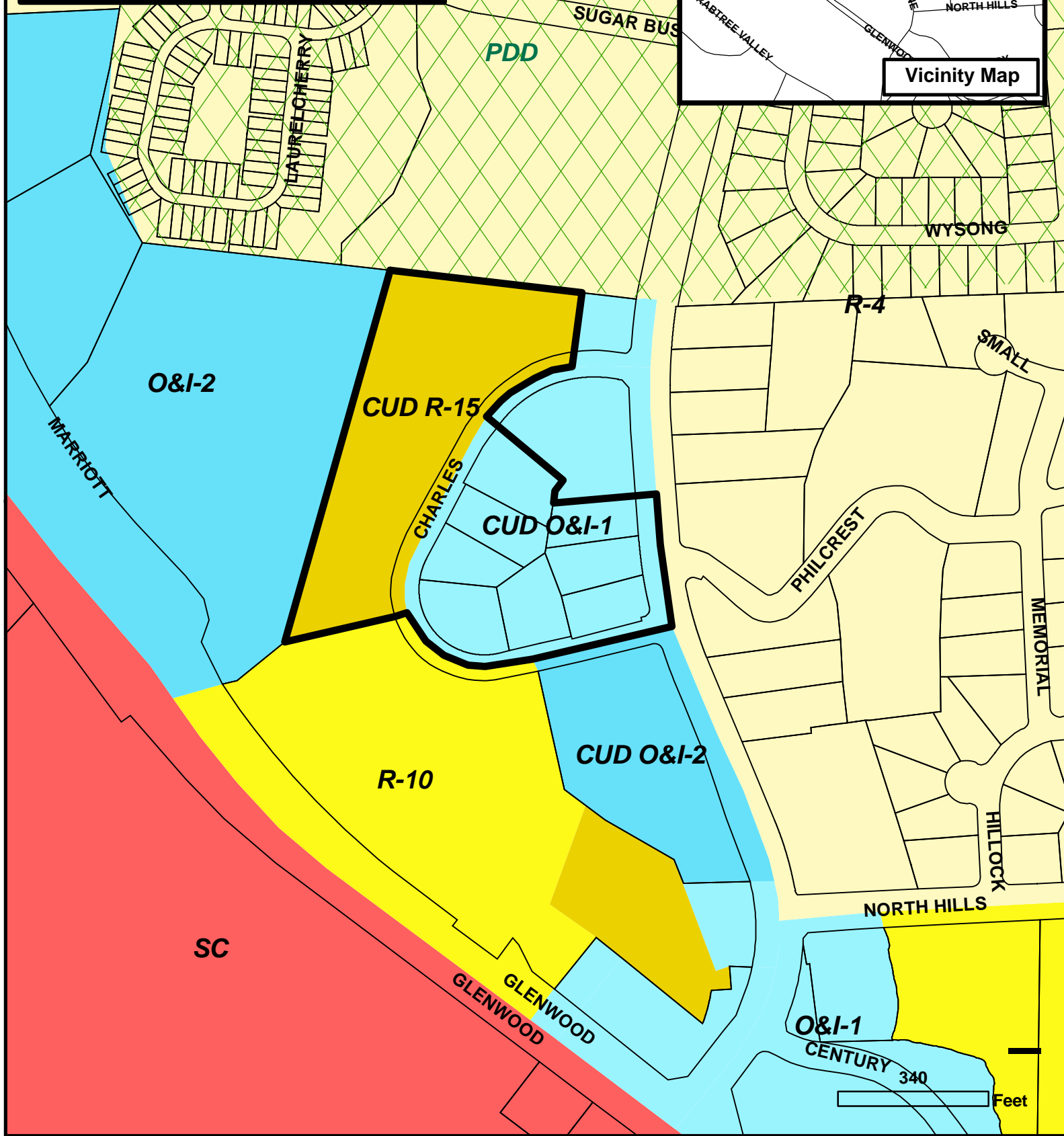
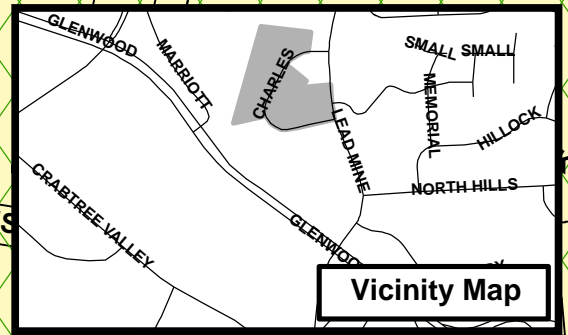


Existing Zoning Map

Case Number: Z-7-12



Request:

9.12 ac from R-15 CUD & O&I-1 CUD
to SCCUD w/ PBOD

City of Raleigh Public Hearing
January 17, 2012
(April 16, 2012)

	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Policy AP-C4 Crabtree Mall Connections Policy AP-C5 Design Unity in the Crabtree Area Policy AP-C6 Crabtree Area Pedestrian Circulation Plan
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Summary of Conditions

<i>Submitted Conditions</i>	<ul style="list-style-type: none"> • Prohibit certain type of uses • Mix of uses, with min. of 2500 SF and max. retail of 7500 SF • Cap of 533 total residential units and accessory office use only • Offer of transit easement and shelter • 60 foot right-of-way dedication and 20 foot slope easement along southern property line • Streetscape and Parking Plan
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Issues and Impacts

<i>Outstanding Issues</i>	<ol style="list-style-type: none"> 1. Inconsistency with Sec.10-2055 (f)(1) location guidelines 2. Lack of unity of design for contiguous sites within same block 	<i>Suggested Conditions</i>	NA
<i>Impacts Identified</i>	<ol style="list-style-type: none"> 1. Increased traffic impacts 2. Increase in transit usage 3. Applicability of tree conservation ordinance 	<i>Proposed Mitigation</i>	<ol style="list-style-type: none"> 1. A traffic impact analysis has been completed and reviewed by staff 2. Transit easement has been offered 3. Compliance with tree conservation at the time of site development

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
September 15, 2011	January 17, 2012	COW: 3/6/12 approved	3/13/12 approved

Valid Statutory Protest Petition

Attachments

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

Planning Commission Recommendation

<i>Recommendation</i>	The Planning Commission finds that the proposed rezoning is consistent with the policies of the Comprehensive Plan, and recommends, based on the findings and reasons stated herein, that the request be approved in accordance with zoning conditions dated March 2, 2012 and Streetscape and Parking Plan (SSP-2-12) dated March 6, 2012.
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> (1) That the proposed request is consistent with the regional mixed use category designated to the property by the future land use map. The site is recommended for a mix of uses and the proposed conditional use rezoning and the streetscape and parking plan seeks to permit a mix of uses and enhanced pedestrian amenities. (2) That the proposed request is also consistent with the Crabtree Area plan that recommends high density residential uses. Given its proximity to a major commercial center, the site is ideal for redevelopment into higher density residential and limited retail uses, without significantly impacting the overall traffic circulation in this area. (3) That the proposed parking and streetscape plan specifies streetscape standards for Lead Mine Road and Charles Drive that will support an enhanced pedestrian environment and better connectivity within this area, to the north of Crabtree Valley Mall. (4) That the request is compatible with surrounding land uses and development patterns. The proposed zoning conditions address uses, density, and connectivity to adjacent parcels thus, mitigating any potential adverse impacts to the surrounding uses. (5) That the request is reasonable and in the public interest. Rezoning would permit introduction of higher density residential uses and limited retail uses, which could be an appropriate redevelopment for the area, complementing the surrounding uses, thus furthering the goals of several Comprehensive Plan Policies.
<i>Motion and Vote</i>	<p>Motion: Harris Edmisten Second: Sterling Lewis</p> <p>In Favor: Butler, Buxton, Fleming, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando</p>

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.

			3/13/12
Planning Director	Date	Planning Commission Chairperson	Date

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



Zoning Staff Report - Z-7-12

Conditional Use District

Request

<i>Location</i>	West side, northwest of its intersection with Glenwood Avenue
<i>Request</i>	Rezone property from R-15 CUD, O&I-1 CUD to SC CUD w/PBOD
<i>Area of Request</i>	9.12 acres
<i>Property Owner</i>	Crabtree North LLC, Crabtree Apartments Assoc. LLC
<i>PC Recommendation Deadline</i>	April 16, 2012

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	R-15 CUD, O&I-1 CUD	SC CUD
<i>Additional Overlay</i>	None	PBOD
<i>Land Use</i>	Apartment complex, single-family homes	Mixed uses with min. 2500 SF and max. 7500 SF of retail use
<i>Residential Density</i>	R-15 CUD – 70 total DU@ 13.6 DU/acre O&I-1 CUD – potential 60 DU/acre or 100 DU/acre with PC approval	533 Total DU

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	R-4, PDD, O&I-1 CUD	R-10, O&I-2 CUD	R-4	O&I-2
<i>Future Land Use</i>	Regional Mixed Use	Regional Mixed Use	Office Residential Mixed Use	Regional Mixed Use
<i>Current Land Use</i>	Offices	Apartment, motel	Single-family	Marriot hotel

Comprehensive Plan Guidance

<i>Future Land Use</i>	Regional Mixed Use
<i>Area Plan</i>	Crabtree Area Plan
<i>Applicable Policies</i>	Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 3.4 Infrastructure Concurrency Policy LU 4.4 Reducing VMT through Mixed Use Policy LU 4.5 Connectivity Policy LU 5.1 Reinforcing the Urban Pattern

	Policy LU 5.2 Managing Commercial Development Policy LU 5.6 Buffering Requirements Policy LU 6.1 Composition of Mixed-Use Centers Policy LU 6.2 Complementary Uses and Urban Vitality Policy LU 6.3 Mixed-Use and Multi-Modal Transportation Policy LU 6.4 Bus Stop Dedication Policy LU 7.1 Encouraging Nodal Development Policy LU 7.4 Scale and Design of New Commercial Uses Policy LU 7.5 High Impact Commercial Uses Policy LU 7.6 Pedestrian Friendly Development Policy LU 10.1 Mixed-Use Retail Policy LU 10.6 Retail Nodes Policy ED 1.2 Mixed Use Redevelopment Policy ED 5.3 Creating Attractive Development Sites 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 3.5 Visually Cohesive Streetscapes Policy UD 3.8 Screening of Unsightly Uses Policy UD 3.11 Parking Structures Policy UD 4.3 Improving Streetscape Design Policy UD 4.5 Improving the Street Environment Policy UD 5.1 Contextual Design Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 6.2 Ensuring Pedestrian Comfort and Convenience Policy UD 7.3 Design Guidelines (1-26 policies) Policy AP-C1 Crabtree parking Structures Policy AP-C4 Crabtree Mall Connections Policy AP-C5 Design Unity in the Crabtree Area Policy AP-C6 Crabtree Area Pedestrian Circulation Plan

Contact Information

<i>Staff</i>	Dhanya Sandeep, dhanya.sandeep@raleighnc.gov
<i>Applicant</i>	Robin T. Currin, 832-1515
<i>Citizens Advisory Council Contact</i>	Northwest Jay Gudeman, 789-9884, jay@kilpatrickgudeman.com

Case Overview

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

Existing V. Proposed Density/Use Comparison Table

	Existing R-15 CUD, O&I-CUD	Proposed SC CUD w/PBOD
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<i>Residential Density</i>	170 DU potential 78 (existing as built)	533 Total DU
<i>Setbacks</i>	R-15 CUD Front Yard – 20 Side Yard – 5 Corner Lot – 20 Rear Yard – 20 O&I-1 CUD Front Yard – 30 Side Yard – 5 Corner Lot – 5 Rear Yard – 20	SC Front Yard – 15 Side Yard – 0 Corner Lot – 15 Rear Yard – 0
<i>Max. Building Height</i>	40 feet	115 feet (5 stories)
<i>Office Use</i>	Not specified	Only incidental and accessory to residential uses
<i>Retail Use</i>	Not permitted. Limited accessory retail permitted in O&I-1	2500 SF min. 7500 SF max.

The property owners are seeking rezoning for a Shopping Center conditional use with a PBOD primarily to include a mix of high density residential and limited retail uses. The proposed density, uses, and intensity are higher than that currently permitted and hence will have impacts on infrastructure. The Comprehensive Plan envisions a higher level of intensity for this general area. The request is consistent with the Future Land Use map, Crabtree Area Plan and other Comprehensive Plan policies. Given the residential character of Charles Drive, the Crabtree Area Plan map recommends this site for higher density residential use. With its regional mixed use designation and proximity to the Crabtree Valley mall, the site is ideal for redevelopment for higher density residential and limited commercial use. Many of the design guidelines are intended to be applied during the site plan review process. The proposed PBOD and streetscape plan specifies streetscape standards for elements required by the city code intended to support a pedestrian environment primarily along Lead Mine Road and Charles Drive.

Exhibit C & D Analysis

Staff examines consistency with the Comprehensive Plan, compatibility with the surrounding area, public benefits and detriments of the proposal, and summarizes any associated impacts of the proposal.

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

1.1 Future Land Use

The request is consistent with the Future Land Use map. The site is designated as a Regional Mixed use center on the Future Land use map, which are identified as areas to draw major retail and service hubs from across the region. The proposed Shopping Center and conditional use w/PBOD permits a mix of high density housing, office development, hotels, and regional serving retail uses. These uses are encouraged in Regional Mixed use centers.

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

The proposed conditions are consistent with the Comprehensive Plan policies.

Policy LU 2.6 - Zoning and Infrastructure Impacts
Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

The proposed rezoning classification would introduce higher residential densities and limited retail uses into this site which is currently zoned primarily for office and medium density residential uses. The primary access to majority of the site is from Charles Drive, a residential street. The proposed increased density would impact infrastructure capacities for transportation, transit, and utilities. A Traffic Impact Assessment has been completed and reviewed by staff. Under the proposed zoning, overall intersection delay will increase by approx. 3% for AM and PM peak periods. Intersection utilization will be above capacity. Transit easement has been offered. A determination of consistency of the proposed rezoning with this policy is rather subjective.

Policy LU 3.4 Infrastructure Concurrency
The City of Raleigh should only approve development within newly annexed areas or Raleigh's ETJ when the appropriate transportation, water, stormwater, and wastewater infrastructure is programmed to be in place concurrent with the development.

A portion of the subject site was within Raleigh's ETJ at the time of filing of the rezoning petition. The annexation petition for this portion was approved by the City Council before the scheduled public hearing for this rezoning request. The entire rezoning site is now within Raleigh's city limits. The request is consistent with this policy.

Policy LU 4.4 Reducing VMT through Mixed Use
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.

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.

The proposed request permits a mix of high density residential uses and limited retail uses in close proximity to the Crabtree Valley mall, a large regional commercial hub of North Carolina. The request would permit a large increase to residential density. Conditions commit to a mix of uses.

While the increase in residential density may seem symbiotic with the surrounding retail, the subject property is largely isolated and connectivity is challenged. The incorporation of the PBOD at this location will enhance pedestrian networks and improve connectivity within this area. Zoning conditions provide for a 60 foot right-of-way dedication along the southern edge to facilitate future street or walkway connectivity to Marriot Drive. The request is consistent with these policies.

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.

The proposed zoning site is in close proximity to a regional mall and the zoning classification is in keeping with the general character of the area. The proposed height of 115 feet (5 stories) seems to be fairly compatible to the surrounding built form. This height limit is consistent with the office building and parking deck to the north and the hotel to the south on Lead Mine Road. While the existing office use on the block is single-story, it is the only building with that low intensity form and character and hence is expected to redevelop to a compatible height and intensity into future.

Policy LU 5.2 Managing Commercial Development Impacts

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

The proposed rezoning request includes only limited commercial uses of 7500 SF and high impact commercial uses are prohibited. The request is consistent with this policy.

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 avoid potential conflicts.

The proposed request seeks higher intensity development on the site. There are two single-family homes to the east located across Lead Mine Road which is a 5 lane thoroughfare. The thoroughfare serves as an appropriate transition between the high intensity and low intensity uses. The streetscape features along Lead Mine Road will provide a visual buffer, as will the height limit of 115 feet. The request appears to be consistent with this policy.

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.

Policy LU 6.2 Complementary Uses and Urban Vitality

A complementary integration and mixture of land uses should be provided within regional, city, and community mixed-use centers to maintain the City's livability, manage future growth, and provide walkable and transit accessible destinations.

Policy LU 6.3 Mixed-Use and Multi-Modal Transportation

Promote the development of mixed-use activity centers with multi-modal transportation connections to provide convenient and accessible residential and employment areas.

The proposed request seeks a zoning classification that allows a mix of residential and limited retail uses. The zoning conditions provide for a mix of uses including limited retail uses. The request is consistent with these policies.

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.

In keeping consistency with this policy, transit easement and shelter is being offered as zoning conditions.

Policy LU 7.1 Encouraging Nodal Development

Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.

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.

The proposed request encourages pedestrian oriented node of mixed high density residential and limited retail uses along Charles Drive, a primarily residential street. The proposed zoning and streetscape standards support a pedestrian oriented environment and promote the intent of policy LU 7.1 by encouraging higher density residential uses in this more residentially oriented area. Retail uses are limited to 7500 SF and hence compatible in scale to surrounding area and uses. Proposed height limit and streetscape features provide for an appropriate transition to the surrounding uses.

Policy LU 7.5 High-Impact Commercial Uses

Ensure that the City’s zoning regulations limit the location and proliferation of fast food restaurants, sexually-oriented businesses, late night alcoholic beverage establishments, 24-hour mini-marts and convenience stores, and similar high impact commercial establishments that generate excessive late night activity, noise, or otherwise affect the quality of life in nearby residential neighborhoods.

The proposed zoning conditions prohibit high impact commercial uses thus being consistent with this policy.

Policy LU 7.6 Pedestrian-Friendly Development

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

The proposed request includes a pedestrian business overlay district for which streetscape elements along Charles Drive and Lead Mine Road are defined by a Streetscape and Parking Plan. The Streetscape and Parking Plan provides for additional street-level pedestrian capacity required as this area becomes a more pedestrian and transit-friendly node of commercial development, with improved connectivity throughout the Crabtree area. The request is consistent with this policy.

Policy LU 10.1 Mixed-Use Retail

Encourage new retail development in mixed-use developments.

The request is consistent with this policy as the proposed zoning classification allows a mix of limited retail uses on the site.

Policy LU 10.6 Retail Nodes

Retail uses should concentrate in mixed-use centers and should not spread along thoroughfares in a linear "strip" pattern unless ancillary to office or high-density residential use

The proposed request encourages a pedestrian oriented node of high density residential and retail mixed uses along Charles Drive. The site being in close proximity to a regional mall encourages primary retail uses at key nodes of major intersections. The proposed limited retail uses on this site will serve the high density residential uses on the site as connectivity across to the mall area is challenged.

Policy ED 1.2 Mixed-Use Redevelopment

Promote mixed-use redevelopment strategies as a means of enhancing economic development in commercial corridors and creating transit- and pedestrian-friendly environments.

The proposed rezoning request along with the conditions and streetscape plan remains consistent with this policy.

Policy ED 5.3 Creating Attractive Development Sites

Create attractive and functional sites for new and growing businesses through streetscape improvements and other public realm investments.

The proposal is consistent with this policy. The request provides for streetscape improvements and opportunities to redevelop the site into a potential mixed use pedestrian friendly development thereby, reducing auto-dependence and promoting a livelier pedestrian and transit oriented mixed use center.

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.

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.

The Streetscape plan provides for additional street-level pedestrian capacity required as this area becomes a more pedestrian and transit-friendly, improving connectivity throughout the Crabtree area. Primary pedestrian orientation is along Charles Drive, which is currently a residential street. Given this residential carrying capacity of Charles Drive, it is appropriate to focus on pedestrian connectivity by limiting retail frontage along Lead Mine Road frontage. Request may be considered as being consistent with these policies.

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.

The site is surrounded by 2 single-family homes to the east across Lead Mine Road. The thoroughfare serves as an appropriate transition between the high intensity and low intensity uses. The streetscape features along Lead Mine Road will provide a visual

buffer, as will the height limit of 115 feet. The request appears to be consistent with this policy.

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.

Policy UD 3.11 Parking Structures

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

The streetscape plan addresses potential parking garages and their façade treatment. The request is consistent with these policies.

Policy UD 3.5 Visually Cohesive Streetscapes

Create visually cohesive streetscapes using a variety of techniques including landscaping, undergrounding of utilities, and other streetscape improvements along street frontages that reflect adjacent land uses.

Policy UD 5.1 Contextual Design

Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

The proposed rezoning site is located in the interior of a block, with majority of site having primary access from a residential street. The streetscape plan applies only to the properties encompassed within this rezoning petition. The remaining properties on the same block will eventually have a different character and frontage unless the streetscape plan is applied uniformly across the block to retain cohesiveness and compatibility in streetscape design. Additionally, the request does not meet the locational guidelines specified for PBOD's (Sec. 10-2055) as the subject properties do not constitute one side of an entire block.

Policy UD 3.8 Screening of Unsightly Uses

The visibility of trash storage, loading, and truck parking areas from the street, sidewalk, building entrances and corridors should be minimized. These services should not be located adjacent to residential units and useable open space.

The request is inconsistent with this policy as the zoning conditions do not address screening of trash dumpsters from residential uses across Leadmine Road to mitigate any adverse impacts.

Policy UD 4.3 Improving Streetscape Design

Improve the appearance and identity of Raleigh's streets through the design of street lights, paved surfaces, landscaped areas, bus shelters, street "furniture," and adjacent building facades.

Policy UD 4.5 Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

The proposed Streetscape and Parking Plan and zoning conditions address streetscape standards, signage, lighting, parking, building heights, and street frontages. Wider sidewalks and other streetscape details provide for a pedestrian oriented street edge primarily along Charles Drive. The request is consistent with these policies.

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.

The proposed rezoning conditions and Streetscape Plan provide for a pedestrian-oriented street edge primarily along Charles Drive. Adding increased density and potential mixed use development in the Crabtree area allows increased use of pedestrian opportunities and provides additional density to support transit as a viable alternative to exclusive auto use. The request is consistent with this policy.

Policy UD 6.2 Ensuring Pedestrian Comfort and Convenience

Promote a comfortable and convenient pedestrian environment by requiring that buildings face the sidewalk and street area. On-street parking should be provided along the pedestrian streets and surface parking should be in the rear. This should be applied in new development, wherever feasible, especially on transit and urban corridors and in mixed-use centers.

The request is consistent with this policy as the streetscape plan restricts the location of off-street parking such that it is not visible from public streets.

Policy UD 7.3 Design Guidelines

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

Since the majority of the site is located within a designated neighborhood mixed use center, the urban design guidelines apply. Application of a number of the urban design guidelines have been deferred to the site plan stage.

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 project will be primarily residential, but may also ultimately incorporate limited retail uses for the residents as well as some office space. In addition, the project is within walking distance of Crabtree Valley Mall which is one of Raleigh's prominent retail destinations. The Comprehensive Plan also envisions a pedestrian bridge over Glenwood Avenue "to provide an upper-level link to the hotels and other buildings on the hillsides to the north." See AP-C1. The Comprehensive Plan also references the area where the Property is located as "pedestrian generator" for the Mall. See Map AP-C3. The project is also within walking distance of the RBC Bank on the corner of Glenwood Avenue and Lead Mine Road.

Staff Comment: The conditions provide for a mix of uses. Consistent.

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: The height of the buildings will be appropriate with respect to the adjacent O&I-2, O&I-2 CUD and R-10 properties and there will be an adequate transition to the lower density residential uses.

Staff Comment: Consistent. The proposed streetscape plan specifies a max. height of 115 feet / 5 stories, which is compatible with the predominantly established built character of the area.

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 project will connect to Lead Mine Road via the existing Charles Drive. At the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

Staff Comment: Consistent. Conditions offer right-of-way dedication to provide for future connectivity to Marriot Drive.

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 project will connect to Lead Mine Road via the existing Charles Drive. At the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

Staff Comment: Deferred to site plan stage.

5. *New development shall be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.*

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

Staff Comment: Deferred to site plan stage.

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 project will be designed to have a strong street presence with pedestrian connectivity to Lead Mine Road and Glenwood Avenue. The buildings will front Charles Drive with a minimum setback and will include sidewalks, landscaping and seating areas. This is addressed more specifically in the Streetscape and Parking Plan.

Staff Comment: Noted.

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

Staff Comment: Streetscape plan restricts the location of off-street parking such that it is not visible from public streets.

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

Staff Comment: Deferred to site plan review stage.

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

Staff Comment: Deferred to site plan review 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: The project will be designed to provide direct access from the buildings to the streetscape. Please refer to the Streetscape and Parking Plan for

additional information. This level of detail will be defined at the time of site plan approval.

Staff Comment: Deferred to site plan review stage.

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: The project will be designed to encourage pedestrian traffic through active uses, including high density residential. This will be more specifically defined at the site plan stage.

Staff Comment: Deferred to site plan review stage.

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

Applicant response: This item is addressed in the Streetscape and Parking Plan and will be more specifically addressed at the site plan stage.

Staff Comment: Deferred to site plan review stage.

Site Design/Public Seating

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

Applicant response: The Streetscape and Parking Plan will provide for public seating opportunities. This item will also be addressed more specifically at the site plan stage.

Staff Comment: Deferred to site plan review stage.

Site Design/Automobile Parking and Parking Structures

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

15. *Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.*

16. *Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.*

Applicant response to 14-16: The majority of the parking will be contained within internal parking structures. Any off-street surface parking visible from a public or private street will be screened from view in accordance with City standards. Final configuration of the parking structures and their finishes and screening will be illustrated at the time of site plan approval.

Staff Comment: Streetscape plan restricts location of off-street parking and addresses façade treatment.

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: There is a bus transfer station located within walking distance at Crabtree Valley Mall. There is a City bus route which travels past the Property on Lead Mine Road and on Glenwood Avenue.

Staff Comment: Noted.

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: This guideline will be addressed at the site plan stage of the project.

Staff Comment: Deferred to site plan review stage.

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: This guideline will be addressed at the site plan stage of the project.

Staff Comment: Deferred to site plan review stage.

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: This guideline will be addressed at the site plan stage of the project.

Staff Comment: Deferred to site plan review stage.

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: It is our intent to comply with these guidelines as illustrated in our Streetscape and Parking Plan. Final details will be shown at the time of site plan approval.

Staff Comment: Noted.

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

Staff Comment: Noted

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 level of detail will be illustrated at the site plan stage.

Staff Comment: Deferred to site plan review stage.

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 level of detail will be illustrated at the site plan stage.

Staff Comment: Deferred to site plan review stage.

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 level of detail will be illustrated at the site plan stage.

Staff Comment: Deferred to site plan review stage.

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 level of detail will be illustrated at the site plan stage.

Staff Comment: Deferred to site plan review stage.

1.3 Area Plan Guidance

The site falls within the limits of the Crabtree SAP. The plan's goal is for the area to develop as a mixed-use environment with people living, working, and shopping within a walkable urban community. The Crabtree Area pedestrian circulation plan recommends high density residential uses for this site (refer to MAP AP-C3).

The following additional policies apply:

Policy AP-C 1 Crabtree Parking Structures
New parking structures in the Crabtree area should be designed with careful attention given to their street faces.

The streetscape plan addresses parking structures and facades. The request is consistent with this policy.

Policy AP-C 4 Crabtree Mall Connections
A two level circulation system is proposed for the Crabtree Mall area. The lower level, which corresponds to the lower level of the Mall, should include vehicular, transit, and pedestrian circulation (including greenways). The upper circulation level corresponds to the upper level of the Mall but ground level of Kidds Hill Plaza and the hotel areas to the north and east of the Mall and requires that pedestrian bridges be accommodated as sites adjacent to the Mall are developed.

Policy AP-C 6 Crabtree Area Pedestrian Circulation Plan
The focus of the Crabtree Valley Pedestrian Circulation Plan is to create a primary loop around the mall, which is the key activity center in the area. This loop will be comprised of the Capital Area Greenway Crabtree Trail on the south and east, Glenwood Avenue on the north, and an upper level mall connection on the west (connecting the proposed pedestrian bridge from Marriott Drive to the mall and the planned pedestrian bridge from the Promenade over Crabtree Valley Avenue and Crabtree Creek to the mall). Also identified are the key connections from the surrounding hotel/office/residential activity centers to the primary pedestrian loop. Marriott Drive is designated as the preferred Glenwood Avenue street level crossing. Pedestrians from the east (Lead Mine Road and Holiday Inn areas) would be directed to cross under Glenwood Avenue using the greenway trail.

The request is consistent with these policies. The Crabtree pedestrian circulation plan calls for pedestrian connection from Crabtree Valley mall to the surrounding area to the north. The proposed conditions offer right-of-way dedication for future pedestrian/vehicular connectivity to Marriot Drive.

Policy AP-C 5 Design Unity in the Crabtree Area
Where possible, contiguous tracts throughout the Crabtree area should have some sense of overall design unity. In areas where upper-level pedestrian access is developed, creative structural expression of these circulation elements would serve to engage the users and give the area character. The use of glass and transparent materials should be encouraged in order to keep the area from appearing closed in, like a tunnel.

The proposed rezoning site is located in the interior of a block, with majority of site having primary access from a residential street. The streetscape plan applies only to the properties encompassed within this rezoning petition. The remaining properties on the same block will eventually have a different character and frontage unless the streetscape plan is applied uniformly across the block to retain cohesiveness and compatibility in streetscape design. Additionally, the request does not meet the locational guidelines specified for PBOD's (Sec. 10-2055) as the subject properties do not constitute one side of an entire block.

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

The site is located in a prominent location, to the north of Glenwood Avenue, across from the Crabtree Valley mall. Given its designation as a regional mixed use center, the site is appropriate for redevelopment into a higher density, urban community in close proximity to existing transportation infrastructure and major retail opportunities. The area is surrounded predominantly by a mix of high intensity commercial, office and medium density residential uses. Directly across to the east are low density residential uses. The proposed rezoning to a Shopping Center conditional use with a Pedestrian Business Overlay District will encourage higher densities and a potential mix of complimentary uses on a site designated as a Regional Mixed use center.

The proposed request primarily seeks to increase the residential density on the site with a mix of uses. The incorporation of the PBOD at this location will support more walkability and pedestrian links between all properties to the north of Glenwood Avenue/Leadmine Road intersection. Through the use of site features such as expanded walkways, decorative crosswalks, pedestrian scale lighting and enhanced street furnishings, the project will support walkability and a better pedestrian oriented environment. The site is primarily accessed from Charles Drive, a residential loop street. This street is not designed with carrying capacity for higher intensity commercial uses. The Traffic Impact Analysis has been completed and reviewed indicating minimal impacts from the proposed uses.

3. Public benefits of the proposed rezoning

The proposed rezoning benefits immediate neighbors by facilitating redevelopment of an old apartment complex into higher density development appropriate for designated mixed use centers. The map amendment will benefit immediate neighbors by promoting a more aesthetically appealing redevelopment with convenient neighborhood services and improvements in vehicular and pedestrian circulation. The proposed request also injects higher density residential uses into a regional retail center which is already served by major retail hubs like the Crabtree Valley mall, thus enhancing the purchasing power within the market.

4. Detriments of the proposed rezoning

Staff assessment indicates the following potential detriments:

- Set precedence for non-compliance with locational guidelines established by City Code Sec. 10-2055(f)(1)
- Potential traffic impacts- congestion of residential streets as Charles Street that is more conducive to take load of low to medium density residential uses than higher

intensity uses. TIA review indicates not too significant traffic impacts from the proposed use.

- Creation of non-cohesive zoning classification, zoning conditions, and streetscape for isolated properties within the same block.

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>2009 NCDOT Traffic Volume (ADT)</u>	<u>2035 Traffic Volume Forecast (CAMPO)</u>			
Lead Mine Road	Major Thoroughfare	17,000	30,900			
Charles Drive	Residential	N/A	N/A			
Street Conditions						
<u>Lead Mine Road</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	5	65'	Back-to-back curb and gutter section	90'	5' sidewalks on one side	None
City Standard	4	65'	Back-to-back curb and gutter section	90'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
Meets City Standard?	YES	YES	YES	YES	NO	NO
<u>Charles 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	2	20'	Curb and gutter on one side	65'	5' sidewalks on one side	None
City Standard	2	31'	Back-to-back curb and gutter section	50'	minimum 5' sidewalks on one or both sides	N/A
Meets City Standard?	YES	NO	NO	YES	YES	N/A
Expected Traffic Generation [vph]	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	332	818	486			
PM PEAK	332	752	420			
Suggested Conditions/ Impact Mitigation:	Traffic Study Determination: Staff has reviewed Traffic Impact Analysis Report for this case. Summary of TIA review - Development limits under the proposed rezoning were designed to result in a zero change of PM peak hour trips. When comparing trips under the current zoning and proposed zoning on Lead Mine Road there is a net increase of 15 trips during the AM Peak and a net increase of 1 trip during the PM Peak. The intersection of Glenwood Avenue and Lead Mine Road is congested and currently operates at Level of Service F. Under the proposed zoning overall intersection delay at Lead Mine Road and Glenwood Avenue will increase by approximately 3% for AM and PM peak periods.					
Additional Information:	Neither NCDOT nor the City of Raleigh have any roadway construction projects scheduled in the vicinity of this case.					

Impact Identified: 3% increase in peak hour intersection delay at a LOS F intersection (Glenwood Ave and Leadmine Road).

5.2 Transit

There is currently transit on Lead Mine Rd. Please provide a 15x20' transit easement, concrete pad and ADA accessible shelter.

Impact Identified: Increased density will generate additional transit ridership. Transit easement is being offered as a zoning condition.

5.3 Hydrology

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

Site is subject to Part 10, Chapter 9 Stormwater Regulations. No floodplain or Neuse River Buffers exist on the site.

Impact Identified: None

5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	49,010 gpd	68,700 gpd
<i>Waste Water</i>	49,010 gpd	68,700 gpd

The proposed rezoning will add approximately 19,690 gpd to the wastewater collection or water distribution systems of the City. Annexation was approved for a portion of the site that was within the ETJ limits at the time of filing of the rezoning petition. Sanitary sewer and water mains are available to the property.

Impact Identified: None

5.5 Parks and Recreation

The subject property is not located adjacent to a greenway corridor. The subject tract is not located within a park search area.

Impact Identified: None

5.6 Urban Forestry

1. One parcel is larger than 2 acres and is subject to tree conservation laws (code section 10-2082.14).
2. If the parcels are recombined and subdivided, the entire project will be subject to tree conservation laws.
3. The provided conditions make no provisions for tree conservation, and none are needed at this time.

Impact Identified: Compliance with tree conservation must be addressed at the time of site development.

5.7 Wake County Public Schools

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
Brooks	610	114.0%	660	123.4%
Moore Square	490	86.9%	520	92.2%
Sanderson	1,876	98.8%	1,898	99.9%

Impact Identified: The rezoning could result in an increase of 50 elementary school students. The middle and high school students could increase by 30 and 22 students respectively.

5.8 Designated Historic Resources

Impact Identified: There are no historic resources on this site.

5.9 Community Development

Impact Identified: None

5.10 Impacts Summary

- Increased traffic impacts; 3% increase in peak hour intersection delay at a LOS F intersection (Glenwood Ave and Leadmine Road).
- Increase in transit usage
- Applicability of tree conservation ordinance

5.11 Mitigation of Impacts

- A traffic impact analysis has been completed and reviewed by staff
- Transit easement has been offered
- Compliance with tree conservation must be addressed at the time of site development

6. Appearance Commission

The site is being proposed for a Pedestrian Business Overlay District and is hence subject to review by the Appearance Commission.

As per the provisions of North Carolina General Statutes §160A-452 and City of Raleigh Code of Ordinances §10-1021 and §10-2055, on December 8, 2011 the Raleigh Appearance Commission reviewed rezoning proposal Z-7-12 (Charles Drive).

At the meeting, representatives of the case offered an overview of the proposal, with discussion following. At the conclusion of commission's discussion, the commission moved by acclamation that the applicants amend their proposal to include the following provisions:

1. That, as part of the Streetscape Plan, a pedestrian connection be delineated and provided through the center of the site, from Lead Mine Road to Charles Drive.
Applicant response: We explained at the time that the block is simply not big enough to necessitate a mid-block pedestrian connection. The streetscapes are being improved to a high level and they will provide sufficient pedestrian access to Lead Mine Road via either the north or south.

2. That, consistent with the character and context of Lead Mine Road, the taller that future frontage buildings are, the greater their respective setbacks will be, with any resulting wider spaces between sidewalks and building façades to provided added landscaping opportunities.
Applicant response: We have reduced the building height to 115' which is consistent with other developments along Lead Mine Road to the north and south of the project.
3. The commission supports the applicants' alternate streetscape proposal along Lead Mine Road (the tree and planter row along the street to buffer pedestrians).
Applicant response: Noted.

The commission also requests that, given the potential visual impacts of onsite off-street parking, that the Parking Plan qualify whether site development will seek to "meet or exceed" standard City parking provisions, or those available to the overlay district under Sec. 10-2055(e)(1).

Applicant response: The parking section of the Streetscape plan indicates that we will meet or exceed the minimum parking requirements set forth in the City of Raleigh ordinance. We have also amended this section to further address the location of parking as well as the treatment of the parking deck façade.

7. Conclusions

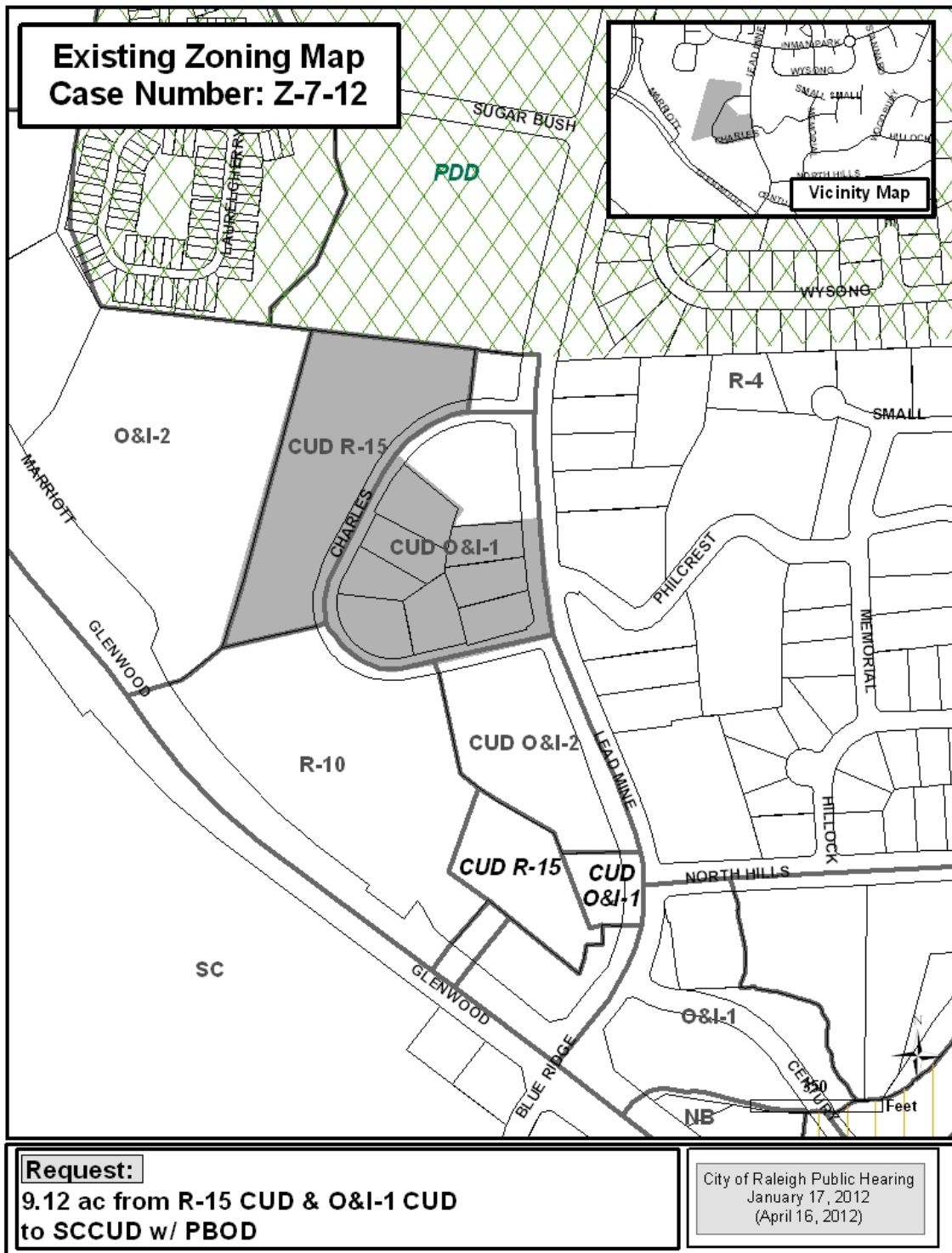
The subject request is consistent with its Future Land Use map designation and several Comprehensive Plan policies. Given its location within a designated regional mixed use center, the proposed residential and/or retail mixed uses along with streetscape plan standards promotes a vibrant, pedestrian friendly urban project in close proximity to Crabtree Valley mall, the largest commercial center in the area. Given the residential character of Charles Drive, the Crabtree Area Plan map recommends this site for higher density residential use. With its regional mixed use designation and proximity to the Crabtree Valley mall, the site is ideal for redevelopment for higher density residential and limited commercial use.

Much of the urban design guidelines are to be applied during the site planning process. The request provides for improved pedestrian connectivity in the area.

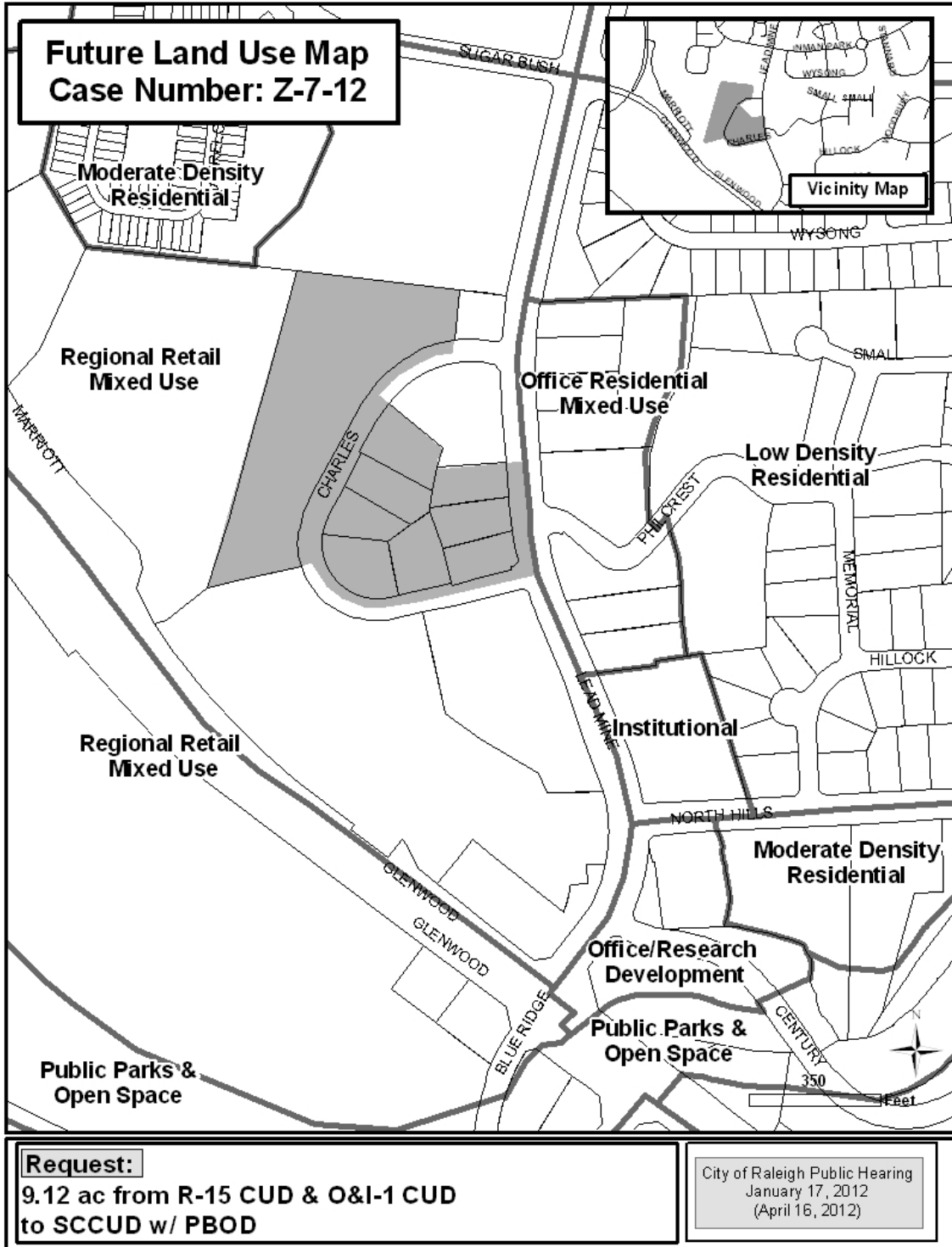
Outstanding Issues:

- Inconsistency with Sec.10-2055 (f)(1) location guidelines
- Lack of unity of design for contiguous sites within same block

Existing Zoning Map



Future Land Use Map





City of Raleigh

North Carolina

February 23, 2012

MEMORANDUM

TO: Fleming El-Amin, AICP
Transportation Planner

FROM: Bowman Kelly, PE, PTOE *CBK*
Transportation Engineer

SUBJECT: Traffic Impact Analysis Review for rezoning case Z-7-2012

I have reviewed the Traffic Impact Analysis (TIA) report for rezoning case Z-7-2012 submitted by Ramey Kemp & Associates on January 30, 2012. The rezoning will allow for redevelopment of nine parcels located on the west side of Lead Mine Road approximately ¼ miles north of the intersection of Lead Mine Road, Blue Ridge Road and Glenwood Avenue. Access to and from the site will come from driveways on Charles Drive. The following intersections were studied as part of this traffic analysis:

- US 70 (Glenwood Avenue) at Lead Mine Road/Blue Ridge Road (*Signalized*)
- Lead Mine Road at Century Drive (*Unsignalized*)
- Lead Mine Road at North Hills Drive (*Signalized*)
- Lead Mine Road at Charles Drive North (*Unsignalized*)
- Lead Mine Road at Charles Drive South (*Unsignalized*)
- Lead Mine Road at Sugar Bush Road/Inman Park Drive (*Unsignalized*)

The expected volume of new vehicle trips if this rezoning case is approved is shown in the following table. These volumes were calculated from the ITE *Trip Generation Manual* (8th ed).

Land Use	Maximum Build-out	Daily Trips (Veh/Day)	AM Trips (Veh/Hr)	PM Trips (Veh/Hr)
Current Zoning	70 Apartments 175,982 s.f. Office	2,464	316	313
Proposed Rezoning	533 Apartments 7,500 s.f. Retail	3,342	301	313
Difference (Trips)		+878	-15	0

Development limits under the proposed rezoning were designed to result in a zero change of PM peak hour trips. Trip totals include a 5% reduction in overall traffic volume to account for transit ridership.

The signalized intersection of Glenwood Avenue and Lead Mine Road/Blue Ridge Road is congested during the AM and PM peak periods. Regardless of whether rezoning case Z-7-2012 is approved or not, motorists traversing this intersection should expect delays (on average) in excess of 100 seconds per vehicle during the AM peak and 180 seconds per vehicle during the PM peak. Due to differences in the directional distribution of traffic (percentage of inbound trips versus the percentage of outbound trips) for the proposed zoning, there will be little change in overall intersection volume; rather volumes are redirected to different approaches and movements.

Land Use	AM Inbound Trips (Veh/Hr)	AM Outbound Trips (Veh/Hr)	PM Inbound Trips (Veh/Hr)	PM Outbound Trips (Veh/Hr)
Current Zoning	254	62	78	235
Proposed Rezoning	74	227	199	115
Difference (Trips)	-180	+165	+121	-120

Under the proposed zoning, overall intersection delay will increase by approximately 3% for both AM & PM peak periods. Intersection utilization will be above capacity. Some approaches (eastbound and northbound in the AM, southbound in the PM) will see a lesser degree of LOS-F while others will experience a greater degree of LOS-F.

SCENARIO	Mean Delay (sec/veh) for Glenwood Av @ Lead Mine Rd: AM				
	EB Approach	WB Approach	NB Approach	SB Approach	Overall
Max Build-out Current Zoning	114.4	79.4	143.3	138.0	107.3
Max Build-out Proposed ReZoning	110.2	80.4	113.3	156.9	110.7
Difference	-4.2	1.0	-30.0	18.9	3.4
Percent Difference	-4%	1%	-21%	14%	3%
SCENARIO	Mean Delay (sec/veh) for Glenwood Av @ Lead Mine Rd: PM				
	EB Approach	WB Approach	NB Approach	SB Approach	Overall
Max Build-out Current Zoning	171.1	160.7	223.4	261.7	176.6
Max Build-out Proposed ReZoning	170.6	179.5	232.4	230.4	189.2
Difference	-0.5	18.8	9.0	-31.3	12.6
Percent Difference	0%	12%	4%	-12%	7%

It is not practical to mitigate the delay or improve level-of-service at Glenwood Avenue and Lead Mine Road for several reasons. Traffic signals along both Glenwood Avenue and Lead Mine Road are coordinated; any attempt to retime the signal at Lead Mine Road would require adjusting other signals such as Creedmoor Road, Crabtree Valley Mall, etc. Constructing additional lanes on Lead Mine Road to reduce queuing is not possible; there is insufficient right-of-way to add more lanes.

The signalized intersection of Lead Mine Road and North Hills Drive, similar to the intersection at Glenwood Avenue, will experience little change in overall traffic volume. Overall intersection level-of-service will be LOS-C (AM peak) or LOS-D (PM peak) under both current zoning and the proposed rezoning. Intersection utilization is under capacity. The largest impact under the proposed rezoning will be an increase in delay from 59 sec/veh to 70 sec/veh on the Lead Mine Road northbound approach during the PM peak. Level-of-Service will remain at LOS-E for the northbound approach under both current zoning and proposed rezoning.

I have also reviewed the expected traffic impacts on arterial roadway operation for Glenwood Avenue and Lead Mine Road. Arterial level-of-service will be LOS-F under current zoning and proposed rezoning for both roadways.

ARTERIAL SPEED (mph)									
Lead Mine Rd - AM Peak					Lead Mine Rd - PM Peak				
Direction	Current Zoning	Proposed Zoning	Δ	% Change	Direction	Current Zoning	Proposed Zoning	Δ	% Change
NB	3.2	3.9	0.7	21.9%	NB	2.7	2.5	-0.2	-7.4%
SB	20.3	20.2	-0.1	-0.5%	SB	12.9	13.6	0.7	5.4%
Glenwood Av - AM Peak					Glenwood Av - PM Peak				
Direction	Current Zoning	Proposed Zoning	Δ	% Change	Direction	Current Zoning	Proposed Zoning	Δ	% Change
EB	17.3	17.3	0.0	0.0%	EB	10.7	10.7	0.0	0.0%
WB	16.0	16.0	0.0	0.0%	WB	8.5	8.5	0.0	0.0%



Petition to Amend the Official Zoning Map

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

2-7-12
Pd 1081.00
by ck's #
11047
1903

The following items are required with the submittal of rezoning petition. For additional information on these submittal requirements, see the *Filing Instructions* addendum.

Rezoning Application Submittal Package Checklist

- Completed Rezoning Application which includes the following sections:**
 - Signatory Page
 - Exhibit B
 - Exhibit C (only for Conditional Use filing)
 - Exhibit D
 - Map showing adjacent property owner names with PIN's
- Application Fee**
 - \$540 for General Use Cases
 - \$1081 for Conditional Use Cases
 - \$2702 for PDD Master Plans
- Neighborhood Meeting Report (only for Conditional Use filing)**
- Receipt/ Verification for Meeting Notification Mail out**
- Traffic Impact Generation Report OR written waiver of trip generation from Raleigh Transportation Services Division**
- (General Use ONLY) if applicant is not the petitioner must provide proof of notification to the adjacent property owners per G.S. 160A-384**

2011 SEP 16 AM 8:46
CITY OF RALEIGH
CITY PLANNING DEPT

2-7-12
SSP-2-12



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
	Robert E. Sears, II	9-15-11
	Gail F. Rankin (formerly Brenda G. Sears)	9-15-11
	Craig Ferri for: Crabtree North, LLC	9/15/11
	Craig Ferri for: Crabtree Apartments Associates, LLC	9/15/11

2-7-12

PROOF OF OWNERSHIP ENTITLEMENT CHANGE

BK014514PG02057

WAKE COUNTY, NC 43
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/28/2011 AT 09:39:43
STATE OF NORTH CAROLINA
REAL ESTATE EXCISE TAX: \$400
BOOK:014514 PAGE:02057 - 02060

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$400.00

Parcel Identifier No. 73925

Hold for: Weatherspoon & Voltz LLP (Box 36)

This instrument was prepared by: Weatherspoon & Voltz LLP

Brief description for the Index: 2240 Charles Drive, Raleigh, NC

THIS DEED is made this 28th day of October, 2011, by and between:

GRANTOR	GRANTEE
ROBERT E. SEARS, II (Unmarried) and GAIL F. RANKIN f/k/a BRENDA GAIL SEARS and spouse, JEFFREY SCOTT RANKIN, as tenants in common 2240 Charles Drive Raleigh, NC 27612	CRABTREE NORTH, LLC, a North Carolina limited liability company P. O. Box 254 Folly Beach, SC 29439

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Raleigh, Wake County, North Carolina and more particularly described as follows:

Set forth in Exhibit A attached hereto and incorporated herein by this reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2637, Page 74, Wake County Registry.

A map showing the above described property is recorded in Book of Maps 1957, Page 90, Wake County Registry.

All or a portion of the property herein conveyed includes or does not include the primary residence of Grantor.

BK014514PG02058

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: 2012 and subsequent years ad valorem taxes, easements, restrictions and rights-of-way of record affecting the subject property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

[Signature]
Robert E. Sears, II

Gail F. Rankin
Gail F. Rankin f/k/a Brenda Gail Sears

Jeffrey Scott Rankin
Jeffrey Scott Rankin

State of North Carolina
County of Wake

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Robert E. Sears II.

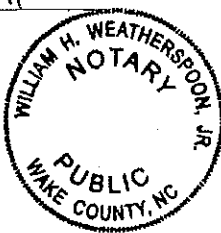
Date: 10-26-11

[Signature]
Notary Public

William H. Weatherspoon, Jr
Printed Name

My commission expires: 3-27-2016

[official seal]



State of North Carolina
County of Wake

I certify that the following persons personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Gail F. Rankin f/k/a Brenda Gail Sears and spouse, Jeffrey Scott Rankin.

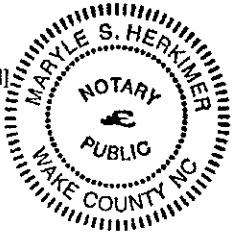
Date: 10-28-2011

[Signature]
Notary Public

Maryle S. Herkimer
Printed Name

My commission expires: 2/26/2014

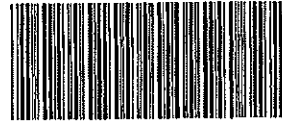
[official seal]



BK014514PG02059

Exhibit A

BEGINNING at an existing iron pipe on the eastern right-of-way line of Charles Drive, an existing variable width, public right-of-way, also the western property corner of Lot 15 as shown in Book of Maps 2008, Page 2330, Wake County Registry; thence along with the southwestern property line of said Lot 15 South 46 degrees 39 minutes 39 seconds East a distance of 184.51 feet to an existing iron pipe, a southwestern property corner of said Lot 15; thence along with the western property line of said Lot 15 South 21 degrees 57 minutes 13 seconds West a distance of 52.04 feet to an existing iron pipe, a southern property corner of said Lot 15, also a northwestern property corner of Lot 23 as shown in Book of Maps 1957, Page 90, Wake County Registry; thence along the western property line of said Lot 23 South 13 degrees 14 minutes 33 seconds West a distance of 63.61 feet to an existing iron pipe, a point on the western property line of said Lot 23, also a northeastern property corner of Lot 18 as shown in Book of Maps 1957, Page 90, Wake County Registry; thence along with the northern property line of said Lot 18 North 57 degrees 42 minutes 11 seconds West a distance of 212.64 feet to an existing iron pipe on the eastern right-of-way line of said Charles Drive, also a northwestern property corner of said Lot 18; thence along with the eastern right-of-way line of said Charles Drive North 32 degrees 05 minutes 14 seconds East a distance of 38.28 feet to an iron pipe set on the eastern right-of-way line of said Charles Drive; thence continuing with the eastern right-of-way line of said Charles Drive North 32 degrees 28 minutes 14 seconds East a distance of 96.73 feet to an iron pipe set on the eastern right-of-way line of said Charles Drive; thence continuing with the eastern right-of-way of said Charles Drive as it curves in a clockwise direction 12.11 feet (said curve having a curve angle of 02 degrees 34 minutes 41 seconds, a tangent of 6.06 feet and a radius of 269.20 feet) to an existing iron pipe in the eastern right-of-way line of said Charles Drive, being the point and place of BEGINNING, containing 0.57 acres more or less and being more particularly described as "Lots 17 & Portion of 16" according to that survey entitled "Boundary Survey, portion of Lot 16, Lots 17-23; Book of Maps 1957, Page 90 & Deed Book 12536, Page 1816", prepared by William C. Credle, Professional Land Surveyor, and dated August 5, 2011, and being Lots 17 & Portion of 16, inclusive, of Smith Subdivision, Book of Maps 1957, Page 90, Wake County Registry.



BOOK:014514 PAGE:02057 - 02060

**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
_____ # of Pages **BC**

2-7-12
Amended 12/12/11

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)	Crabtree Apartments Associates, LLC	P.O. Box 254 Folly Beach, SC 29439	843-588-5021
(for conditional use requests, petitioners must own petitioned property)	Crabtree North LLC	P.O. Box 254 Folly Beach, SC 29439	843-588-5021
Property Owner(s)	Crabtree Apartments Associates, LLC	P.O. Box 254 Folly Beach, SC 29439	843-588-5021
	Crabtree North LLC	P.O. Box 254 Folly Beach, SC 29439	843-588-5021
Contact Person(s)	Robin T. Currin Currin & Currin Attorneys at Law	P.O. Box 86 Raleigh, NC 27602	919-832-1515 robincurrin@aol.com

Property information

Property Description (Wake County PIN) 0796518795, 0796611658, 0796611519, 0796610449, 0796610348, 0796611399, 0796613559, 0796613469, 0796613480

Nearest Major Intersection Lead Mine and Glenwood Avenue (US Hwy 70)

Area of Subject Property (in acres) 9.12 Acres

Current Zoning Districts (include all overlay districts) R-15 CUD and O&I-1 CUD

Requested Zoning Districts (include all overlay districts) SC-CUD with PBOD overlay

EXHIBIT B. Request for Zoning Change

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

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
SEE ATTACHED EXHIBIT B1			

EXHIBIT B1

Duke Realty LTD Partnership PIN 0796 62 2442 3005 Carrington Mill Blvd Suite 100 Morrisville, NC 27560-8886	Joanna Smith Mills Melissa Smith Mills PIN 0796 50 9976 c/o Joseph H Call P.O. Box 98025 Raleigh, NC 27624-8025
Royal Hills, Inc. PIN 0796 50 9976 P.O. Box 98025 Raleigh, NC 27624-8025	Generation Suites of Raleigh Crabtree, LLC PIN 0796 61 3190 Randy Coup P.O. Drawer Research Triangle Park, NC 27709-484
Crabtree Valley Baptist Church, Inc. PIN 0796 61 7225 4408 Lead Mine Road Raleigh, NC 27612-3325	Roy Joseph Saba PIN 0796 61 7313 700 Devereux Street Raleigh, NC 27605-1408
Frances Todd Corbin PIN 0796 61 6579 4508 Lead Mine Road Raleigh, NC 27612-3327	Norman Anthony Currin Faye P Currin PIN 0796 61 6743 2008 Philcrest Road Raleigh, NC 27612-3914
Oksabuk, LLC PIN 0796 61 3708 c/o Dr. Charles Kubasko 116 Grosvenor Drive Raleigh, NC 27615-2044	Faisal Inc. PIN 0796 62 3073 3113 Cone Manor Ln Raleigh, NC 27613-6606

<p>Crabtree Apartments Association, LLC PIN 0796 51 8795 8810 Westgate Park Dr. Suite 102 Raleigh, NC 27617-4821</p>	<p>*Crabtree North, LLC PIN 0796 61 0348 P.O. Box 254 Folly Beach, SC 29439</p>
<p>Robert E Sears, II Brenda G. Sears PIN 0796 61 1658 2240 Charles Dr. Raleigh, NC 27612-3309</p>	<p>*Crabtree North, LLC PIN 0796 61 0449 P.O. Box 254 Folly Beach, SC 29439</p>
<p>*Crabtree North, LLC PIN 0796 61 1399 P.O. Box 254 Folly Beach, SC 29439</p>	<p>*Crabtree North, LLC PIN 0796 61 1519 P.O. Box 254 Folly Beach, SC 29439</p>
<p>*Crabtree North, LLC PIN 0796 61 3469 P.O. Box 254 Folly Beach, SC 29439</p>	<p>*Crabtree North, LLC PIN 0796 61 3480 P.O. Box 254 Folly Beach, SC 29439</p>
<p>*Crabtree North, LLC PIN 0796 61 3559 P.O. Box 254 Folly Beach, SC 29439</p>	<p>Chief Raleigh Hotel LLC PIN 0796 51 5804 c/o Cornerstone Real Estate Adviser 180 Glastonbury Blvd Suite 401 Glastonbury, CT 06033-4439</p>

*On September 9, 2011, each of these properties was conveyed from ACP Development of North Carolina, LLC to Crabtree North, LLC, recorded in the Register of Deeds in Book 014457, Pages 01635-01641.

EXHIBIT C. Request for Zoning Change

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

CITY OF RALEIGH
CITY PLANNING DEPT
Filing Addendum

2-7-12
3/2/12
pg 1 of 3

2012 MAR -2 AM 10:02

Conditional Use District requested: SC CUD with PBOD Overlay

Narrative of conditions being requested:

1. The following uses shall be prohibited on the Property:
 - a. a day care facility,
 - b. custom and specialized manufacturing,
 - c. an airfield, landing strip or heliport,
 - d. orphanage,
 - e. correctional/penal facility
 - f. landfill
 - g. cemetery
 - h. telecommunications tower
 - i. outdoor stadium, outdoor theater, outdoor racetrack, outdoor movie theater
 - j. emergency shelter
 - k. adult establishment
 - l. carwash facility
 - m. retail sales-highway
 - n. shopping area
 - o. shopping center
 - p. Any use with a drive-through

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

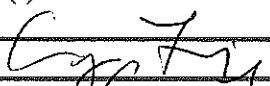
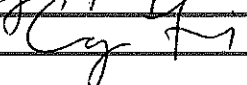
Signature(s)	Print Name	Date
	Craig Ferri for: Crabtree North, LLC	3/1/12
	Craig Ferri for: Crabtree Apartments Associates, LLC	3/1/12

EXHIBIT C. Request for Zoning Change

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

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2. Prior to the issuance of any building permit for the Property or a subdivision of the Property, whichever shall occur first, the owner of the Property shall convey to the City of Raleigh a transit easement measuring twenty (20) feet by fifteen (15) feet with a concrete pad and transit shelter. The location of the easement shall be approved by the Public Works Department, Transit Division of the City and the City Attorney shall approve the transit easement deed prior to recordation. Prior to obtaining a Certificate of Occupancy for any new building on the Property, the owner will construct the concrete pad and shelter referenced in this Condition within such transit easement, unless this requirement is waived by the City of Raleigh.

3. Upon redevelopment, there will be a minimum of 2500 square feet of “retail” development as defined in Code Section 10-8002 on the Property; however, total retail development as defined in Code Section 10-8002 on the entire Property shall not exceed a total of 7500 square feet. The total residential density on the Property shall not exceed 533 units. Office uses as defined in Code Section 10-8002 will not be allowed, except as incidental and accessory to residential uses.

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
	Craig Ferri for: Crabtree North, LLC	3/1/12
	Craig Ferri for: Crabtree Apartments Associates, LLC	3/1/12

EXHIBIT C. Request for Zoning Change

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4. Prior to the issuance of a building permit, Petitioner will dedicate to the City of Raleigh a right-of-way of a width agreeable to the City of Raleigh, not to exceed 60 feet, for the purpose of roadway construction adjacent to and along the 255 foot southern property line of PIN 0796518795, Deed Book 14289, Page 2645. At the City's request, and if needed, the Petitioner will also convey a slope easement to the City of a width of no more than 20 feet at the same location. The adjacent property to the South is owned by Joanna Smith Mills and Melissa Smith Mills and the deed for this property is recorded at Deed Book 6693, Page 84 and Deed Book 6693, Page 81.
5. Development shall be made in accordance with the applicable Streetscape and Parking Plan, as it may be amended from time to time.

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

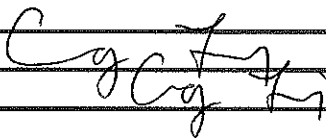
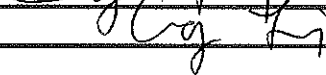
Signature(s)	Print Name	Date
	Craig Ferri for: Crabtree North, LLC	3/1/12
	Craig Ferri for: Crabtree Apartments Associates, LLC	3/1/12

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 Property is designated Regional Mixed Use on the Future Land Use Map. A Regional Mixed Use area may include high density housing, office development, hotels and region serving retail uses. The proposed uses which would be permitted by the SC Conditional Use District with the Pedestrian Business Overlay District, including high density residential, are consistent with the Future Land Use Map classification for this Property.

- 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.**

This Property is not located within any Area Plan specifically, but it does fall within the within the Crabtree Area Plan "Study Area." The Crabtree Area Plan's goal is for the area to develop as a mixed-use environment with people living, working and shopping within a walkable urban

EXHIBIT D. Request for Zoning Change

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community. To the extent required, the proposed map amendment is consistent with the Crabtree Area Plan Policies. In addition, Crabtree Area Plan Map AP-C3 entitled “Pedestrian Circulation” designates the area in which the Property is located as “High Density Residential.”

- 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 to the extent required, the Crabtree Area Plan. The proposed map amendment is, therefore, consistent with Comprehensive Plan Policies LU 1.2 (“Future Land Use Map Consistency”) and 1.3 (“Conditional Use District Consistency”). The proposed rezoning would allow for high density and mixed use development which would also be consistent with Policy LU 2.2 entitled “Compact Development.”

The proposed rezoning would also be consistent with and further the following policies:

LU 8.2 Neighborhood Revitalization
 LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods
 LU 1.3 Ancillary Retail Uses
 T 1.6 Transportation Impacts
 T 6.1 Surface Parking Alternatives
 ED 2.5 Blight Abatement
 H 1.8 Zoning for Housing
 UD 3.5 Visually Cohesive Streetscapes
 UD 5.3 Improving Neighborhood Connectivity

In addition, responses to each of the Urban Design Guideline objectives are included on attached Exhibit D-1.

EXHIBIT D. Request for Zoning Change

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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):**

This Property is located primarily on Charles Drive, which is off Lead Mine Road north of Glenwood Avenue. Crabtree Valley Mall is across Glenwood Avenue from the Lead Mine Road intersection and is in close proximity to the Property. The Property is currently developed as single family dwellings and the Richmond Hills apartment complex. The land to the south is developed as a hotel and as multi-family. The Property is also adjacent to (and basically surrounds) a medical office which occupies the intersection of the north entrance to Charles Drive and Lead Mine Road. The property to the north is an office building. The Marriott Hotel is located to the west. Property to the east across Lead Mine Road is developed as single family.

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

The property to the south is zoned O&I-2 CUD and R-10. The adjoining medical office and property to the north is zoned O&I-1 CUD and R-4 with a PDD overlay. The property to the west is zoned O&I-2. The property to east and across Lead Mine Road is zoned R-4. Crabtree Valley Mall which is across Glenwood Avenue to the South is zoned SC.

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 Property has been used for residential purposes, including multi-family for many years. It is an ideal location for additional residential units, which is the use envisioned by the Comprehensive Plan. The Property is in need of re-development and the rezoning will allow this to occur in a manner compatible with the surrounding area and the Comprehensive Plan.

EXHIBIT D. Request for Zoning Change

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III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment will benefit the property owners by allowing additional density and uses which will facilitate the redevelopment of the Property. There are no known detriments to the Property owners.

B. For the immediate neighbors:

The proposed map amendment will benefit the immediate neighbors by facilitating the redevelopment in an area where this is much needed. The existing apartment complex on the Property was built in the 1970s and the homes on the Property were built in the 1950s. There have been few to no improvements made to these properties since their construction. The PBOD will require a streetscape and parking plan which will enhance the area. There are no known detriments to the immediate neighbors.

C. For the surrounding community:

The proposed map amendment will benefit the surrounding communities by facilitating the redevelopment in an area where this is much needed. The existing apartment complex on the Property was built in the 1970s and the homes on the Property were built in the 1950s. There have been few to no improvements made to these properties since their construction. The PBOD will require a streetscape and parking plan which will enhance the area. There are no known detriments to the surrounding community.

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

The proposed map amendment does not provide a significant benefit which is not available to the surrounding property.

EXHIBIT D. Request for Zoning Change

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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 because the Property is well suited for the increased density and PBOD overlay. The proposed map amendment will increase density and add uses so that development can be consistent with the Comprehensive Plan.

V. Recommended items of discussion (where applicable).

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

Not applicable.

- 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.**

Not applicable.

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

Not applicable.

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

Not applicable.

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

The rezoning advances the fundamental purposes of zoning by protecting and promoting the public welfare and safety and regulating land use in accordance with a comprehensive plan. The rezoning permits zoning in accordance with the City's adopted Comprehensive Plan, including the Future Land Use Map and to the extent applicable, the Crabtree Area Plan.

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

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

There are no other arguments in support of the proposed map amendment at this time.

EXHIBIT D-1

Design Guidelines for Mixed Use Areas

RALEIGH COMPREHENSIVE PLAN

Policy UD 7.3
Design Guidelines
 The design guidelines in **Table UD-1** [listed below] shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as Pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

Elements of Mixed-Use Areas

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

Response: The project will be primarily residential, but may also ultimately incorporate limited retail uses for the residents as well as some office space. In addition, the project is within walking distance of Crabtree Valley Mall which is one of Raleigh’s prominent retail destinations. The Comprehensive Plan also envisions a pedestrian bridge over Glenwood Avenue “to provide an upper-level link to the hotels and other buildings on the hillsides to the north.” See AP-C1. The Comprehensive Plan also references the area where the Property is located as “pedestrian generator” for the Mall. See Map AP-C3. The project is also within walking distance of the RBC Bank on the corner of Glenwood Avenue and Lead Mine Road.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

2. *Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or*

landscaping) to the lower heights or be comparable in height and massing.

Response: The height of the buildings will be appropriate with respect to the adjacent O&I-2, O&I-2 CUD and R-10 properties and there will be an adequate transition to the lower density residential uses.

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

3. *A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*

Response: The project will connect to Lead Mine Road via the existing Charles Drive. At the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

4. *Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*

Response: The project will connect to Lead Mine Road via the existing Charles Drive. At the time of site plan approval, additional detail will be provided as to the pedestrian and vehicular connections to the site and adjoining roads and uses.

5. *New development shall be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.*

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

Site Design/Building Placement

6. *A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.*

Response: The project will be designed to have a strong street presence with pedestrian connectivity to Lead Mine Road and Glenwood Avenue. The buildings will front Charles Drive with a minimum setback and will include sidewalks, landscaping and seating areas. This is addressed more specifically in the Streetscape and Parking Plan.

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

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

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

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

Site Design/Urban Open Space

9. *To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.*

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

10. *New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.*

Response: The project will be designed to provide direct access from the buildings to the streetscape. Please refer to the Streetscape and Parking Plan for additional information. This level of detail will be defined 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.*

Response: The project will be designed to encourage pedestrian traffic through active uses, including high density residential. This will be more specifically defined at the site plan stage.

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

Response: This item is addressed in the Streetscape and Parking Plan and will be more specifically addressed at the site plan stage.

Site Design/Public Seating

13. New public spaces should provide seating opportunities.

Response: The Streetscape and Parking Plan will provide for public seating opportunities. This item will also be addressed more specifically at the site plan stage.

Site Design/Automobile Parking and Parking Structures

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

15. Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.

16. Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.

Response to 14-16: The majority of the parking will be contained within internal parking structures. Any off-street surface parking visible from a public or private street will be screened from view in accordance with City standards. Final configuration of the parking structures and their finishes and screening will be illustrated at the time of site plan approval.

Site Design/Transit Stops

17. Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.

Response: There is a bus transfer station located within walking distance at Crabtree Valley Mall. There is a City bus route which travels past the Property on Lead Mine Road and on Glenwood Avenue.

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

Response: This guideline will be addressed at the site plan stage of the project.

Site Design/Environmental Protection

19. All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.

Response: This guideline will be addressed at the site plan stage of the project.

Street Design/General Street Design Principles

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

Response: This guideline will be addressed at the site plan stage of the project.

21. *Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.*

Response: It is our intent to comply with these guidelines as illustrated in our Streetscape and Parking Plan. Final details will be shown at the time of site plan approval.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.*

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

Street Design/Spatial Definition

23. *Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.*

Response: This level of detail will be illustrated at the site plan stage.

Building Design/Facade Treatment

24. *The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.*

Response: This level of detail will be illustrated at the site plan stage.

25. *The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.*

Response: This level of detail will be illustrated at the site plan stage.

Building Design/Street Level Activity

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

Response: This level of detail will be illustrated at the site plan stage.

Crabtree North

Streetscape and Parking Plan

**Raleigh, North Carolina
Case Number SSP-2-12; Z-7-12**

**Date: September 16, 2011
Revised: December 2, 2011
March 6, 2012**

**Owner:
Crabtree North, LLC
Crabtree Apartments Associates, LLC**

Prepared By:



**THE JOHN R. McADAMS
COMPANY, INC.**

ENGINEERS • PLANNERS • SURVEYORS • ENVIRONMENTAL

RESEARCH TRIANGLE PARK • CHARLOTTE • WILMINGTON

800-733-5646 • www.johnmcadams.com

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Introduction

Location Map



Site History

The property associated with this application includes an assemblage of land totaling approximately 9.16 acres. This collection of properties currently contains an aging two-story garden apartment complex built in the early 1970's and a handful of small single-family rental homes separated by Charles Drive which is a narrow rural section street. The location of this site at the crossroads of Lead Mine Road and Glenwood Avenue, along with its current state of decline make it a prime candidate for redevelopment into a high quality, urban community in close proximity to existing transportation infrastructure and major retail opportunities. The property is currently zoned CUD R-15 where the garden apartments are located and CUD O&I-1 where the eight single-family homes reside.

When this property was originally developed in the early 1970's, the Crabtree area was located on the outskirts of Raleigh and considered a very suburban area. Today, the Crabtree area, including with this site, is designated as a Regional Retail Mixed Use area on the Raleigh Future Land Use Map. The Comprehensive Plan describes this area as a "major retail and service hub that draws customers from across the city". The plan goes on to encourage "high-density housing, office development, hotels and regional-serving retail uses". The only component of this mix the Crabtree area is missing is a greater presence of high-density housing opportunities to take advantage of all the other services in the area.

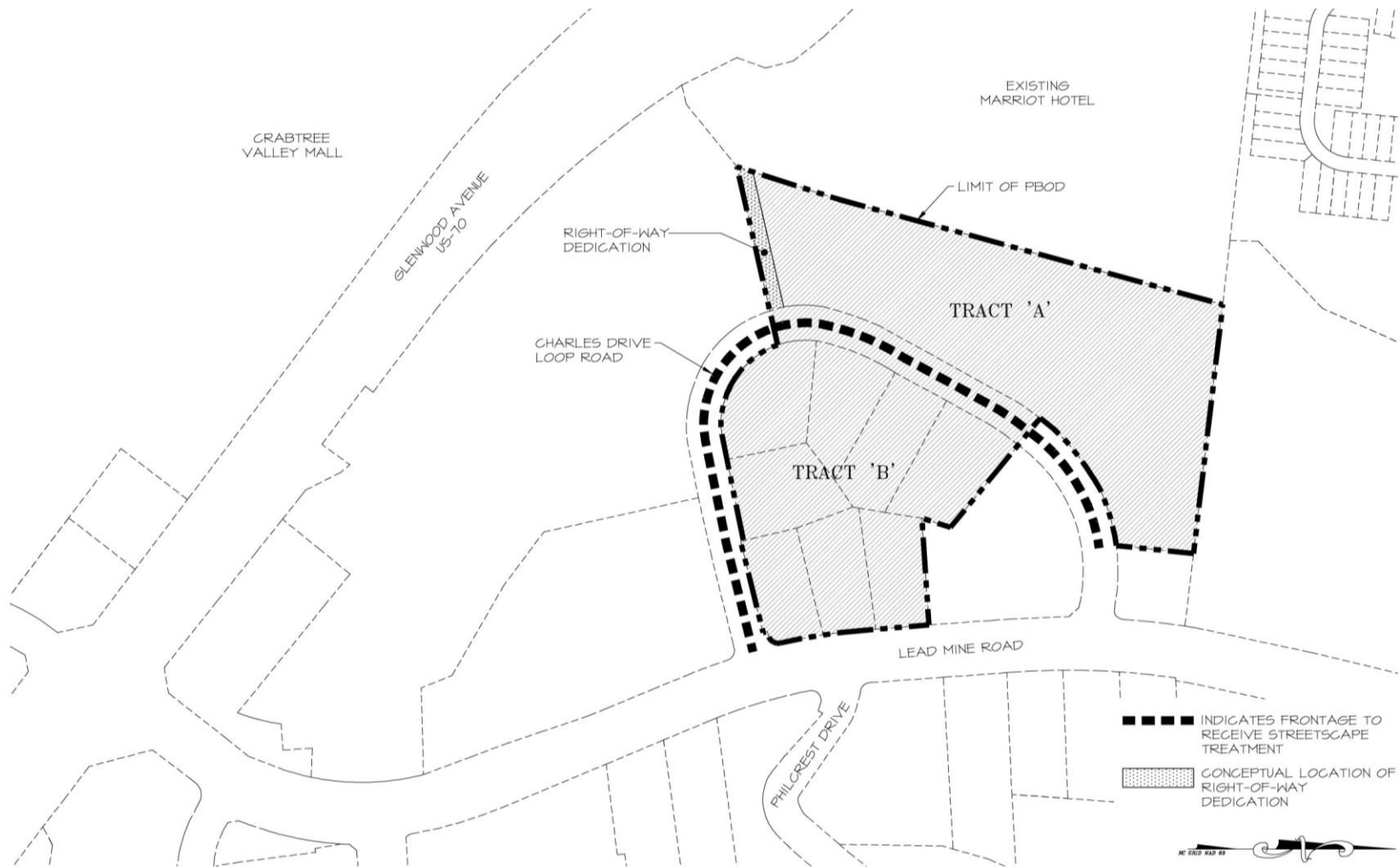
Planning Objective

Crabtree North will incorporate a high density, urban infill residential development within a 5 minute walk of Crabtree Valley Mall which is one of the largest retail centers in North Carolina. The incorporation of the PBOD at this location will allow this property to redevelop at the higher densities the Comprehensive Plan envisions. In doing so, will provide a greater number of residences in close proximity to shopping, jobs and vital transportation corridors. The project will also contain a small amount of support retail and/or office uses. These uses will most likely be designed to serve the residents of Crabtree North and will not be designed to attract pass-by traffic. Through the use of site features such as expanded walkways, decorative crosswalks, pedestrian scale lighting and enhanced street furnishings, the project will provide an inviting corridor for pedestrian travel both to and through the project.

The goal of this streetscape and parking plan is to provide guidelines for the phased development of a predominately high density residential community as shown on the rezoning exhibit below. By providing these guidelines for development, we can insure that this site is developed cohesively over time into a pedestrian friendly urban project, unified by a common streetscape theme.

The streetscape and public spaces are intended to support the urban nature this site offers. In order to facilitate an inviting pedestrian scale streetscape, the plan will regulate items such as building setbacks, pedestrian walkways, paving patterns and finishes, landscaping and street furnishings.

Zoning/PBOD Boundary Exhibit



Transportation

The site is located in the northwest quadrant of Lead Mine Road and Glenwood Avenue, immediately north of Crabtree Valley Mall at a major crossroads of activity for vehicular and bus traffic. The Comprehensive Plan identifies Glenwood Avenue as a Principal Arterial (>40,000 trips per day) and Lead Mine Road as a Secondary Arterial (25,000-45,000 trips per day).

In addition to vehicular transportation, there are bus lines currently running along both Glenwood Avenue and Lead Mine Road with a transfer station located within walking distance of the site inside the parking structure of Crabtree Valley Mall. Upon approval of a site plan or plans for the redevelopment of all or a portion of the property, if requested by the City's Transit Division, the owner shall dedicate a transit easement along the Lead Mine Road frontage of a size, nature and location acceptable to such Division and shall provide any improvements, such as a bench and/or shelter, specified by such Division that will be in accordance with its standard policies. The project will, at the City's request, also offer right-of-way dedication in the southwest corner of the site to allow for a future vehicular and pedestrian connection to Marriot Drive which intersects with Glenwood Avenue.

Streetscape Concept

The overall streetscape concept has been designed to provide a pedestrian scale experience for residents and passersby. The project has less than 300 feet of frontage along Lead Mine Road which carries a great deal of vehicular traffic. As such, it is important to incorporate streetscape elements that give the pedestrian a sense of safety as they pass by the property along this frontage.

The main focus of the pedestrian streetscape and parking plan will be internal to the project, approximately along the current alignment of Charles Drive. This loop road connection will allow local vehicular and pedestrian traffic to circulate through the heart of this community. Our goal will be to design a streetscape that will function as a pedestrian environment that also handles local vehicular traffic at a very slow speed.

Lead Mine Road Frontage

In order to protect the pedestrian from vehicular traffic, we will provide a continuous curbside planting beds between the sidewalk and curb, allowing for a row of low plantings, street trees and seasonal color. Street trees will be provided along Lead Mine Road at a minimum of 40' o.c. The pedestrian walkway along this frontage is proposed to consist of mostly broom and smooth finished concrete to tie in with existing development along the frontage, but will incorporate some decorative brick areas to highlight pedestrian entrances to the building or the project. We have also incorporated a 6' wide planting strip between the back of the sidewalk and the building in order to break up the façade of the building and soften the streetscape with additional plantings. Final location of the brick accents and street furnishing will be finalized at site plan approval. See sheet 8 and 9 for details and sections.

Charles Drive Loop Frontage

As discussed previously, Charles Drive loop will be the main focus of our Streetscape and Parking plan. This internal connection will allow local vehicular and pedestrian traffic to circulate through the heart of this community. Our goal will be to design a streetscape that will act and feel like a pedestrian environment that also accommodates local vehicular traffic, but at a reduced speed.

This streetscape will likely contain multiple access points to the building in the form of stoops and courtyards. As such, we would anticipate the facade location closer to the street than along the Lead Mine Road frontage. Charles Loop will contain a combination of curbside and building-side planters as well as sections where the entire streetscape is paved to facilitate pedestrian circulation. We also anticipate a variety of pedestrian gathering spaces along this frontage to accommodate small seating areas or perhaps a private courtyard recessed from the street. It is also possible that some small support retail such as a coffee shop, restaurant or bookstore could gravitate to this portion of the site providing a place for residents to congregate and spend leisure time without leaving Crabtree North.

As illustrated in the Zoning and PBOD Boundary Exhibit on page 5, much of Crabtree North will encompass both sides of Charles Drive loop. As such, we will incorporate at least one decorative pedestrian crossing to facilitate the flow of pedestrian activity between buildings. Due to this type of treatment, drivers will enter this internally focused streetscape with a heightened sense of awareness toward pedestrians and will be inclined to proceed slowly. The Charles Drive Loop will also incorporate street trees located in tree grates or curbside planters at a minimum of 40' o.c. with decorative pedestrian scale lighting, benches, trash receptacles and bike racks placed regularly along the streetscape. The actual location of the Charles Drive Loop shown is conceptual and may shift slightly within the confines of our project at the time of site plan approval. In no case will Charles Drive be shifted where adjoining properties front this public street.

Streetscape Standards

Width of Pedestrian Ways

There are currently no existing sidewalks adjacent to the boundary of the proposed PBOD. As required, we will provide new sidewalks in accordance with the foregoing text and, as applicable, the sections and plans illustrated below.

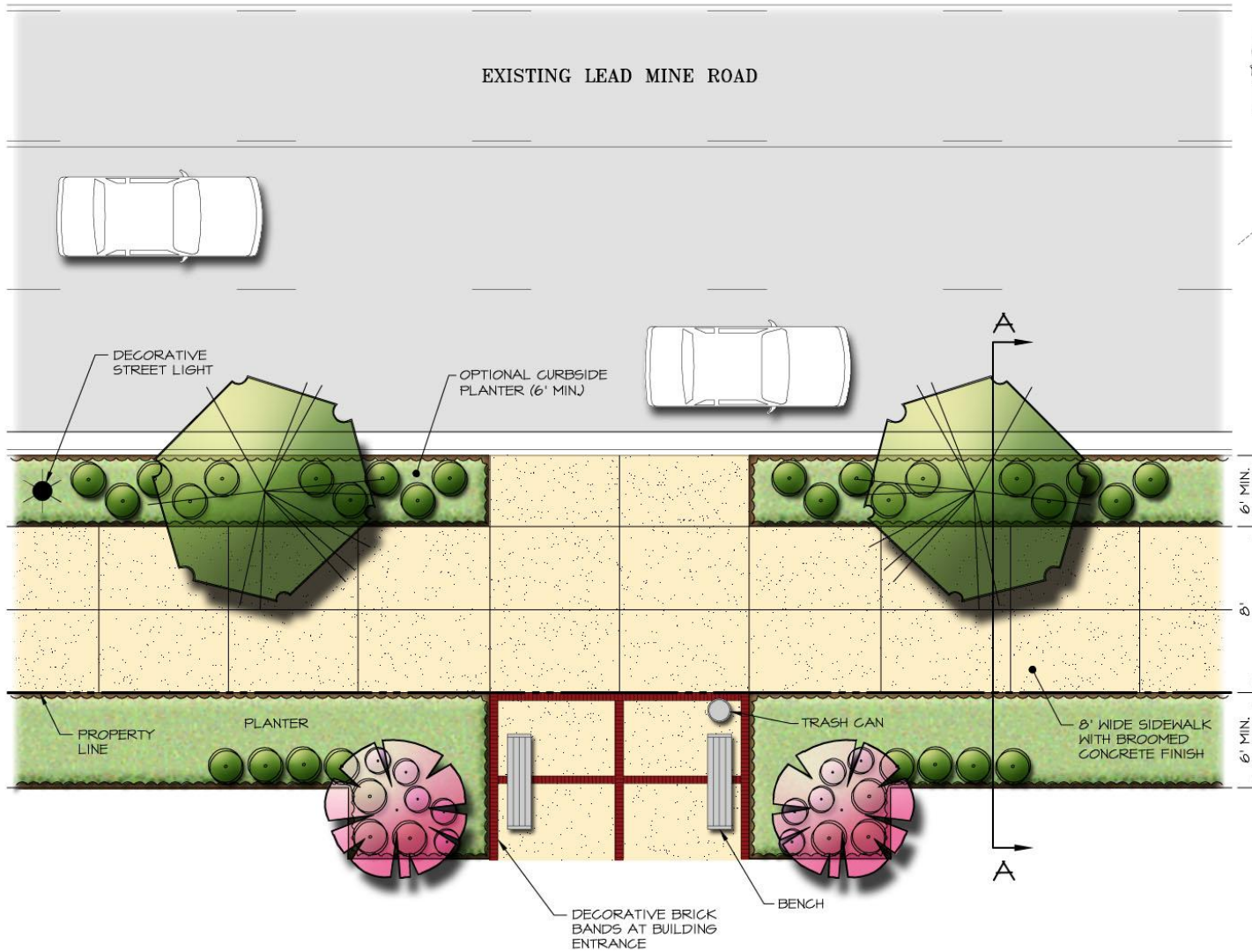
Lead Mine Road Frontage and Charles Drive Loop Frontage – Both of these frontages will be improved with a full 14' wide streetscape in accordance with City of Raleigh PBOD standards (see illustrations below).

Pedestrian Crosswalk locations

Pedestrian crosswalks will be provided at the intersection of Charles Drive Loop and Lead Mine Road as well as at any point where a driveway crosses the pedestrian travel way. At the time of site plan, additional crosswalks will be added if needed to facilitate the flow of pedestrian activity across Charles Drive Loop. Crosswalks will be designed in accordance with accessibility requirements. Finally, at the City's request, the project will dedicate right-of-way in the southwest corner of the site to allow for a future vehicular and pedestrian connection to Marriot Drive which intersects with Glenwood Avenue.

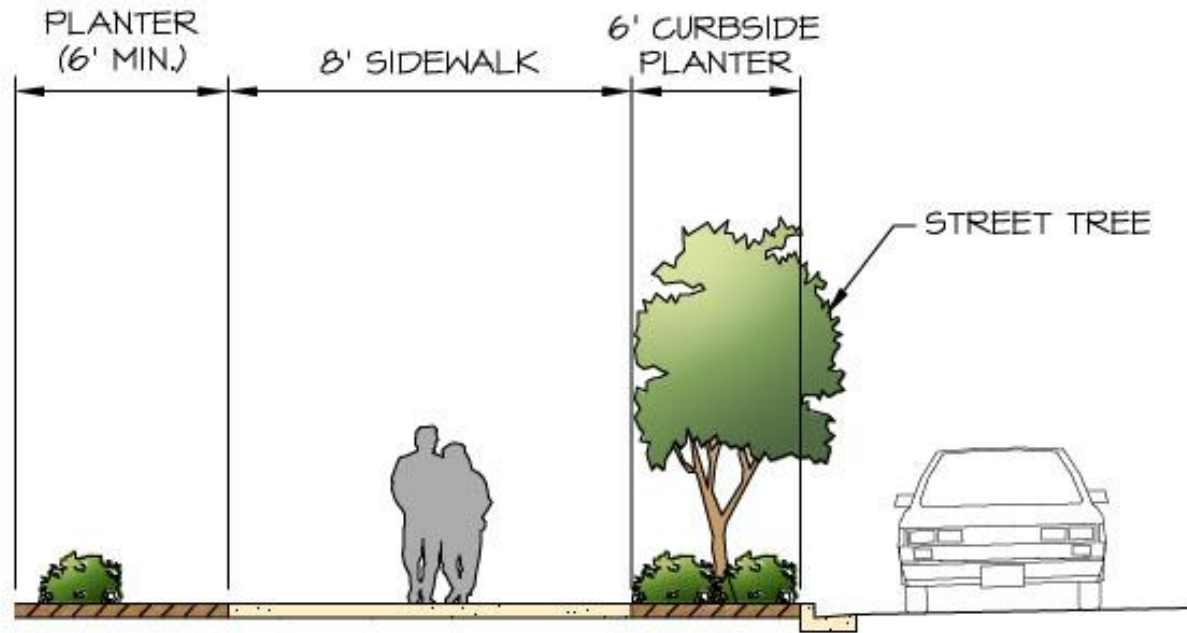
Lead Mine Road Conceptual Plan ●●●●●

Frontage Key Map



Lead Mine Road Conceptual Section ●●●●●

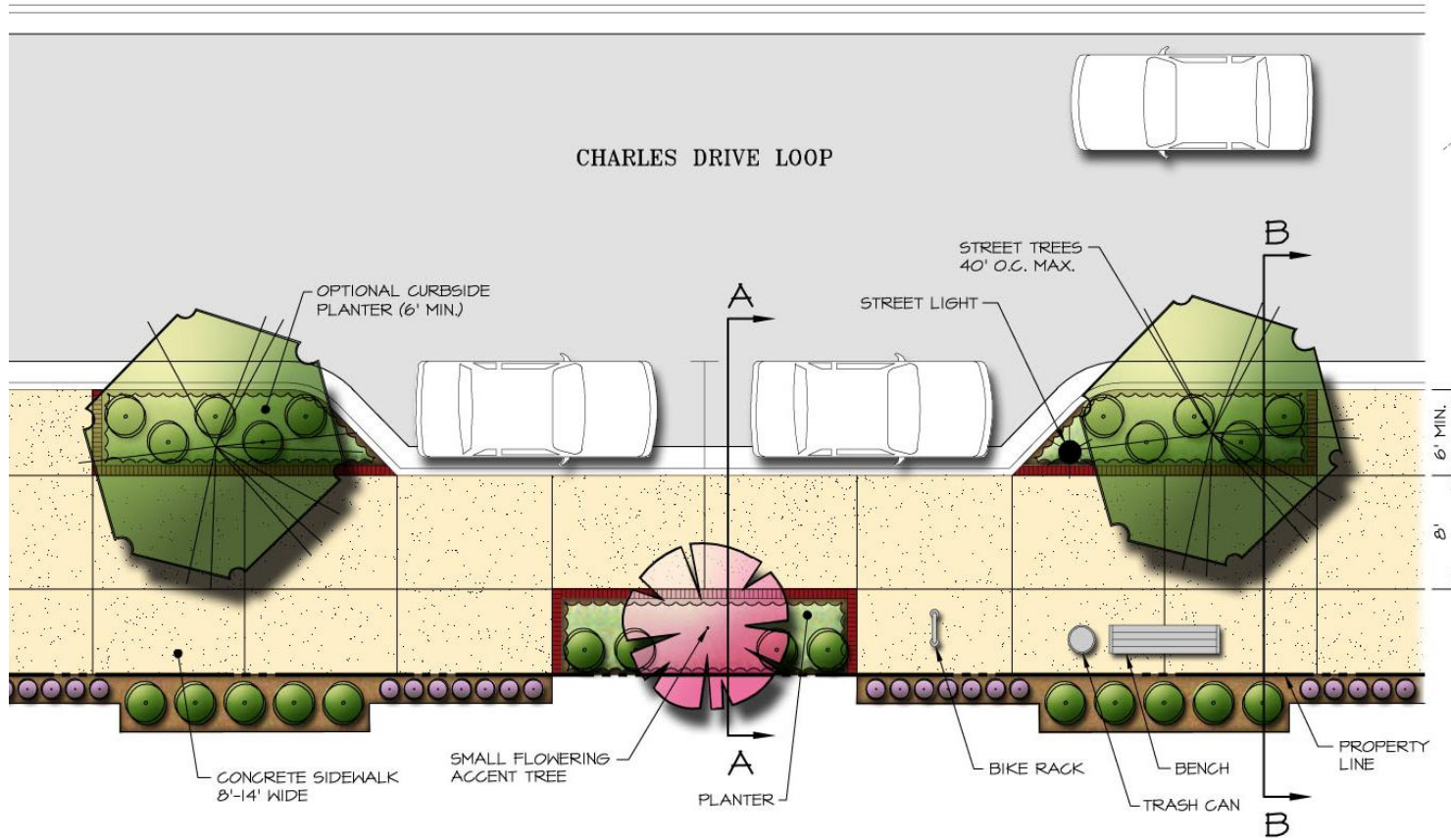
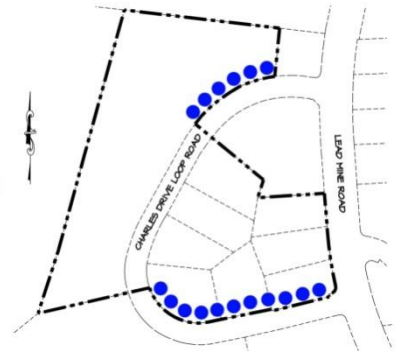
Frontage Key Map



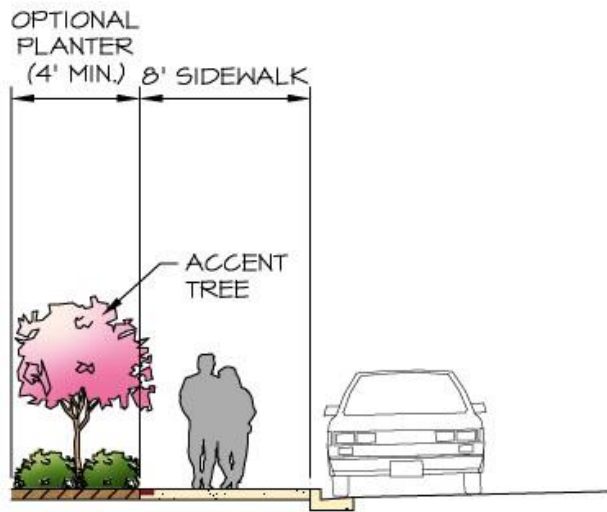
SECTION A

Charles Drive Loop Conceptual Plan – Streetscape One Side ●●●●●●

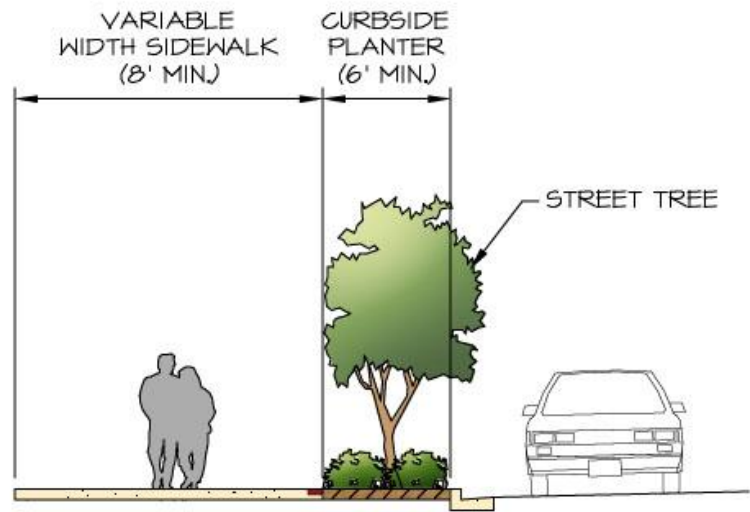
Frontage Key Map



Charles Drive Loop Conceptual Section – Streetscape One Side ●●●●●



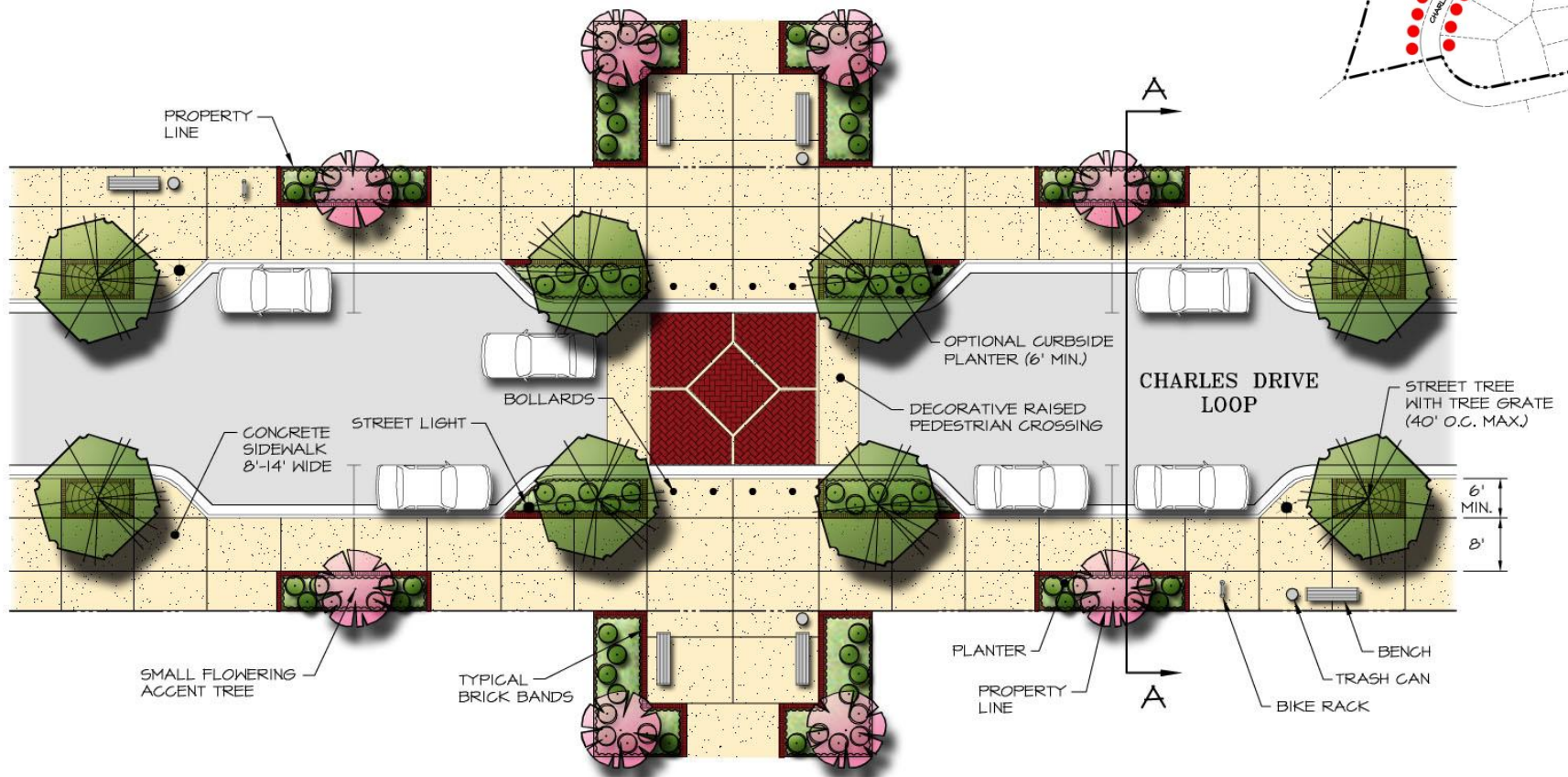
SECTION A



SECTION B

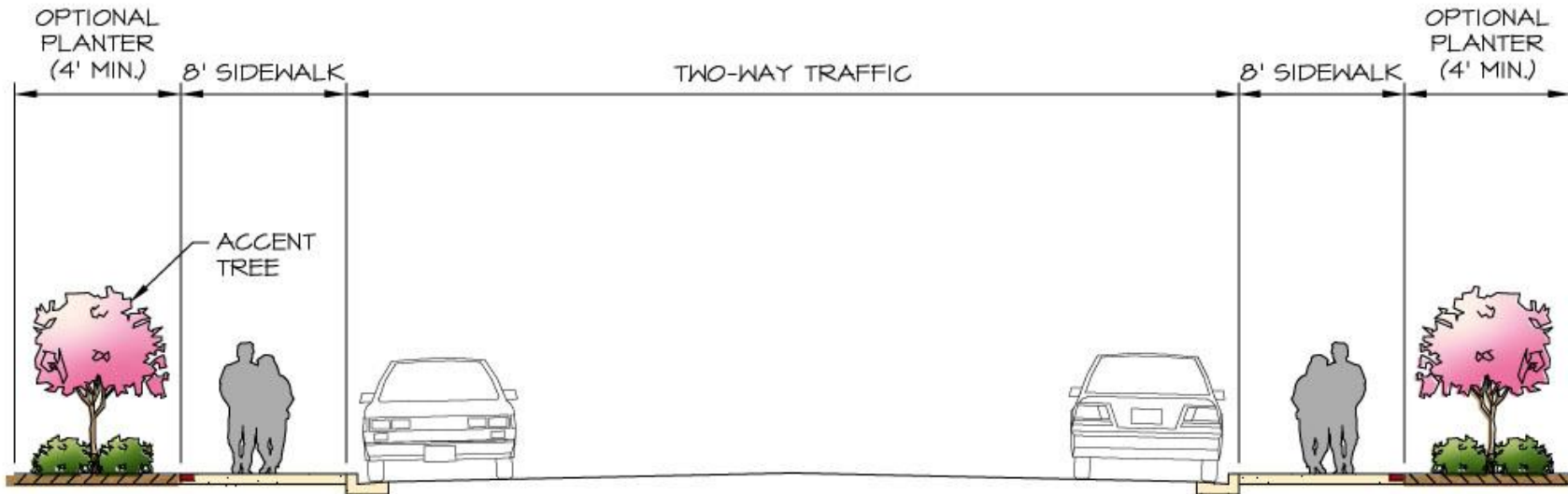
Charles Drive Loop Conceptual Plan – Streetscape Both Side ●●●●●●

Frontage Key Map



Charles Drive Loop Conceptual Section ●●●●●

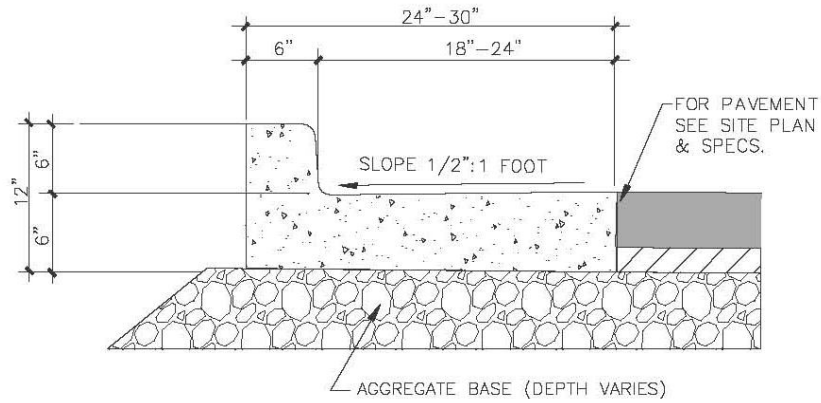
Frontage Key Map



SECTION A

Note: Final location of site furnishings, planters and brick banding on streetscape plans and sections above to be determined at site plan. Plan illustrates the minimum level of brick banding proposed.

Curb Detail



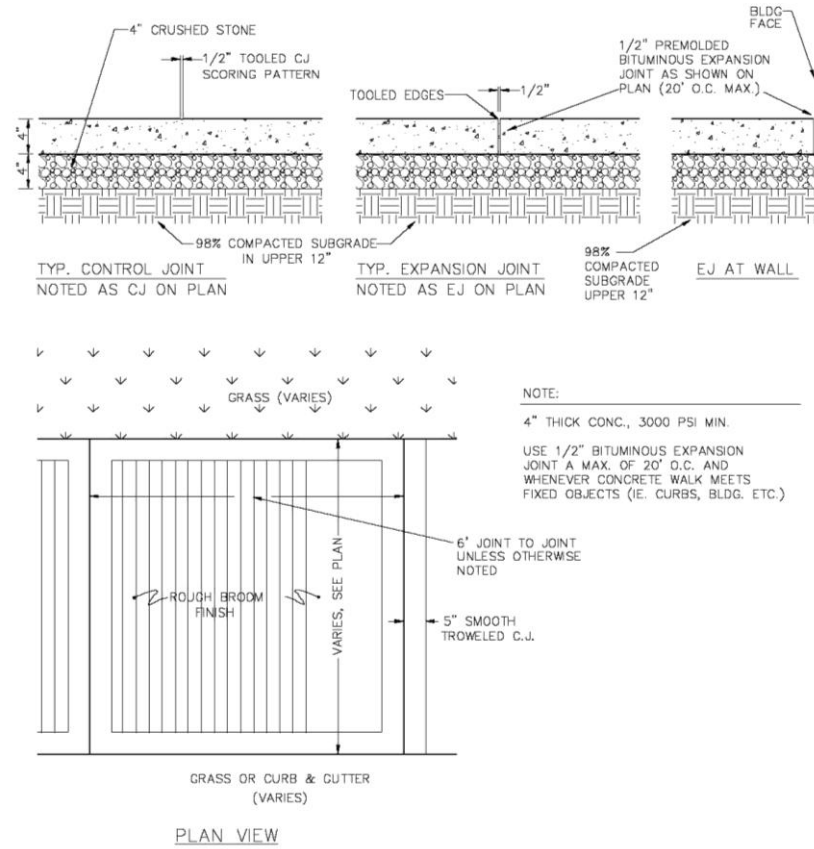
Accent Paver Detail

Manufacturer: Pine Hall Brick

Specification: English Edge - Gray (or equal as approved by staff at the time of site plan approval).



Sidewalk Details



Streetscape Standards Continued

Utilities

Utilities are currently in place in the area. Subject to approval by the City of Raleigh and the utility provider, all utilities will be either located underground and behind the back of curb or on poles in the right of way.

Maintenance Plan

A maintenance plan will be enforced as part of the PBOD for the care of the streetscape improvements up to the public right-of-way. Maintenance in excess of that customarily provided by the municipality within public right-of-ways will require an encroachment agreement and will be the responsibility of the individual property owner or property owner's association. This includes maintenance of sidewalks and planters and street furnishings required by the PBOD but within the property lines, watering of plant materials and keeping the sidewalks free of debris and trash. A draft of the maintenance plan will be submitted at the time of site plan approval.

Signage

The design and location of signage will compliment the architectural styles of the structures and will be oriented toward vehicular and pedestrian traffic. The following signage types are encouraged: Awning signs, window stencils and wall signs. Low profile ground signs will also be allowed on the property in accordance with the City's signage code. Paddle signs oriented toward pedestrian traffic will also be permitted in accordance with the City's signage code and shall maintain a clear minimum height of 9'-0" above the ground.

Canopies and Awnings

In the event canopies or awnings are incorporated along the streetscape; they will be of sufficient height to accommodate the free flow of pedestrian traffic. In no case will the awnings be less than 9'-0" above the ground.

Street Lights

Appropriate light levels along the streetscapes and parking areas are critical in creating a safe and inviting environment for pedestrians. The project will provide a mix of low level lighting as well as pedestrian scale lighting similar to the illustrations provided below. A lighting plan will be provided at the time of site plan approval.

Fixture

Manufacturer: Sternberg Vintage Lighting

Specification: Home Town Series
(or approved equal)



Pole

Manufacturer: Sternberg Vintage Lighting

Specification: Dover Series
(or approved equal)



Building Facades

Structures will address the public and private rights of ways as allowed by physical constraints and engineering requirements. Ground level residential units or retail/office spaces will have one or more of the following elements: doors, balconies, porches, stoops or similar active elements that address the street in order to help activate the pedestrian streetscape, especially along Charles Drive Loop.

Along the streetscape, the facades will be broken up to provide a pedestrian scale experience by the interspersions of street trees, street furnishings, decorative lighting, movement in the sidewalk, changes in paving material as well as other similar elements. No structures shall encroach within the public right of way other than free standing awnings.

Building Setbacks

Building setbacks from street right of ways within the PBOD shall be a minimum of 0' and will accommodate a 14' wide pedestrian walkway as shown on the sidewalk plans and sections on pages 8-11. The building setbacks within the project will be a minimum of 0' or 6' from the side and rear lot lines.

Building Height

At this early stage in the process, it is not clear as to the final configuration of the proposed structures, however we do not anticipate that the structures will exceed five residential stories, some of which may be over structured parking. In no case will the structures exceed 115' in height.

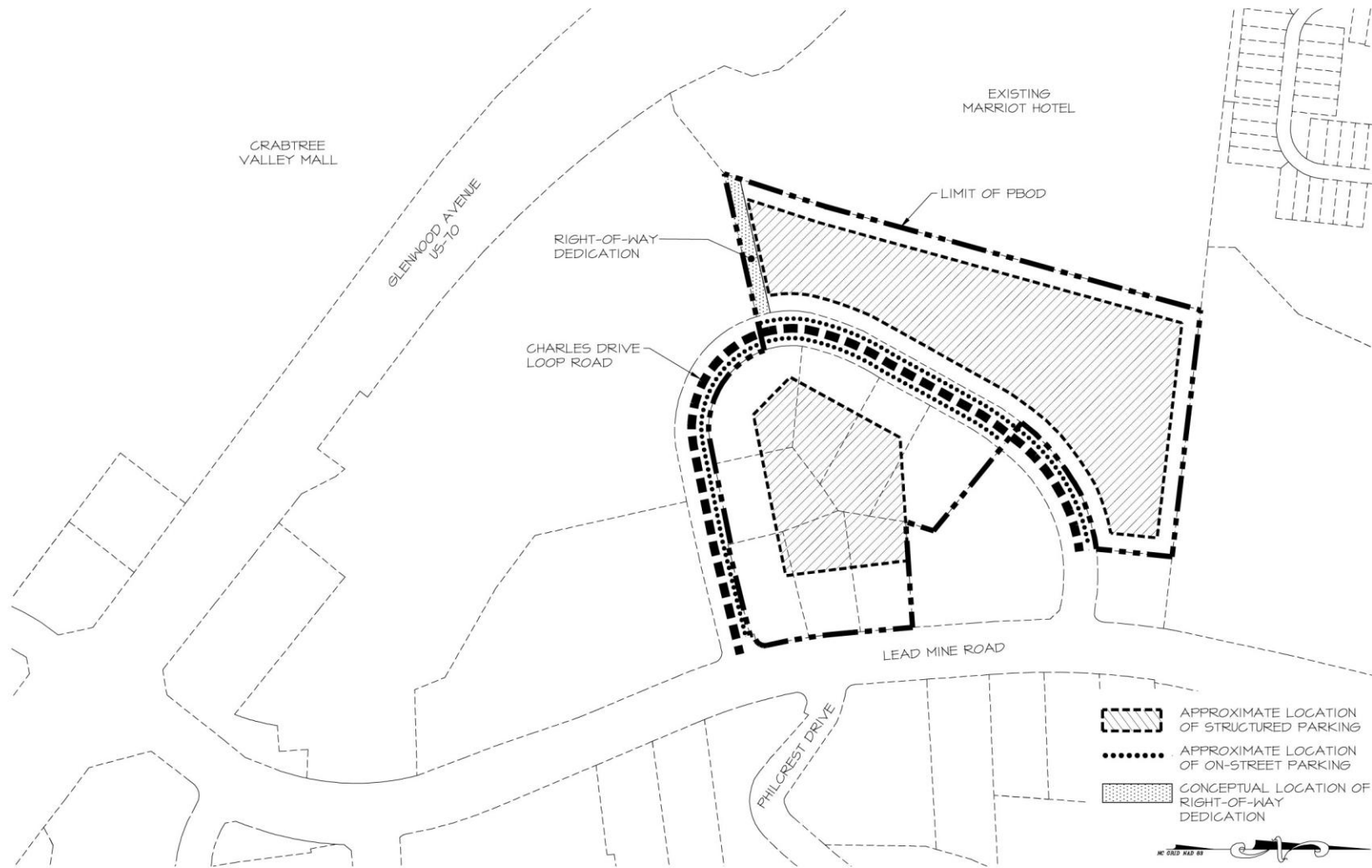
Parking

Parking within the project will be provided through a combination of both surface and structured parking. As required by PBOD, a minimum of 80% of the parking will be contained in multi-level structures. The number of parking stalls within the project will meet or exceed the minimum parking requirements of the City of Raleigh. No off-street surface parking (other than drop-off, delivery and temporary parking areas) will be provided between the façade of any building and the right-of-way. In addition, surface parking behind buildings which may be visible from a public street will be screened from view. Screening will be accomplished through the installation of either a 30" high decorative fence/wall, the installation of a continuous evergreen hedge reaching a height of 30" tall or a combination of both.

As with any urban infill project, parking structures are essential and integral to the design of the project. Every attempt will be made at the time of site plan to locate structured parking either beneath or behind the residential buildings so as to obscure from view. In the event the façade of any parking structure is visible from the right-of-way or from an adjacent property, the façade will have an architectural treatment that screens vehicles from view. This may be accomplished through decorative façade treatments which compliment the architectural style of the buildings or through the use of other effective screening products such as a "Greenscreen" which provides a means for vegetation to screen the parking from view.

Bicycle parking will be provided at a rate of 1/20 car spaces unless a higher standard is required by the Code and will be located within the parking structures or near the main entrances to the structure.

Parking and Streetscape Location Diagram



Note: The actual location of the "Charles Drive Loop Road" shown on pages 5 and 17 of this Streetscape and Parking Plan will be established at the time of site plan approval

Proposed Street Tree Palette

Street trees will be installed per the streetscape plan at the time of development of the parcels at the public right of ways prior to the issuance of a certificate of occupancy for the development of the parcel. Trees will be installed at a minimum size of 4" caliper. Alternate similar street tree species may be substituted at the time of site plan as approved by staff to accommodate availability of species and direction from the City of Raleigh urban forester.

Japanese Zelkova

(Zelkova serrata)

Shape: Urn Shaped

Foliage: Green with sawtooth margins

Fall Color: Yellow to dark red



Chinese Pistache

(Pistacia Chinensis)

Shape: Oval

Foliage: Dark green leaflets

Fall Color: Orange to red



Columnar European Hornbeam

(*Carpinus betulus fastigiata*)

Shape: Dense pyramidal form

Foliage: 2-5" clean leaves

Fall Color: Yellow to dark red



Wynstar Willow Oak

(*Quercus phellos "Wynstar"*)

Shape: Oval to spreading

Foliage: Long willow-like thin leaves

Fall Color: Yellow or russet red



Tuskegee Crape Myrtle

(*Lagerstroemia x Tuskegee*)

Shape: Multi-stem and Single Stem

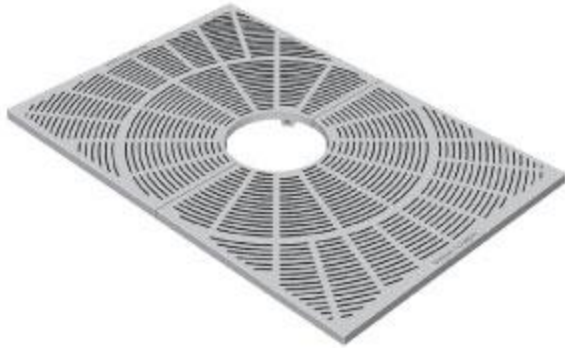
Foliage: Bronze, green, red

Fall Color: Magenta

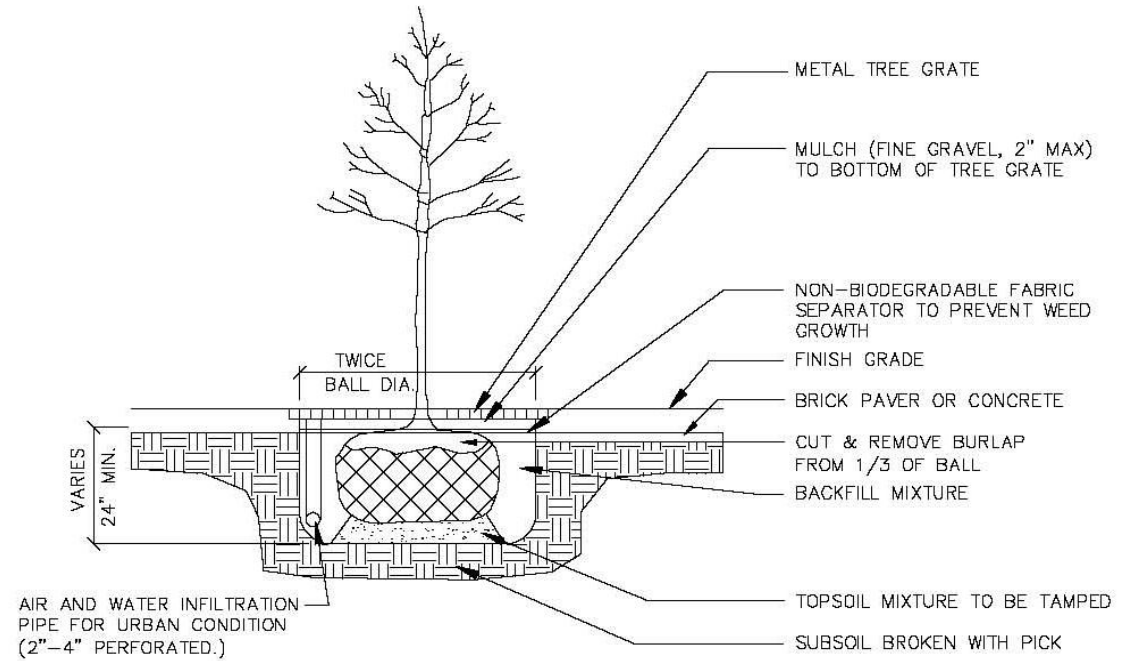


Tree Grates

Manufacturer: Neenah foundry Products
 Specification: Boulevard Collection
 (or approved equal)



Tree Planting Detail



Benches

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

Trash Receptacles

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



Bike Racks

Manufacturer: Madrax

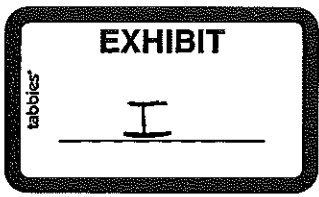
Specification: Heavy Duty Challenger
5 Loop and "U" rack
(or approved equal)



Notes:

- 1. Certain items are specified in this Plan with the phrase "(or approved equal)." At the time of site plan approval, for these items the City of Raleigh staff may allow a substitution of another manufacturer or design upon a determination that the item substituted is of equivalent quality and function. However, all substitutions will be uniform throughout the project.*
- 2. Any improvements proposed in the public right-of-way are contingent upon the Raleigh City Council granting the necessary encroachment agreement.*

Appendix – City Code Section 10-2055 – Pedestrian Business Overlay District



2-7-12
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 RAMEY KEMP & ASSOCIATES, INC.
 5808 Faringdon Place, Suite 100
 Raleigh, NC 27609
 Phone - 919-872-5115 Fax - 919-878-5416
 www.rameykemp.com

September 15, 2011

Ellis Coleman
 EYC Companies
 36 Center Street
 Folly Beach, SC 29439
 P: 843-588-5021
 E: ellis@eyccompanies.com

Subject: **Trip Generation Study for Rezoning**
 Charles Drive and Lead Mine Road - Raleigh, North Carolina

Dear Mr. Coleman:

This letter provides a comparison of the trip generation for the maximum build out under the existing zoning with the trip generation for the maximum build out under the proposed zoning for two tracts located along Charles Drive and Lead Mine Road in Raleigh, North Carolina. Refer to Figure 1 for the property location and tract identification.

Tract A shown in Figure 1 is currently zoned R-15 (residential) and is 5.12 acres in size. Tract B shown in Figure 1 is currently zoned O&I-1 and is 4.04 acres in size. This letter provides a discussion of the trip generation impacts if both tracts are rezoned to O&I-2 CUD-PBOD.

Existing Zoning Trip Generation

The trip generation volumes for the existing zoning were determined using equations contained within the ITE Trip Generation Manual, 8th Edition. It is our understanding that there is currently a zoning condition for Tract A that limits build out to a maximum of 70 apartment units. As a result, trip generation volumes for Tract A were calculated for a total of 70 apartment units. Refer to Table 1 for the trip generation associated with the existing zoning of Tract A.

Trip generation volumes for Tract B were calculated assuming the existing O&I-1 zoning would allow a maximum of 25 residential units per acre or a maximum office square footage resulting in a 1.0 floor area ratio (FAR). Since Tract B is 4.04 acres in size, a maximum of 101 residential units or a maximum of 175,982 square feet of office space would be allowed under the existing zoning. For trip generation purposes, the residential units are considered to be apartments. The highest AM and PM trip generation between the two allowable uses was identified and is considered to represent the trip generation for maximum build out under the existing zoning. In this case, the trip generation of the maximum office build out yields the highest number of peak hour trips. Refer to Table 1 for the trip generation associated with the existing zoning of Tract B.

Table 1
Site Trip Generation – Tracts A & B
Existing Zoning

Land Use (ITE Code)	Density	Average Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
TRACT A						
R-15 Residential Apartments (220)	70 units	548	8	30	36	20
TRACT B						
O&I-1 Residential Apartments (220)	101 units	736	11	43	48	26
O&I-1 General Office (710)	175,982 sf	2,062	259	35	47	229
TOTAL						
Total Trip Generation			267	65	83	249

Proposed Rezoning Trip Generation

Under the proposed rezoning of both tracts to O&I-2 CUD-PBOD, we understand that build out may consist of a maximum of 100 residential units per acre or a maximum office square footage resulting in a 1.33 FAR. This results in a maximum build out of 512 apartment units or 296,626 square feet of office space for Tract A and a maximum build out of 404 apartment units or 234,056 square feet of office space for Tract B. The highest AM and PM trip generation between the two allowable uses was identified and is considered to represent the trip generation for maximum build out under the proposed zoning. In this case, it was determined that the trip generation of the maximum office build out yields the highest number of peak hour trips. Refer to Table 2 for the trip generation associated with the proposed zoning of Tracts A & B.

Table 2
Site Trip Generation – Tracts A & B
Proposed Zoning

Land Use (ITE Code)	Density	Average Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
TRACT A						
O&I-2 Residential Apartments (220)	512 units	3,226	51	204	195	105
O&I-2 General Office (710)	296,626 sf	3,082	394	54	70	341
TRACT B						
O&I-2 Residential Apartments (220)	404 units	2,572	40	161	156	84
O&I-2 General Office (710)	234,056 sf	2,568	326	44	58	283
TOTAL						
Total Trip Generation			720	98	128	624

Conclusions

Under the proposed rezoning, there would be a net increase in the trip generation potential of both tracts. The AM and PM peak hour trip generations under the existing and proposed zoning are summarized below.

Existing Zoning: AM: 332 trips (267 entering, 65 exiting); PM: 332 trips (83 entering, 249 exiting)

Proposed Zoning: AM: 818 trips (720 entering, 98 exiting); PM: 752 trips (128 entering, 624 exiting)

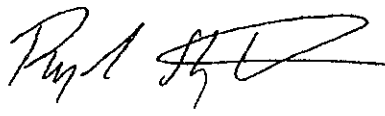
Net Increase: AM: 486 trips (453 entering, 33 exiting); PM: 420 trips (45 entering, 375 exiting)

2-7-12
pg 4 of 4

It should be noted that as part of the proposed rezoning, both tracts would become part of the Pedestrian Business Overlay District (PBOD). According to information provided in the City of Raleigh Zoning Handbook, the PBOD reduces the conflicts between pedestrian and vehicular traffic and it encourages compatible design by respecting and improving the pedestrian environment. Under the PBOD zoning classification, an increased number of residential units are allowed, off-street parking requirements are reduced and bicycle parking facilities are required. As a result, it is anticipated that the actual increase in trip generation for both parcels would be less than indicated by this study.

Please let us know if you have any further questions regarding this information.

Sincerely,
RAMEY KEMP & ASSOCIATES, INC.





Rynal Stephenson, P.E.
Transportation Manager

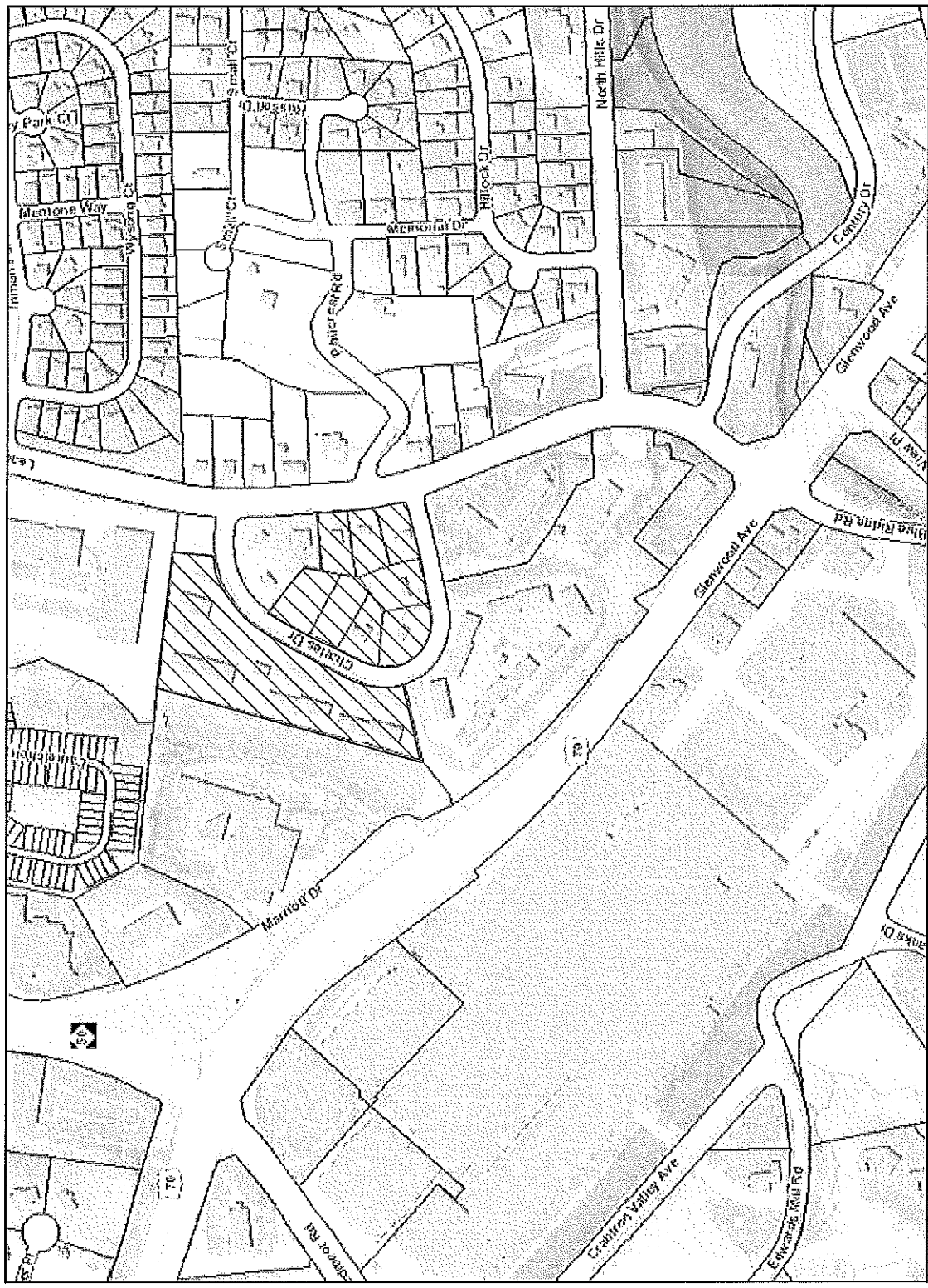
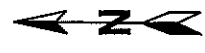


9-15-11

NC Corporate License # C-0910

Attachments

 Tract A
 Tract B



Parcel Location Map

Figure 1

Proposed Rezoning
Raleigh, North Carolina



2-7-12

CURRIN & CURRIN
ATTORNEYS AT LAW

GEORGE B. CURRIN
ROBIN T. CURRIN

TELEPHONE (919) 832-1515
FAX (919) 836-8484
EMAIL GEORGECURRIN@AOL.COM
ROBINCURRIN@AOL.COM

OFFICE
THE PROFESSIONAL BUILDING
127 W. HARGETT STREET, SUITE 500
RALEIGH, NORTH CAROLINA 27601

MAILING ADDRESS
POST OFFICE BOX 86
RALEIGH, NORTH CAROLINA 27602

September 16, 2011

Mr. Travis Crane
Senior Planner
Department of City Planning
City of Raleigh
One Exchange Plaza, Suite 204
Raleigh, NC 27601

RE: **REPORT OF MEETING** Regarding Rezoning Petition of: 1) 5.12 acres of property of Crabtree Apartments Association, LLC (PIN 0796518795); 2) .58 acres of property of ACP Development of NC, LLC (PIN 0796610348); 3) .48 acres of property of ACP Development of NC, LLC (PIN 0796610449); 3) .53 acres of property of ACP Development of NC, LLC (PIN 0796611399); 4) .54 acres of property of ACP Development of NC LLC (PIN 0796611519); 5) .53 acres of property of Robert E. & Brenda G. Sears (PIN 0796611658); 6) .49 acres of property of ACP Development of NC LLC (PIN 0796613469); 7) .42 acres of property of ACP Development of NC LLC (PIN 0796613480); 8) .47 acres of property of ACP Development of NC LLC (PIN 0796613559) (collectively the "Property").

Dear Mr. Crane:

In connection with the above referenced rezoning case and in accordance with the requirements of Raleigh City Code Sec. 10-2165, I submit this Report of Meeting for our Neighborhood Meeting held at the Sertoma Arts Center at 1400 Millbrook Road, Raleigh, NC 27612 at 6:30 p.m. on the evening of Thursday, September 15, 2011.

I am submitting this Report of Meeting in behalf of the Owner of the properties which are the subject of this rezoning petition. In accordance with the above referenced ordinance of the Raleigh City Code, I report to you the following regarding this meeting:

1. **Persons/organizations contacted about the meeting.** Attached please find a complete list of all persons and/or organizations notified by the City of Raleigh on or about September 2, 2011.

2. **Manner and date of contact:** By letter to each addressee dated September 2, 2011, and provided to the City of Raleigh on September 2, 2011.

The Neighborhood Meeting was held on Thursday, September 15, 2011 at Sertoma Arts Center at 6:30 p.m.

4. **Attendance roster:** In attendance at this meeting were the following persons:

Robin T. Currin Nancy P. Mountcastle	Attorneys for Owner
Mike Munn	Engineer for Owner
Craig Ferri	Representative of Owners Crabtree North LLC and Crabtree Apartments Assoc. LLC
Sirine and Saba Schtakleff	Neighbors

5. **Summary of issues discussed:** After addressing preliminary matters concerning the rezoning process and the timetable for this case, there was a general discussion about property and the proposed rezoning. The neighbors present were supportive of the rezoning.

6. **Additional Neighbor's Meetings.** None have been scheduled at this time.

7. **Changes to Petition.** There are no changes.

Sincerely,



Robin T. Currin

Duke Realty LTD Partnership
PIN 0796 62 2442
3005 Carrington Mill Blvd
Suite 100
Morrisville, NC 27560-8886

Joanna Smith Mills
Melissa Smith Mills
PIN 0796 50 9976
c/o Joseph H Call
P.O. Box 98025
Raleigh, NC 27624-8025

Royal Hills, Inc.
PIN 0796 50 9976
P.O. Box 98025
Raleigh, NC 27624-8025

Generation Suites of Raleigh Crabtree, LLC
PIN 0796 61 3190
Randy Coup
P.O. Drawer
Research Triangle Park, NC 27709-484

Crabtree Valley Baptist Church, Inc.
PIN 0796 61 7225
4408 Lead Mine Road
Raleigh, NC 27612-3325

Roy Joseph Saba
PIN 0796 61 7313
700 Devereux Street
Raleigh, NC 27605-1408

Frances Todd Corbin
PIN 0796 61 6579
4508 Lead Mine Road
Raleigh, NC 27612-3327

Norman Anthony Currin
Faye P Currin
PIN 0796 61 6743
2008 Philcrest Road
Raleigh, NC 27612-3914

Oksabuk, LLC
PIN 0796 61 3708
c/o Dr. Charles Kubasko
116 Grosvenor Drive
Raleigh, NC 27615-2044

Faisal Inc.
PIN 0796 62 3073
3113 Cone Manor Ln
Raleigh, NC 27613-6606

Crabtree Apartments Association, LLC
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8810 Westgate Park Dr.
Suite 102
Raleigh, NC 27617-4821

ACP Development of NC, LLC
PIN 0796 61 0348
2200 E. Millbrook Road
Suite 117
Raleigh, NC 27604-1788

Robert E Sears, II
Brenda G. Sears
PIN 0796 61 1658
2240 Charles Dr.
Raleigh, NC 27612-3309

ACP Development of NC, LLC
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2200 E. Millbrook Road
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Raleigh, NC 27604-1788

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ACP Development of NC, LLC
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2200 E. Millbrook Road
Suite 117
Raleigh, NC 27604-1788

ACP Development of NC, LLC
PIN 0796 61 3559
2200 E. Millbrook Road
Suite 117
Raleigh, NC 27604-1788

Chief Raleigh Hotel LLC
PIN 0796 51 5804
c/o Cornerstone Real Estate Adviser
180 Glastonbury Blvd
Suite 401
Glastonbury, CT 06033-4439

2-7-12

CITY OF RALEIGH
CITY PLANNING DEPT
CURRIN & CURRIN
ATTORNEYS AT LAW


2011 SEP -2 PM 2:14

TELEPHONE (919) 832-1515
FAX (919) 836-8484
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GEORGE B. CURRIN
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RALEIGH, NORTH CAROLINA 27601

September 2, 2011

mailed out
9/2/11 

Department of City Planning
One Exchange Plaza, Suite 204
Raleigh, NC 27601

VIA HAND DELIVERY

RE: **NOTICE OF MEETING** Regarding Proposed Rezoning Petition of 1) 5.12 acres of property of Crabtree Apartments Association, LLC (PIN 0796518795); 2) .58 acres of property of ACP Development of NC, LLC (PIN 0796610348); 3) .48 acres of property of ACP Development of NC, LLC (PIN 0796610449); 3) .53 acres of property of ACP Development of NC, LLC (PIN 0796611399); 4) .54 acres of property of ACP Development of NC LLC (PIN 0796611519); 5) .53 acres of property of Robert E. & Brenda G. Sears (PIN 0796611658); 6) .49 acres of property of ACP Development of NC LLC (PIN 0796613469); 7) .42 acres of property of ACP Development of NC LLC (PIN 0796613480); 8) .47 acres of property of ACP Development of NC LLC (PIN 0796613559) (collectively the "Property").

Dear Sir or Madam,

Enclosed please find sealed, addressed, stamped envelopes to be mailed by the Planning Department to the owners of property in the vicinity of the above referenced property in connection with the Neighborhood Meeting which is scheduled for September 15, 2011.

Please contact me as soon as possible if any modifications are needed.

Sincerely,



Robin T. Currin

Enclosures

CURRIN & CURRIN

ATTORNEYS AT LAW

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ROBIN T. CURRIN

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RALEIGH, NORTH CAROLINA 27602

September 2, 2011

TO ALL ADDRESSES (Notice Neighbors)

RE: NOTICE OF MEETING Regarding Proposed Rezoning Petition of 1) 5.12 acres of property of Crabtree Apartments Association, LLC (PIN 0796518795); 2) .58 acres of property of ACP Development of NC, LLC (PIN 0796610348); 3) .48 acres of property of ACP Development of NC, LLC (PIN 0796610449); 3) .53 acres of property of ACP Development of NC, LLC (PIN 0796611399); 4) .54 acres of property of ACP Development of NC LLC (PIN 0796611519); 5) .53 acres of property of Robert E. & Brenda G. Sears (PIN 0796611658); 6) .49 acres of property of ACP Development of NC LLC (PIN 0796613469); 7) .42 acres of property of ACP Development of NC LLC (PIN 0796613480); 8) .47 acres of property of ACP Development of NC LLC (PIN 0796613559) (collectively the "Property").

Dear Neighbors:

You are receiving this letter because you are the owner of property in the vicinity of the above-referenced Property located off Charles Drive and Lead Mine Road in Raleigh, N.C. on which a rezoning is contemplated. The Property owners desire to rezone the Property to provide for a multi-family development with increased density and a possible mix of other uses. Part of the Property is currently zoned R-15 (CUD) and part is zoned O&I-1 (CUD), and it will need to be rezoned so that all tracts will be zoned O&I-2 (CUD) with a PBOD-CUD overlay under a single, united set of conditions. We anticipate that a Rezoning Petition will be filed on behalf of the Owners on or before September 16, 2011.

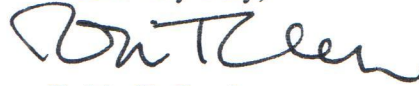
In accordance with the requirements of Raleigh City Code Sec. 10-2165, notice is hereby given to you as the owner of the Property or the owner of property abutting or within 100 feet of the Property (collectively "Notice Neighbors") of a meeting to discuss the prospective rezoning to be held in the Cardinal Room at the Sertoma Arts Center located at 1400 West Millbrook Road, Raleigh, N.C. 27612, on Thursday, September 15, 2011 at 6:30 p.m.

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

If such Petition is filed, it will be considered at a Joint Public Hearing of the Raleigh City Council and the Raleigh Planning Commission to be held at the City's municipal building in the

Avery C. Upchurch Government Complex, 222 West Hargett Street, Raleigh, N.C. 27601 on January 17, 2012. If you have any questions about this Rezoning Petition, either before our meeting of Thursday, September 15, 2011 or at any time afterwards, I hope you will feel free to contact me.

Yours very truly,

A handwritten signature in black ink, appearing to read "Robin T. Currin". The signature is fluid and cursive, with the first name "Robin" being more prominent and the last name "Currin" following in a similar style.

Robin T. Currin

Duke Realty LTD Partnership
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3005 Carrington Mill Blvd
Suite 100
Morrisville, NC 27560-8886

Joanna Smith Mills
Melissa Smith Mills
PIN 0796 50 9976
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