

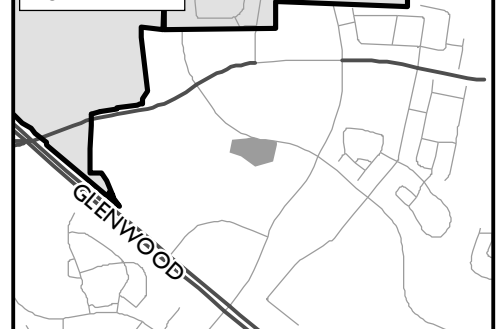
**Submittal
Date**

12/1/2015

Request:

**2.32 acres from
CUD TD w/PDD
to CX-7-PL-CU**

VICINITY MAP





*City of Raleigh
North Carolina*

TO: Ruffin L. Hall, City Manager

FROM: Charles Dillard, Planner II
Ken Bowers, AICP, Director, Department of City Planning

Copy: City Clerk

DATE: February 4, 2016

Re: City Council agenda item for February 16, 2016 – Rezoning Public Hearing for Z-44-15

The City Council has authorized the following case for Public Hearing at its meeting the afternoon of February 16, 2016:

Z-44-15 ACC Blvd., south side, west of intersection with Brier Creek Pkwy, being Wake County PIN 0768488788. Approx. 2.32 acres are requested by GHTD Brier Creek LLC to be rezoned from Conditional Use Thoroughfare District, with PDD (CUD TD w/PDD) to Commercial Mixed Use – 7 stories – with Parking Limited Frontage and Conditions (CX-7-PL-CU). Conditions limit vehicle trips generated by uses on the property, require the recordation of a trip allocation covenant, and prohibit certain uses. (Staff Contact: Charles Dillard, charles.dillard@raleigh.nc.gov, 919-996-2651)

The Planning Commission recommends approval of this request (8-0 vote)

The Northwest CAC voted in favor of the case (9-0 vote)

Attached is the Planning Commission Certified Recommendation (including Staff Report).



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-44-15 7921 ACC Boulevard

<i>Location</i>	South side, west of intersection with Brier Creek Parkway Address: 7921 ACC Blvd. PIN: 0768488788
<i>Request</i>	Rezone property from CUD TD w/PDD to CX-7-PL-CU
<i>Area of Request</i>	2.32 acres
<i>Property Owner</i>	GHTD Brier Creek LLC
<i>Applicant</i>	Isabel Worthy Mattox PO Box 946 Raleigh, NC 27602
<i>Citizens Advisory Council (CAC)</i>	Northwest Jay Gudeman, Chairperson jay@kilpatrickgudeman.com
<i>PC Recommendation Deadline</i>	April 25, 2016

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Regional Mixed Use
<i>URBAN FORM</i>	City Growth Center
<i>CONSISTENT Policies</i>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 2.6 – Zoning and Infrastructure Impacts Policy EP 2.5 – Protection of Water Features
<i>INCONSISTENT Policies</i>	None

Summary of Proposed Conditions

1. Prohibits a number of otherwise permitted uses
2. Limits development intensities to amounts determined by a trip budget

Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>
11/12/2015	Northwest 1/12/2016 Y - 9 N - 0	1/26/2016		

☐ **Valid Statutory Protest Petition (Date Filed:)**

Attachments:

1. Staff report
2. Conditions

Planning Commission Recommendation

<i>Recommendation</i>	Approve with conditions. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	<ul style="list-style-type: none"> • The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. • The proposed rezoning is reasonable and in the public interest. The proposal would allow for the development of a mix of uses consistent with the Urban Form Map. • The proposal is compatible with the surrounding area. Conditions provide a range of measures to mitigate impacts on adjacent and surrounding uses, from limits on uses to limits on development intensities.
<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
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Staff Coordinator: Charles Dillard: (919) 996-2651; charles.dillard@raleighnc.gov



Zoning Staff Report – Z-44-15

Conditional Use District

Case Summary

Overview

The subject site is composed of one 2.32 acre parcel on the south side of ACC Blvd, approximately 400 feet west of its intersection with Brier Creek Parkway. The site is currently occupied by the Triangle Orthopaedics Surgery Center. The site slopes precipitously from the southern edge of the existing development and parking lot. The lower portions of the site, along its western and southern borders, are relatively undisturbed. A small stream runs along the site's western edge.

The site is located within the large Brier Creek City Growth Center, as identified on the Urban Form Map. A GoRaleigh route 70X bus stop is located approximately one-fifth of one mile from the site. The proposal's offer of Parking Limited frontage is in keeping with the Comprehensive Plan's vision for City Growth Centers, and promotes a reasonable degree of walkability in a fast-growing area of the city.

The site is at the northern edge of an area designated Regional Mixed Use on the Future Land Use Map. Across ACC Blvd. is an area designated for Office and Residential Mixed Use. The proposed use is consistent both with its own FLUM designation, as well as that of the properties to the north.

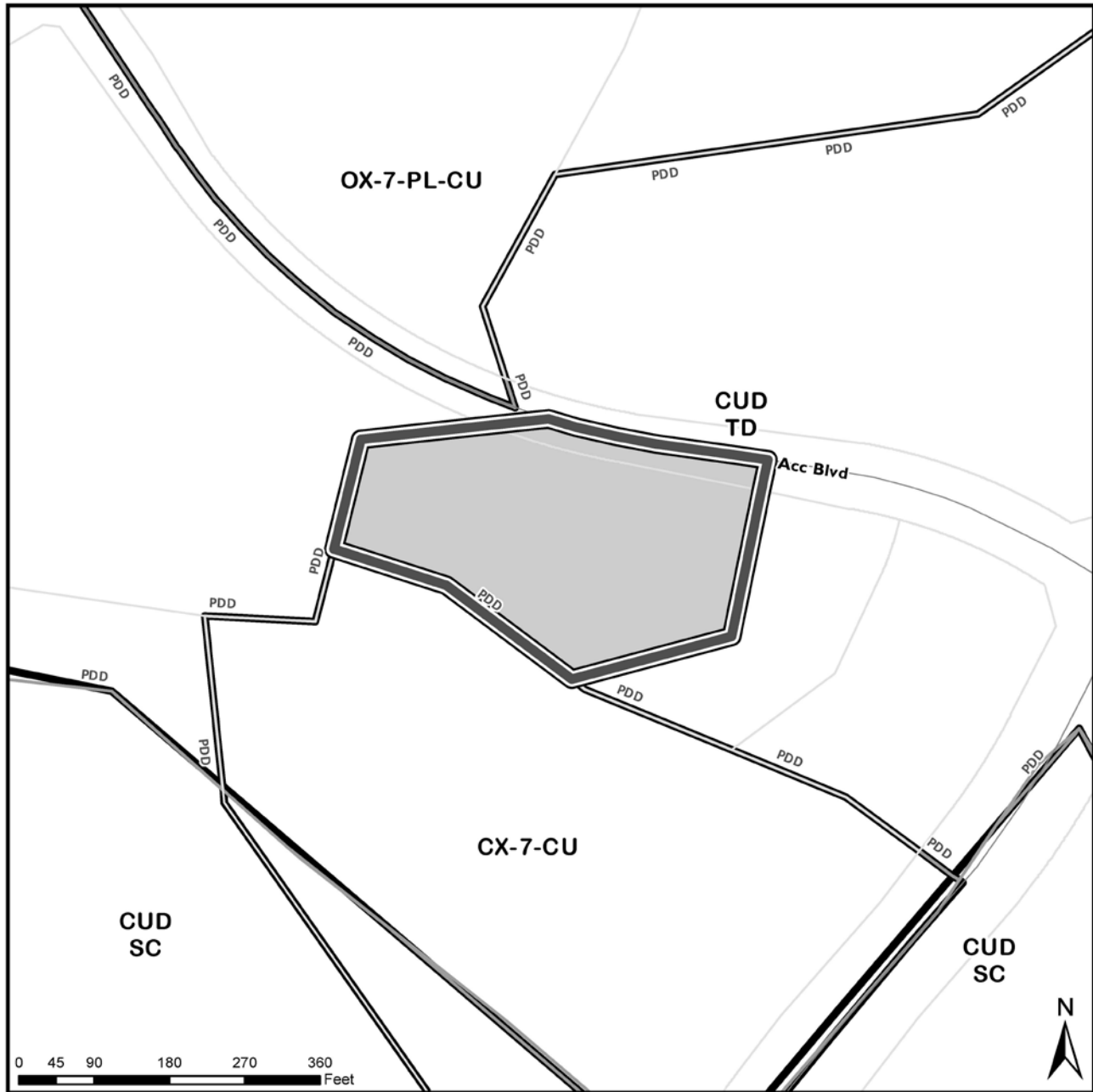
The Planning Commission approved on October 27, 2015, an application to remove the site from the Alexander Place Planned Development District (PDD). The application was made to provide greater flexibility of site use and development. The site will remain in the PDD until it is formally rezoned.

Outstanding Issues

<i>Outstanding Issues</i>	<i>Suggested Mitigation</i>
1. Sewer and fire flow matters may need to be addressed upon development.	1. Address sewer and fire flow capacities at the site plan stage.

Existing Zoning Map

Z-44-2015

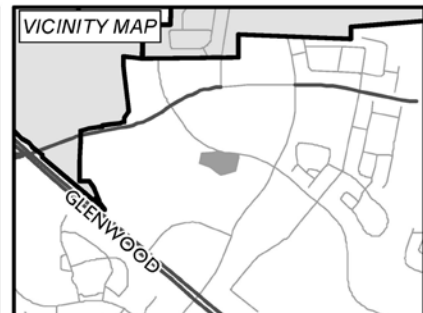


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Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	CUD TD	CUD TD	CX-7-CU	CUD TD	CUD TD
<i>Additional Overlay</i>	PDD (Alexander Place)	PDD (Alexander Place)	PDD (Alexander Place)	PDD (Alexander Place)	PDD (Alexander Place)
<i>Remapping (Eff. 2/14/16)</i>	PD	PD	No Change	PD	PD
<i>Future Land Use</i>	Regional Mixed Use	Office & Residential Mixed Use	Regional Mixed Use	Regional Mixed Use	Office & Residential Mixed Use
<i>Current Land Use</i>	Surgical Facility	Office	Vacant	Retail	Office/Vacant
<i>Urban Form (if applicable)</i>	City Growth Center	City Growth Center	City Growth Center	City Growth Center	City Growth Center

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	---	168 units/acre
<i>Setbacks:</i>		
<i>Front:</i>	50'	5'
<i>Side:</i>	20'	0' or 6'
<i>Rear:</i>	20'	0' or 6'
<i>Retail Intensity Permitted:</i>	11,570 sq. ft.	48,000 sq. ft.
<i>Office Intensity Permitted:</i>	---	100,000 sq. ft.

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
<i>Total Acreage</i>	2.32	2.32
<i>Zoning</i>	TD CUD w/PDD	CX-7-PL-CU
<i>Max. Gross Building SF (if applicable)</i>	11,570 sq. ft.	100,000 sq. ft. (Office Use only scenario)
<i>Max. # of Residential Units</i>	---	390
<i>Max. Gross Office SF</i>	---	100,000 sq. ft.
<i>Max. Gross Retail SF</i>	11,570 sq. ft.	48,000 sq. ft.
<i>Max. Gross Industrial SF</i>	---	---
<i>Potential F.A.R.</i>	---	0.99

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

The proposed rezoning is:

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

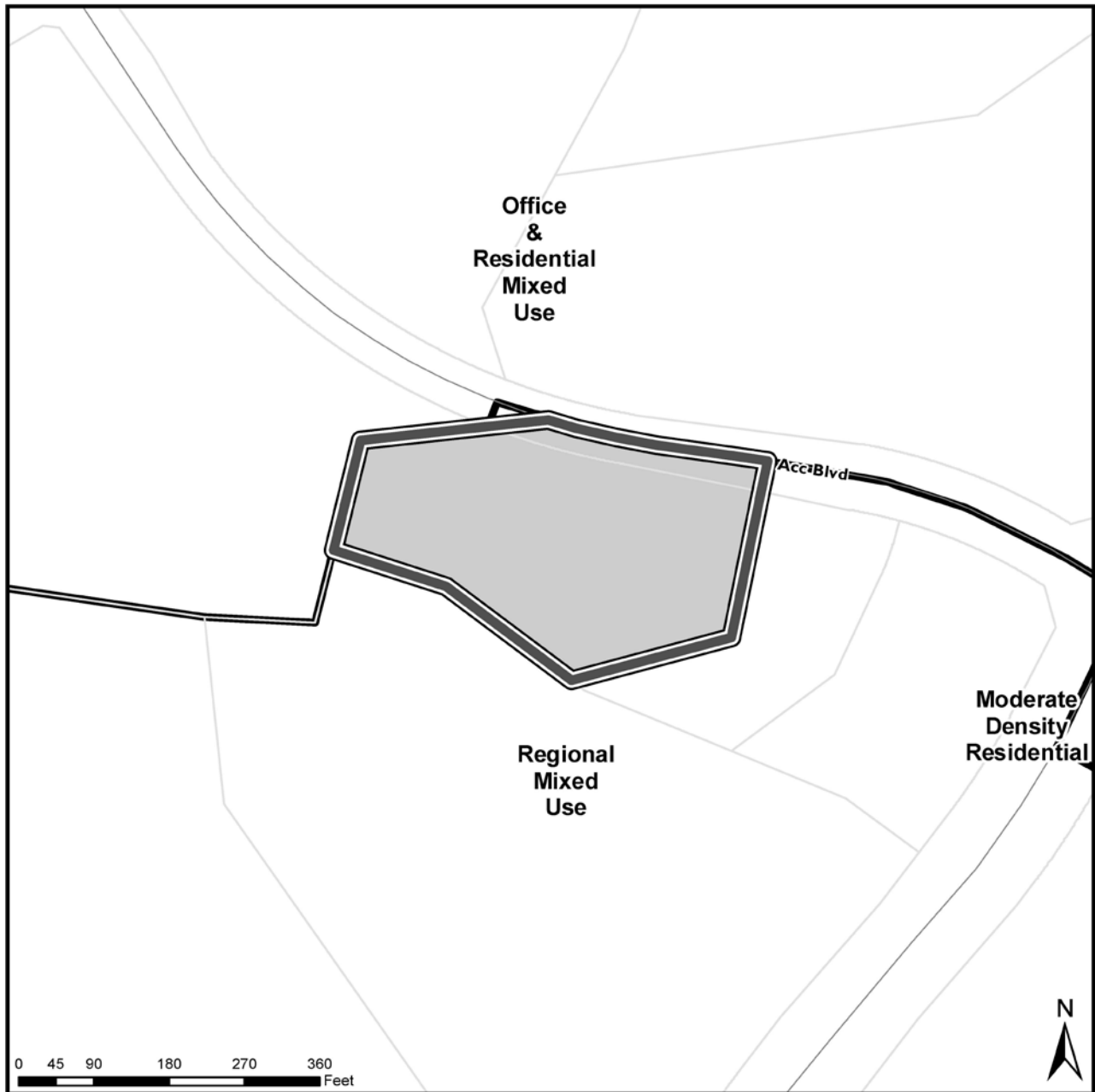
☐ **Incompatible.**

Analysis of Incompatibility:

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Future Land Use Map

Z-44-2015

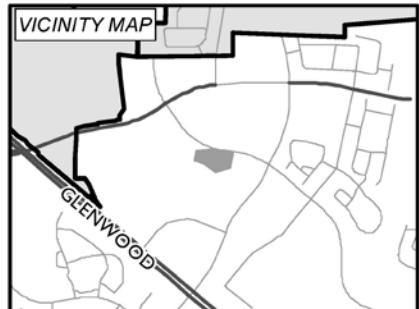


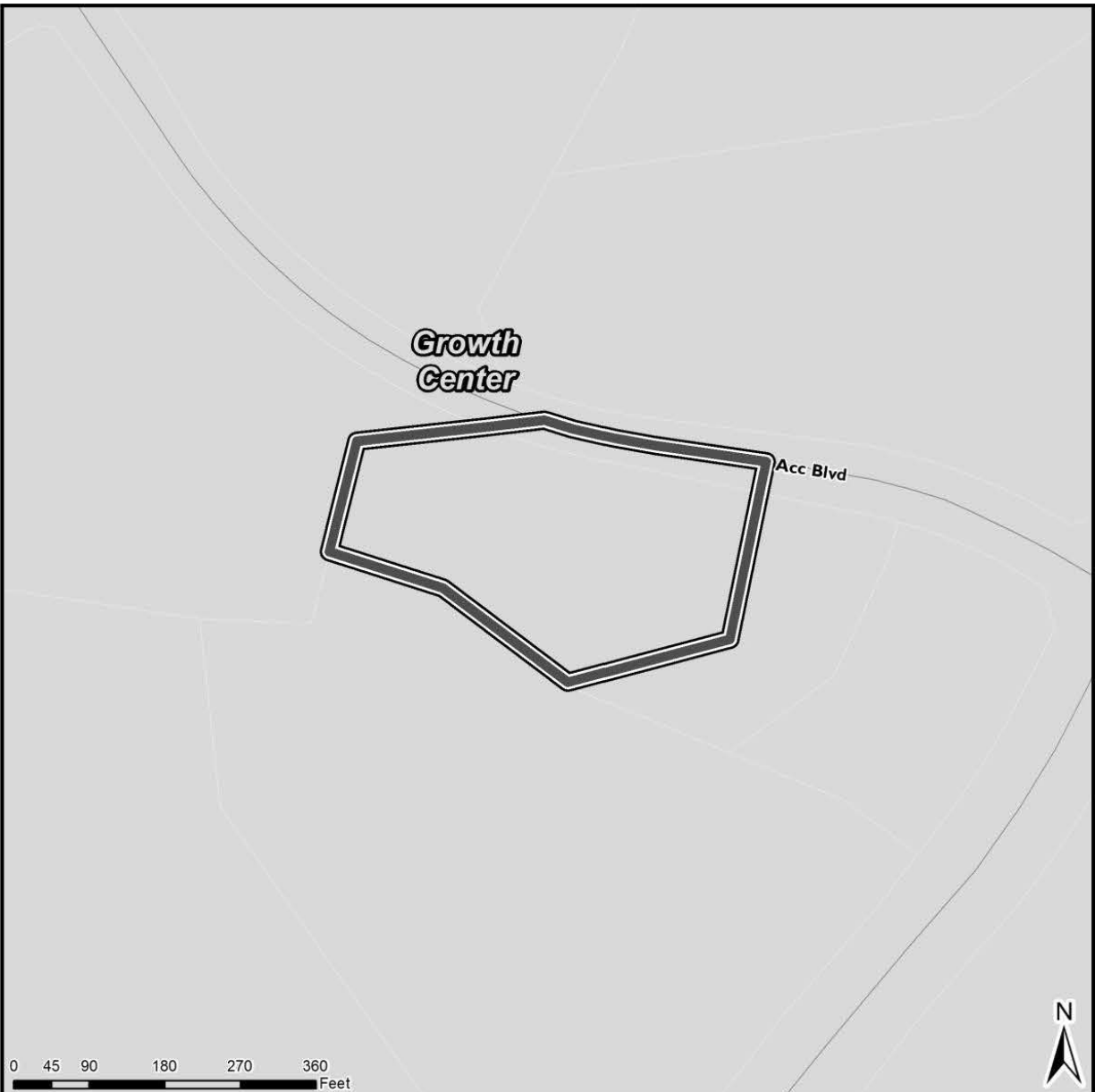
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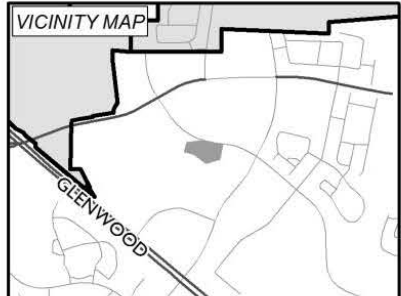


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2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

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

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with the vision, themes, and policies contained in the Comprehensive Plan. The proposal would allow uses that are designated on the Future Land Use Map (FLUM) for this site. Furthermore, the existing medical facility falls under the service and office use categories outlined in the Comprehensive Plan for Regional Mixed Use areas on the FLUM. The proposal's offer of Parking Limited frontage (-PL) is consistent with the Urban Form Map designation for the property and promotes a degree of walkability in the urbanizing Brier Creek area.

City infrastructure and services appear sufficient to accommodate the redevelopment possible under the proposed rezoning. However, upon site plan review and prior to development, the developer may be required to submit a sanitary sewer capacity study, and will be required to verify water fire flow capacity.

2.2 Future Land Use

Future Land Use designation: Regional Mixed Use

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

2.3 Urban Form

Urban Form designation: City Growth Center

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

The rezoning request is:

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

☐ **Inconsistent**

Analysis of Inconsistency:

2.4 Policy Guidance

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

2.5 Area Plan Policy Guidance

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

The proposal is not in an area studied in an Area Plan

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The proposal would allow for a range of uses that are consistent with the Future Land Use Map (FLUM) designation for the property
- The proposal allows for the expansion of an existing medical facility, a use designated for the site on the FLUM
- The proposal allows for flexibility in future development plans
- The proposal's offer of Parking Limited frontage promotes a degree of walkability in an increasingly urban Brier Creek area
- The proposal limits development to intensities that would not unduly encumber existing transportation networks
- The proposal prohibits a number of uses that have the potential to cause undue impacts on the surrounding community.

3.2 Detriments of the Proposed Rezoning

- The proposed condition limiting development intensities based on a trip budget, though legally permitted, is potentially difficult to enforce and is not a preferred mode of limiting density from the perspective of Office of Transportation Planning staff.

4. Impact Analysis

4.1 Transportation

1. The Z-44-2015 site is located on the south side of ACC Boulevard between Brier Creek Parkway and TW Alexander Drive. ACC Boulevard is maintained by the City of Raleigh.

This segment of ACC Boulevard currently has a two-lane, divided (TWLTL) cross section with curb, gutter and sidewalks on both sides. ACC Boulevard is classified as a mixed-use street in the UDO Street Plan Map (Avenue, Two-Lane, Divided).

2. There are no CIP projects planned for ACC Boulevard; there are no state STIP projects for ACC Boulevard in the vicinity of the Z-44-2015 site. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D.
3. Site access is limited to ACC Boulevard. In accordance with the Raleigh Street Design Manual section 6.5.3., driveways accessing an Avenue, Two-Lane, Divided street must be spaced 200 feet apart centerline to centerline. The block perimeter bounded by the rights-of-way for ACC Boulevard, Skyland Ridge Parkway, Glenwood Avenue and TW Alexander Drive is greater than 6,800 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for CX-7 zoning is 2,500 feet. This site does not lie within a 1/2 mile buffer for future fixed-guideway transit.
4. Approval of case Z-44-2015 would add 2,108 vehicles per day and 149 AM peak hour trips to the adjacent street network. A traffic impact analysis report is not required for Z-44-2015.

Impact Identified: Block Perimeter exceeds UDO maximum

4.2 Transit

1. This section of ACC Boulevard is not currently served by transit.
2. GoRaleigh Route 70x Brier Creek Express operates on ACC Blvd to the east of Brier Creek Pkwy.
3. There is a Route 70x stop on Alexander Promenade PI beside the Kohls.

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	City of Raleigh Flood Study #348
<i>Drainage Basin</i>	Little Briar
<i>Stormwater Management</i>	Article 9.2 of UDO
<i>Overlay District</i>	none

Impact Identified: No impacts identified

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	29,000 gpd	125,000 gpd
<i>Waste Water</i>	29,000 gpd	125,000 gpd

1. The proposed rezoning would add approximately 96,000 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the property.
2. The developer may be required to submit a downstream sanitary sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with and prior to the proposed development being constructed.

3. Verification of available capacity for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required.

Impact Identified: Additional sewer capacity analysis may be required upon development; fire water flow capacity analysis will be required prior to issuance of building permit.

4.5 Parks and Recreation

1. There are no planned or existing greenway trails, connectors or corridors within the site. Nearest trail access is Hare Snipe Creek Trail, 6.95 miles.
2. Recreation services are provided by Brier Creek Community Center, 2.4 miles.

Impact Identified: None

4.6 Urban Forestry

1. Tree conservation areas are recorded in BM 2012 page 595 and are to remain undisturbed.

Impact Identified: None.

4.7 Designated Historic Resources

The site is not located within or adjacent to a National Register Historic District and/or Raleigh Historic Overlay District. It does not include or is adjacent to any National Register individually-listed properties and/or Raleigh Historic Landmarks.

Impact Identified: None

4.8 Community Development

The site is not located within a designated Redevelopment Plan area

Impact Identified: N/A

4.9 Impacts Summary

Proposal is subject to requirements to study fire water flow capacity prior to issuance of building permit and may be subject to downstream sewer capacity analysis upon development.

4.10 Mitigation of Impacts

Address sewer and fire flow capacity matters at site plan stage.

5. Conclusions

The proposal is consistent with the Future Land Use Map, the Urban Form Map and a number of policies contained within the Comprehensive Plan. The offer of Parking Limited frontage improves

the pedestrian environment in the area. While a trip budget condition is not desirable from the perspective of Planning staff, the limits on development intensity are considered an appropriate mitigation of potential transportation impacts emanating from the site's future development. The proposal received a unanimous recommendation of support from the Northwest CAC.



Planning & Development

Development Services Customer Service Center

One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

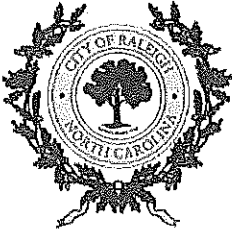
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Rezoning Application

Rezoning Request	OFFICE USE ONLY
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan	Transaction Number
Existing Zoning Classification : CU TD	451017
Proposed Zoning Classification Base District: CX Height 7 Frontage PL	Z-44-15
_____ If the property has been previously rezoned, provide the rezoning case number. MP-1-00	
_____ Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. 451017	

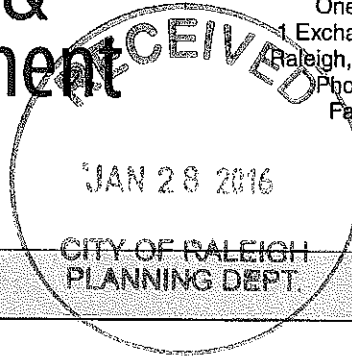
GENERAL INFORMATION		
Property Address 7921 ACC Blvd, Raleigh, NC 27617-8742	Date December <u>1</u> , 2015	
Property PIN 0768488788	Deed Reference (Book/Page) 14825 / 1390	
Nearest Intersection Brier Creek Pkwy & ACC Blvd	Property size (in acres) 2.32 acres	
Property Owner/Address GHTD Brier Creek LLC 4601 Park Rd STE 450 Charlotte, NC 28209-3568	Phone	Fax
	Email	
Project Contact Person/Address Isabel Worthy Mattox PO Box 946 Raleigh, NC 27602	Phone 919-828-7171	Fax 919-831-1205
	Email <u>isabel@mattoxfirm.com</u>	
OWNER/AGENT SIGNATURE GHTD BRIER CREEK LLC By: <u>[Signature]</u>	Email <u>dschumacher@grubbproperties.com</u>	

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



Planning & Development

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One Exchange Plaza
1 Exchange Plaza, Suite 400
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Conditional Use District Zoning Conditions		OFFICE USE ONLY
Zoning Case Number Z-44-15		Transaction Number
Date Submitted January 27, 2016		
Existing Zoning CUD TD	Proposed Zoning CX-7-PL-CU	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The following uses shall be prohibited on the property: (1) Single Unit Living (2) Outdoor recreation (3) Bar, nightclub, tavern, lounge (4) Pawnshop (5) Vehicle sales (6) Car wash (7) Vehicle repair (8) Jail, detention center, prison (9) Adult establishment
2.	Prior to the approval of any building permit, the City staff shall confirm that the projected trip generation based on the latest edition of ITE Trip General Manual from all proposed uses on the rezoned property [including any proposed new use plus the continuation of existing use(s)] shall not exceed (a) 4,398 total Daily trips, (b) 191 AM Peak Hour Trips or (c) 242 PM Peak Hour Trips. Prior to recordation of a subdivision plat, the owner of the rezoned land shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates trips among the various lots of the subdivision. Such restrictive covenant shall be approved by the Raleigh City Attorney or his/her designee prior to the recording of the restrictive covenant. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his/her designee.
3.	
4.	
5.	
6.	
7.	
8.	

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

GHTD BRIER CREEK, LLC
BY: GRUBB HEALTHCARE, LLC, ITS MANAGER
BY: GRUBB MANAGEMENT, INC., ITS MANAGER
BY: *[Signature]*
DANIEL SCHUMACHER, EXECUTIVE VICE PRESIDENT





Planning & Development

**Development Services
Customer Service Center**
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.	Transaction Number
	Zoning Case Number

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.

1. The zoning request is consistent with the Future Land Use Map and many Comprehensive Plan policies as set forth below.

Guideline		Response
LAND USE / Policy LU 1.2 / Future Land Use Map and Zoning Consistency		
1	The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.	The Future Land Use Map (FLUM) designation for the subject properties is "Regional Mixed Use," where a mix of high-density housing, office, hotel, and retail uses is recommended and desirable to meet other goals of the 2030 Comprehensive Plan. The subject property currently has office as its predominant use, which will remain the same under the proposed rezoning and subsequent expansion. The proposed land use is consistent with the Future Land Use Map.
LAND USE/Policy LU 1.3/Conditional Use District Consistency		
2	All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.	The proposed project and its conditions are consistent with suggested development in a Regional Mixed Use area as anticipated by the Comprehensive Plan.
LAND USE / Policy LU 2.1 / Placemaking		
3	Development within Raleigh's jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.	The proposed building expansion, when added to the existing office, commercial, and residential uses of the surrounding Alexander Place PDD and Brier Creek Development, creates a place where citizens can live, work and play with safe, accessible and functional buildings which are within walking distance of many amenities.

LAND USE / Policy LU 2.5 / Healthy Communities		
4	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.	The proposed project is an expansion of a healthcare facility which will promote healthy communities. This project, together with the existing and proposed buildings in the area, incorporates extensive sidewalks within the community and marked pedestrian walkways from the street to the building and to the adjacent developed lot.
LAND USE / Policy LU 2.6 / Zoning and Infrastructure Impacts		
5	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. (3, 4)	Significant infrastructure capacity exists within the Glenwood Ave/T. W. Alexander area.
LAND USE / Policy LU 4.4 / Reducing VMT Through Mixed Use		
6	Promote mixed-use development that provides a range of services within a short distance of residences as a way to reduce the growth of vehicle miles traveled (VMT).	The proposed building, together with the existing and proposed buildings in the adjacent Alexander Place PDD, will allow for office, retail and support services to serve both the subject site and other buildings and residences located in close proximity.
Policy LU 4.5 - Connectivity		
7	New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.	The current development provides sidewalks and marked pedestrian walkways from the street and between the subject site and the development to the east. It abuts ACC Blvd which provides vehicular connectivity between TW Alexander Drive and Brier Creek Parkway.
LAND USE / Policy LU 5.5 / Transitional and Buffer Zone Districts		
8	Maintain and enhance zoning districts which serve as transitional or buffer areas between residential and commercial districts and which also may contain institutional, non-profit, and office-type uses. Zoning regulations and conditions for these areas should ensure that development achieves appropriate height and density transitions, and protects neighborhood character.	The subject site is not located near any low density residential. As a one-story office structure it adequately serves as a buffer to the medium density residential nearby. Additional limitations are proposed to control height and density. If zoned as requested, it would still be aligned with the surrounding properties that have been zoned OX-7 and CX-7.
LAND USE / Policy LU 6.2 / Complementary Uses and Urban Vicinity		

9	A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers and developments to maintain the City's livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistent with this policy.	The subject site is located within a "City Growth Center" which under the Comprehensive Plan provides significant opportunities for economic development. It is within walking distance of the Alexander Promenade shopping center and Brier Creek Express bus stops. It is expected that the rezoning will allow more flexibility for growth and development of the subject site. The subject site, together with the other developments in the area, provides a walkable mixed use environment that combines a mix of commercial, office, and residential uses as encouraged under the Comprehensive Plan.
TRANSPORTATION / Policy T 1.3 / Multi-Modal Transportation Design		
10	Offer residents safe and attractive choices among modes including pedestrian walkways, bikeways, public transportation, roadways, railways, and aviation. The street patterns of newly developed areas should provide multi-modal transportation alternatives for access to and circulation between adjacent neighborhoods, parks, shopping centers, and employment areas.	The existing development provides marked walkways between the street and the building and the adjacent development for pedestrian connectivity. It is connected by sidewalks and crosswalks to the Alexander Promenade shops and the Brier Creek Express bus stops located a quarter-mile away.
TRANSPORTATION / Policy T 1.6 / Transportation Impacts		
11	Identify and address transportation impacts before a development is implemented.	It is unlikely the expansion of the existing building will create significant transportation impacts which cannot be handled by existing infrastructure.
TRANSPORTATION / Policy T 3.4 / Pedestrian-Friendly Road Design		
12	Design Complete Street amenities with the pedestrian in mind, avoiding the use of traffic control and safety devices that favor vehicles.	No new street amenities are planned as part of this project.
TRANSPORTATION / Policy T 5.2 / Incorporating Bicycle and Pedestrian Improvements		
13	All new developments, roadway reconstruction 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.	Bike racks will be provided in the proposed development as required by the UDO.
TRANSPORTATION / Policy T 5.4 / Pedestrian and Bicycle Network Connectivity		
14	Continuous pedestrian and bicycle networks should be provided within and between existing and new developments to facilitate safe and convenient pedestrian and bicycle travel free of major barriers and impediments such as cul-de-sacs and large parking lots.	Sidewalk connections exist between the current building and the other buildings along ACC Blvd. Pedestrian and vehicular connections exist between the subject parcel and the adjoining developed parcel. Pavement stubs were put in place as part of the original development with the expectation of connecting to the adjacent lots once they are developed.
TRANSPORTATION / Policy T 5.5 / Sidewalk Requirements		

15	New subdivisions and developments should provide sidewalks on both sides of the street.	Sidewalks are already in place on both sides of ACC Blvd.
TRANSPORTATION / Policy T 5.10 / Building Orientation		
16	All primary building entrances should front onto a publicly accessible, and easily discernible, and ADA-compliant walkway that leads directly from the street to the front door to improve pedestrian access.	The existing building is already in compliance and the building expansion will not alter this.
TRANSPORTATION / Policy T 6.6 / Parking Connectivity		
17	Promote parking and development that encourage multiple destinations within an area to be connected by pedestrian trips.	The existing building along with the other buildings in the development creates a mix of uses in close proximity to residential areas and utilizes sidewalk connectivity to encourage pedestrian movement. The subject site is connected to the adjacent retail site by way of a shared parking lot and marked pedestrian walkways.
TRANSPORTATION / Policy T 6.8 / Parking Lot Design		
18	Parking areas should be designed to minimize conflicts with pedestrians.	The parking lot has marked pedestrian walkways from the street sidewalk to the buildings and between the buildings on adjoining lots.
ENVIRONMENT / Policy EP 2.3 / Open Space Preservation		
19	Seek to identify all opportunities to conserve open space networks, mature existing tree stands, steep slopes, floodplains, priority wildlife habitats, and significant natural features as part of public and private development plans and targeted acquisition.	The building and proposed expansion along with parking areas are designed in such a way to maximize open space on the lot.
ENVIRONMENTAL PROTECTION / Policy EP 3.12 / Mitigating Stormwater Impacts		
20	Potential stormwater impacts from new development on adjoining properties should mimic pre-development conditions and control the rate of runoff so as to avoid erosion of stream banks, inundation of natural waterways and to allow the recharging of groundwater. The intent is to avoid environmental and economic damage to the adjacent properties and City infrastructure.	Stormwater devices to reduce runoff have been provided as part of the original development.
ENVIRONMENTAL PROTECTION / Policy EP 5.3 / Canopy Restoration		
21	Promote the reforestation of tree coverage that is typically lost during urban and suburban development through tree conservation, targeted tree plantings, urban forestry, and street tree plantings.	The original development included street tree plantings along the grassy buffer between the street and the parking lot.
ECONOMIC DEVELOPMENT / Policy ED 1.2 / Mixed-Use Redevelopment		

22	Promote mixed-use redevelopment strategies as a means of enhancing economic development in commercial corridors and creating transit- and pedestrian-friendly environments.	The subject site, together with the surrounding developments of the Alexander Place PDD, creates an area with a mix of office, retail, commercial, and residential uses in close proximity to public transit stops and within a pedestrian-friendly network of sidewalks and crosswalks.
ECONOMIC DEVELOPMENT/Policy ED5.4/Niche Office Development		
23	Encourage office space development in mixed-use and urban centers to create a competitive advantage for Raleigh by providing a product type lacking in the regional marketplace.	This medical office project is adjacent to and a part of a planned development that includes retail, residential and other office uses.
ECONOMIC DEVELOPMENT/Policy ED5.6/Designing Knowledge Industry Workplaces		
24	Encourage the development of high-quality environments that combine office/lab space, housing, and support retail and services, such as Centennial Campus or North Hills, to compete effectively for and attract knowledge workers to Raleigh.	The rezoning of this parcel to CX would provide greater flexibility of site use and development and allow the existing owner to take immediate advantage of the anticipated zoning on the remapping.
PUBLIC UTILITIES / Policy PU 1.1 / Linking Growth and Infrastructure		
25	Focus growth in areas adequately served by existing or planned utility infrastructure.	The subject site is strategically located in a City Growth Center and is served by current and adequate utility infrastructure.
HEALTH AND HUMAN SERVICES / Policy CS 5.3 / Access to Health Care		
26	Support the siting of health care facilities and services in appropriate and accessible locations.	The medical office is conveniently accessible as located in a mixed-use area in close proximity to residential areas, retail, and public transit stops.
URBAN DESIGN / Policy UD 1.7 / Scenic Corridors		
27	Retain and enhance our visual and natural assets including vistas, boulevard medians, tree-lined streets, forested hillsides, wetlands and creeks along scenic corridors into and through Raleigh, including designated Parkway Corridors on the Urban Form Map.	The existing development has a landscaped street yard with trees and other plantings and has been built in a way to preserve some natural area on the lot.
URBAN DESIGN / Policy UD 1.8 / Tree Planting and Preservation		
28	Enhance Raleigh's image as a city of trees with a comprehensive tree planting program for every major roadway, and by protecting and preserving significant stands of existing trees along or adjacent to major roadways.	The existing development includes tree plantings along ACC Blvd.
URBAN DESIGN / Policy UD 2.1 / Building Orientation		
29	Buildings in mixed-use developments should be oriented along streets, plazas, and pedestrian ways. Their facades should create an active and engaging public realm.	The existing building is oriented to face ACC Blvd. This will not change with the proposed expansion.
URBAN DESIGN / Policy UD 3.9 / Parking Lot Design		

30	Encourage efficient site design, shared parking between complementary uses, and reduced amounts of impervious surface in parking lot design.	The existing development is built efficiently to maximize the natural and landscaped areas on the lot.
URBAN DESIGN / Policy UD 3.10 / Planting Requirements		
31	Enhance and expand the required planting and tree coverage for parking lots by incorporating design standards that promote long term tree growth and health. Planting standards should improve permeability and reduce the heat island effect.	The subject site has preserved some natural area and incorporated landscaped areas with tree plantings along the parking area.
URBAN DESIGN / Policy UD 4.4 / Management of Sidewalk Space		
32	Manage Raleigh's sidewalk space in a way that promotes pedestrian safety, efficiency, and comfort and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic.	The subject site utilizes a landscaped buffer area between the sidewalk along ACC Blvd and the parking area. In addition, the development provides pedestrian walkways from the sidewalk through the buffer area for ease of access to the building.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1.	The rezoning will facilitate the expansion of a medical facility which is needed to serve the increasing health care needs of our growing community.
2.	The rezoning supports development in a City Growth Center where sufficient infrastructure already exists. It will not require extension of roads or utility lines.
3.	The rezoning will allow the expansion of a successful medical facility which will create jobs and increase the tax base for our community.
4.	The rezoning will facilitate the delivery of the most current medical technology to our community.

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a "mixed use center" or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

The subject property does not meet the criteria for requiring responses to the Urban Design Guidelines.

1.	<i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i>
2.	<i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i>

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

November 29, 2015

Mr. Daniel Band
Planner I
City of Raleigh Planning Department
One Exchange Plaza, Suite 204
Raleigh, North Carolina 27601

RE: NEIGHBORHOOD MEETING REPORT Regarding Proposed Rezoning Petition
of GHTD Brier Creek LLC (the "Owner") of approximately 2.32 acres, located at
7921 ACC Boulevard, Raleigh, North Carolina 27617 (the "Property").

Dear Daniel:

As indicated in my attached letter, the Neighborhood Meeting for the above-referenced
prospective rezoning case was held on November 12, 2015 at 7:00 PM at the Brier Creek
Community Center, located at 10810 Globe Road, Raleigh, NC 27617 to discuss the proposed
rezoning of the Property located at 7921 ACC Boulevard.

The persons and organizations contacted about this meeting are indicated on the attached
list. Those in attendance were:

Isabel Worthy Mattox – Attorney for Applicant
Don Schumacher – Applicant representative

No neighbors were in attendance.

We generally discussed the zoning process, the Comprehensive Plan guidance for the
property which suggests commercial, office and retail as appropriate uses and the proposed
rezoning requested.

Very truly yours,


Isabel Worthy Mattox

Enclosures

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

October 30, 2015

TO ALL ADDRESSEES

RE: NOTICE OF NEIGHBORS MEETING Regarding Proposed Rezoning of 7921 ACC Boulevard, Tax ID # 0768488788 (the "Property"), owned by GHTD Brier Creek, LLC.

Dear Property Owner:

You are receiving this letter because you are the owner of property located in proximity to the Property for which a rezoning is now being contemplated. In accordance with the requirements of the Raleigh Unified Development Ordinance, notice is hereby given to you as the owner of the Property or the owner of property within 100 feet of the Property (collectively, Notice Neighbors) of a meeting to discuss the prospective rezoning to be held in the Art Room at the Brier Creek Community Center, located at 10810 Globe Road, Raleigh, NC 27617, at 7:00 p.m. on the evening of Thursday, November 12, 2015.

The proposed rezoning will rezone the Property from CUD TD with Planned Development Overlay District to CX-7-CU. We anticipate that a Rezoning Application will be filed on behalf of the Owner in the near future.

I will be present to meet with you and answer any questions which you may have regarding this Rezoning Application.

If the Rezoning Application is filed as now planned, it will be vetted by City Staff over the next few weeks and referred to the Planning Commission for review. To follow this process, please consult the City's website at www.raleighnc.gov/planning. If you have any questions about the proposed Rezoning Application, either before our meeting of November 12, 2015 or at any time after our meeting, I hope you will feel free to contact me.

Sincerely,

Isabel Worthy Mattox

cc: Bynum Walter, City of Raleigh Planning Dept.
Don Schurnacher
Jon Callahan

ALEXANDER GROUP LLC
0768592170 000
8310 BANDFORD WAY
RALEIGH NC 27615-2752

DENSTAR LLC
0768592170 023
8310 BANDFORD WAY
RALEIGH NC 27615-2752

KENT BOB
0768592170 001
7780 BRIER CREEK PKWY
STE 100
RALEIGH NC 27617-7850

MATHEW PROPERTIES LLC
0768592170 004
12309 RICHMOND RUN DR
RALEIGH NC 27614-6413

NAGLE, CARL
0768592170 007
5021 LAUREL RUN
WINSTON SALEM NC 27106-8004

WYCOM SYSTEMS INC DEFINED
BENEFIT PENSION PLAN
0768592170 008
7780 BRIER CREEK PKWY
STE 215
RALEIGH NC 27617-7850

ALEXANDER GROUP LLC
0768592170 005
8310 BANDFORD WAY
RALEIGH NC 27615-2752

HAYNES LLC
0768592170 015
294 SEAWATCH WAY
KURE BEACH NC 28449-4808

HAYNES LLC
0768592170 016
294 SEAWATCH WAY
KURE BEACH NC 28449-4808

D & O HOLDINGS LLC
0768592170 012
7780 BRIER CREEK PKWY
STE 320
RALEIGH NC 27617-7857

GOZZO PROPERTIES BRIER
CREEK PARKWAY LLC
0768592170 011
PO BOX 98084
RALEIGH NC 27624-8084

ALTA HOLDINGS LLC
0768592170 017
6005 CANADERO DR
RALEIGH NC 27612-1802

BRIER CREEK 7780 LLC
0768592170 003
7780 BRIER CREEK PKWY STE 200
RALEIGH NC 27617-7869

V&N ENTERPRISES BRIER CREEK
LLC
0768592170 018
7920 ACC BLVD STE 100
RALEIGH NC 27617-8744

BRITT PROPERTY INVESTMENTS
LLC
0768592170 002
6 MAYFLOWER CT
DURHAM NC 27703-8195

SCOTT & MIKE ENTERPRISES LLC
0768592170 009
7780 225 BRIER CREEK PKWY
RALEIGH NC 27617

HILAND VENTURES LLC
0768592170 022
312 MARBLE GLOW CT
CARY NC 27519-0805

HILAND VENTURES LLC
0768592170 025
312 MARBLE GLOW CT
CARY NC 27519-0805

WHITE OAK WOMENS PAVILLION LLC
0768592170 010
7780 BRIER CREEK PKWY STE 230
RALEIGH NC 27617-7850

HILAND VENTURES LLC
0768592170 026
312 MARBLE GLOW CT
CARY NC 27519-0805

CAROLINA OMS ASSOC LLC
0768592170 021
4004 BELMONT FOREST WAY
RALEIGH NC 27606-4375

TRIANGLE APARTMENT ASSN INC
0768592170 024
7920 ACC BLVD STE 220
RALEIGH NC 27617-8744

DENSTAR LLC
0768592170 029
8310 BANDFORD WAY
RALEIGH NC 27615-2752

ALEXANDER GROUP LLC
0768592170 028
8310 BANDFORD WAY
RALEIGH NC 27615-2752

DRS INDUSTRIES LLC
0768592170 013
7780 BRIER CREEK PKWY STE 325
RALEIGH NC 27617-7857

ROSE RESOURCES LLC
0768592170 019
1823 PLEASANT GREEN RD
DURHAM NC 27705-9089

OMAR PROPERTIES LLC
0768592170 014
7780 330 BRIER CREEK PKWY
RALEIGH NC 27617-7857

COMMUNITY-RESOURCE-
MANAGEMENT LLC
0768592170 020
180 VENNINGS LN
DURHAM NC 27713

WEBSTER WILKINS LLC
0768592170 027
9208 CONCORD HILL CT
RALEIGH NC 27613-5487

ALEXANDER GROUP LLC
0768592170 006
8310 BANDFORD WAY
RALEIGH NC 27615-2752

0768481917
DUKE REALTY BRIER CREEK
DEVELOPMENT LLC
ATTN: REGIONAL VP
PO BOX 40509
INDIANAPOLIS IN 46240-0509

0768488348
TOA-DMC 1 LLC
610 E MOREHEAD ST STE 220
CHARLOTTE NC 28202-2699

SLF RUBY JONES LLC
0768497410
RYAN LLC
PO BOX 56607
ATLANTA GA 30343-0607

WAKE COUNTY BOARD OF
ALCOHOLIC CONTROL
0768581750
1212 WICKER DR
RALEIGH NC 27604-1428

0768488788
GHDT BRIER CREEK LLC
4601 PARK RD STE 450
CHARLOTTE NC 28209-3568