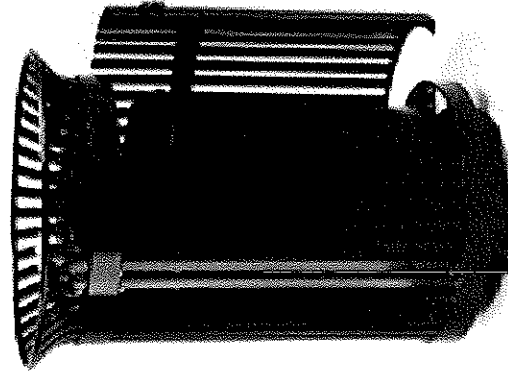
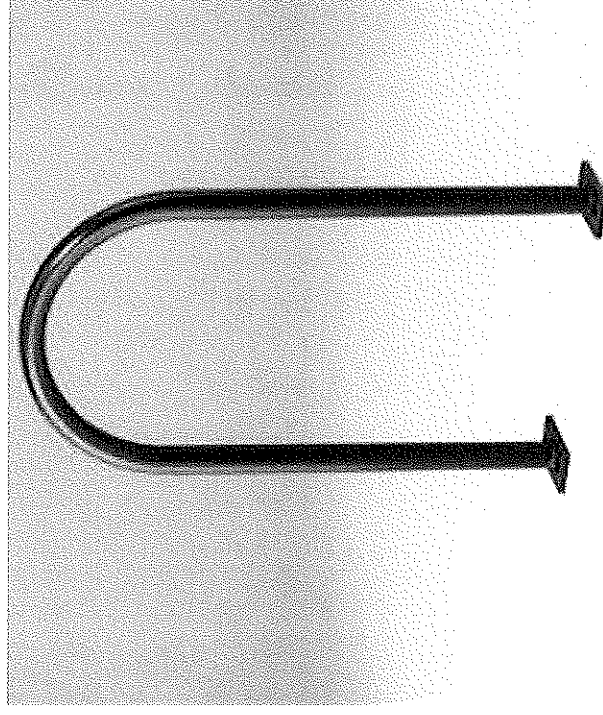
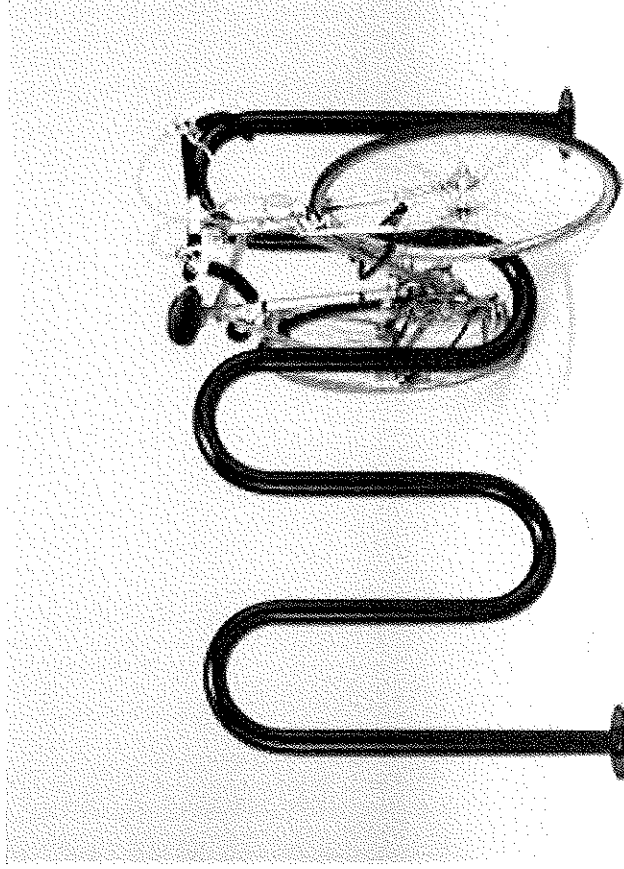


Exhibit 5

Bike Racks

Manufacturer: Madrax
Specification: Heavy Duty Challenger
5 Loop and "U" rack
(or approved equal)





Certified Recommendation

Raleigh Planning Commission

CR# 11530

Case Information Z-6-13 Charles Drive

<i>Location</i>	South side, northwest of its intersection with Lead Mine Road
<i>Request</i>	Rezone property from R-10, R-15 CUD and O&I-1 CUD to SC CUD
<i>Area of Request</i>	10.84 acres
<i>Property Owner</i>	Joanna & Melissa Smith Mills, Valley Terrace Apartments Company
<i>Applicant</i>	Robin T. Currin, 919-832-1515, robincurrin@aol.com
<i>Citizens Advisory Council</i>	Northwest Jay M. Gudeman, 919-789-9884, jay@kilpatrickgudeman.com
<i>PC Recommendation Deadline</i>	April 15, 2013

Comprehensive Plan Consistency

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the Future Land Use Map.

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Regional Mixed Use
<i>CONSISTENT Policies</i>	Policy LU 2.2 Compact Development Policy LU 2.5 Healthy Communities Policy LU 4.4 Reducing VMT through Mixed Use Policy LU 4.5 Connectivity Policy LU 4.9 Corridor Development Policy LU 5.1 Reinforcing the Urban Pattern Policy LU 6.1 Composition of Mixed-Use Centers Policy LU 6.2 Complementary Uses and Urban Vitality Policy LU 6.3 Mixed-Use and Multi-Modal Transportation Policy LU 7.1 Encouraging Nodal Development Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 7.5 High-Impact Commercial Uses Policy LU 7.6 Pedestrian-Friendly Development Policy LU 10.1 Mixed-Use Retail Policy LU 10.6 Retail Nodes Policy ED 1.2 Mixed Use Redevelopment Policy UD 2.1 Building Orientation Policy UD 2.3 Activating the Street Policy UD 2.6 Parking Location and Design Policy UD 2.7 Public Open Space Policy UD 3.5 Visually Cohesive Streetscapes

	Policy UD 3.11 Parking Structures Policy UD 4.3 Improving Streetscape Design Policy UD 4.5 Improving the Street Environment Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 6.2 Ensuring Pedestrian Comfort and Convenience Policy UD 7.3 Design Guidelines (1-26 policies) Policy AP-C1 Crabtree Parking Structures Policy AP-C4 Crabtree Mall Connections Policy AP-C5 Design Unity in the Crabtree Area Policy AP-C6 Crabtree Area Pedestrian Circulation Plan
INCONSISTENT Policies	Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 5.2 Managing Commercial Development Impacts

Summary of Proposed Conditions

The following conditions apply to the property:

- Certain types of uses that are prohibited
- Upon redevelopment of the property, offer of cross-access to the property to the north
- Offer of pedestrian transit easement for pedestrian bridge to the north between Marriot Drive and Crabtree Valley Mall; Retail uses permitted only after construction of a pedestrian bridge connecting property to south of Glenwood Avenue
- Offer of 20 foot pedestrian easement
- Upon redevelopment of the property, up to a max. 60 foot ROW dedication and 20 foot slope easement to connect Charles Drive to Glenwood Avenue; Retail uses to be permitted only after roadway construction of Charles Drive connecting to Glenwood Avenue
- Conditions that include similar streetscape and parking plan elements that apply to the same block that specifies street trees, sidewalk widths, light fixtures, benches, trash receptacles, and bike racks
- Max. building height of 115 feet or 9 stories
- Max. of 175 dwelling units total (16 DU/acre density), recording a restrictive covenant with Wake County
- Max. retail use of 125,000 SF (with office use limited to accessory use only), recording a restrictive covenant with Wake County
- Parking deck location and material specification
- Retail uses to be permitted after Marriot Drive connection is constructed or dedicate max. of 60 foot ROW if required
- Building surface material specifications
- Building entrance door material specification for residential buildings
- Screening provisions for garbage dumpsters/compactors
- Define storefronts as exterior surface of retail uses between foundation and 12 feet above ground, specify storefronts to consist of min. 50% glass or glazing
- Provision of 6% electrical charging facilities for required parking spaces
- Provide for min. of 100 bicycle parking spaces, at least 25 to be enclosed
- No single retail use to exceed 56,000 SF of floor area gross

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
September 18, 2012	January 15, 2013	None	Deferred until 3/26/13 upon applicant's request; 3/26/13 PC voted out of COW to be deferred at PC for two weeks; 4/9/13 Approved

☐ **Valid Statutory Protest Petition**

Attachments

1. Staff report
2. Applicants Response to Urban Design Guidelines

Planning Commission Recommendation

<i>Recommendation</i>	The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan, and recommends, based on the findings and reasons stated herein, that the request be approved in accordance with zoning conditions dated April 4, 2013.
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> (1) That the proposed request is consistent with the regional mixed use category designated by the future land use map. The site is recommended for a mix of uses and the proposed conditional use rezoning seeks to permit higher density and a mix of uses consistent with its regional mixed use designation. (2) That given its proximity to a major commercial center, the site is ideal for redevelopment into higher density residential and limited retail uses. That traffic mitigation is provided by phasing development such that an alternate pedestrian bridge and driveway connections are established before any retail uses can be developed on the property. (3) That the request is compatible with surrounding land uses and development patterns. The proposed zoning conditions address uses, density, connectivity, traffic mitigation, streetscape, and urban design standards, thus mitigating any potential adverse impacts to the surrounding uses. (4) That the request is reasonable and in the public interest. Rezoning would permit introduction of higher density residential uses and limited retail uses, which could be an appropriate redevelopment for the area, complementing the surrounding uses, thus furthering the goals of several Comprehensive Plan Policies.
<i>Motion and Vote</i>	Motion: Schuster Second: Haq In Favor: Buxton, Fleming, Fluhrer, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis and Terando

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

_____	_____	_____4/9/13	_____
Planning Director	Date	Planning Commission Chairperson	Date

Staff Coordinator: Dhanya Sandeep dhanya.sandeep@raleighnc.gov



Zoning Staff Report – Case Z-6-13

Conditional Use District

Case Summary

Overview

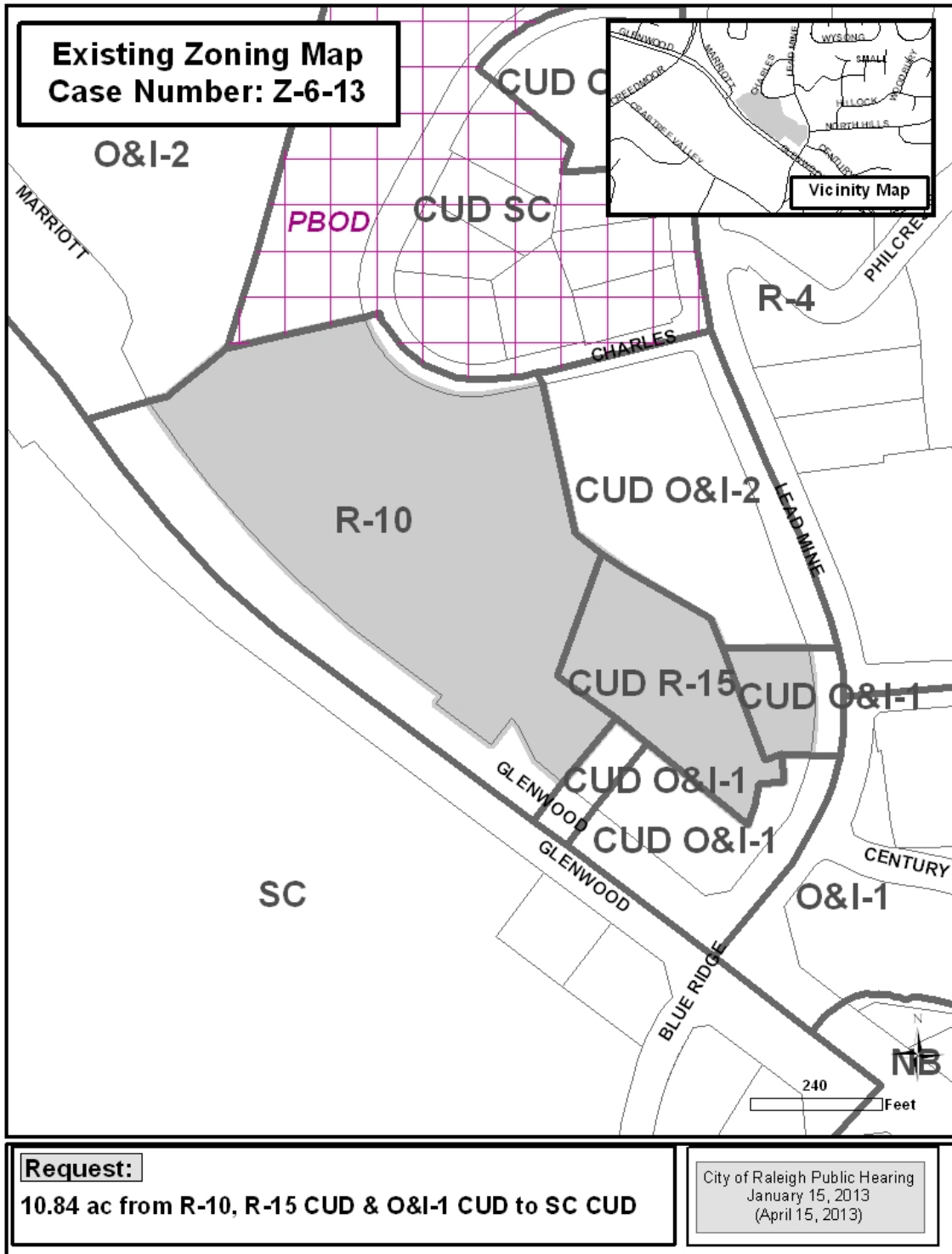
The site is located south of Charles Drive, north of Glenwood Avenue, in the northwest quadrant of its intersection with Lead Mine Road. Additionally, it is immediately across from the Crabtree Valley mall, a regional commercial center at a major crossroads of vehicular and bus transit activity.

The property owners are seeking rezoning to a Shopping Center conditional use to facilitate a mix of residential and retail uses on the site. The proposed density, uses, and intensity are higher than that currently permitted and hence will have impacts on infrastructure. With its prime location, easy access, and regional mixed use designation, the site is ideal for redevelopment into a vibrant center containing a mixture of uses and providing a place for people to live, shop, and entertain. The request is consistent with the Future Land Use map. The contiguous property to the north was recently rezoned to allow 533 DU (at 58 DU/acre density) and 7,500 SF of retail along with streetscape and parking standards. The subject rezoning includes similar streetscape standards along Charles Drive, and includes a max. of 175 DU (at 16 DU/acre density), 125,000 SF of retail uses, provide for bike racks and other design specifications. The proposed conditions offer an appropriate density and urban form transition from the higher intensity commercial use along Glenwood Avenue to the adjacent medium density residential uses along Charles Drive. Given the history of traffic concerns within the Crabtree Valley area, a Traffic Impact Analysis report was required and evaluated by Transportation staff. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. The proposed request would cause further impediments to traffic flow. Increased impacts to traffic flow remain an outstanding issue. As mitigation, the zoning conditions prohibit development of retail uses until a pedestrian bridge and roadway connection between Marriot Drive and Glenwood Avenue has been constructed.

Outstanding Issues

<i>Outstanding Issues</i>	<ul style="list-style-type: none">Increased impacts to traffic flow	<i>Suggested Mitigation</i>	<ul style="list-style-type: none">NA
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ZONING REQUEST



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-10, R-15 CUD, O&I-1 CUD	SC CUD & O&I-2 CUD	SC	O&I-2 CUD, O&I-1 CUD	O&I-2
<i>Additional Overlay</i>	NA	PBOD	NA	NA	NA
<i>Future Land Use</i>	Regional Mixed Use	Regional Mixed Use	Regional Mixed Use	Office/R&D, Institutional	Regional Mixed Use
<i>Current Land Use</i>	Apartment	Apartment	Commercial	Office	Commercial

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning			Proposed Zoning
<i>Residential Density:</i>	85+24+6 = 115 DU total			175 DU total
<i>Setbacks (in feet):</i>	R-10 (8.55)	CUD R-15 (2.04)	CUD O&I-1 (0.25)	
<i>Front:</i>	20	20	30	
<i>Side:</i>	5 (ag. 15)	5 (ag. 15)	5	
<i>Rear:</i>	20	20	20	
<i>Retail Intensity Permitted:</i>	None			125,000 SF
<i>Office Intensity Permitted:</i>	Not permitted by conditions			Allowed only as accessory use

The proposed rezoning is:

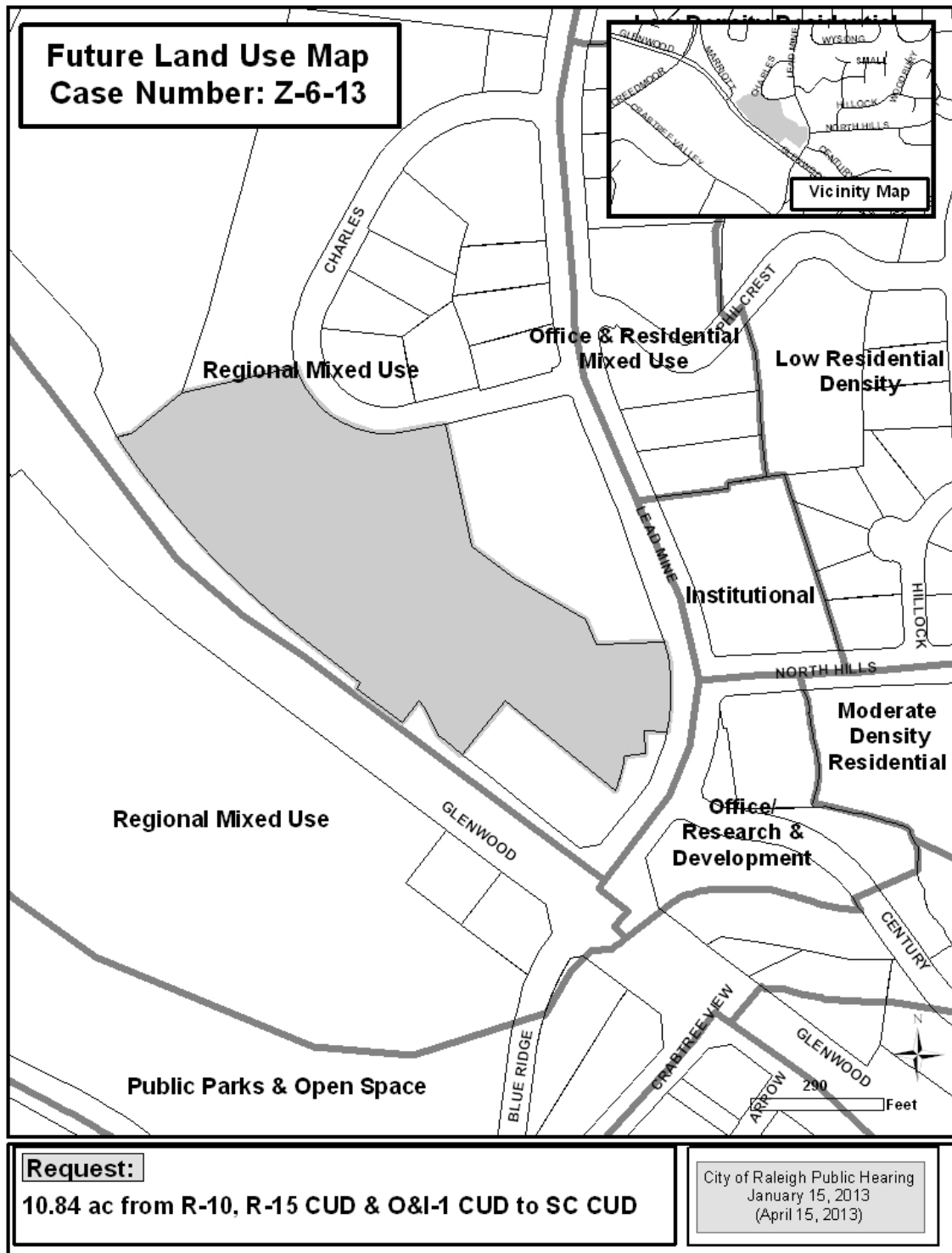
☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

Analysis of Incompatibility:

NA

FUTURE LAND USE MAP



2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation: Regional Mixed Use

The rezoning request is:

☒ **Consistent** with the Future Land Use Map.

☐ **Inconsistent**

Analysis of Inconsistency:

Not Applicable

2.2 Policy Guidance

The rezoning request is **inconsistent** with the following policies:

Policy LU 2.6 - Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

The proposed rezoning classification would permit increased residential density and potentially introduce retail uses into this site, which is currently zoned primarily for office and medium density residential uses. This increased density would impact infrastructure capacities for transportation, transit, and utilities. Provisions for transit easement are provided in the conditions. Given the history of traffic concerns within the Crabtree Valley area, a Traffic Impact Analysis report was required and evaluated by Transportation staff. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. The proposed request would cause further impediments to traffic flow. Increased impacts to traffic flow remain an outstanding issue.

Policy LU 5.2 Managing Commercial Development Impacts

Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.

The proposed request will permit up to 125,000 SF of retail uses that will serve the surrounding residential uses, on property currently conditioned for moderate density residential uses. Traffic has historically been a major issue in the general Crabtree Valley area. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. The proposed request with new retail uses would further cause impediments to already congested traffic flow.

2.3 Area Plan Policy Guidance

The rezoning request is **inconsistent** with the following Area Plan policies:

Not Applicable.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The proposed rezoning benefits immediate neighbors by facilitating redevelopment of an aging apartment complex into a mix of uses at higher densities appropriate for designated mixed use centers.
- The map amendment will benefit immediate neighbors by promoting a more aesthetically appealing redevelopment with convenient neighborhood services and improvements in vehicular and pedestrian circulation.

3.2 Detriments of the Proposed Rezoning

- Potential traffic impacts- congestion of residential streets along Charles Street that is more conducive to take load of medium density residential uses than more intense commercial uses.
- The proposed request with new retail uses would further cause impediments to already congested traffic flow in the area.

4. Impact Analysis

4.1 Transportation

Primary Streets	Classification	2011 NCDOT Traffic Volume (ADT)	2035 Traffic Volume Forecast (CAMPO)			
Glenwood Avenue	Principal Arterial	46,000	82,000			
Lead Mine Road	Major Thoroughfare	28,000	43,700			
Street Conditions						
Glenwood Avenue	Lanes	Street Width	Curb and Gutter	Right-of-Way	Sidewalks	Bicycle Accommodations
Existing	8	131'	Back-to-back curb and gutter section	150' - 175'	5' sidewalks on one side	None
City Standard	8	≤ 113'	Back-to-back curb and gutter section	≤ 130'	minimum 5' sidewalks on both sides	Wide Outside Lane
Meets City Standard?	Yes	YES	YES	YES	NO	NO
Lead Mine Road	Lanes	Street Width	Curb and Gutter	Right-of-Way	Sidewalks	Bicycle Accommodations
Existing	5	71'	Back-to-back curb and gutter section	100'	5' sidewalks on both sides	None
City Standard	4	65'	Back-to-back curb and gutter section	90'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
Meets City Standard?	YES	YES	YES	YES	YES	NO
Expected Traffic Generation [vph]	Current Zoning	Proposed Zoning	Differential			
AM PEAK	59	271	212			
PM PEAK	80	511	431			
Suggested Conditions/ Impact Mitigation:		Traffic Study Determination: Staff has reviewed a TIA report for this case. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. Approximately 10,000 cars per hour traverse the intersection in the PM peak period. The proposed Z-6-2013 development would cause an impediment to traffic flow. The applicant has proposed mitigation such as turn restrictions at Lead Mine & North Hills, a connection to Marriot Drive and a pedestrian bridge over Glenwood Avenue. An addendum to the traffic study, quantifying the effect of the proposed mitigation on delay and arterial speed, was received by Transportation staff on April 8, 2013; it is currently under review.				
Additional Information:	Neither NCDOT nor the City of Raleigh has any roadway construction projects scheduled in the vicinity of this case.					

Impact Identified: Staff has reviewed a TIA report for this case. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. Approximately 10,000 cars per hour traverse the intersection in the PM peak period. The proposed Z-6-2013 development would cause an impediment to traffic flow.

The applicant has proposed mitigation such as turn restrictions at Lead Mine & North Hills, a connection to Marriot Drive and a pedestrian bridge over Glenwood Avenue. An addendum to the traffic study, quantifying the effect of the proposed mitigation on delay and arterial speed, was received by Transportation staff on April 8, 2013; it is currently under review.

4.2 Transit

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	FEMA Floodplain
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	none

Impact Identified: None. Site is subject to Part 10, Chapter 9 Stormwater Regulations. FEMA Floodplain is present on site and subject to Part 10, Chapter 4 Floodplain Regulations.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>	<i>Estimated Remaining Capacity</i>
<i>Water</i>	54,742 gpd	81,300 gpd	NA
<i>Waste Water</i>	54,742 gpd	81,300 gpd	NA

Impact Identified: The proposed rezoning would add approximately 26,558 gpd to the wastewater collection and water distribution systems of the City. There is currently eight (8") inch sanitary sewer mains within easements on the property and a twelve (12") inch water main within the Lead Mine Road and an eight (8") inch water main within the Charles Drive rights-of-way at the property. The developer must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with or prior to the proposed development being constructed. Verification of available capacity for water fire flow is required as part of the building permit submittal process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

The subject tract is not located adjacent to a Capital Area Greenway corridor. The subject tract will not impact recreation LOS.

Impact Identified: None

4.6 Urban Forestry

The property will need to comply with City code section 10-2082.14.

Impact Identified: None

4.7 Designated Historic Resources

There are no historic resources on this site.

Impact Identified: None

4.8 Community Development

The site is not in a redevelopment area.

Impact Identified: None

4.9 Appearance Commission

This request is not subject to Appearance Commission review.

4.10 Impacts Summary

- Staff has reviewed a TIA report for this case. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. Approximately 10,000 cars per hour traverse the intersection in the PM peak period. The proposed Z-6-2013 development would cause an impediment to traffic flow. The applicant has proposed mitigation such as turn restrictions at Lead Mine & North Hills, a connection to Marriot Drive and a pedestrian bridge over Glenwood Avenue. An addendum to the traffic study, quantifying the effect of the proposed mitigation on delay and arterial speed, was received by Transportation staff on April 8, 2013; it is currently under review.
- The developer must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with or prior to the proposed development being constructed. Verification of available capacity for water fire flow is required as part of the building permit submittal process. Any water system improvements required to meet fire flow requirements will also be required.

4.11 Mitigation of Impacts

- NA

5. Conclusions

The proposed rezoning request is consistent with the future land use map designation and with several other policies of the 2030 Comprehensive Plan. The conditions ensure compatibility of streetscape standards along the block, density transitions, and appropriate uses. Given the history of traffic concerns within the Crabtree Valley area, a Traffic Impact Analysis report was required and evaluated by Transportation staff. Currently, traffic demand at the intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road exceeds capacity during the AM and PM peak periods. The proposed request would cause further impediments to traffic flow. Increased impacts to traffic flow remain an outstanding issue. As mitigation, the zoning conditions prohibit development of retail uses until a pedestrian bridge and roadway connection between Marriot Drive and Glenwood Avenue has been constructed.

Outstanding Issues

- Increased impacts to traffic flow

EXHIBIT B ATTACHMENT

Design Guidelines for Mixed Use Areas

RALEIGH COMPREHENSIVE PLAN

Policy UD 7.3

Design Guidelines

The design guidelines in **Table UD-1** [listed below] shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as Pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

Elements of Mixed-Use Areas

1. *All Mixed-Use Areas should generally provide retail (such as eating establishments, food stores, and banks), office, and residential uses within walking distance of each other.*

Response: The project will contain both retail and residential uses. The residential will be within walking distance of the retail component of the project as well as Crabtree Valley Mall which is one of Raleigh's prominent retail destinations. The Comprehensive Plan also envisions a pedestrian bridge over Glenwood Avenue "to provide an upper-level link to the hotels and other buildings on the hillsides to the north." See AP-C1. One of the conditions in this case would provide an easement for this pedestrian bridge. The Comprehensive Plan also references the area where the Property is located as "pedestrian generator" for the Mall. See Map AP-C3.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

2. *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.*

Response: The proposed project is not adjacent to any residential neighborhood; however, the height of the buildings will be appropriate with respect to the adjacent properties. The recently approved Z-7-12 allows a 115 foot height, except for the Lead Mine frontage which is five stories or 75 feet. The height proposed in the current case is 115 feet and has no frontage on Lead Mine Road.

Mixed-Use Areas /The Block, The Street and The Corridor

3. *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.*

Response: The project will connect to Lead Mine Road via the existing Charles Drive. Z-7-12, which governs the property to the north, provided the first link of a connection from Charles Drive to Marriott Drive. This case proposes to extend that ROW along the property line of this parcel so that Charles Drive can eventually connect to the Glenwood Avenue ROW. This would provide a substantial step toward alleviating traffic congestion on the area. This case also provides for pedestrian easements and cross access to the surrounding properties and an easement for a pedestrian bridge to Crabtree Valley Mall. At

the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

4. *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.*

Response: The project will connect to Lead Mine Road via the existing Charles Drive. Z-7-12, which governs the property to the north, provided the first link of a connection from Charles Drive to Marriott Drive. This case proposes to extend that ROW along the property line of this parcel so that Charles Drive can eventually connect to the Glenwood Avenue ROW. This would provide a substantial step toward alleviating traffic congestion on the area. This case also provides for pedestrian easements and cross access to the surrounding properties and an easement for a pedestrian bridge to Crabtree Valley Mall. At the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

5. *New development shall 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.*

Response: Specific block configuration will be determined at the site plan stage. However, under no circumstances will block length exceed 660 feet.

Site Design/Building Placement

6. *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.*

Response: The project will be designed to have a strong street presence with pedestrian connectivity to Lead Mine Road, Glenwood Avenue, Crabtree Valley Mall and the surrounding properties. We have also provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will include sidewalks, landscaping and seating areas.

7. *Buildings should be located close to the pedestrian street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings.*

Response: The buildings will be located as close to the pedestrian street as possible, i.e., the applicant will endeavor to locate buildings within 25 feet of the curb as allowed by physical constraints of the site and engineering requirements.

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*

Response: Specific building location will be addressed at the site plan stage. However, building placement will be determined in accordance with this guideline.

Site Design/Urban Open Space

9. *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.*

Response: We intend to provide a variety of open space opportunities consistent with Code requirements. The specific amounts and locations will be shown at the site plan stage.

10. *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.*

Response: We have provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will include sidewalks, landscaping and seating areas. This level of detail will be defined at site plan approval, at which time; we will further address this guideline.

11. *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.*

Response: The project will be designed to encourage pedestrian traffic through active uses. The application proposes up to 140,000 square feet of retail, which will provide for active uses along the perimeter of urban open spaces. The project also proposes 200 residential units, which are in addition to the 533 residential units were recently approved for the property to the north in Z-7-12. The location of the active uses in relation to the open space and retail will be more specifically defined at the site plan stage.

12. *A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*

Response: At the site plan stage, urban open spaces consistent with this guideline will be incorporated into the design. These spaces will be flanked by either residential or commercial structures that will provide opportunities for dining and outdoor gathering.

Site Design/Public Seating

13. *New public spaces should provide seating opportunities.*

Response: We have provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will include sidewalks, landscaping and seating areas. This item will also be addressed more specifically at the site plan stage.

Site Design/Automobile Parking and Parking Structures

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*
15. *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.*
16. *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.*

Response to 14-16: The majority of the parking for the residential uses will be contained within internal parking structures. Final configuration of the parking structures and their finishes and screening will be illustrated at the time of site plan approval, but will be designed so as to be consistent with this guideline. Parking for the retail uses will be designed at the site plan stage in a manner to further the purposes of this guideline, while still providing adequate and visible parking.

Site Design/Transit Stops

17. *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.*

Response: There is a bus transfer station located within walking distance at Crabtree Valley Mall. There is a City bus route which travels past the Property on Lead Mine Road and on Glenwood Avenue. A transit stop and transit shelter are also required by Z-7-11, which is the adjoining property to the north and shares frontage on Charles Drive.

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*

Response: This guideline will be addressed at the site plan stage of the project and the applicant will endeavor to comply with this guideline at that time. We have also provided an easement for the pedestrian bridge to Crabtree Valley Mall.

Site Design/Environmental Protection

19. *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.*

Response: This guideline will be addressed at the site plan stage of the project and the applicant will endeavor to comply with this guideline at that time.

Street Design/General Street Design Principles

20. *It is the intent of these guidelines to build streets that are integral components of community design. Streets should be designed as the main public spaces of the City and should be scaled for pedestrians.*

Response: We have also provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will include sidewalks, landscaping and seating areas. This guideline will be addressed at the site plan stage of the project and the applicant will endeavor to comply with this guideline at that time.

21. *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.*

Response: We have provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will include 14 foot sidewalks at that location. Other sidewalks will be designed at the site plan stage, at which time, the applicant will endeavor to comply with this guideline.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment 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.*

Response: A detailed landscape plan will be provided at the time of the site plan. Street trees will be installed at a minimum of 3" caliper in order to assure their survival and give them the best chance at adapting to the urban environment.

Street Design/Spatial Definition

23. *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.*

Response: We have provided a condition that will require a streetscape consistent with that required by the Streetscape and Parking Plan approved in Z-7-12 along Charles Drive which will sidewalks, landscaping and seating areas. This guideline will be further addressed at the site plan stage of the project at which time, the applicant will endeavor to comply with this guideline.

Building Design/Facade Treatment

24. *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.*

Response: At the time of site plan approval, the applicant will endeavor to comply with this guideline.

- 25. 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.*

Response: At the time of site plan approval, the applicant will endeavor to comply with this guideline.

Building Design/Street Level Activity

- 26. The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

Response: Fourteen foot sidewalks will be required on Charles Drive. At the time of site plan approval, the applicant will further endeavor to comply with this guideline.

REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")					
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
2. Rezoning application review fee (see <u>Fee Schedule</u> for rate) \$1216	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
4. Two sets of stamped envelopes addressed to all property owners within 500 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
11. Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>



To: Neighboring Property Owner

From: Ross Massey
Studio Leader

Date: July 2, 2018

Re: Notice of meeting to discuss potential rezoning of 4315 Lead Mine Road

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on Tuesday, July 24th. The meeting will be held at Holy Trinity Greek Orthodox Church, 5000 Lead Mine Road, Raleigh NC 27612, and will begin at 6:30 pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 4315 Lead Mine Road (Wake County Parcel ID number 0796600994, located on Lead Mine Road adjacent to Glenwood Avenue and Marriott Drive) This property is currently zoned CX-12-CU and the owner is considering rezoning the property to Office Mixed Use-7 (OX-7)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning.

If you have any concerns or questions I can be reached by phone at: 919.866.4781 or by email at rmassey@stewartinc.com.

For more information about rezoning, you may visit **www.raleighnc.gov** or contact the Raleigh City Planning Department at: (919)996-2626 or by email at rezoning@raleighnc.gov.

Thank you,

Ross Massey
STEWART

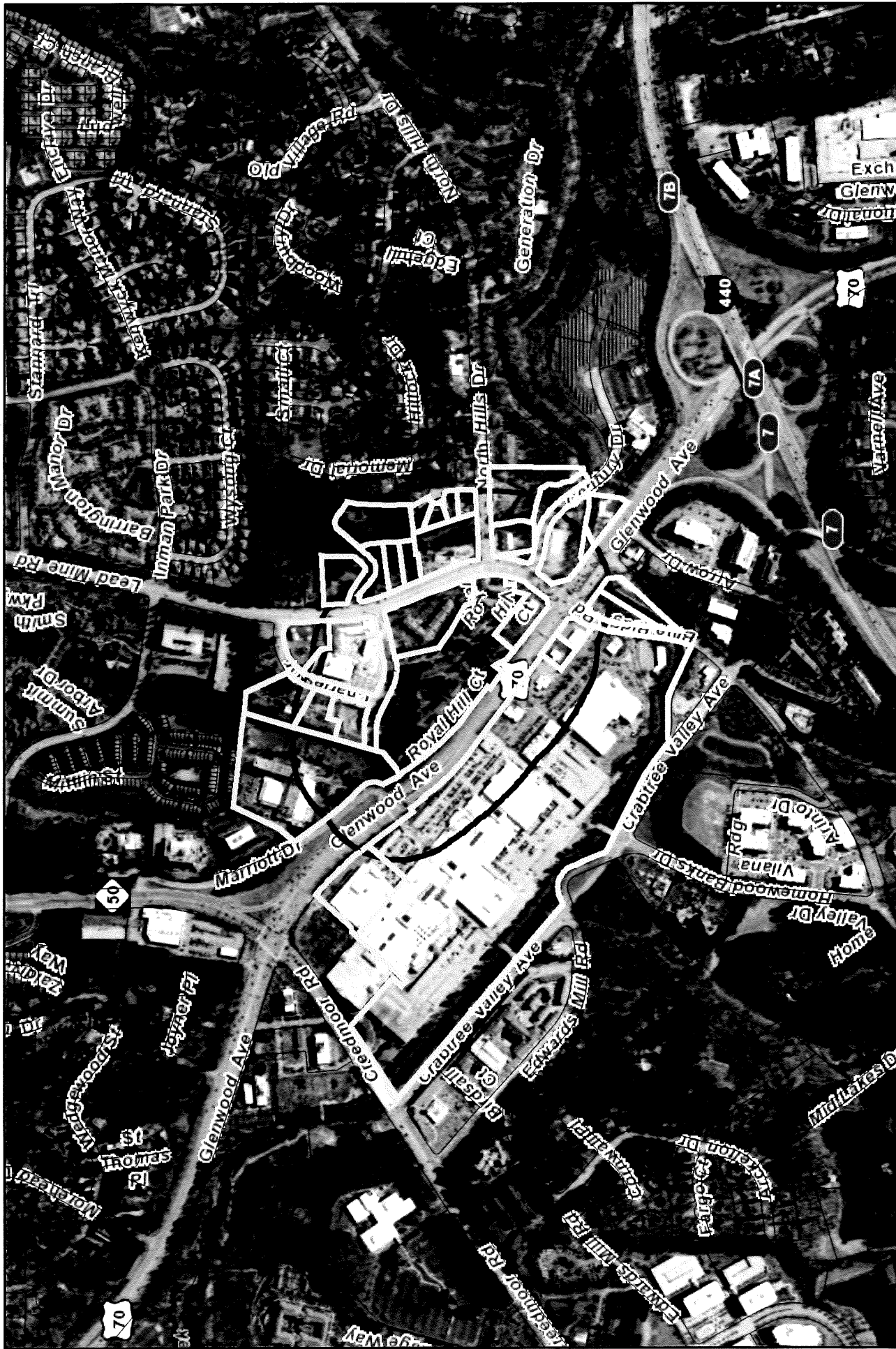
<p>RALEIGH CITY OF PO BOX 590 RALEIGH NC 27602-0590</p>	<p>RALEIGH CITY OF PO BOX 590 RALEIGH NC 27602-0590</p>	<p>CVM HOLDINGS II LLC 2840 PLAZA PL STE 100 RALEIGH NC 27612-6342</p>
<p>CVM HOLDINGS LLC 2840 PLAZA PL STE 100 RALEIGH NC 27612-6342</p>	<p>WACHOVIA BANK AND TRUST CO NA RYAN LLC PO BOX 56607 ATLANTA GA 30343-0607</p>	<p>CVM ASSOCIATES 2840 PLAZA PL STE 100 RALEIGH NC 27612-6342</p>
<p>RBP RALEIGH LLC PO BOX 56607 ATLANTA GA 30343-0607</p>	<p>CRABTREE APARTMENTS ASSOC II LLC 2251 CHARLES DR RALEIGH NC 27612-4083</p>	<p>CRABTREE APARTMENTS ASSOCIATES II LLC 2251 CHARLES DR RALEIGH NC 27612-4083</p>
<p>CRABTREE APARTMENTS ASSOCIATES II LLC 2251 CHARLES DR RALEIGH NC 27612-4083</p>	<p>MILLS, JOANNA SMITH DOMBALIS, MELISSA SMITH 3831 CASEY LEIGH LN RALEIGH NC 27612-4259</p>	<p>2552 LLC KOTARIDES DEVELOPERS LLC 1128 INDEPENDENCE BLVD STE 200 VIRGINIA BEACH VA 23455</p>
<p>PLAZA PARTNERS OF RALEIGH LLC CORPORATE REAL ESTATE ASSESSMENTS 101 N TRYON ST/NCI-001-03-81 CHARLOTTE NC 28255-0001</p>	<p>JAGUAR LLC 2840 PLAZA PL STE 100 RALEIGH NC 27612-6342</p>	<p>PNC BANK, NA NATIONAL TAX SEARCH LLC 130 S JEFFERSON ST STE 300 CHICAGO IL 60661-5763</p>
<p>RALEIGH CITY OF PO BOX 590 RALEIGH NC 27602-0590</p>	<p>SOLFERINO NORTH PROPERTIES LLC 746 E FRANKLIN ST CHAPEL HILL NC 27514-3824</p>	<p>JT HOBBY & SON INC PO BOX 18506 RALEIGH NC 27619-8506</p>
<p>CRABTREE VALLEY BAPTIST CHURCH INC 4408 LEAD MINE RD RALEIGH NC 27612-3325</p>	<p>CRABTREE VALLEY LLC 1002 LAKE BOONE TRL RALEIGH NC 27607-6715</p>	<p>CRP-GREP OVERTURE CRABTREE OWNER, LLC 1001 PENNSYLVANIA AVE NW WASHINGTON DC 20004-2505</p>
<p>GENERATION SRE RALEIGH LLC 4208 SIX FORKS RD STE 850 RALEIGH NC 27609-5738</p>	<p>OKSABUK LLC C/O DR CHARLES KUBASKO 4517 LEAD MINE RD RALEIGH NC 27612-3326</p>	<p>CORBIN, FRANCES TODD 4508 LEAD MINE RD RALEIGH NC 27612-3327</p>
<p>RHODES, PRESTON Q JR ELKS, SANDRA R 12716 NORWOOD RD RALEIGH NC 27613-6844</p>	<p>CRABTREE VALLEY BAPTIST CHURCH INC PO BOX 30954 RALEIGH NC 27622-0954</p>	<p>SCHTAKLEFF, SIRINE 4424 LEAD MINE RD RALEIGH NC 27612-3325</p>
<p>SAMPSON BLADEN OIL CO INC PO BOX 469 CLINTON NC 28329-0469</p>	<p>GAINES, WILLIS W GAINES, ALMA M 318 FURCHES ST RALEIGH NC 27607-4016</p>	<p>HARTSOE, KEVIN M 2220 HILLOCK DR RALEIGH NC 27612-3968</p>

STANLEY, EVELYN B
2216 HILLOCK DR
RALEIGH NC 27612-3968

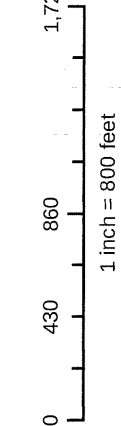
BEQUET, CHRISTOPHE CUOMO, ROSE S
2212 HILLOCK DR
RALEIGH NC 27612-3968

LOGOZZO, SANDRA
2208 HILLOCK DR
RALEIGH NC 27612-3968

POLLOCK, KENNETH H LOSSMAN, GRACE J
2009 PHILCREST RD
RALEIGH NC 27612-3913



Kotarides Crabtree 500ft radius



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Sign-in Sheet

[illegible]

SUMMARY OF ISSUES

A neighborhood meeting was held on July 24, 2018 (date) to discuss a potential rezoning located at 4315 Lead Mine Road (property address). The neighborhood meeting was held at Holy Trinity Greek Orthodox Church (location). There were approximately 4 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

Applicant gave overview of existing zoning, planned rezoning to increase the number of allowable residential units and substantially limit non-residential and commercial uses.
An attendee did not desire affordable housing on site, but was supportive of reasonably priced residential development
Attendees expressed concern about traffic; applicant noted that proposed rezoning will create less traffic impact than existing zoning.
Questions regarding existing structures and crime- ensuring security of site through development. Applicant noted that they are currently employing security staff and will continue to do so.