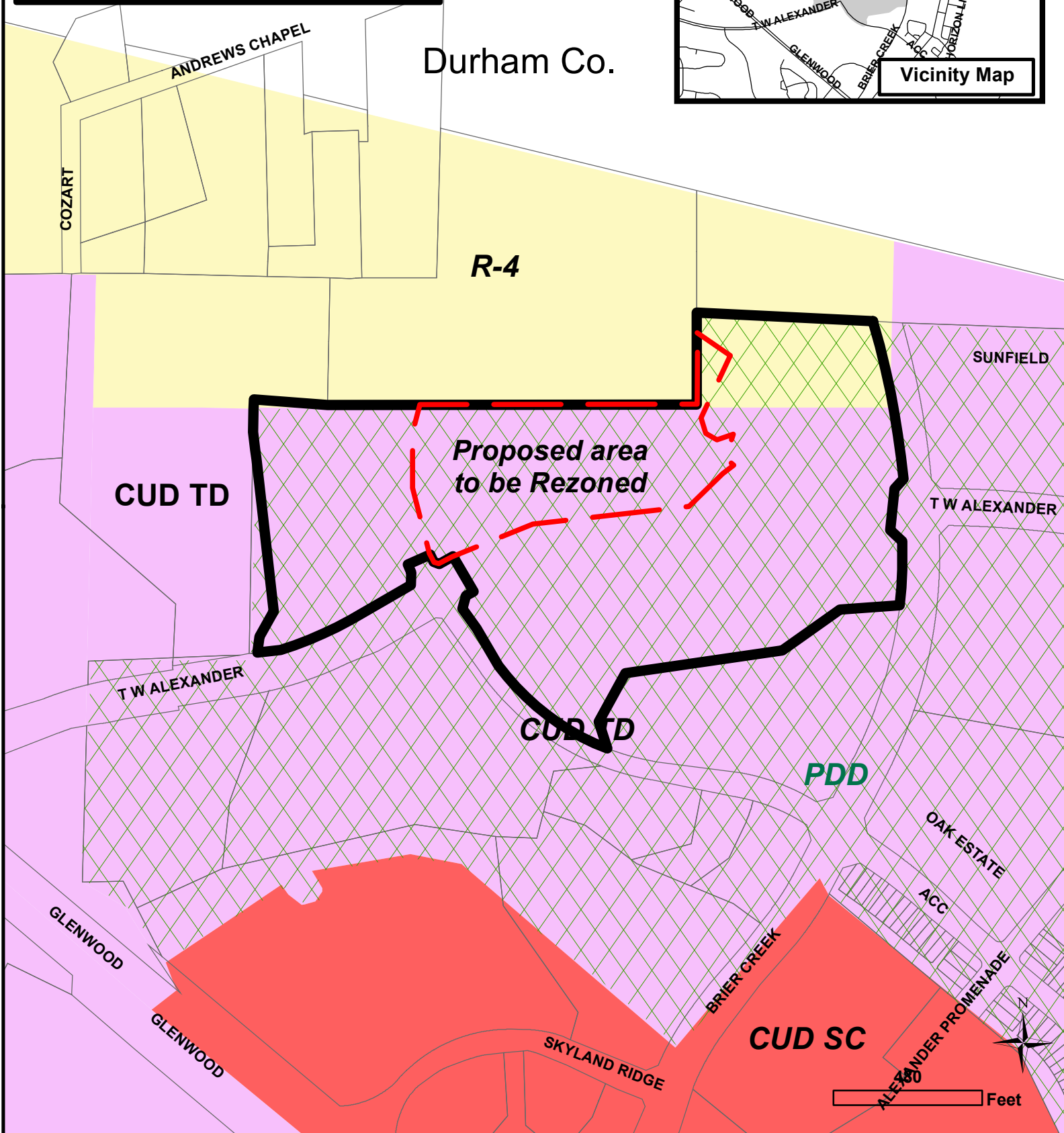
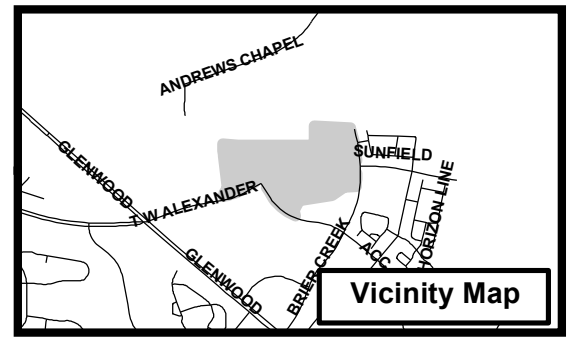


Existing Zoning Map

Case Number: Z-40-12



Request:

8.50 acres to amend the PDD

City of Raleigh Public Hearing
October 16, 2012
(February 28, 2013)



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information: Z-40-12 TW Alexander Dr. & ACC Blvd.

<i>Location</i>	North of the intersection of TW Alexander Drive and ACC Boulevard
<i>Size</i>	8.5 acres
<i>Request</i>	Rezone property to amend current Planned Development District

Comprehensive Plan Consistency

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

A checked box signifies consistency with the applicable 2030 Comprehensive Plan policy:

Consistent		
<i>Future Land Use Designation</i>	<input type="checkbox"/>	Office & Residential Mixed Use
<i>Applicable Policy Statements</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Policy LU 1.3 Conditional Use District Consistency Policy LU 2.5 Healthy Communities Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.5 Connectivity Policy LU 5.1 Reinforcing the Urban Pattern Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements Policy LU 6.1 Composition of Mixed Use Centers Policy LU 6.4 Bus Stop Dedication Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 7.6 Pedestrian Friendly Development Policy T 1.6 - Transportation Impacts Policy T 2.4 Road Connectivity Policy T 2.6 Preserving the Grid Policy T 5.1 Enhancing Bike/Pedestrian Circulation Policy T 5.2 Incorporating Bicycle and Ped. Improvements Policy T 5.3 Bicycle and Pedestrian Mobility Policy T 5.5 Sidewalk Requirements Policy T 5.9 Pedestrian Networks Policy UD 2.1 Building Orientation Policy UD 2.3 Activating the Street Policy UD 2.4 Transitions in Building Intensity Policy UD 2.6 Parking Location and Design Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 7.3 Design Guidelines

Summary of Conditions

<i>Submitted Conditions</i>	<ul style="list-style-type: none"> Conformity with Master Plan Maximum density of 14 units per acre if developed as townhomes. Maximum retail square footage of 90,000 sq. ft.
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Issues and Impacts

<i>Outstanding Issues</i>	<ol style="list-style-type: none"> 1. Urban Design Guidelines 2. Transition to residential 3. Parking location 4. Building location 5. Maximum setbacks 	<i>Suggested Conditions</i>	<ol style="list-style-type: none"> 1. Transitions to adjacent residential 2. Building location 3. Parking location 4. Maximum setbacks
<i>Impacts Identified</i>	<ol style="list-style-type: none"> 1. Traffic 	<i>Proposed Mitigation</i>	<ol style="list-style-type: none"> 1. TIA

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
6/13/12	10/16/12	Date: Action	Date: Action

☐ **Valid Statutory Protest Petition**

Attachments

1. Staff report
2. Existing Zoning/Location Map
3. Future Land Use

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	
<i>Motion and Vote</i>	

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.

Planning Director Date

Planning Commission Chairperson Date

Staff Coordinator: Stan Wingo: stan.wingo@raleighnc.gov



Zoning Staff Report – Case Z-40-12

Conditional Use District

Request

<i>Location</i>	North of the intersection of TW Alexander Drive and ACC Boulevard
<i>Request</i>	Rezone property to amend current Planned Development District
<i>Area of Request</i>	8.5 acres
<i>Property Owner</i>	SLF Ruby Jones, LLC
<i>PC Recommendation Deadline</i>	January 14, 2013

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	Thoroughfare District Conditional Use and Residential-4	Thoroughfare District Conditional Use and Residential-4
<i>Additional Overlay</i>	Planned Development	Planned Development
<i>Land Use</i>	Office or residential	Retail, office or residential
<i>Residential Density</i>	Minimum of 15 units per acre	40 units per acre (340 dwelling units)

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	R-4	TD CUD w/PDD	TD CUD w/PDD	TD CUD w/PDD
<i>Future Land Use</i>	Moderate Density Residential	Office & Residential Mixed Use	Office & Residential Mixed Use	Office & Residential Mixed Use
<i>Current Land Use</i>	Vacant Land	Vacant Land	Vacant Land	Vacant Land

Comprehensive Plan Guidance

<i>Future Land Use</i>	Office & Residential Mixed Use
<i>Area Plan</i>	N/A
<i>Applicable Policies</i>	Policy LU 1.3 Conditional Use District Consistency Policy LU 2.5 Healthy Communities Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 4.5 Connectivity Policy LU 5.1 Reinforcing the Urban Pattern Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements Policy LU 6.1 Composition of Mixed Use Centers Policy LU 6.4 Bus Stop Dedication

	Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 7.6 Pedestrian Friendly Development Policy T 1.6 - Transportation Impacts Policy T 2.4 Road Connectivity Policy T 2.6 Preserving the Grid Policy T 5.1 Enhancing Bike/Pedestrian Circulation Policy T 5.2 Incorporating Bicycle and Ped. Improvements Policy T 5.3 Bicycle and Pedestrian Mobility Policy T 5.5 Sidewalk Requirements Policy T 5.9 Pedestrian Networks Policy UD 2.1 Building Orientation Policy UD 2.3 Activating the Street Policy UD 2.4 Transitions in Building Intensity Policy UD 2.6 Parking Location and Design Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 7.3 Design Guidelines
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Contact Information

<i>Staff</i>	Stan Wingo, (919)996-2663
<i>Applicant</i>	Jarrold Edens, (919)706-0550, jarrod.edens@edensland.com
<i>Citizens Advisory Council</i>	Northwest CAC

Case Overview

The subject property is located north of the intersection of TW Alexander Drive and ACC Boulevard. The future extension of TW Alexander will border the property on its southern boundary, and ACC Boulevard will be extended along the western boundary. The surrounding area to the east, west and south is currently zoned as Planned Development District with Thoroughfare District Conditional Use as the base zoning. The property adjacent to the north is zoned Residential-4, with eventual annexation into Durham as part of the Annexation Agreement Area. Properties adjacent on all sides are currently undeveloped and vacant.

The approved Master Plan for this area prescribes residential and office uses surrounding the subject property. Currently the subject property includes office and medium to high density residential as allowable uses. The proposed amendment to the Master Plan would introduce the ability to develop up to 90,000 sq ft of retail, and/or hotel uses on this site.

Exhibit C & D Analysis

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s)

1.1 Future Land Use

This rezoning proposal is located in an area designated as being appropriate for Office & Residential Mixed Use on the Future Land Use Map. Office Residential Mixed Use encourages a mix of moderate to medium density residential and office uses. The request as proposed is inconsistent with the Future Land Use Map. Current proposal would permit up to 90,000 sq ft of retail.

1.2 Policy Guidance

The following policy guidance is applicable with this request:

Policy LU 1.3

Conditional Use District Consistency

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

Proposal is consistent with this policy; the conditions offered by the applicant are consistent with the Comprehensive Plan.

Policy LU 2.5 - Healthy Communities

New development, redevelopment, and infrastructure investment should strive to promote healthy communities and active lifestyles by providing or encouraging enhanced bicycle and pedestrian circulation, access, and safety along roads near areas of employment, schools, libraries, and parks.

Proposal is consistent with this policy. Proposed rezoning is part of an overall Master Plan that would provide a mix of uses within close proximity to residential. The Master Plan also encourages the development of walkable retail uses and employment.

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.

Proposal is inconsistent with this policy. Transportation impacts are outstanding and have not been resolved.

Policy LU 4.5 - Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

Proposal is consistent with this policy. Subject property is located within an overall Master Plan that provides a network of streets and sidewalks providing adequate interconnectivity.

Policy LU 5.1 - Reinforcing the Urban Pattern

New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.

Proposal is consistent with this policy. The current Master Plan includes unity of development standards that would apply to all future development within the plan area.

Policy LU 5.4 – Density Transitions

Low to medium density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

Proposal is inconsistent with this policy. Low density residential zoning is located adjacent to the north. Applicant should consider additional zoning conditions that would provide a transition to adjacent lower intensity uses.

Policy LU 5.6 – Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that void potential conflicts.

Proposal is currently inconsistent with this policy. Additional buffers and transitions should be included to limit potential impacts to adjacent residentially zoned property.

Policy LU 6.1 – Composition of Mixed Use Centers

Mixed-use centers should be comprised of well-mixed and integrated developments that avoid segregated uses and have well planned public spaces that bring people together and provide opportunities for active living and interaction.

Proposal is consistent with this policy as it provides a mix of uses.

Policy LU 6.4 – Bus Stop Dedication

The City shall coordinate the dedication of land for the construction of bus stop facilities within mixed-use centers on bus lines as part of the development review and zoning process.

Proposal is consistent with this policy. The Master Plan provides a transit stop.

Policy LU 7.4 - Scale and Design of New Commercial Uses

New uses within commercial districts should be developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.

Proposal is inconsistent with this policy. Applicant should consider additional conditions to limit adverse impacts to adjacent residential land uses. Conditions should provide more of a transition to lower intensity uses by increasing buffers and limiting development intensity adjacent to residential.

Policy LU 7.6 – Pedestrian-Friendly Development

New commercial developments and redeveloped commercial areas should be pedestrian-friendly.

Proposal is currently consistent with this policy. Current Master Plan ensures pedestrian-friendly development. However applicant should consider a minimum of 14 foot wide sidewalks adjacent to commercial uses.

Policy T 1.6 – Transportation Impacts

Identify and address transportation impacts before a development is implemented.

Proposal is inconsistent with this policy. Outstanding issues remain.

Policy T 2.4 - Road Connectivity

The use of cul-de-sacs and dead-end streets should be minimized.

Proposal is consistent with this policy. Master Plan does not envision the use of dead end streets and/or cul-de-sacs. Street network is arranged in a grid network of blocks with tracts of land uses.

Policy T 2.6 – Preserving the Grid

Existing street grid networks should be preserved and extended where feasible and appropriate to increase overall connectivity.

Proposal is consistent with this policy. Overall Master Plan provides a street network with established blocks and delineated land uses by tract.

Policy T 5.1 – Enhancing Bicycle/Pedestrian Circulation

Enhance pedestrian and bicycle circulation, access, and safety along corridors, downtown, in activity and employment centers, at densely developed areas and transit stations, and near schools, libraries, and parks.

Proposal is consistent with this policy. Overall Master Plan includes pedestrian amenities.

Policy T 5.2 – Incorporating Bicycle and Pedestrian Improvements

All new developments, roadway construction projects, and roadway resurfacing projects in the City of Raleigh's jurisdiction should include appropriate bicycle facilities as indicated in the Recommended Bicycle Network of the 2008 City of Raleigh Bicycle Transportation Plan.

Proposal is consistent with this policy. Overall Master Plan includes pedestrian amenities and improvements.

Policy T 5.3 – Bicycle and Pedestrian Mobility

Maintain and construct safe and convenient pedestrian and bicycle facilities that are universally accessible, adequately illuminated, and properly designed to reduce conflicts among motor vehicles, bicycles, and pedestrians.

Proposal is consistent with this policy. Overall Master Plan includes pedestrian amenities and improvements.

Policy T 5.5 – Sidewalk Requirements

New subdivisions and developments should provide sidewalks on both sides of the street.

Proposal is consistent with this policy. Overall Master Plan provides sidewalks on both sides of pedestrian streets as well as along the major thoroughfares within the area.

Policy 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.

Proposal is consistent with this policy. Overall Master Plan provides sufficient pedestrian networks.

Policy UD 2.1 – Building Orientation

Buildings in mixed-use developments should be oriented along streets, plazas and pedestrian ways. Their facades should create an active and engaging public realm.

Proposal is inconsistent with this policy. The rezoning request should include maximum setbacks to ensure consistency with this policy.

Policy UD 2.3 – Activating the Street

New retail and mixed-use centers should activate the pedestrian environment of the street frontage in addition to internal pedestrian networks and connections.

Proposal is inconsistent with this policy. The rezoning request should include maximum setbacks to ensure consistency with this policy.

Policy UD 2.4 – Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

Proposal is inconsistent with this policy. Applicant should consider zoning conditions to provide transitions to adjacent residential.

Policy UD 2.6 – Parking Location and Design

New surface parking lots should be avoided within mixed-use centers. Instead, shared parking garages with active ground floor uses and architectural treatments for all facades visible from a public right-of-way should be used.

Proposal is inconsistent with this policy as shown. Parking location is not shown on the Master Plan as proposed.

Policy UD 6.1 – Encouraging Pedestrian-Oriented Uses

New development, streetscape, and building improvements in Downtown and mixed-use corridors and centers should promote high intensity, pedestrian-oriented use and discourage automobile-oriented uses and drive-through uses.

Proposal is inconsistent with this policy. Applicant should consider maximum setbacks, and provisions on parking to help ensure consistency with this policy.

Proposal is inconsistent with the Urban Design Guidelines.

- Transitions to adjacent residential.
- Building and Parking location
- Maximum setbacks

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.*

Applicant Response: The rezoning request permits retail, office or medium-density residential uses, and the property is surrounded by existing/proposed retail, office-institutional and residential uses that are within walking distance.

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.*

Applicant Response: This property is adjacent to existing/future residential and commercial developments and vacant lands that are not part of the Glenwood Avenue/TW Alexander Drive Planned Development District Master Plan. An exiting Wake Med Hospital facility is directly across the street from the property. The applicant has proposed a zoning condition that limits height to 50 feet for any commercial or residential uses. Furthermore, the design guidelines can be better addressed at the site plan approval stage to the extent site constraints will allow.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with the guidelines to the extent practical.

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.*

Applicant Response: The applicant has indicated on a rezoning Development Plan under the City of Durham cross-access to the vacant property to the north

along its common property line. Furthermore, this design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent site constraints will allow.

5. *Block faces should have a length generally not exceeding 660 feet.*

Applicant Response: The length of sides for this property adjacent to existing and proposed public right-of-way does exceed 660 feet. However, limited access driveway or street points along some of these frontages may prevent the applicant to adhere to a maximum block face length.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline to the extent practical.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline where applicable and permitted under the current MP-1-00 documents in regards to building setbacks and street yard widths. The end user for the retail development scenario will also have input regarding the locations of buildings on site.

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.*

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline where applicable and permitted under the current MP-1-00 documents in regards to building setbacks and street yard widths. The end user for the retail development scenario will also have input regarding the locations of buildings on site.

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.*

Applicant Response: Open space areas that are provided will be located and designed to assure its most optimum use by pedestrians accessing those spaces. This design guideline can be better addressed at the site plan approval 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.*

Applicant Response: Open space area for pedestrian interaction that is accessed from adjacent streets will provide good visibility for passerby traffic. This design guideline can be better addressed at the time of site plan approval.

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.*

Applicant Response: Given the size and shape of this site, this guideline may be limited to its applicant towards any cafes, restaurants or higher density residential on the perimeter of urban open spaces. Pedestrian connections will be linked to any urban open spaces provided from residential or retail uses. This design guideline can be better addressed at the time of site plan approval.

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.*

Applicant Response: Given the location and size of this site, this guideline is inapplicable.

Site Design/Public Seating

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

Applicant Response: Seating opportunities will be provided to areas of new public spaces where indicated on the site plan. This design guideline can be better addressed at the time of site plan approval.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline to the extent practical.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline to the extent practical.

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.*

Applicant Response: Given the type of parking element and size of this site, this guideline is inapplicable.

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.*

Applicant Response: Transit stop areas locations designated for the overall development will be linked by the private and public sidewalk systems to this site. This design guideline can be better addressed at the time of site plan approval.

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

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline to the extent practical.

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.*

Applicant Response: It is the applicant's desire to protect and retain any sensitive features on the site as open space where practical. This design guideline can be better addressed at the time of site plan approval.

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.*

Applicant Response: Given the location and size of this site, this guideline is inapplicable. The public street design layout was previously approved and incorporated into the current Master Plan and subdivision.

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.*

Applicant Response: The design layout can be better addressed at the site plan approval stage; however, the applicant intends to comply with this guideline to the extent practical. A note has been added to the Master Plan and the zoning conditions specifying minimum sidewalk widths adjacent to retail buildings.

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.

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent it is applicable and site constraints will allow.

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.*

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent it is applicable and site constraints will allow.

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.*

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent it is applicable and site constraints will allow.

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.*

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent it is applicable and site constraints will allow.

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.*

Applicant Response: This design guideline can be better addressed at the site plan approval stage; however the applicant intends to comply with this guideline to the extent it is applicable and site constraints will allow.

2. Compatibility of the proposed rezoning with the property and surrounding area

The subject property is located north of the intersection of TW Alexander Drive and ACC Boulevard. The future extension of TW Alexander will border the property on its southern boundary, and ACC Boulevard will be extended along the western boundary. The surrounding area to the east, west and south is currently zoned as Planned Development District with Thoroughfare District Conditional Use as the base zoning. The property adjacent to the north is zoned Residential-4, with eventual annexation into Durham as part of the Annexation Agreement Area. Properties adjacent on all sides are currently undeveloped and vacant.

The proposed Master Plan amendment could introduce as much as 90,000 square feet of retail in this location. As currently proposed there are no provisions for transitions to the adjacent residential and no additional regulations on building or parking location. To ensure compatibility, the applicant should consider additional zoning conditions and Master Plan provisions to transition the proposed retail allocation to adjacent residential land uses. Parking and building locations should also be provided to ensure a compatible pattern of development in harmony with the Urban Design Guidelines.

3. Public benefits of the proposed rezoning

The request as proposed is inconsistent with the Future Land Use designation recommended in the Comprehensive Plan, and is not fully consistent with the applicable Urban Design Guidelines. The proposed amendment is however consistent with several applicable Comprehensive Plan policies and together with the overall Master Plan would provide for a mix of uses within walking distance to large concentrations of residential development. The proposal would add the ability to develop retail land uses in this location. Additional zoning conditions could bring the proposal into conformance with the Urban Design Guidelines.

4. Detriments of the proposed rezoning

As proposed the request is inconsistent with the Comprehensive Plan. There are also issues outstanding in regards to potential traffic impacts associated with the additional retail land uses proposed.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

5.1 Transportation

<u>Primary Streets</u>	<u>Classification</u>	<u>2011 NCDOT Traffic Volume (ADT)</u>	<u>2035 Traffic Volume Forecast (CAMPO)</u>			
TW Alexander Drive	Secondary Arterial	N/A	N/A			
ACC Boulevard	Collector Street	N/A	N/A			
<u>Street Conditions</u>						
<u>TW Alexander Drive</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>

Existing	0	0	N/A	0	None	None
City Standard	6	89'	Back-to-back curb and gutter section	110'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
Meets City Standard?	NO	NO	NO	NO	NO	NO
<u>ACC Boulevard</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	0	0	N/A	0	None	None
City Standard	2	41'	Back-to-back curb and gutter section	60'	minimum 5' sidewalks on one side	N/A
Meets City Standard?	NO	NO	NO	NO	NO	N/A
Expected Traffic Generation [vph]	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	14	84	70			
PM PEAK	282	988	706			
Suggested Conditions/ Impact Mitigation:		Traffic Study Determination: Staff has reviewed a trip generation differential report and Traffic Impact Analysis for this case. The TIA provided traffic mitigation recommendations at the intersection of Glenwood Avenue and TW Alexander Drive that are still under review by NCDOT. The subject property is unimproved and does not have access to any street frontage. Development of the area proposed for rezoning will require construction of a public street network to include extensions of TW Alexander Drive and ACC Boulevard. TW Alexander Drive is classified as a secondary arterial and will require a minimum 110-foot right-of-way constructed as a 6-lane median divided street with curb and gutter, sidewalks, and bicycle lanes on both sidewalks. ACC Boulevard is classified as a collector street and will require a minimum 60-foot right-of-way constructed as 41-foot back-to-back curb and gutter section with sidewalks on a minimum of one side. The applicant should provide an updated phasing plan associated with the Glenwood Avenue-TW Alexander Drive Master Plan to document when all street improvements including offsite improvements will be completed in conjunction with planned development.				
Additional Information:	The NCDOT/City of Raleigh US 70 Corridor Plan calls for a future interchange at the intersection of Glenwood Avenue and TW Alexander Drive.					

Impact Identified: Traffic Impact Analysis is still under review, and City Transportation staff is awaiting comments from the NCDOT Congestion Management Division.

5.2 Transit

No transit comments.

Impact Identified: Development will likely increase transit demand in the area. However, the likely corridors for transit are TW Alexander and ACC Blvd and the area to be rezoned does not have sufficient frontage on these roads to request transit amenities.

5.3 Hydrology

<i>Floodplain</i>	City of Raleigh Floodplain present
<i>Drainage Basin</i>	Little Briar
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	none

Impact Identified: City of Raleigh floodplain exists on the site. Impacts to floodplain are subject to Part 10, Chapter 4 Floodplain Regulations. Neuse River Buffers exist on site. Impacts to buffers are subject to approval from NC DENR DWQ. Site is subject to Part 10, Chapter 9 Stormwater Regulations.

5.4 Public Utilities

	Maximum Demand (current)	Maximum Demand (proposed)
<i>Water</i>	102,000 gpd	19,125 gpd
<i>Waste Water</i>	102,000 gpd	19,125 gpd

Impact Identified: The proposed rezoning request would not impact the wastewater collection or water distribution systems of the City of Raleigh. Plans are currently being processed for the permitting of sanitary sewer and water main construction which include a new water main in the portion of T. W. Alexander Drive to be built fronting the property and the internal sanitary sewer and water mains required for the development.

5.5 Parks and Recreation

The subject tract is not located adjacent to a greenway corridor. The proposed rezoning will not impact the recreation level of service

Impact Identified: None.

5.6 Urban Forestry

Master Plan item V. H. 1. and 2. concerning tree preservation need to be updated to conform to current code. Replace H.1. and H.2. with one statement that says: "Tree conservation areas will be provided in compliance with the requirements of Raleigh City Code Section 10-2082.14." Otherwise, this condition is less restrictive than what the Code could require.

Impact Identified: V.H.1 and 2. need to be changed as requested.

5.7 Designated Historic Resources

There are no historic districts or designated landmarks on this property.

Impact Identified: None

5.8 Community Development

The subject property is not within a designated redevelopment area.

Impact Identified: None

5.9 Impacts Summary

- Potential traffic impacts.

5.10 Mitigation of Impacts

- TIA

6. Appearance Commission

This request is subject to review by the Appearance Commission and was reviewed on September 13th at the Development Review Committee. The following were suggestions from the Commission.

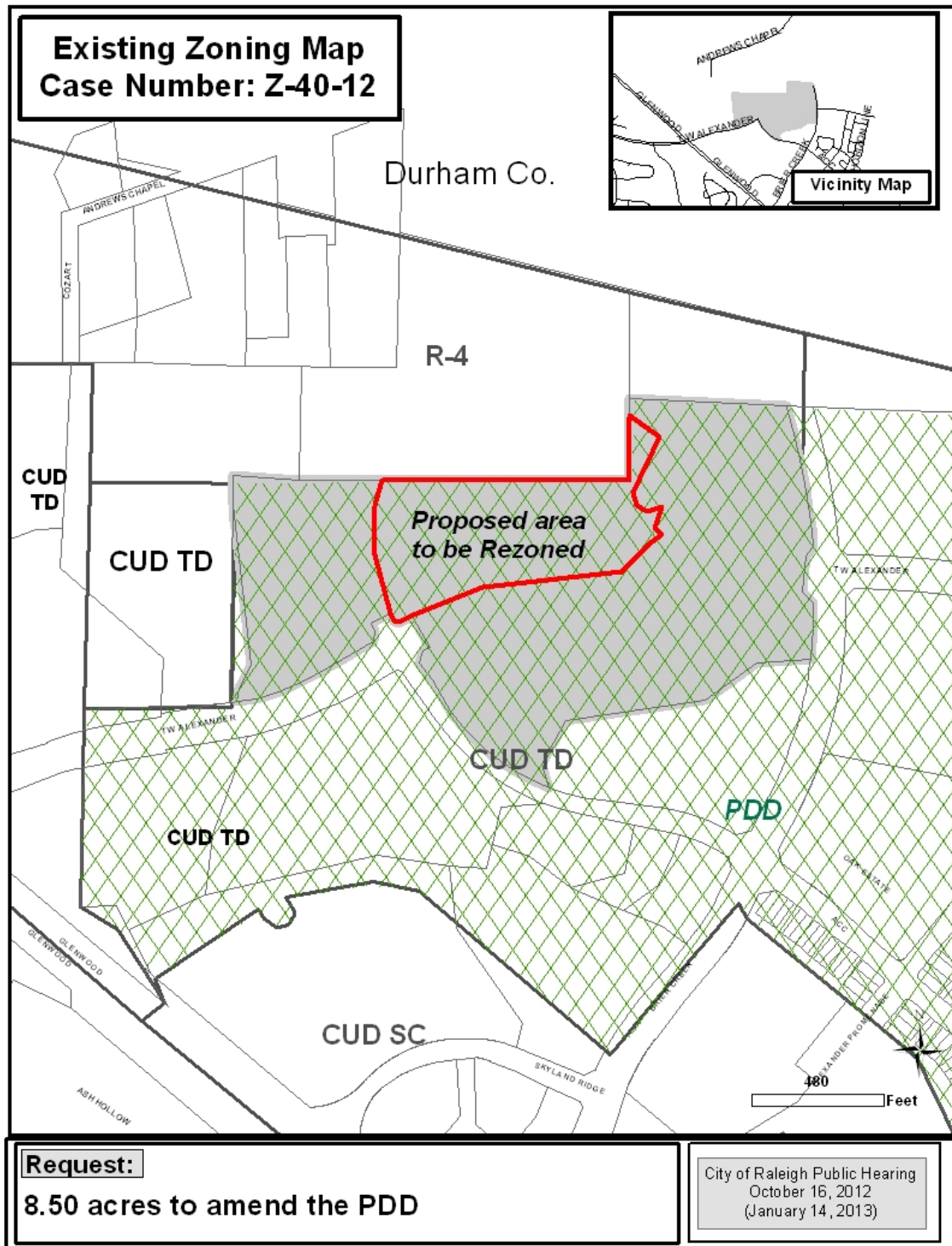
- Innovative retail design
- Focus on pedestrian and not vehicular
- Not locating building right on curb, needs pedestrian refuge
- Work on sidewalk connectivity
- Making property mixed use
- Walkability
- Avoid suburban models

7. Conclusions

The proposed rezoning request is inconsistent with the Comprehensive Plan. Amending the current Master Plan to allow retail in this location is not consistent with the Future Land Use Designation of Office & Residential Mixed Use.

While the subject property is bordered to the east, south and west by Planned Development District zoning under the same Master Plan, Residential-4 zoning is located directly adjacent to the north. While this property is eventually to be annexed into Durham through the annexation agreement, it remains to be envisioned as residential development. This being the case, the applicant should consider transitions to the lower intensity use if the subject property were to be developed as retail. The proposed rezoning request is consistent with several Comprehensive Plan policies and would provide a mix of uses within a larger mixed use area. However, the applicant should consider additional zoning conditions and Master Plan provisions to ensure compatibility with applicable Urban Design Guidelines.

Existing Zoning Map



Future Land Use Map
Case Number: Z-40-12

Durham Co.

Moderate Density Residential

Proposed area to be Rezoned

Office & Residential Mixed Use

Regional Mixed Use

Medium Density Residential

480 Feet

Request:

8.50 acres to amend the PDD

City of Raleigh Public Hearing
October 16, 2012
(January 14, 2013)



Z - 40 - 12
MP - 3 - 12

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - ☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - ☒ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - ☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - a. to lessen congestion in the streets;
 - b. to provide adequate light and air;
 - c. to prevent the overcrowding of land;
 - d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - e. to regulate in accordance with a comprehensive plan;
 - f. to avoid spot zoning; and
 - g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
	SLF RUBY JONES, LLC	7/18/2012
	Alexander Place Owners Association, Inc	7/18/2012

EXHIBIT B. Request for Zoning Change

Please use this form only -- form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s)	Phillip Wiggins The Stratford Company, L.P.	5945 Sherry Lane Suite 1750 Dallas, Texas 75225	E-MAIL: pwiggins@stratfordland.com
(for conditional use requests, petitioners must own petitioned property)			
Property Owner(s)	Phillip Wiggins The Stratford Company, L.P.	5945 Sherry Lane Suite 1750 Dallas, Texas 75225	E-MAIL: pwiggins@stratfordland.com
Contact Person(s)	JARROD EDENS, EDENS LAND CORP	2144 PAGE RD., SUITE 204 DURHAM, N.C. 27703	PHONE: (919) 706-0550 E-MAIL: jarrod.edens@edensland.com

Property information

Property D 0768-49-
8705

Nearest Major Road: T.W.
ALEXANDER
DR./ACC
BLVD.

Area of Subject Property: ~~8.00 Acres~~ 8.50 Ac.

Current Zoning: CUD TD,
PDD
OVERLAY

Requested Zoning: CUD TD,
PDD
OVERLAY
(Amended)

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

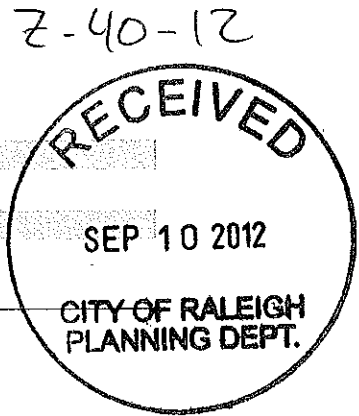
2-46-12

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

Name	Street Address	City/State/Zip	Wake Co. PIN
Creekwood Hwy. 70 Alexander, LLC	4949 Westgrove Dr. Suite 100	Dallas, Tx. 75248	0768-39-6587, 0769-30-4043
Teague-Hankins Development Corp.	8368 Six Forks Road	Raleigh, N.C. 27615	0769-40-4545
Bass, Ransdell & Ransdell as Trustees for the Charitable Lead Trust	6336 Dwight Rowland Rd.	Fuquay-Varina, N.C. 27526	0769-04-51-8233 (Durham County)
WakeMed Property Services	3000 New Bern Ave.	Raleigh, N.C. 27610	0768-48-1917
Alexander Investment Group, LLC	8310 Bradford Way	Raleigh, N.C. 27615	0768-48-8788
Alexander Office Park Condos Association Alexander Group, LLC	8310 Bradford Way	Raleigh, N.C. 27615	0768-59-2170
SLF Ruby Jones, LLC	5945 Sherry Lane Suite 1750	Dallas, Texas 75225	0768-38-3874
2052, LLC	5601 Virginia Beach Blvd	Virginia Beach, VA 23462-5630	0769-60-6043

EXHIBIT C. Request for Zoning Change

Please use this form only -- form may be photocopied. Please type or print. See instructions in *Filing Addendum*



Conditional Use District requested: CUD TD

Narrative of conditions being requested:

1. If tract is developed as Townhouse residential units, the minimum residential density shall be 6 units per acre and the maximum residential density shall not exceed 14 units per acre.
2. If tract is developed as Retail uses, maximum building square footage shall not exceed 90,000 square feet.
3. The development shall be in accordance with the Master Plan document (MP-3-12).

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

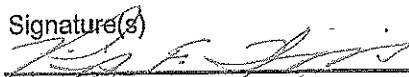

Signature(s)	Print Name	Date
	SLF RUBY JONES, LLC	9/7/2012
	ALEXANDER PLACE OWNERS ASSOCIATION, INC.	9/7/2012

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan **(www.raleighnc.gov).**

- A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:**

The recommended Land use shown on the FLUM is Office & Residential Mixed-Use. With conditions set forth in Exhibit C, the proposed amendment is consistent with the FLUM in regards to the residential density proposed in the Office Residential Mix-use category. In addition, the current and proposed CUD TD zoning district permits retail uses and would be consistent with current land use policy.

- B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.**

The property is not subject to any Area Plans or other City Council adopted plans and policies, although it is currently part of a PDD overlay district of the Glenwood Ave./T.W. Alexander Drive Master Plan, dated January 23, 2001. As part of this rezoning request, the Glenwood Ave./T.W. Alexander Dr. Master Plan is being amended to allow Medium density Residential or Retail uses on tract 122 as indicated on the Master Plan exhibit.

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

- C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").

The proposed map amendment is consistent with the Comprehensive Plan and specifically the following Comprehensive Plan policies:

LU 1.2 Interior Land Use Map and Zoning. *The proposed map amendment conditioned at a maximum of 9 dwelling units per acre is consistent with the FLUM within the Office Residential Mix-use category. The alternative land use option of retail use is consistent with the current TD zoning category.*

LU 1.2 Conditional Use District Consistency. *The map amendment and its conditions as part of a Conditional Use District (CUD) will be consistent with the Comprehensive Plan.*

LU 5.4 Density Transitions. *Low to Medium density Residential uses will serve as transitional densities between lower density neighborhoods and more intensive commercial and residential uses.*

LU 5.6 Buffering Requirements. *New development adjacent to areas of lower intensity will provide an effective physical buffer to avoid adverse effects. This can include building height and/or density step downs, tree preservation, screening and Landscape strips.*

LN 2.5 Healthy Communities. *New development would encourage healthy communities by preserving trees and providing good pedestrian and bicycle circulation. The optional retail land use component would promote walkable travel activity to neighborhood commercial services in place of auto oriented transportation.*

LU 8.1 Housing Variety. *New development will add to the housing variety in the area.*

PH 5.4 Discharge Control Methods. *New development will apply stormwater control methods which regulate discharge and are environmentally and aesthetically acceptable.*

UD 4.1 Improving Pedestrian Safety. *New development will improve pedestrian safety through site landscaping and streetscape improvements.*

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

II. Compatibility of the proposed map amendment with the property and the surrounding area.

- A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

The adjacent tracts to the north, east & west are currently undeveloped. However, there is a WakeMed Hospital and an Office development to the south of this property.

- B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

The surrounding properties include the following zoning and uses:

North- proposed PDR zoning (Durham), vacant.

East- CUD TD, vacant.

South- CUD TD, Hospital, Office uses.

West- CUD TD, Single Family Residential use.

- C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:

The proposed map amendment providing for residential or compatible neighborhood retail uses is compatible with the surrounding property future uses and character of the surrounding area. The property will provide a transition between the lower density residential to the north within the Durham ETJ and the Mixed-Use development towards the south and west of this site.

III. Benefits and detriments of the proposed map amendment.

- A. For the landowner(s):

The proposed map amendment is beneficial to the landowner in that it will allow flexibility with the range of the residential density up to 9 du/ac. or permit retail uses which fit the character and shape of the land. The current zoning and overlay district allows for residential densities 15 du/ac. and above as well as commercial uses.

- B. For the immediate neighbors:

The proposed map amendment is beneficial to the immediate neighbors in that it will provide a land use more compatible to the residential uses to the north of the site and proximity to retail and employment areas within the Mix-use development.

- C. For the surrounding community:

The proposed map amendment is beneficial to the surrounding community in that it will allow the property to be zoned in accordance with the Comprehensive Plan.

FILING ADDENDUM: Instructions for filing a petition to amend the official Zoning Map of the City of Raleigh, North Carolina

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

The rezoning would not allow any higher residential density levels, only lower residential density than what is currently allowed. With the amending of the current Master Plan, it would also provide the option to allow retail uses that would service and be beneficial to the compatibility of future residential land uses planned north of this property.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

The proposed map amendment is reasonable and in the public interest as it will allow for a better opportunity to retain the natural features of the site with low to moderate residential density or retail land uses designed to respect natural features of the site.

V. Recommended items of discussion (where applicable).

- a. An error by the City Council in establishing the current zoning classification of the property.

N/A

- b. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

When the property was last rezoned, the area surrounding the site was assumed to continue a high land use intensity which the current zoning and its land use would be compatible. Durham and Raleigh since that time adopted inter-local agreements for which jurisdictions provide water and sewer services. The properties to the north of this site will be developed at much lower levels of land use intensities as per the Durham Comprehensive Plan than what is currently planned in the Brier Creek area.

- c. The public need for additional land to be zoned to the classification requested.

N/A

- d. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

The impact on public services, facilities, infrastructure, etc. will be minimal since the use at higher density levels have already been incorporated into the design of the built systems. The proposed map amendment will allow for efficient use of the public services in place.

FILING ADDENDUM: Instructions for filing a petition to amend the official Zoning Map of the City of Raleigh, North Carolina

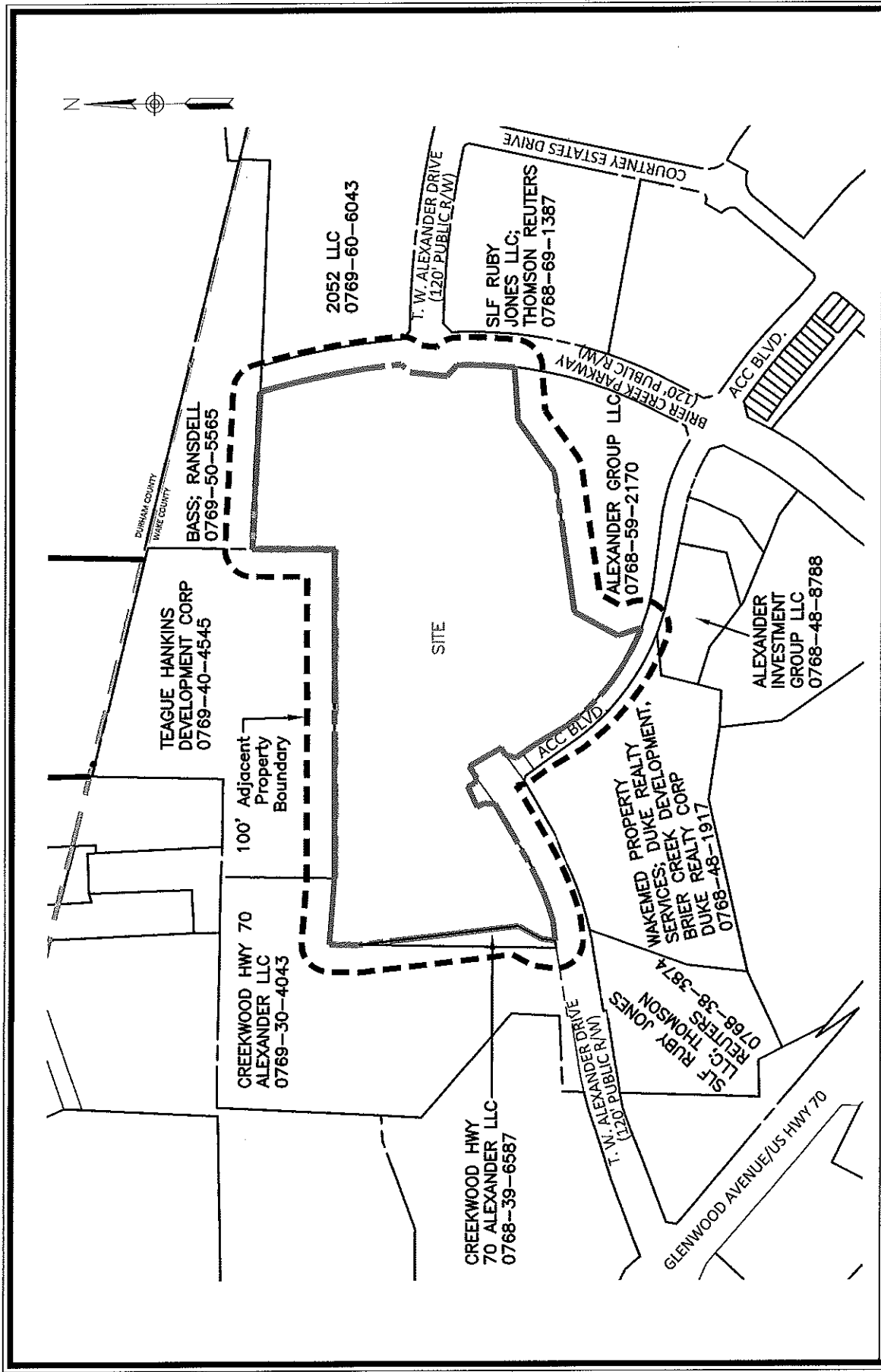
- e. How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.

The proposed map amendment advances the fundamental purposes of the N.C. enabling legislation by allowing residential density that facilitate the more efficient use of mass transit and other public services and will encourage the most appropriate use of the property.

VI. Other arguments on behalf of the map amendment requested.

None.

2-40-12
MP-3-12



EDENS[®] LAND CORP ENGINEERING • DEVELOPMENT 2144 PAGE ROAD • SUITE 204 • DURHAM, NC 27703 WWW.EDENSLAND.COM • PH: (919) 706-0550		RUBY JONES TRACT ADJACENT PROPERTY OWNERS MAP		SITE LOCATION: 7700 BRIER CREEK PARKWAY RALEIGH, NORTH CAROLINA
CHECKED BY: JBE	DRAWN BY: JSE	DATE: JUNE 15, 2012	SHEET: EX-1	SCALE: 1"=500'

Z-40-12
MP-3-12

Legal Description
Ruby Jones Tract Rezoning (Tract 122 of Master Plan)

Beginning at the southeastern corner of the Teague Hankins tract (Wake County PIN 0769-40-4545) and continuing South $89^{\circ} 56' 41''$ West for 966.34 feet to a point on the proposed right of way of ACC Boulevard extension, then South $0^{\circ} 39' 37''$ West for 29.38 feet, then along a curve of length 469.13 feet, radius 1070 feet, chord distance 465.38' and chord bearing North $11^{\circ} 54' 00''$ East to the existing right of way of ACC Boulevard, then North $65^{\circ} 28' 28''$ East for 11.14 feet, then South $25^{\circ} 14' 15''$ East for 26.32 feet, then South $66^{\circ} 11' 45''$ East for 19.76 feet, then North $59^{\circ} 59' 27''$ East for 51.63 feet, then South $30^{\circ} 00' 33''$ East for 13.78 feet to the proposed right of way of T.W. Alexander Drive extension, then along the proposed right of way of T.W. Alexander Drive extension North $59^{\circ} 41' 19''$ East for 93.73 feet, then along a curve of length 292.05 feet, radius 1120.36 feet, chord distance 291.23' and chord bearing South $67^{\circ} 09' 23''$ West, then along a curve of length 291.95 feet, radius 1202.37 feet, chord distance 291.23' and chord bearing South $81^{\circ} 34' 49''$ West, then North $88^{\circ} 56' 38''$ East for 171.25 feet to the intersection of the TW Alexander Drive extension proposed right of way and the existing stream top of bank, said point being the southeastern corner of the property proposed for rezoning, then turning northward along the stream bank, then North $45^{\circ} 50' 12''$ East for 18.62 feet, then North $56^{\circ} 01' 29''$ East for 13.99 feet, then North $18^{\circ} 37' 51''$ East for 26.07 feet, then North $12^{\circ} 17' 20''$ East for 19.37 feet, continuing along the top of bank North $19^{\circ} 37' 20''$ East for 15.92 feet, then North $41^{\circ} 28' 7''$ East for 25.96 feet, then North $00^{\circ} 23' 30''$ West for 11.70 feet, then North $33^{\circ} 27' 59''$ West for 36.79 feet, then North $00^{\circ} 4' 5''$ East for 14.32 feet, then North $51^{\circ} 55' 52''$ West for 11.95 feet, then North $6^{\circ} 5' 16''$ West for 27.96 feet, then North $09^{\circ} 01' 30''$ East for 29.98 feet, continuing along the stream bank North $41^{\circ} 27' 49''$ West for 6.60 feet, then North $83^{\circ} 7' 12''$ East for 11.63 feet, then North $66^{\circ} 40' 48''$ West for 24.49 feet, then North $39^{\circ} 53' 36''$ West for 6.94 feet, then North $14^{\circ} 39' 15''$ West for 18.55 feet, then along a curve with length 0.49 feet, radius 1.00 feet, chord length 0.49 feet, and chord bearing North $00^{\circ} 30' 20''$ West, then North $13^{\circ} 38' 35.46''$ East for 72.02 feet, then North $26^{\circ} 19' 16.93''$ West for 29.97 feet, then North $19^{\circ} 04' 48.30''$ West for 39.29 feet, then North $49^{\circ} 20' 30.88''$ West for 4.82 feet to the intersection of the stream top of bank and the eastern property line of the Teague-Hankins parcel, turning South $00^{\circ} 6' 46''$ West for 100.84 feet to the southeastern most property corner of the Teague-Hankins parcel as the beginning, said rezoning area totaling approximately 8.05 acres.

JULY 20, 2012



July 20, 2012

Mr. Stacy Barbour, A.I.C.P.
Senior Planner
City of Raleigh Department of City Planning
P.O. Box 590
Raleigh, NC 27602

Re: Master Plan Amendment
Letter of Explanation
Case #MP-1-00

Dear Stacy:

Attach is an amended Master Plan document and application for the current approved Glenwood Ave. / T.W. Alexander Drive Master Plan, case # MP-1-00. The attached proposed amendment to the approved Master Plan documents contains small modifications to the land uses for Tract 122. These changes include:

- Removing Tract 122 from Offices uses listed in section 5.A on page 5.
- Adding a new section labeled as section F, "Retail or Medium Density Residential – Tract 122" beginning on page 15.
- Updating the Land-Use summary chart to remove Tract 122 from Office uses and adds Tract 122 to the Retail use and Residential Land Use classification.
- Master Plan exhibit drawing has been revised in regard to Tract 122 land use labeling. All other aspects of the approved Master Plan document remain the same.

Should you have any questions, please call or email me at jarrod.edens@edensland.com.

Sincerely,

EDENS LAND CORP

A handwritten signature in black ink, appearing to read "JB Edens", is written over the company name.

Jarrod B. Edens, P.E.
President



**AMENDMENT TO THE MASTER PLAN
FOR A
PLANNED DEVELOPMENT DISTRICT
CASE #MP-3-12**

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

**Amended July 20, 2012
Amended August 31, 2012**

Amended August 31, 2012

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

I. INTRODUCTION

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

II. PROJECT LOCATION AND CONTEXT

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

III. THE DEVELOPMENT CONCEPT

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

IV. SUPPORT FOR REZONING TO PLANNED DEVELOPMENT DISTRICT

A. Changed Circumstances

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

The reason for this rezoning is to modify phasing and realignment of the different land uses permitted under that zoning designation. This rezoning request is filed contemporaneous with a Shopping Center CUD request on adjoining parcels. The effect of these dual filings will allow for the development of the property in a unified, yet feasible

manner. The code requires that the first 25 acres of a Master Plan be developed for non-retail uses. Given the Code's broad definition of "retail", only office and residential uses set back farther into the site would qualify as non-retail. The extension of arterial and thoroughfare roads and utilities through and past the Subject Property would be required for phasing in accordance with the master plan code requirements.

B. Developed in Harmony with the Comprehensive Plan

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

The development of the Glenwood Avenue - T.W. Alexander Drive Tract will include the extension and intersections of a secondary arterial (T. W. Alexander Drive) a minor thoroughfare (Brier Creek Parkway) and a collector (ACC Boulevard). These roadway improvements will give many commuters alternatives to Interstate 540 and U. S. Highway 70.

C. Benefits to the Community

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

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

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

A. Office and Institution - Tract 51, 52, 53, 54, 55, 56, 7, 8, 9, 111, 112, 121, and 13

1. **Uses.** The primary use anticipated for these tracts are customary office uses.

Office square footage shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1, plus or minus 10%. As for Parcels 55 and 56, the land use designations on the Land Use Summary Table provide for office and/or day care. Either or both uses shall be approved administratively provided the total square footage is within ten percent (10%) of the target shown on the Land Use Summary Table. As for Parcels 7 and 9, the Land Use Summary Table reflects both office square footage and residential density are shown. Should either tract be developed for solely one such use, the corresponding square-footage or density numbers shall govern, otherwise, such numbers shall be prorated per acre of land for mixed development in such parcel. As for Parcel 121, the Land Use Summary Table reflects both a target office square footage and a target number of hotel rooms. Should this tract be developed for solely one such use, the corresponding square-footage or hotel room numbers shall govern, otherwise, such numbers shall be prorated per acre of land for mixed development in such parcel.

- a. In the event any portion of these tracts designated for Office and Institution uses are developed for residential uses, such development shall achieve a density of no less than 15 units per acre. In the event any portion of these tracts designated for Office and Institution uses

are developed for uses other than those shown on the Land Use Summary Table, then all uses allowed within the Raleigh Office and Institution-2 zoning classification shall be permissible except for the following:

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

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

2. **Building Height Limits.** Building height maximums shall be those listed in the Land Use Summary Table.
3. **Pedestrian Orientation.** Structures may be located anywhere on the site, but a pedestrian connection must be made to link with the public sidewalk system and with the internal recreational path system outlined on sheet MP-3. It must be linked with each major pedestrian entrance to all buildings on the site, and must be made of a permanent, non-erodible surface at least 5' in width. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside of the public right-of-way within corresponding public easements.
4. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If

transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

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

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

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

- a. In the event any portion of these three tracts are developed for uses other than those shown on the Land Use Summary Table, then all uses allowed within the Raleigh Neighborhood Business zoning classification shall be permissible except for the following:

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

- (vii) Landfill
- (vii) Emergency Shelter Type A.

- b. On Tract 14, no hotel/motel uses shall be permitted, and no single retail user other than a grocery store shall exceed 20,000 square feet, gross floor area. For purposes of this section, “grocery store” shall mean a “retail sales – convenience” facility, as the same is defined in the Code, provided no less than fifty-one percent (51%) of its public square footage is devoted to the display and/or sale of food stuffs.
- 2. **Building Heights.** Building height maximums shall be those listed in the Land Use Summary Table.
 - 3. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. A pedestrian connection must be made to link with the public sidewalk system and with the internal recreational path system outlined on sheet MP-3. It must be linked with each major pedestrian entrance to all buildings on the site, and must be made of a permanent, non-erodible surface at least 5’ in width. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside of the public right-of-way with corresponding public easements.
 - 4. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If

transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

5. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein. Unity of development for Tract 14 shall share at least two (2) common elements with the unity of development for Tracts 62 and 63.

C. Single-Family Attached - Tract 61

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

- a. Church synagogue or religious education building.
- b. Library, art gallery, or museum- governmental.
- c. Utility service or substation.
- d. Private or parochial school.
- e. Recreational outdoor use- commercial.
- f. Outdoor stadium, outdoor theater, outdoor racetrack.
- g. Parking (lot, deck or garage) as a principal use for a residential institution (off site.)
- h. Free-standing telecommunications tower, not located on the roof of an occupiable building
- i. Guest house (visitor lodging)
- j. Rooming house, boarding house, lodging house, or tourist home
- k. Bed and breakfast.

2. **Townhouse Orientation.** The front entrances to dwellings built on lots abutting the southern right-of-way of ACC Boulevard shall be oriented

towards ACC Boulevard or the intersecting street as the same is shown on MP-3, hereinafter referred to as the “pedestrian street.” Such development shall achieve a minimum density of 6 units per acre (or minimum of 40 dwelling units) and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.

3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1.
4. **Pedestrian Orientation.** Principal structures must be located within 30’ of the right-of-way of ACC Boulevard as noted in VII.B. herein. All pedestrian-level front entrances must be oriented to ACC Boulevard and be linked directly with the public sidewalk system and with the “Thru-Street” outlined on sheet MP-3. A continuous row of street trees will be established along both streets abutting this tract. No direct vehicular access will be allowed from ACC Boulevard. All units will have rear-access drives. All parking areas for these units will be on the side of the building opposite ACC Boulevard. Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be provided at the intersection of the “Pedestrian Street” with ACC Boulevard.
6. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If

transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

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

D. High Density Residential - Tract 62

1. **Uses.** The intended use for this tract is high density residential consisting of approximately 630 dwelling units. All uses allowed within the Raleigh Residential-30 Zoning District shall be permissible except:
 - a. Church synagogue or religious education building.
 - b. Library, art gallery, or museum- governmental.
 - c. Utility service or substation.
 - d. Private or parochial school.
 - e. Recreational outdoor use- commercial.
 - f. Outdoor stadium, outdoor theater, outdoor racetrack.
 - g. Free-standing telecommunications tower, not located on the roof of an occupiable building
 - h. Guest house (visitor lodging)
 - i. Rooming house, boarding house, lodging house or tourist home
 - j. Bed and breakfast.
2. **Density.** Residential developments in this tract area shall achieve a minimum density of 15 units per acre, and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.
3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1.

4. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. Where abutting the “Pedestrian Street”, ACC Boulevard or Brier Creek Parkway, pedestrian level entrances for structures must be oriented to these streets and be linked directly with the public sidewalk system, the internal pedestrian pathway system and with the “Thru-Street” as outlined on sheet MP-3. A continuous row of street trees will be established along all streets abutting this tract. No direct vehicular access will be allowed from ACC Boulevard and Brier Creek Parkway, except as approved by the Transportation Department and except as shown on MP-3. All parking areas for these units will be on the side of the building opposite ACC Boulevard, the “Pedestrian Street” and Brier Creek Parkway, except for parking along access drives. (The intent is to limit parking between buildings and public streets.) Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be provided at the intersection of the “Pedestrian Street” with ACC Boulevard. All public streets to serve this site shall incorporate sidewalks on both sides of the street, however, such sidewalks may be located outside the public right-of-way within corresponding public easements.
5. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If

transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.

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

E. Assisted Living - Tract 63

1. **Uses.** The primary use anticipated on this tract is an Assisted Living Facility consisting of approximately 226 dwelling units. An “Assisted Living Facility” shall contain the open space and facilities of a Congregate Care Facility as defined by the Raleigh City Code. If not developed as an Assisted Living Facility, all uses allowed within the Raleigh O&I-2 District shall be permissible except for the following:
 - a. Cemetery.
 - b. Dance, recording, music studio.
 - c. Free-standing telecommunications tower, not located on the roof of an occupiable building.
 - d. Airfield, landing strip or heliport.
 - e. Correctional/Penal facility.
 - f. Outside stadium, outdoor theater, outdoor racetrack, outdoor movie theater.
 - g. Emergency shelters.
 - h. Power plant, electric utility substation.
 - i. Landfill.

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

2. **Density.** An Assisted Living Facility consisting of cumulative development totals for areas designated Tract 63 shall achieve a minimum density of 15 dwelling units per acre and shall comply with the *Urban Density Group Housing* standards as the same are defined herein.
3. **Building Heights.** Building heights shall be limited to those prescribed for each tract on the Land Use Summary Table found on MP-1
4. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII.B. herein. Where abutting the “Pedestrian Street”, pedestrian level entrances for structures must be oriented to this street and be linked directly with the public sidewalk system, the internal pedestrian pathway system and with the “Thru-Street” as outlined on sheet MP-3. A continuous row of street trees will be established along all streets abutting this tract. No direct vehicular access will be allowed from T.W. Alexander Drive, except as approved by the Transportation Department, and except as shown on MP-3. Special pedestrian crossing signalization and/or crosswalk design as approved by the Transportation will be provided at the intersection of the “Pedestrian Street” with T.W. Alexander Drive. On this site a

minimum of 1,000 square feet of pedestrian court area(s) must be provided with landscape amenities and seating areas conducive to pedestrian use and interaction, with appropriate focal points. This pedestrian court is to be linked directly to pedestrian entrances to structures on site and the major pedestrian linkage to the public street system, and should be a prominent feature of the site plan for the development.

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

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

F. Retail or Medium Density Residential - Tract 122

1. **Uses.** The intended uses for this parcel is either Retail or “for sale” single-family attached townhouse units.

a. In the event any portion of this tract is not developed as retail or townhouse uses, then all uses allowed within the Raleigh Office and Institution-2 zoning classification shall be permissible except for the following:

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

If Tract 122 is developed for Office uses, a maximum of 340,000 square feet will be allowed. Furthermore, if Tract 122 is developed for residential uses other than townhomes, the maximum allowable residential yield will be 340 units (40 du/ac.), subject to approval by the Raleigh Planning Commission and/or City Council at the Site Plan approval stage.

b. Hotel/motel uses may be located on Tract 122 subject to the overall hotel room limit established herein.

c. If Tract 122 is developed for commercial use, it is intended to provide up to 90,000 square feet of retail use(s) consistent with a neighborhood scale shopping area, subject to the limitations of preceding sub-paragraph (a).

d. For Tract 122, ~~hotel/motel uses shall not be permitted, and no~~ single retail user other than a grocery store shall exceed 20,000 square feet, gross floor area. For purposes of this section, "grocery store" shall mean a "retail sales – convenience" facility, as defined by City code, provided no less than fifty-one percent (51%) of its public square footage is devoted to the display and/or sale of food stuffs.

e. If Tract 122 is developed as 'for sale' single-family attached townhome units, the development shall be restricted to a minimum density of 6 units per acre (51 units) and a maximum density of 14 units per acre (119 units).

2. **Townhouse Orientation.** If Tract 122 is developed as a residential use, the front entrances to dwellings shall be oriented towards a public street, whether internal to the tract or external to proposed Del Webb Arbors Drive.
3. **Building Heights.** Building height maximums shall be those listed in the Land Use Summary Table.
4. **Pedestrian Orientation.** Structures may be located anywhere on the site, except as noted in VII-B herein. A pedestrian connection must be made to link with the public sidewalk system and with the internal recreational path system outlined on sheet MP-3. It must be linked with each major pedestrian entrance to all buildings on the site, and must be made of a permanent, non-erodible surface at least 5' in width. All public streets to serve this site shall

incorporate sidewalks on at least one side of the street; however, such sidewalks may be located outside of the public right-of-way with corresponding public easements.

5. **Transit Access.** The provision of the pedestrian link noted above shall be coordinated at the time of approval of each site plan with a transit access system for the site, to be approved by the Transportation Department. If transit stops will be provided elsewhere in the Master Plan area, pedestrian linkages will be provided to allow direct access from any structure to the transit stop utilizing on-site and public walk systems.
6. **Unity of Development.** All structures on these tracts shall conform to unity of development requirements for the overall Master Plan area as defined herein.

G. STANDARDS APPLICABLE TO ALL SECTIONS

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

combination of elements such as wall and roof treatments, roof pitch, window fenestration, building colors, signage, and landscaping.

2. **Transitional Protective Yards.** Transitional Protective Yards will be provided where required by the City of Raleigh's landscape ordinance on the boundaries of the site. Transitional Protective Yards within the site will be provided based on the highest land use specified in the master plan except where the differing land uses are separated by a public street. Staff may approve alternative means of compliance on a case-by-case basis where shared parking, shared access or private streets separate designated land uses on the master plan. Such alternative means may take into account the mixed-use and pedestrian friendly nature of this development project which encourages divergent uses to be located adjacent to one another without transition, but shall achieve, as a minimum, a Type-D transitional protective yard, or its equivalent. Where multiple uses are allowed in the master plan, 1/2 the width and planting requirements of transitional protective yards on developing tracts must be provided adjacent to vacant tracts anticipating the highest impact land use allowed in the master plan on the vacant tract.
3. **Landscape Maintenance and Location.** A property owners association will be established to maintain all common areas, open space and all planting islands located within public street rights-of-way. Required street yard plantings along any zero-setback street may be installed in the right-of-way. Encroachment agreements must be approved by the City Council prior to

approval of planting plans for these facilities, where used. Any tree planting requirement under Progress Energy right of way shall be satisfied through alternate means of compliance acceptable to the power company and the city, as per normal City policies.

4. **Internal Pedestrian Pathway.** A sidewalk, bike trail or pedestrian way as shown on MP-3 shall connect to all public and private sidewalks and pedestrian crossings shown in the Master Plan, or in a similar location as authorized by the Raleigh Director of Transportation. Except for the Raleigh Greenway, pathways shall be constructed by the developer of each individual tract and shall be constructed in accordance with the Phasing Plan noted herein.
5. **Stormwater Management.** Except for land that drains directly into a FEMA mapped watercourse, stormwater runoff shall not exceed R-4 levels for the 2-year and 10-year storms.
6. **Annexation Phasing.** Property Owners will submit voluntary annexation petitions prior to the issuance of any building permits, based upon the Phasing Plan noted herein.
7. **Right-of-Way Reimbursements.** Notwithstanding the foregoing, there shall be no reimbursement for right-of-way necessary for the relocated ACC Boulevard east of Brier Creek Parkway.
8. **Transit Access.** Property owners will make available to the City and/or TTA sites for transit stops in no less than two (2) locations throughout the PDD

area. Locations of such sites to be determined prior to issuance of building permits for the parcels on which they are to be located.

9. **Residential Development in TD Zone.** Any residential development, as permitted herein, may be constructed on tracts smaller than 10-acres.
10. **Street Interconnectivity.** The city's policy of street interconnectivity in residential developments may be achieved with public and/or private through streets, as shown on MP-3.
11. **Visibility from Rights-of-Way.** Building rears which are visible from public rights-of-way will be of similar materials and architectural design and features as the building front.
12. **Mixed-Use Buildings.** Nothing contained herein shall prohibit the development of a mixed use building (vertical or horizontal) wherein residential, office, retail, or other uses are combined. It is the expressed intent of the applicant to incorporate mixed use buildings throughout the Master Plan area wherever practical. It is understood that any vertical mixed use building will justify exceeding the maximum square footage for such parcel as shown on the Land Use Summary Table. A vertical mixed use building is a building of more than a single occupied floor and containing more than a single land use. A horizontal mixed use building is a single story building containing more than a single land use.

13. **Maximum Number of Hotel Rooms.** Notwithstanding anything herein to the contrary, the maximum number of hotels rooms permitted in the Master Plan area as defined herein shall be six hundred (600).
14. **Public Facility.** A minimum of one (1) site shall be reserved for five (5) years and made available to the City of Raleigh for use as a fire station, police station, or other such similar public need. Such site shall be located in the area of Parcels 5 or Parcel 14. The reservation described herein shall be from the date of administrative approval of the site plan on which such reserved site is identified. The site may be a tract of land no less than 1 acre in size, or may be leased space within a structure incorporating the neo-traditional pedestrian-friendly environment described by this Master Plan. The site would be provided to the City of Raleigh at 90% of its appraised fair market value. In addition to the public safety facility referred to above, should it be determined by the proper authorities that a site along Brier Creek is appropriate for a regional stormwater impoundment facility, such a site, not to exceed the boundaries of the designated open space as shown on map MP-1, would be provided to the City of Raleigh at 90% of its appraised fair market value.
15. **Floodplains.** No development shall be permitted in the floodplains as the same are shown on MP-1, except for installation and maintenance of public and private street crossings, pathways, bridges, utilities, stormwater management facilities, or pedestrian furnishings. Excluding disturbance for

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

H. Group Housing Alternative Designs

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

1. **Tree preservation:** Tree conservation areas will be provided in compliance with the requirements of Raleigh City Code Section 10-2082.14 unless otherwise stated under section 6.C, “Streetscapes and Streetyards” of the Master Plan document.
2. **Building to Building Relationships:** Building to building relationships (distance) may be reduced by 25%, subject to NC Building Code restrictions, and Fire Department access requirements. Front yards may be reduced so that the minimum front yard shall be the same as noted in Table 1 above, in order to achieve the City’s Comprehensive Plan objective of urban scale development in the Regional Center area.

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

A. Streets

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

1. City administration may approve provisions for traffic calming devices, including traffic circles, on a case by case basis at the subdivision approval stage. Any such variation will be approved only if the public interest is served and provisions for emergency service vehicles are fulfilled, as shown on MP-3 of approved Master Plan case #MP-1-00.
2. The ~~attached~~ Diagrams 1a, 1b, and 1c show alternative street designs which may be employed as noted on MP-3 of MP-1-00, excluding T.W. Alexander Drive, ACC Boulevard, and Brier Creek Parkway.

B. Pedestrian Circulation

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

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

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

C. Streetscapes and Streetyards

1. **Streetscapes**

The streetscapes for the streets in the master plan area shall conform to the minimum street yard and tree planting and preservation standards set forth in Tables 1 and 2 below. In addition to these tree plantings, streetscapes may include additional vegetation, pedestrian furnishings, and/or other hardscape features subject to standard City encroachment agreements if on public rights-of-way. MP-3 shows alternative designs which may be implemented for the pedestrian street.

Streetyard Tree Planting & Preservation Standards

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

* Flowering, understory, or evergreen trees/shrubs may be substituted for shade trees in confined areas.

Note. Parking areas shall be screened/filtered according to conditions herein and city landscape ordinance.

Table 1

2. Streetyards

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

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

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

* Note. Does not apply to Shopping Center CUD.

** Note. See Tree Planting Standards (Table 1) for Pedestrian Street

Table 2.

VII. SETBACKS AND BUILDING ORIENTATION.

A. Building Setbacks. Minimum building setbacks shall be as shown in Table 3

below.

From Streets	Building Setback Table Land Use			
	Residential	Office/Institutional	Retail	Other
US Highway 70	50	50	50	50
T.W. Alexander Drive	15	15	15	15
ACC Boulevard	10	10	10	10
Brier Creek Parkway	15	15	15	15
Pedestrian Street	0	0	0	0
Other Public Streets	10	10	10	10
Private Streets	5	5	5	5
From Interior Lot Lines	5	5	5	5
Perimeter Lot Lines	Defaults to minimum protective yard width, or 10' if no transitional protective yard is required.			

Table 3

B. **Building Orientation Along Certain Rights-of-Way.**

1. **ACC Blvd. Eastern Portion**

Seventy (70%) percent of the frontage along the residential portion of ACC Boulevard, east of its intersection with Brier Creek Parkway, shall be fronted by buildings or other similar structures designed to continue the edge created by the other buildings. The closest part of such buildings shall be no more than thirty (30') feet from the right-of-way of ACC Boulevard. Such buildings shall be spaced not more than 60 feet apart, excluding drives and/or rights-of-way. The intent of these standards is to create a pedestrian friendly area which places buildings close to the streets which serve them and locates parking on the side of such buildings opposite of the right-of-way. Because the non-residential portion of ACC Blvd is separated from the residential portion by Brier Creek and related open space, the standards listed above shall not apply to Tracts 52, 53 and 54.

2. **ACC Blvd. Western Portion**

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

shall not apply to residential developments containing buildings of 4 stories or more and which do not utilize the Urban Density Group Housing Standards set forth herein.

3. **Pedestrian Street**

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

Due to the unique needs of Assisted Living Facility residents, if this land use is located on Tract 63, buildings may be set back further from the right-of-way, up to an additional 30 feet, and building separations may be increased to 120', exclusive of drives and rights-of-way.

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

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

4. **Brier Creek Parkway**

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

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

VIII. PHASING

The Glenwood Avenue - T.W. Alexander Drive Master Plan shall be executed in phases primarily determined by market conditions. The phasing is subject to change based upon market

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

IX. ANNEXATION

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

X. ROAD DEPICTIONS

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

XI. AMENDMENTS

As long as the parties who have submitted this application own property within the Master Plan area, only these parties shall have the right to petition for changes to the master plans, but only to the extent the plan affects their properties. The owners association created to own and maintain the common open space and landscape amenities must join in all other amendments to the Master Plan. Any amendment to the Master Plan that requires re-hearing must include the signatures of all property owners affected.

- A. **Administrative Changes.** Staff will approve site plans for all uses in this development, as well as unity of development plans and landscape plans for street rights-of-way. Staff may approve minor changes in the acreage and location of development tracts, as determined by the Planning Director. Staff may approve expansions or reductions in square footage or number of units up to a maximum expansion of 10% in any development tract, as long as the overall development intensity throughout the development remains the same and is noted on a revised land use summary, but may not approve any change in land uses from that designated on the land use summary included in the master plan, unless a site plan is first approved by the City Council after a recommendation is made by the Planning Commission. Staff may not approve any expansion of any retail area. Staff may approve changes in public street and collector locations, driveway access points, and

- C. **City Council Changes.** The City Council or Planning Commission (depending on whether the proposed use is designated for City Council or Planning Commission approval in City Code Section 10-2132.2), will approve site plans for development tracts under the procedures in 10-2132.2 where a change in land use or an expansion of greater than 10% is proposed in a development tract. The City Council, after a recommendation by the Planning Commission, shall approve any hotel use that exceeds 600 units, and shall approve any substantial change in location or any expansion or reduction of retail areas as determined by the Planning Director. City Council and the Board of Adjustment will approve all Special Use Permits that may be required for uses within the Master Plan area. City Council, after a recommendation from the Planning Commission, shall approve any change in the Master Plan not addressed above.

LAND USE SUMMARY

PDD

TRACT	LAND USE CLASSIFICATION	ACREAGE	OPEN SPACE, BUFFERS, FLOOD PLAIN & WETLANDS	NET USABLE ACREAGE	NUMBER OF ROOMS/UNITS	SQUARE FOOTAGE	BUILDING HEIGHT	DENSITY (DU/AQ)
	RESIDENTIAL							
62	HIGH DENSITY RESIDENTIAL	38.51	4.04	34.47	630		100 FT	18.36
9	HIGH DENSITY RESIDENTIAL/OFFICE	8.36	1.45	6.91	160	(100,000 ALT.)	300 FT	19.14
63	MATURE LIVING/CONGREGATE CARE	8.00	0.66	7.34	226		200 FT	28.25
		54.87	6.15	48.72	1016			
122**	MEDIUM DENSITY RESIDENTIAL	(8.50)	(0.47)	(8.03)	(51-119)		(45 FT)	(6-14)
		(63.37)	(6.62)	(56.75)	(1067-1135)			
	INSTITUTION/CIVIC							
55	DAYCARE	5.17	2.77	2.40		9,800	75 FT	
56	DAYCARE	7.13	3.17	3.96		16,000	75 FT	
		12.30	5.94	6.36		25,800		
	OFFICE							
51	OFFICE	8.22	2.25	6.97		84,750	100 FT	
52	OFFICE	2.19	1.05	1.14		20,250	75 FT	
53	OFFICE	7.17	1.74	5.43		59,000	100 FT	
54	OFFICE	4.21	1.28	2.93		18,500	75 FT	
7	OFFICE	28.10	4.82	23.28	(420 ALT.)	315,000	300 FT	
8	OFFICE	6.45	1.90	4.55		73,000	300 FT	
111	OFFICE (HOSPITAL)	12.28	3.87	8.41		133,000	300 FT	
112	OFFICE	6.21	1.24	4.97		110,000	300 FT	
121	OFFICE OR BUSINESS HOTEL	7.64	3.09	4.55	(150 ALT.)	46,200	300 FT	
13	OFFICE	7.74	0.70	7.04		101,000	300 FT	
		90.21	21.94	70.27		1,075,700		
122**	OFFICE OR BUSINESS HOTEL	(8.50)	(0.47)	(8.03)	(340 ALT.)	(115,000)	(300 FT)	
		(98.71)	(22.41)	(78.30)		(1,190,700)		
	COMMERCIAL							
1	RETAIL	6.65	3.16	3.49	150		75 FT	
10*	HOTEL/RETAIL	14.03	3.22	10.81		22,000	60 FT	
14	VILLAGE RETAIL	9.71	0.00	9.71		84,800	60 FT	
122**	RETAIL	8.54	0.47	8.07		90,000	60 FT	
		38.93	6.85	32.08		196,800		
	SC CUD							
	COMMERCIAL							
2	RETAIL	18.84	3.21	15.63		110,600	75 FT	
3	HOTEL/RETAIL	8.02	0.00	8.02	100	47,500	75 FT	
4	COMMERCIAL	46.95	3.11	43.84		524,000	75 FT	
61	TOWNHOMES	6.19	0.00	6.19	45		50 FT	
		80.00	6.32	73.68	145	682,100		7.27
PROJECT								
	PDD TOTALS	196.31	40.88	155.43				
	SC CUD TOTALS	80.00	6.32	73.68				
	STREET RIGHTS-OF-WAY	32.03						
	GROSS PROJECT AREA	308.34						

*NOTE: 1) PARCEL 10 MAY BE A MIXED USE ITE AND BE DEVELOPED WITH 12,000 SF RETAIL AND 72 DWELLING UNITS OR DEVELOPED WITH 12,000 SF RETAIL AND 32,000 SF OFFICE. **NOTE 2) IN ADDITION TO ALL USES ALLOWED IN THE O&I-2 ZONING DISTRICT, PARCEL 122 MAY BE DEVELOPED AS RESIDENTIAL, OFFICE, HOTEL OR RETAIL USES. THE SUMMARY CHART REFLECTS THE TOTAL FOR EACH TYPE OF USE ON TRACT 122 DEPENDING ON THE OPTION SELECTED BY THE DEVELOPER.

MEMORANDUM

TO: Neighborhood Meeting Attendees

FROM: Jarrod B. Edens, P.E.
Edens Land Corp

DATE: June 14, 2012

RE: Neighborhood Meeting Summary

On June 13, 2012, a neighborhood meeting was held at the Brier Creek Community Center to discuss an upcoming rezoning request to be filed with the City of Raleigh. The rezoning will be for the following parcel:

7700 Brier Creek Parkway (PIN 0768-49-8705) – 40.55 acres

The meeting began at 7pm with one (1) individual attending. The following is a summary of the meeting:

- Randy King of Pulte Homes gave a brief presentation summarizing the planned development. Specific items mentioned during the presentation were:
 - Location of the project
 - Planned development (townhomes at a maximum density of 9 units / acre)
- Following the presentation there were no questions from the audience.

The meeting ended at approximately 7:15 pm.

Please feel free to contact me at (919) 706-0550 or by email at jarrod.edens@edensland.com if you have any questions.

