

**Submittal
Date**

12/1/2017

Request:

**6.07 acres from
CX-3-PK
to CX-5-GR-CU**

VICINITY MAP



Map Date: 12/4/2017



To: Ruffin L. Hall, City Manager

From: Matthew Klem, Planner II
Ken Bowers AICP, Director, Department of City Planning

Copy: City Clerk

Date: April 18, 2018

Re: City Council agenda item for May 1, 2018 – Public Hearing Item Rezoning Z-36-17

On April 3, 2018, council scheduled this item for a public hearing on May 1, 2018.

Z-36-17 Corporate Center Drive, located at 700 Corporate Center Drive, being Wake County PIN 0774725829. Approximately 6 acres are requested by Stephens Enterprises LLC to be rezoned from Commercial Mixed-Use-3 Stories-Parkway Frontage (CX-3-PK) to Commercial Mixed-Use-5-Stories-Green Frontage-Conditional Use (CX-5-GR-CU). Proposed conditions prohibit certain uses, limit stand-alone retail to 120,000 square feet and office and residential in a combined use to 162,000 square feet and 40,000 square feet respectively, specify permitted and prohibited building materials, and provide for increased parking setbacks.

The Planning Commission found the request to be consistent with the Comprehensive Plan and recommends approval in a unanimous vote (7-0). The Planning Commission also noted that the West CAC will have the opportunity to vote on the request before City Council's final action.

The West CAC met to discuss the case on March 20, 2018. Since the item was not advertised for a vote on the agenda, the West CAC could not conduct an official vote on the request. The attendees of the meeting did register an endorsement of the request (14 in favor, 0 opposed).

Conditional Use District Zoning Conditions

Zoning Case Number Z-36-17

OFFICE USE ONLY

Date Submitted February 2, 2018

Transaction #

Existing Zoning: CX-3-PK Proposed Zoning: CX-5-GR

Rezoning Case #

NARRATIVE OF ZONING CONDITIONS OFFERED

1. The following uses shall be prohibited as principal uses on the subject property: Vehicle sales/rental; Bar, nightclub, tavern, lounge; Adult establishment; Vehicle fuel sales; Heliport, serving hospitals

2. The subject property shall not have more than 120,000 square feet of stand alone retail use and shall not have more than 202,000 square feet of office and retail uses together provided there is no more than 162,000 square feet of office use and 40,000 square feet of retail use.

3. The building facades shall be constructed from one or more of the following materials: glass, concrete and/or clay brick masonry, cementitious siding, including lap and panel products, native and masonry stone, natural wood, precast concrete, metal panels and/or trim. The following building siding materials shall be prohibited: vinyl siding, fiberboard siding, pressure treated wood, synthetic stucco (EIFS); however, window frames, door frames, soffits, and miscellaneous trim may be constructed of wood, fiberglass, metal or vinyl. Cementitious siding, including lap and panel products, shall not exceed 55% of the building façade materials.

4. Surface parking shall have a minimum setback of 100' from the Chapel Hill Road right-of-way whenever there is no intervening building between the surface parking and Chapel Hill Road.

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RECEIVED
MAR 16 2018
BY: _____

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

Print Name

Matthew Stephens

CASE INFORMATION Z-36-17 CORPORATE CENTER DRIVE

Location	Northeast quadrant of the intersection of Corporate Center Drive and Chapel Hill Road Address: 700 Corporate Center Drive PIN: 0774725829
Request	Rezone property from CX-3-PK to CX-5-GR-CU
Area of Request	6.07 acres
Corporate Limits	The subject site is within, and surrounded on all sides by, the corporate limits of the City.
Property Owner	Stephens Enterprises LLC
Applicant	Stephens Enterprises LLC
Citizens Advisory Council (CAC)	West CAC Benson Kirkman: benson.kirkman@att.net Michi Njeri: michinjeri@yahoo.com
PC Recommendation Deadline	April 10, 2018

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>	Community Mixed Use
<i>URBAN FORM</i>	City Growth Center and Urban Thoroughfare
<i>CONSISTENT Policies</i>	Policy LU 1.2 Future Land Use and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.7 Capitalizing on Transit Policy LU 4.10 Development at Freeway Interchanges Policy LU 8.10 Infill Development Policy H 1.8 Zoning for Housing Policy UD 1.7 Scenic Corridors Policy UD 1.10 Frontage
<i>INCONSISTENT Policies</i>	None identified

SUMMARY OF PROPOSED CONDITIONS

- | |
|--|
| <ol style="list-style-type: none">1. Prohibition of high intensity uses including vehicle sales, bars, and adult establishments.2. Limit stand-alone retail to 120,000 square feet and office and residential in a combined use to 162,000 square feet and 40,000 square feet respectively. |
|--|

PUBLIC MEETINGS

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
11/8/2017	1/16/2018 2/20/2018 (vote)	1/23/2018 2/13/2018	2/20/2018 3/6/2018 3/20/2018

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 Planning Commission found the request reasonable and in the public interest because the proposed conditional use district increases intensity in an area that is developed with similar uses. The Commission also noted that potential development impacts would not negatively alter the established character of the area.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
<i>Recommendation</i>	The Planning Commission recommends approval based on the request consistency with the Comprehensive Plan and noted that the West CAC would have the opportunity to vote prior to City Council action.
<i>Motion and Vote</i>	Motion: Lyle; Second: Fluhrer; In Favor: Jeffreys, Hicks, Fluhrer, Braun, Lyle, Queen, Novak.

ATTACHMENTS

1. Staff report

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

Date

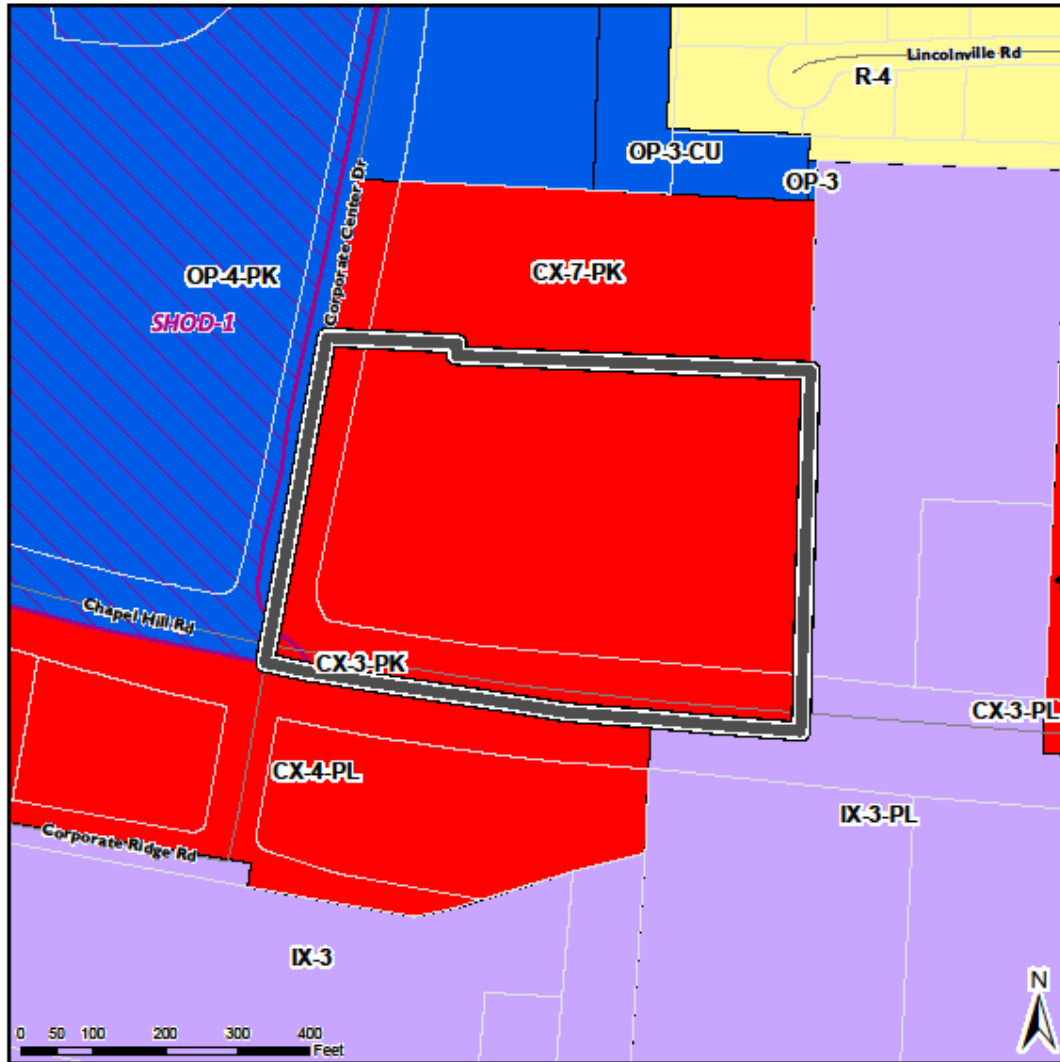
Planning Commission Chairperson

Date

Staff Coordinator: Matthew Klem: (919) 996-4637; Matthew.Klem@raleighnc.gov

Existing Zoning

Z-36-2017

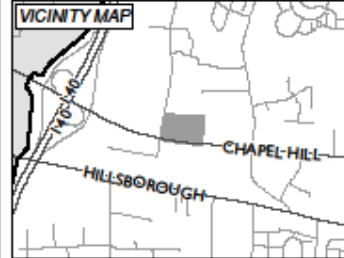


Submittal
Date

12/1/2017

Request:

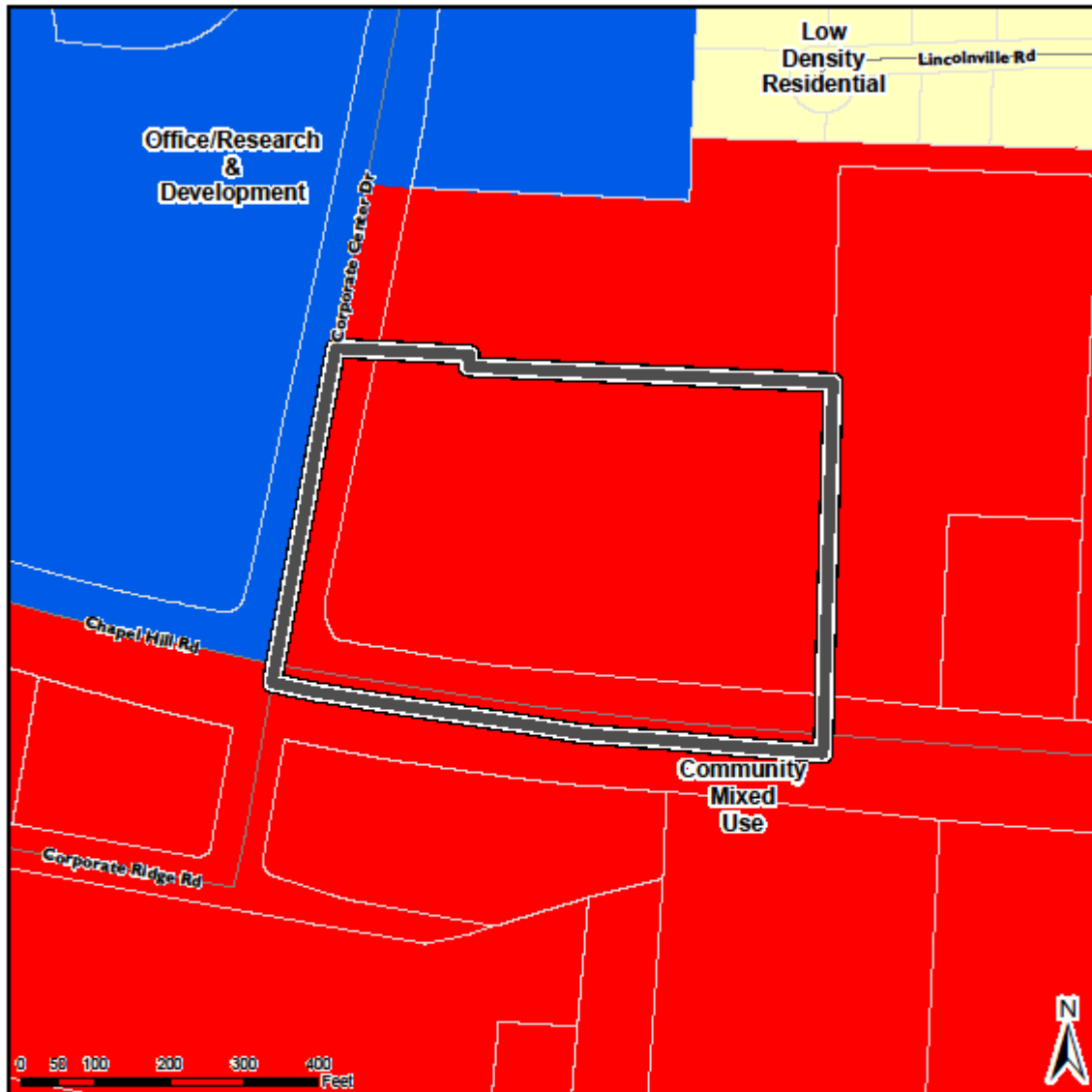
6.07 acres from
CX-3-PK
to **CX-5-PK-CU**



Map Date: 12/4/2017

Future Land Use

Z-36-2017

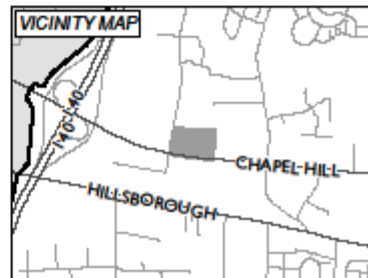


**Submittal
Date**

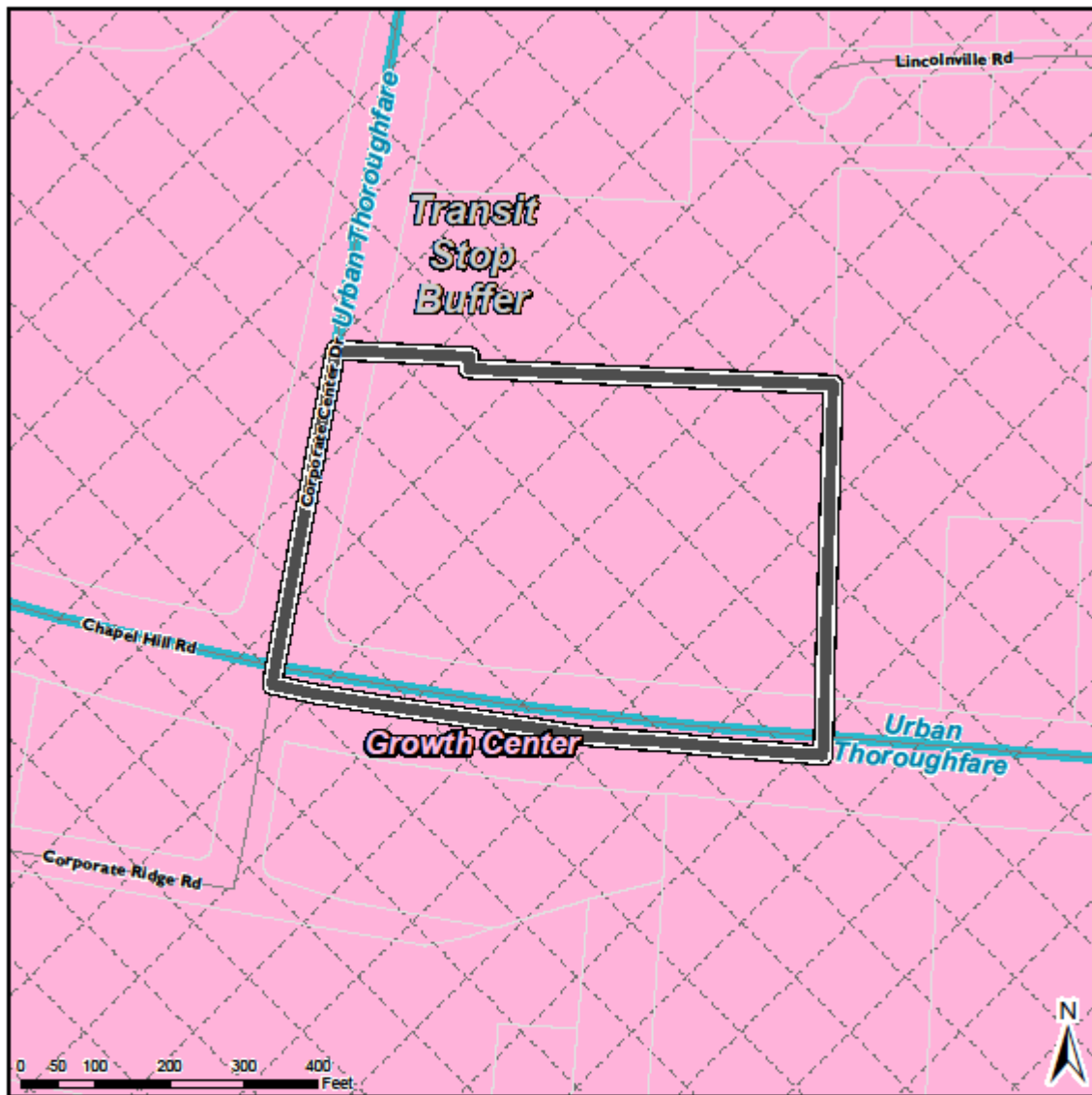
12/1/2017

Request:

6.07 acres from
CX-3-PK
to CX-5-PK-CU



Map Date: 12/14/2017

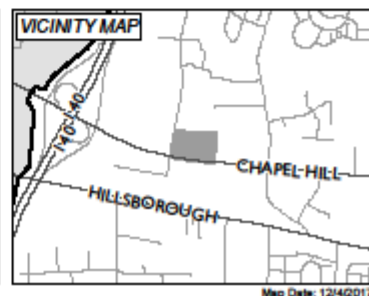


Submittal
Date

12/1/2017

Request:

6.07 acres from
CX-3-PK
to CX-5-PK-CU





ZONING STAFF REPORT – Z-36-17

CONDITIONAL USE DISTRICT

OVERVIEW

The request is to rezone approximately six acres from Commercial Mixed-Use-3 stories-Parkway Frontage (CX-3-PK) to Commercial Mixed-Use-5 stories-Green Frontage-Conditional Use (CX-5-PK-CU). Proposed conditions limit square footage of certain uses and prohibit uses including vehicle sales, bars, and adult establishments.

The approximate six-acre parcel is vacant and is in the northeastern quadrant of the intersection of Corporate Center Drive and Chapel Hill Road. North of the subject site is a seven-story tall hotel with 132 rooms. To the east of the subject site is a light industrial site with multiple buildings in the one and two-story height range. South of the subject site, across Chapel Hill Road, is a gas station and a light industrial site, both single story. West of the subject site, across Corporate Center Drive, is a four-story office building.

The subject site is currently zoned Commercial Mixed-Use-3 stories-Parkway Frontage (CX-3-PK). The property to the north is zoned Commercial Mixed-Use-7 stories-Parkway Frontage (CX-7-PK). The property to the east is zoned Industrial Mixed Use-3 Stories-Parking Limited (IX-3-PL). The properties to the south are zoned IX-3-PL and CX-4-PL. The property to the west is zoned Office Park-4 Stories-Parkway Frontage (OP-4-PK).

The subject site is designated as Community Mixed Use on the Future Land Use Map, as are the properties to the north, east and south. The property to the west is designated as Office/Research & Development.

The Urban Form Map locates the subject site and all adjacent properties within a City Growth Center of nearly 3,000 acres in size. City Growth Centers are anticipated for significant infill and redevelopment. The subject site is also on an Urban Thoroughfare (Chapel Hill Road). Urban Thoroughfares are planned or programmed for public investment in facilities such as bike lanes and pedestrian-oriented streetscapes that encourage multiple modes of transportation. Both the City Growth Center and Urban Thoroughfare urban form designations suggest an urban or hybrid approach to frontage.

The subject site has a recorded 90-foot primary tree conservation area along the entire southern property that was recorded in 2007 when development in the City was regulated by the Part 10 Code. At that time, the subject site was zoned Thoroughfare District (TD). Ninety-foot protective yards were required if TD properties were adjacent to a thoroughfare or arterial road. The existing Parkway Frontage zoning designation on the subject site was mapped as part of Z-27-14 Remapping UDO to emulate the Part 10 Code Thoroughfare District designation. Overall, the site has significant tree coverage.

UPDATE FOR FEBRUARY 13, 2018 PLANNING COMMISSION

On January 30, 2018, the applicant amended the rezoning petition to change the requested frontage designation from Parkway to Green. This change triggered a traffic impact analysis. On February 2, 2018, the applicant submitted revised conditions to limit the intensity of certain uses below the threshold triggering the need for a traffic impact analysis. These changes to the request have been reflected throughout the staff report.

OUTSTANDING ISSUES

Outstanding Issues	1. No CAC vote.	Suggested Mitigation	1. Meet with the West CAC on 2/20/18 for a vote.
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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 consistent with the vision, themes, and policies in the Comprehensive Plan.

The request is consistent with the **Coordinating Land Use and Transportation** theme. This theme envisions higher density residential and mixed-use development to support new local and regional public transit services. The subject site is less than a quarter mile from planned the Bus Rapid Transit (BRT) corridor and the planned Commuter Rail Corridor. The subject site is also on a road that is designated as an Urban Thoroughfare on the Urban Form Map. Urban Thoroughfares are planned or programmed for public investment in facilities such as bike lanes and pedestrian-oriented streetscapes that encourage multiple modes of transportation.

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

Yes, the use being considered is specifically designated on the Future Land Use Map (FLUM).

The subject site is designated as Community Mixed Use on the FLUM. This designation applies to shopping centers and larger pedestrian-oriented retail districts such as Cameron Village. The designation also contemplates residential and mixed-use developments.

Table LU-2 Recommended Height Designations recommends a range two to twelve story heights in Community Mixed Use areas in Core/Transit locations and a max of 5 stories in General locations. The request for five stories is consistent with both location types.

- 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 being considered is specifically designated on the FLUM.

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

Community facilities and streets appear to be sufficient to serve the proposed use.

Future Land Use

Future Land Use designation:

The rezoning request is:

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

☐ **Inconsistent**

The request is consistent with the Future Land Use Map (FLUM). The subject site is designated as Community Mixed Use on the FLUM. The closest corresponding district to Commercial Mixed-Use (CX). The request maintains the existing CX zoning.

Urban Form

Urban Form designation:

The rezoning request is:

☐ **Not applicable** (no Urban Form designation)

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

☐ **Inconsistent**

The request is consistent with the recommendations of the Urban Form map. The Urban Form Map locates the subject site within a City Growth Center and along an Urban Thoroughfare (Chapel Hill Road), both of which suggest an urban or hybrid approach to frontage. The request is for a Green Frontage which is one of the urban frontage types.

Compatibility

The proposed rezoning is:

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

☐ **Incompatible.**

The request is consistent with the property and the surrounding area. The increase in height and prohibition of high intensity uses can be established without creating adverse impacts to adjacent office and light industrial uses. Heights adjacent to the subject site range from one to seven stories. The proposed five story conditional use zoning district is compatible with the adjacent height range.

Public Benefits of the Proposed Rezoning

The request for increased height will result increased development intensity in an area forecasted for significant development. This is beneficial because the requested conditional use zoning district would provide increased housing options with good access to planned transit.

Detriments of the Proposed Rezoning

No public detriments were identified.

Policy Guidance

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

Policy LU 1.2 Future Land Use and Zoning Consistency

The Future Land Use Map (FLUM) shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes. See Text Box: Evaluating Zoning Proposals and Consistency with the Comprehensive Plan.

- The site is designated as Community Mixed Use on the FLUM. The request maintains the Community Mixed-Use (CX) zoning district which is the primary corresponding zoning district for this FLUM designation.

Policy LU 1.3 Conditional Use District Consistency

All conditions proposed as part of a conditional use district should be consistent with the Comprehensive Plan.

- The proposed conditions that prohibit high intensity uses and restrict certain uses is consistent with the Comprehensive Plan.

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.

- Transportation and utility infrastructure are not negatively impacted by the change in zoning.

Policy LU 4.7 Capitalizing on Transit

Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure.

- The site is located within a half-mile of a planned and proposed fixed guideway transit station identified on the Urban Form Map of the Comprehensive Plan. The site is also within a quarter mile of the proposed Bus Rapid Transit (BRT) corridor.

Policy LU 4.10 Development at Freeway Interchanges

Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/ or horizontal mixture of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

- The site is located less than a quarter mile of the Chapel Hill Road and Interstate-40 interchange. The request for additional height increases vertical development intensity on the subject site.

Policy LU 8.10 Infill Development

Encourage infill development on vacant land within the City, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

- The request to increase height on the vacant subject site is in keeping with the character of the surrounding commercial area.

Policy 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 for increased height also increases the entitlement for residential units. Increasing the supply of residential units throughout the city will moderate the costs of owning and renting.

Policy UD 1.7 Scenic Corridors

Retain and enhance our visual and natural assets including vistas, boulevard medians, tree-lined streets, forested hillsides, wetlands, and creeks along scenic corridors into and through Raleigh, including designated Parkway Corridors on the Urban Form Map.

- The request changes the existing Parkway Frontage to a Green Frontage which requires a landscaped area between buildings and the street right-of-way. Parking is also prohibited between buildings and the street right-of-way.

Policy 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. See the text box on the Urban Form Map in the Overview section for more guidance.

- The request changes the existing Parkway Frontage to a Green Frontage which is an urban frontage type. The subject site is located within a City Growth Center and along an Urban Thoroughfare on the Urban Form Map. Both designations recommend an urban or hybrid frontage.
-

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

None

Impact Analysis***Transportation***

1. The Z-36-2017 site is located in the northeast quadrant of Chapel Hill Road and Corporate Center Drive. Chapel Hill Road (NC-54) is maintained by the NCDOT and currently has a multilane cross section with curbs and sidewalks on the northern side. Chapel Hill Road is classified as a major street in the Raleigh Street Plan (Avenue, 4-Lane, Divided). Corporate Center Drive is maintained by the City of Raleigh and is classified as a mixed-use street (Avenue, 4-Lane, Divided). Curbing is in place along both sides of Corporate Center Drive; there is a sidewalk along the west side but there is no sidewalk on the eastern side. The intersection of Chapel Hill Road and Corporate Center Drive is signalized and has pedestrian actuation, pedestrian signals and crosswalks on three out of the four legs. A pedestrian refuge lies in the northeast quadrant of the intersection. There are no transit stops or routes in the vicinity of the Z-36-2017 site.
2. Chapel Hill Road does not lie on the Wake Transit Plan BRT corridor or the Frequent Transit corridor. However, the Z-36-2017 site does lie within half-mile of a future fixed-guideway transit stop. The BikeRaleigh Long Term Bikeway Plan designates a separated bikeway for Chapel Hill Road and for Corporate Center Drive, between Chapel Hill Road and Trinity Road. NCDOT project I-5873 will make improvements to the interchange of I-40 and Chapel Hill Road beginning in FY 2019.

3. The plat of record (BOM 2008-2257) for the Z-36-2017 parcel shows a cross access easement with the adjoining property to the north. The parcel to the east is occupied by warehouses; future cross access with the Z-36-2017 site will depend on redevelopment of the adjacent parcel.
4. The Z-36-2017 site is vacant; access will be determined upon submittal of a site plan. In addition to the City of Raleigh, NCDOT must approve any driveway access onto Chapel Hill Road.
5. In accordance with UDO section 8.3.2, the maximum block perimeter for CX-5 zoning is 2,500 feet. The block perimeter for Z-36-2017, as defined by public rights-of-way for Corporate Center Drive, Conference Drive, Nowell Road and Chapel Hill Road is 7,525 feet.
6. Approval of case Z-36-2017 would increase average peak hour trip volumes by 96 veh/hr in the AM peak and by 14 veh/hr in the PM peak; daily trip volume will not change appreciably. A traffic study is not required for case Z-36-2017.

Z-36-2017 Existing Land Use (Vacant)	Daily	AM	PM
	0	0	0
Z-36-2017 Current Zoning Entitlements (Daily & PM = Retail, AM = Office & Retail)	Daily	AM	PM
	5,025	274	446
Z-36-2017 Proposed Zoning Maximums (Daily = Retail, AM & PM = Office & Retail)	Daily	AM	PM
	5,029	370	460
Z-36-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	4	96	14

Impact Identified: Block perimeter exceeds standard for CX-5 zoning

Transit

1. Transit amenities will be at Site Plan Review in accordance with the recent text change to UDO 8.11 and 8.2.7.

Impact Identified: None

Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Richland
<i>Stormwater Management</i>	9.2 of the UDO
<i>Overlay District</i>	None

Impact Identified: No impacts identified

Public Utilities

	<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
<i>Water</i>	0 gpd	95,000 gpd	115,625 gpd
<i>Waste Water</i>	0 gpd	95,000 gpd	115,625 gpd

1. The proposed rezoning would add approximately 115,625 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

Parks and Recreation

1. There are no proposed greenway corridors or connectors associated with this site, and there are no existing greenway trails associated with this site.
2. Park access level of service in this area is considered low to very low.
3. This area of the city is considered to be a high priority area of need for future park land acquisition.
4. Nearest park access is currently provided by:
 - Powell Drive Park (740 Powell Dr., approximately 2.4 miles away)
 - Jackson open space (6312 Linville Dr., approximately 2 miles away)
 - Buck Jones open space (473 Buck Jones Rd., approximately 2 miles away)

Impact Identified: This area of the city is considered to be a high priority area for park service.

Urban Forestry

There is an existing tree conservation area on the site. The tree conservation area is 90' wide and runs along Chapel Hill Rd. The tree conservation area was recorded in book of maps 2007 page 1304. This proposed rezoning does not affect the current tree conservation that was established as part of a previous subdivision.

Impact Identified: None.

Designated Historic Resources

Impact Identified: None

Mitigation of Impacts

Address sewer and fire flow capacities at the site plan stage.

Conclusion

The request is consistent with the 2030 Comprehensive Plan and the Future Land Use Map. The increase in height from three to five stories can be established without adversely impacting the established character of the area. Restrictions on use and development intensity further mitigate development impacts in the area. The site is also near the planned Bus Rapid Transit corridor and the Commuter Rail corridor; increased housing options in such locations make good use of the City's investment in transit.

Case Timeline

<i>Date</i>	<i>Revision [change to requested district, revised conditions, etc.]</i>	<i>Notes</i>
1/23/18	First appearance	
2/13/2018	Change from -PK to -GR Revised conditions	

Appendix

Surrounding Area Land Use/ Zoning Summary

	<i>SUBJECT PROPERTY</i>	<i>NORTH</i>	<i>SOUTH</i>	<i>EAST</i>	<i>WEST</i>
Existing Zoning	CX-3-PK	CX-7-PK	CX-4-PL		
Additional Overlay	-	-	-		SHOD-1
Future Land Use	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use	Office/Research & Development
Current Land Use	Vacant	Overnight Lodging	Vehicle Fuel Sales and Light Industrial	Light Industrial	Office
Urban Form (if applicable)	City Growth Center and Urban Thoroughfare	City Growth Center and Urban Thoroughfare	City Growth Center and Urban Thoroughfare	City Growth Center and Urban Thoroughfare	City Growth Center and Urban Thoroughfare

Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
Zoning	CX-3-PK	CX-5-GR-CU
Total Acreage	6.07	6.07
Setbacks:		
Front:	5'	5'
Side:	0' to 6'	0' to 6'
Rear:	0' to 6'	0' to 6'
Residential Density:	25 units/ acre	47 units/acre
Max. # of Residential Units	152	288
Max. Gross Building SF (if applicable)	196,804	322,019
Max. Gross Office SF	151,455	202,589
Max. Gross Retail SF	124,347	120,000
Max. Gross Industrial SF	-	-
Potential F.A.R	.74	1.41

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

Rezoning Application




RALEIGH
DEPARTMENT OF
CITY PLANNING



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

REZONING REQUEST				
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District: CX	Height: 3	Frontage: PK	Overlay(s): None	
Proposed Zoning Base District: CX	Height: 5	Frontage: GR	Overlay(s): None	
If the property has been previously rezoned, provide the rezoning case number:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
531765				

GENERAL INFORMATION					
Date: 12/1/2017		Date Amended (1): 1/17/18		Date Amended (2)	
Property Address: 700 Corporate Center Drive					
Property PIN: 0774-72-5829			Deed Reference (book/page): DB 8716 PG 934		
Nearest Intersection: Chapel Hill Rd at Corporate Center Drive					
Property Size (acres): 6.07		(For PD Application Only) Total Units:		Total Square Feet:	
Property Owner/Address: Stephens Enterprises, LLC 319 Chaponoke Rd Ste 102 Raleigh, NC 27603		Phone 317.410.9935		Fax	
		Email			
Project Contact Person/Address: Mack Paul – Attorney for Applicant 421 Fayetteville St Suite 530 Raleigh, NC 27601		Phone: 317.410.9935		Fax 919-882-8890	
		Email mhare@kapcorp.com ; gsimpson@kapcorp.com			
Owner/Agent Signature 		Email mpaul@morningstarlawgroup.com			

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

Conditional Use District Zoning Conditions

Zoning Case Number Z-36-17

OFFICE USE ONLY

Date Submitted February 2, 2018

Transaction #

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1. The following uses shall be prohibited as principal uses on the subject property: Vehicle sales/rental; Bar, nightclub, tavern, lounge; Adult establishment; Vehicle fuel sales; Heliport, serving hospitals

2. The subject property shall not have more than 120,000 square feet of stand alone retail use and shall not have more than 202,000 square feet of office and retail uses together provided there is no more than 162,000 square feet of office use and 40,000 square feet of retail use.

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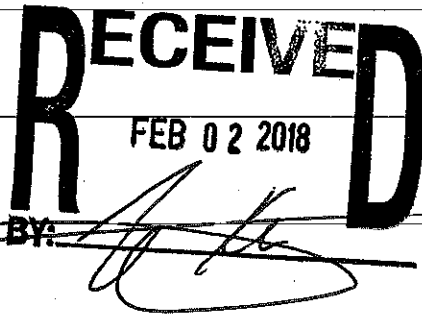
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These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature _____ Print Name _____

REZONING APPLICATION ADDENDUM #1	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</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">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>1. The Future Land Use Map (FLUM) designation for the subject property is Community Mixed Use. The 2030 Comprehensive Plan (Comp Plan) suggests that CX is the primary corresponding zoning district for areas carrying a Community Mixed Use FLUM designation. Therefore, the requested CX base district is consistent with the Comprehensive Plan.</p>	
<p>2. Table LU-2 – Recommended Height Designations – of the Comp Plan provides guidance for up to twelve (12) stories for properties situated as is the subject property; however, none of the existing buildings proximate to the subject property extend beyond 7 stories in height. In order to remain consistent with the surrounding area and the Comp Plan, the requested height classification is for up to 5 stories.</p>	
<p>3. The requested rezoning is consistent with many of the policies set forth in the Comp Plan included: LU 1.3 – Conditional Use District Consistency; LU 3.2 – Location of Growth; LU 5.1 – Reinforcing the Urban Pattern; and more.</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>1. The proposed rezoning will facilitate a development that can provide a mix of uses, including residential opportunities, in close proximity to other uses, particularly office uses. This can reduce the amount of vehicle miles travelled, which is a benefit to the public.</p>	
<p>2. The requested rezoning also is consistent with the FLUM, thereby helping to achieve the vision of the Comp Plan.</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 rezoning would impact the resource.	
No historic resources exist on the site.	
PROPOSED MITIGATION	
Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	

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 property is located near office buildings and some commercial goods and services.</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 properties are not adjacent to lower density neighborhoods</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: Access will likely be provided along Chapel Hill Rd and Corporate Center Drive to facilitate access to other uses</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: There is an existing stub from the adjacent development to the site that likely will be connected.</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: Development at the site will adhere to this guideline.</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: Building and parking placement will be determined at site plan.</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: There are existing sidewalks along Chapel Hill Road to accommodate pedestrians.</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: Building and parking placement will be determined at site plan.</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: Outdoor amenity areas will be provided consistent with the UDO.</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: Outdoor amenity areas will be provided consistent with the UDO.</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: Outdoor amenity areas will be provided consistent with the UDO.</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: Outdoor amenity areas will be provided consistent with the UDO.</p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>

14.	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>Response: The greenway frontage will likely dictate how the frontage of this site will look.</p>
15.	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p>Response: The location of parking will be determined at Site Plan, but parking will not dominate the frontage.</p>
16.	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</p> <p>Response: Structured parking would most likely be covered by building facades if implemented.</p>
17.	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p>Response: Due to a recent text change, all new developments may have to provide transit stops where deemed appropriate.</p>
18.	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response: Due to a recent text change, all new developments may have to provide transit stops where deemed appropriate.</p>
19.	<p>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.</p> <p>Response: Streams nearby or on the property will be properly buffered to minimize impact to them.</p>
20.	<p>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.</p> <p>Response: Sidewalks will be provided per the UDO.</p>
21.	<p>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.</p> <p>Response: Sidewalks will be provided per the UDO.</p>
22.	<p>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.</p> <p>Response: Street trees and landscaping will be provided in accordance with the UDO.</p>
23.	<p>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.</p> <p>Response: The GR Frontage will affect building placement</p>
24.	<p>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.</p> <p>Response: The building will comply with the applicable UDO standards.</p>
25.	<p>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.</p> <p>Response: The building will comply with the applicable UDO standards.</p>
26.	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response: There is existing sidewalk on the property, and new sidewalks will be provided per the UDO.</p>

Z-36-2017 Existing Land Use (Vacant)		Daily 0	AM 0	PM 0
Z-36-2017 Current Zoning Entitlements (Daily & PM = Retail, AM = Office & Retail)		Daily 5,025	AM 274	PM 446
Z-36-2017 Proposed Zoning Maximums (Daily = Retail, AM & PM = Office & Retail)		Daily 5,029	AM 370	PM 460
Z-36-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)		Daily 4	AM 96	PM 14
Z-36-2017 Traffic Study Worksheet				
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)		
A	Peak Hour Trips \geq 150 veh/hr	No		
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	No		
C	More than 100 veh/hr trips in the peak direction	No		
D	Daily Trips \geq 3,000 veh/day	No		
E	Enrollment increases at public or private schools	Not Applicable		
6.23.5	Site Context	Meets TIA Conditions? (Y/N)		
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No		
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No		
C	Creates a fourth leg at an existing signalized intersection	No		
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No		
E	Access is to/from a Major Street as defined by the City's Street Plan Map	No		
F	Proposed access is within 1,000 feet of an interchange	No		
G	Involves an existing or proposed median crossover	No		
H	Involves an active roadway construction project	No		
I	Involves a break in controlled access along a corridor	No		
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)		
A	Planned Development Districts	No		
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	None noted as of Feb. 5, 2018		

REZONING OF PROPERTY CONSISTING OF +/- 6.07 ACRES
LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF CHAPEL HILL ROAD
AND CORPORATE CENTER DRIVE, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON NOVEMBER 8, 2017

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Wednesday, November 8, 2017, at 6:00 p.m. The property considered for this potential rezoning totals approximately 6.07 acres, located in the northeast quadrant of the intersection of Chapel Hill Road Boulevard and Corporate Center Drive, in the City of Raleigh and having Wake County Tax identification number 0774-72-5829. This meeting was held in the Hyatt Place Raleigh West located at 710 Corporate Center Drive in Raleigh. All owners of property within the required notification area were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



Mack Paul | Partner
421 Fayetteville Street, Suite 530
Raleigh, NC 27601
919-590-0377
mpaul@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Mack Paul

Date: October 26, 2017

Re: Notice of meeting to discuss potential rezoning of a parcel located in the northeast quadrant of the intersection of Chapel Hill Road and Corporate Center Drive, containing approximately 6.07 acres, with address of 700 Corporate Center Drive, and having Wake County Parcel Identification Number 0774-72-5829 (the "Property").

We are counsel for a developer that is considering rezoning the Property. Currently, the Property is zoned Commercial Mixed Use with a 3 story height limitation and a Parkway frontage (CX-3-PK). The developer is considering rezoning the Property to increase the height to five stories (CX-5-PK). The purpose of the rezoning is to facilitate the development of a multi-family project.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Wednesday, November 8, at 6:00 p.m. This meeting will be held at Hyatt Place Raleigh West located at 710 Corporate Center Drive, Raleigh, NC 27607.

The City of Raleigh requires a neighborhood meeting involving the owners of property within 100 feet of the site prior to filing a rezoning application. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at 919.590.0377 or mpaul@morningstarlawgroup.com. Also, for more information about rezoning, you may visit www.raleighnc.gov or contact the Raleigh City Planning Department at (919) 996-2626 or rezoning@raleighnc.gov.

EXHIBIT B

LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

CORPORATE PLAZA MCD LLC
MCDONALDS CORPORATION
PO BOX 182571
COLUMBUS OH 43218-2571

COTTON, LENORA
6529 LINCOLNVILLE RD
RALEIGH NC 27607-5050

EVANS, DAVID EARL
6525 LINCOLNVILLE RD
RALEIGH NC 27607-5050

FMP PROPERTIES LLC
550 CORPORATE CENTER DR
RALEIGH NC 27607-0153

GUPTA, SANJAI K
3316 BOULDER CT
RALEIGH NC 27607-3111

HJH ASSOC OF ALABAMA
4030 JOHNS CREEK PKWY
SUWANEE GA 30024-1254

HOOKE, PAMELA ETAL HOOKE,
FAYE A
6537 LINCOLNVILLE RD
RALEIGH NC 27607-5050

HRLP RALEIGH LP LTD PTNRP
3100 SMOKETREE CT STE 600
RALEIGH NC 27604-1050

ITHACA VII LLC
2790 KILKENNY DR
SPRINGFIELD OH 45503-1181

LMDC LLC C/O LINDER INDUSTRIAL
MACHINERY CO
1601 S FRONTAGE RD
PLANT CITY FL 33563-2004

MOSHAKOS OFFICE LLC
6510 CHAPEL HILL RD STE 200
RALEIGH NC 27607-5010

MOSHAKOS REAL ESTATE LLC
6510 CHAPEL HILL RD
RALEIGH NC 27607-5010

MOSHAKOS WALNUT LLC
6510 CHAPEL HILL RD
RALEIGH NC 27607-5010

NORTH CAROLINA STATE OF
STATE PROPERTY OFFICE
116 W JONES ST
RALEIGH NC 27603-1300

PENNINGTON, NELLIE B
6532 LINCOLNVILLE RD
RALEIGH NC 27607-5049

PERRY BROTHERS PROPERTIES
LLC
518 PLAZA BLVD
KINSTON NC 28501-1636

PERRY-WINSTON, CLARICE PERRY,
SARAH J
811 PINELAND DR
CARY NC 27511-4332

PSP PROPERTIES LLC
616 COLONNADE DR
CHARLOTTE NC 28205-6827

RESEARCH TRIANGLE REGIONAL
PUBLIC
PO BOX 13787
RTP NC 27709-3787

RESEARCH TRIANGLE REGIONAL
PUBLIC TRANSPORTATION AU ATTN:
REAL ESTATE
PO BOX 13787
RTP NC 27709-3787

STEPHENS ENTERPRISES LLC
319 CHAPANOKE RD STE 102
RALEIGH NC 27603-3433

UTLEY, LISA HOOKE, BARBARA
C/O BARBARA HOOKE
518 BRIDLE PATH DR
RALEIGH NC 27606-7705

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Wednesday, November 8, 2017, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. After a presentation by the applicant, the following items were discussed:

1. Development Plan. The applicant described plans on the property for a multifamily development.
2. Amenities. The applicant described the types of amenities they typically include in all multifamily projects.
3. Zoning. The applicant explained that the base zoning and frontage would not need to change for the development plan. However, the applicant needs to increase the allowable height to five stories to accomplish the plan.
4. Construction phase. The attendees asked about noise and dust during construction. The applicant described measures that will be taken to control construction impacts.
5. Circulation. The attendees inquired about site access and traffic impacts. The applicant described an existing cross access with the adjacent property to the north that affords additional access for residents leaving the site heading toward Chapel Hill Road. As a residential development, traffic impacts will be less than office and retail uses otherwise allowed on the property.

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

Name	Address	Phone	Email
Pamela Hooker	6537 Lincolnville Rd	919.771.7942	hookerp23@gmail.com
Wilbert Hooker Jr.	518 Bridle Path	919.859.9418	

AGENDA ITEM (E) 1: Z-36-17 – 700 Corporate Center Drive

This site is located on 700 Corporate Center Drive, northeast of its intersection with Chapel Hill Road.

This is a request to rezone property from Commercial Mixed Use-3 Stories-Parkway Frontage (CX-3-PK) to Commercial Mixed Use-5 Stories-Parkway Frontage-Conditional Use (CX-5-PK-CU).

Planner Klem gave a brief overview of the case.

Mac Paul representing the applicant spoke regarding rezoning to green frontage being a challenge but applicant is working through it.

Ms. Jeffreys commented that CAC chairperson expressed that they would like the commission to wait until after CAC meeting before voting on the case.

Mr. Braun responded that the case is consistent and no outstanding issues.

No Public Comment.

Mr. Lyle made a motion to approve. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0.