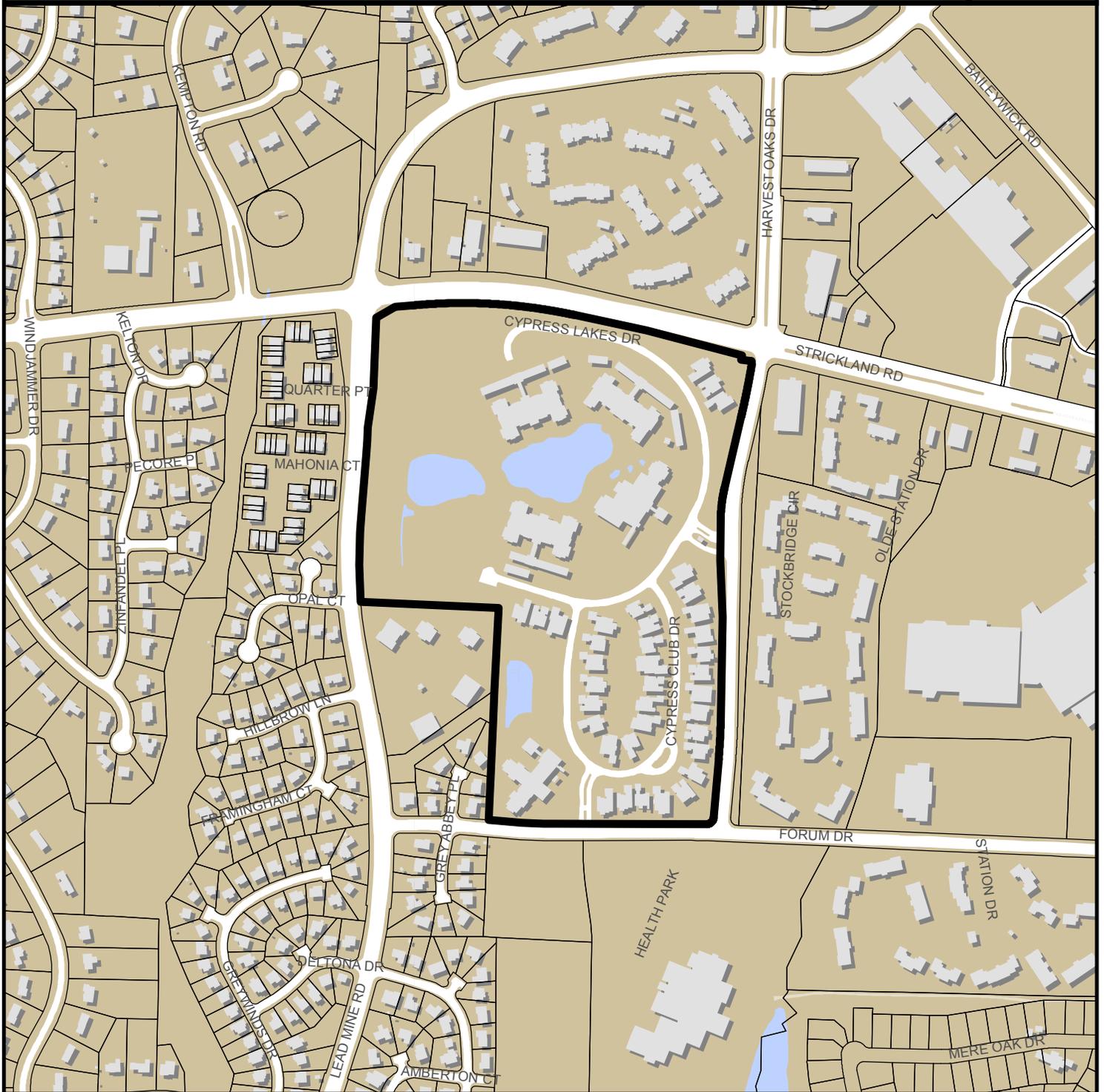


THE CYPRESS OF RALEIGH MP-1-2016



0 300 600 1,200 Feet

Zoning: **R-6 CU**
CAC: **North**
Drainage Basin: **Mine**
Acreage: **48.05**
Number of Lots: **204**
Square Feet: **45,500**

Planner: **Justin Rametta**
Phone: **(919) 996-2665**
Applicant: **Cypress of Raleigh, LLC**



Rezoning Application



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction #
Existing Zoning Classification <u>Residential-6-CU</u>			
Proposed Zoning Classification Base District <u>Planned Development</u> Height <u>6</u> Frontage <u>N/A</u>			
If the property has been previously rezoned, provide the rezoning case number: <u>Z-06-07</u>			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
471367			

GENERAL INFORMATION			
Property Address 8710 Cypress Club Drive			Date June 8, 2016
Property PIN 1708-02-5721		Deed Reference (book/page) Deed Book: 13240 Page Number: 738	
Nearest Intersection Lead Mine Road, Harvest Oaks Drive, Forum Drive and Strickland Road			Property Size (acres) 44 acres
Property Owner/Address Cypress of Raleigh Owners' Association, Inc. c/o Mark Andrews 7101 Creedmoor Road, Suite 142 Raleigh, NC 27613		Phone 919.877.8167	Fax 919.844.7378
		Email mark@tmeinvestments.com	
Project Contact Person/Address Joe Whitehouse 6109 Iris Drive Raleigh, NC 27612		Phone 919.870.9007	Fax 919.866.1874
		Email joe@cueinc.net	
Owner/Agent Signature 		Email mpaul@morningstarlawgroup.com	

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

REZONING APPLICATION ADDENDUM

Comprehensive Plan Analysis

OFFICE USE ONLY

The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.

Transaction #

Rezoning Case #

STATEMENT OF CONSISTENCY

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

The Future Land Use Map designates the property as Medium Density Residential. This category applies to
1. garden apartments, condominiums and suburban-style apartment complexes. The proposed master plan will allow the completion of a development that meets the standards for this category.

LU 2.1 says that new development should create places, streets and spaces that meet the needs of people
2. at all stages of life in a setting that is safe, attractive and distinctive. The master plan meets this policy.

LU 2.4 says that new development on large sites should provide access to ample open space.
3. The master plan meets this policy.

LU 2.5 says that new development should support healthy communities and active lifestyles by creating
4. safe and ample pedestrian circulation and similar amenities. The master plan meets this policy.

PUBLIC BENEFITS

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

The proposed rezoning will accommodate a Continuing Care Retirement Community, providing a range of health
1. care, food service, personal services, and recreational amenities for the residents. This type of development will provide a housing type that meets an increasing demand for quality congregate care facilities in the City of Raleigh.

The proposed rezoning will correct certain nonconformities created during the conversion from the Part 10 zoning code to the Unified
2. Development Ordinance. In particular, the existing zoning of R-6 does not permit the existing building type and layout on the property. The rezoning will ensure the pre-conversion entitlements remain in place and the development can be completed as originally envisioned.

The proposed rezoning will facilitate the completion of a well-planned and designed development that is
3. walkable and appropriately scaled. Further, the development will afford residents access to ample open space while maintaining a safe and secure environment for senior residents.

4.

MASTER PLAN (MP-__-2016)

THE CYPRESS OF RALEIGH

PROPOSED PLANNED DEVELOPMENT DISTRICT

± 48.057 ACRES

OWNER:

Cypress of Raleigh Owners' Association, Inc.

DEVELOPER/DECLARANT:

Cypress of Raleigh, LLC

CONSULTANTS:

Mack Paul
Morningstar Law Group, L.L.P.

Stuart Jones
Jones & Crossen - Land Planning and Civil Engineers

Original Submittal Date _____

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C. Subdistrict C	6
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SUMMARY INFORMATION

- A. Name of Development: The Cypress of Raleigh
- B. Name of Owner: Cypress of Raleigh Owners' Association, Inc.
c/o Mark Andrews
7101 Creedmoor Road, Suite 142
Raleigh, NC 27613
- C. Name of Developer/Declarant: Cypress of Raleigh, LLC
8801 Cypress Lakes Drive
Raleigh, NC 27615
- C. Applicant: Joe Whitehouse
6109 Iris Drive
Raleigh, NC 27612
919.870.9007
919.866.1874 (fax)
joe@cueinc.net
- D. Attorney: Mack Paul
Morningstar Law Group, L.L.P.,
630 Davis Drive, Suite 200
Morrisville, NC 27560
Tel: 919.590.0377
mpaul@morningstarlawgroup.com
- E. Land Planner and Civil Engineer: Stuart Jones
Jones & Crossen Engineering, PLLC
221 N. Salem Street, Suite 200
Apex, North Carolina 27502
stuart@jonescrossen.com

1. INTRODUCTION

This document and the accompanying exhibits submitted herewith (collectively, the "Master Plan") are provided pursuant to provisions of the Unified Development Ordinance (the "UDO") dealing with the Planned Development ("PD") District for the Cypress of Raleigh (the "Development"). The Development is a Continuing Care Retirement Community (or "congregate care facility" as defined in the UDO) developed by Cypress of Raleigh, LLC (the "Developer"). The Development is owned by those record title owners of the units comprising the condominium as reflected in the Wake County Registry (collectively the "Owner"). Cypress of Raleigh Owners' Association, Inc. is the condominium association established pursuant to the NC Condominium Act to serve as agent for the Owner with respect to certain matters (the "Association").

The Development is and will continue to be a mixed use, pedestrian-oriented development with complementary residential, recreation, open space, food service, skilled nursing care, memory care, rehabilitation, assisted living and other personal services (as those terms are utilized in the UDO) for the residents at densities appropriate to the location of the Development, market conditions, the nature of land uses in the vicinity, and the City's investment in existing infrastructure. Accordingly, the Master Plan sets forth density and square footage limitations as well as modifications to the UDO as appropriate to accomplish the development program described herein.

2. COMPREHENSIVE PLAN

The Master Plan for the Development addresses the development and redevelopment of approximately 48.057 acres located in North Raleigh, bounded generally on the east by Harvest Oaks Drive, the north by Strickland Road, the west by Lead Mine Road and the south by Forum Drive (the "Property"). For a graphic depiction of the area to be rezoned, please refer to the existing conditions and phasing plan submitted with this Master Plan as Plan Sheet 2. The Property is currently the site of a congregate care facility developed pursuant to an approved site plan (GH-1-09). The purpose of this rezoning and Master Plan is to bring the Development into conformity with the rules and regulations contained in the UDO as existed prior to the city-wide remapping effective in 2016.

The Future Land Use Map ("FLUM") identifies the Property as medium density residential. This category applies to garden apartments, condominiums and suburban style apartment complexes. Consistent with the FLUM, the proposed density in connection with the Development is medium density residential. In addition, the Development will further a number of policies in the Comprehensive Plan. For example, it will serve as a pedestrian-oriented, congregate care facility, providing senior residents all of the personal services and amenities they need on-site. The Development will help foster an integrated community, linking housing with food service, skilled nursing care, personal services, rehabilitation, memory care, assisted living, open space and other amenities.

3. INTENT FOR PD DISTRICTS

The Cypress of Raleigh meets the intent of the PD District in several ways. In particular, the PD District will help the Development to achieve a high quality project design. It will facilitate the integration of a cohesive development that allows residents access to a range of amenities, including personal services, food, recreation and health care services in a setting that is walkable and medium scale. As a congregate care facility, the Cypress of Raleigh promotes the safety and security of its

residents. The PD District allows the Development to meet this objective while in keeping with the surrounding area and placing minimal impact on the area's infrastructure.

4. GENERAL DESIGN PRINCIPLES AND URBAN DESIGN GUIDELINES

The Development meets the General Design Principles for PD Districts in a number of ways. It contains a range of housing stock, including multifamily and detached housing. It is well integrated by providing a range of services to residents of the Development, including skilled nursing care, rehabilitation services, assisted living, memory care, in-home care, assistance with daily living, recreational activities, food service, social activities and personal services. A substantial buffer and landscaping surround the Development with a gated entrance to promote the safety of the residents. Internal connections provide convenient pedestrian access throughout the Development. Architecture and landscaping provide a cohesive design to the buildings and surroundings, fitting with the topography, site and climate. The Development includes public art and other clearly identifiable water features unique to this location. Finally, the development pattern has a scale that ensures the residents have ample access to open space and light.

In addition, the Cypress of Raleigh incorporates a number of elements of the Urban Design Guidelines. For example, open spaces provide convenient seating opportunities and are integrated throughout the Development. Internal streets are interconnected throughout, providing ease of circulation and access for residents. The Development contains a mix of uses, serving the needs of the residents who are seniors. The transitions to the surrounding neighborhoods include substantial buffering and landscaping.

5. LAND USE DENSITY

Land use intensities for the Development are described in the site data table on Plan Sheet 1 submitted with this Master Plan. Land use intensities can be transferred between subdistricts so long as the overall limitation on intensities for the three subdistricts is not exceeded. Subdistrict sizes and general building locations are shown on the Land Use Plan submitted with this Master Plan.

The maximum development intensity for each Tract shown on the Land Use Plan shall be:

- A. Subdistrict A
 - 1. **Uses and Density.** Subdistrict A may be developed for up to 45,500 square feet of civic use and 136 equivalent dwelling units.
 - 2. **Building Height.** Buildings located in Subdistrict A shall be limited to six stories and 82.5 feet in height.
 - 3. **Building Type.** Apartment, Civic, General and Detached Building Types may be used in Subdistrict A.

- B. Subdistrict B
 - 1. **Uses and Density.** Subdistrict B may be developed for up to 29 equivalent dwelling units.
 - 2. **Building Height.** Buildings located in Subdistrict B shall be limited to 6 stories and 82.5 feet in height.

3. **Building Type.** Apartment, Civic, General and Detached Building Types may be used in Subdistrict B.
- C. Subdistrict C
1. **Uses and Density.** Subdistrict C may be developed for up to 39 equivalent dwelling units.
 2. **Building Height.** Buildings located in Subdistrict C shall be limited to 6 stories and 82.5 feet in height.
 3. **Building Type.** Apartment, Civic, General and Detached Building Types may be used in Subdistrict C.

6. MODIFICATIONS REQUESTED PURSUANT TO UDO SECTION 4.7.2

This PD District proposes certain modifications to the UDO pursuant to UDO Section 4.7.2. They are as follows:

A. New Streets and Block Perimeter

As a congregate care facility that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As such, it will not be subject to the new streets requirements contained in Article 8.4. In addition, the Development will not be subject to the minimum block perimeter standards contained in Article 8.3.

B. Use Standards

The Residential Mixed Use (RX) district is appropriate for properties identified as medium density residential on the Future Land Use Map. However, since RX requires a special use permit for a life care community use, this master plan is selecting Office Mixed Use (OX) as its base district. All of the allowable uses contained in the OX District shall be permissible within the Development except for the following:

college, community college, university;
 sports academy;
 commercial parking lot;
 heliport;
 detention center, jail, prison;
 research and development; and
 plant nursery.

In addition, a restaurant use shall not be subject to the use standards applicable to the OX District as described in UDO Section 6.4.10.c.2.b. Personal services shall not be subject to the use standards applicable to the OX District as described in UDO Section 6.4.9.G.2.

C. Building/Structure Setbacks and Build-To

As a congregate care facility that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As a result, all buildings within the Development will front private streets and not the public street system exterior to the Development. Therefore, the minimum building/structure setback requirements and build-to requirements applicable to the building types in Article 3.2 shall not apply.

D. Lot Dimensions

As a congregate care facility, the Development has a condominium ownership structure. Consequently, the Development is on a single lot, inclusive of the detached homes and multifamily buildings. Therefore, the minimum lot dimension area and width requirements applicable to the building types in Article 3.2 shall not apply.

E. Floor Heights

As a congregate care facility with elderly residents, the buildings within the Development are designed for ease of access. In particular, they are designed so that residents do not have to climb steps to enter buildings. Therefore, the minimum ground floor elevation requirements applicable to the building types in Article 3.2 shall not apply.

F. Transparency

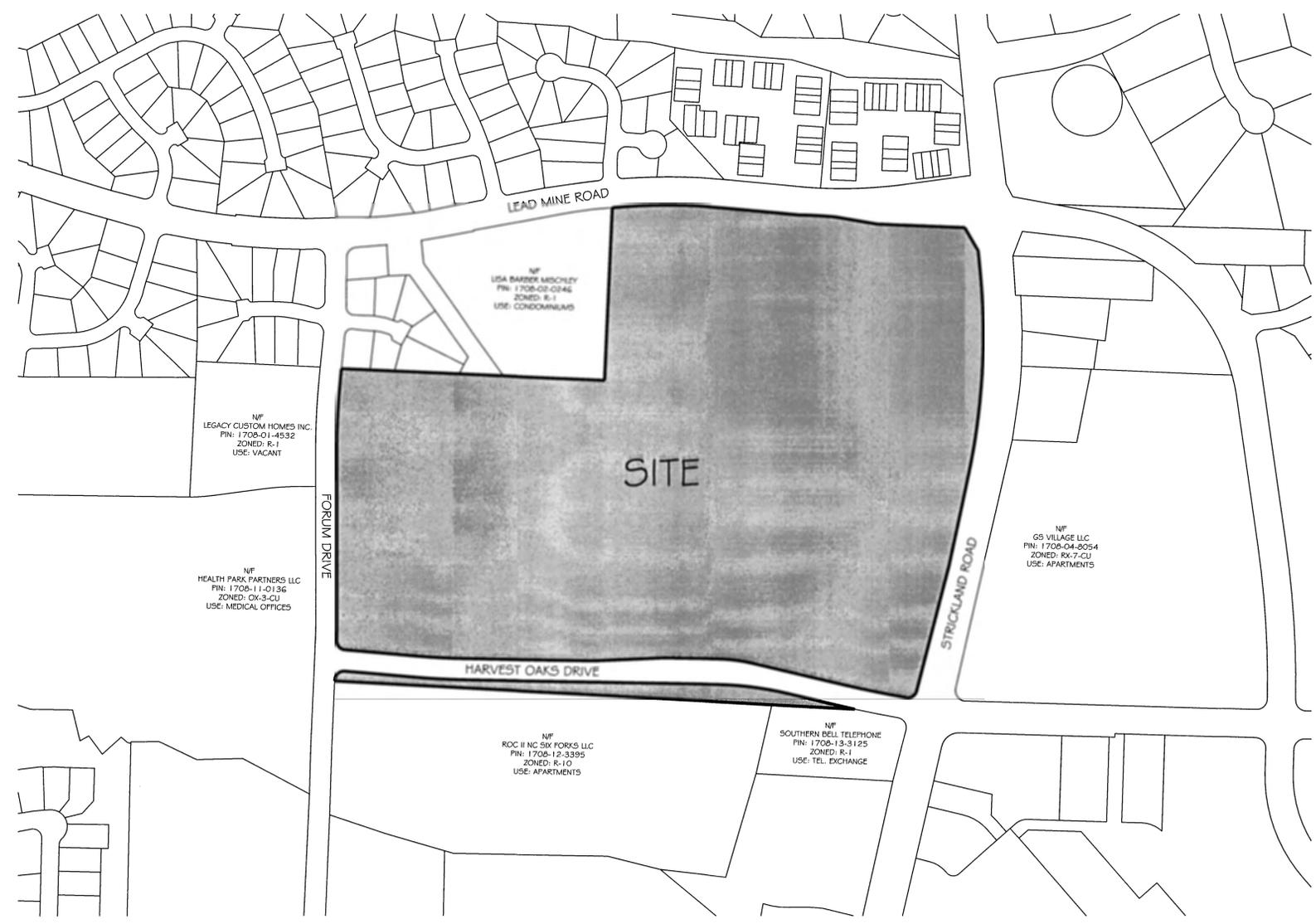
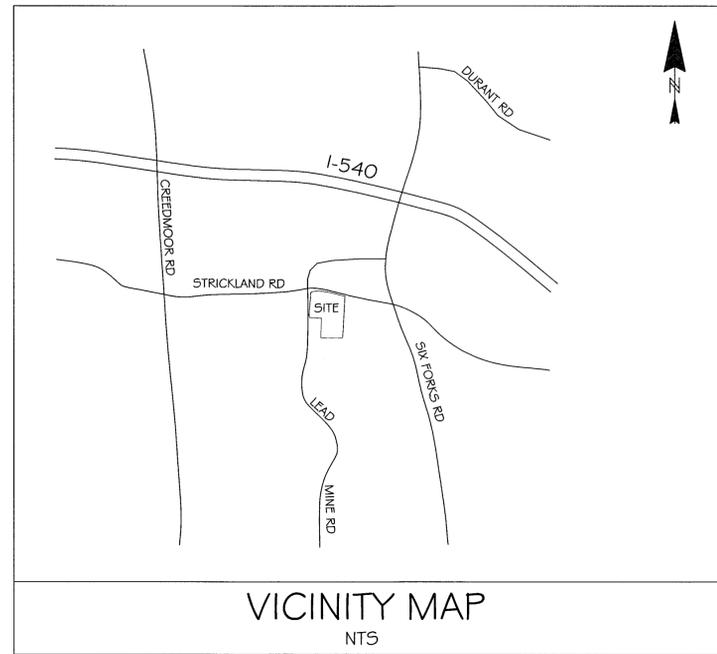
As a congregate care facility, the buildings within the Development are designed for the needs of its residents. Therefore, the minimum transparency requirements applicable to the building types in Article 3.2 shall not apply.



The Cypress of Raleigh

A CONTINUING CARE RETIREMENT COMMUNITY

- SHEET INDEX:
1. COVER SHEET
 2. EXISTING CONDITIONS PHASING PLAN
 3. STREET & BLOCK PLAN
 4. PEDESTRIAN PLAN
 5. DEVELOPMENT & PARKING PLAN
 6. MAJOR UTILITIES PLAN
 7. STORMWATER PLAN
 8. OPEN SPACE & TREE CONSERVATION PLAN



SITE DATA TABLE

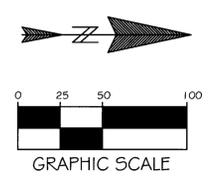
Subdistrict A			
Building Type	Dwelling Unit (DU) Conversion		
Apartment	168 Villa Units	Equals 84	DU's
Detached	37 Cottages	Equals 37	DU's
Apartment	60 Beds (rest home)	Equals 15	DU's
	Total	136	DU's
Civic Building Club House	45,000 SF	Gross Floor Area	
Civic Building Guard House	500 SF	Gross Floor Area	

Subdistrict B			
Building Type	Dwelling Unit (DU) Conversion		
Apartment	58 Villa Units	Equals 29	DU's
	Total	29	DU's

Subdistrict C			
Building Type	Dwelling Unit (DU) Conversion		
Apartment	60 Villa Units	Equals 30	DU's
Detached	9 Cottages	Equals 9	DU's
	Total	39	DU's

TOTALS			
Building Type	Dwelling Unit (DU) Conversion		
Apartment	286 Villa Units	Equals 143	DU's
Detached	46 Cottages	Equals 46	DU's
Apartment	60 Beds (rest home)	Equals 15	DU's
	Total	204	DU's
Civic Building Club House	45,000 SF	Gross Floor Area	
Civic Building Guard House	500 SF	Gross Floor Area	

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



Jones & Crossen
ENGINEERING, PLLC
Civil Engineering | Construction Management | Land Planning

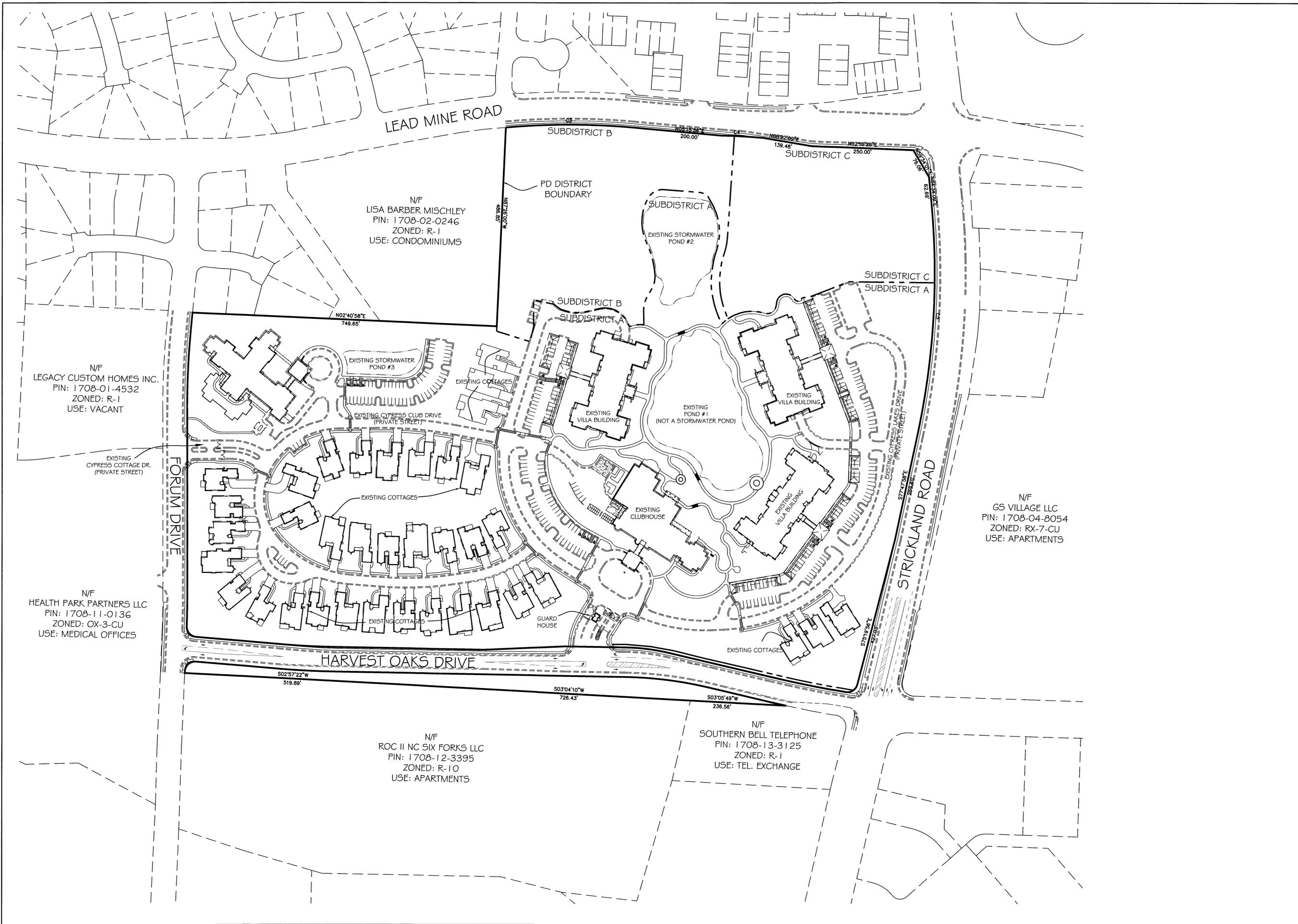
221 N. SALEM ST.
SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Registration: P-0151
www.jonescrossen.com

WAKE COUNTY, NORTH CAROLINA

THE CYPRESS OF RALEIGH
PD MASTER PLAN
CITY OF RALEIGH

COVER SHEET

SCALE: 1"=200'
DRAWN: SMJ
DATE: JUNE 7, 2016
REVISION:
SHEET: 1
PROJECT: 0490-2



Jones & Crossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

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THE CYPRESS OF RALEIGH
PD MASTER PLAN
EXISTING CONDITIONS & PHASING PLAN

SCALE
1" = 100'

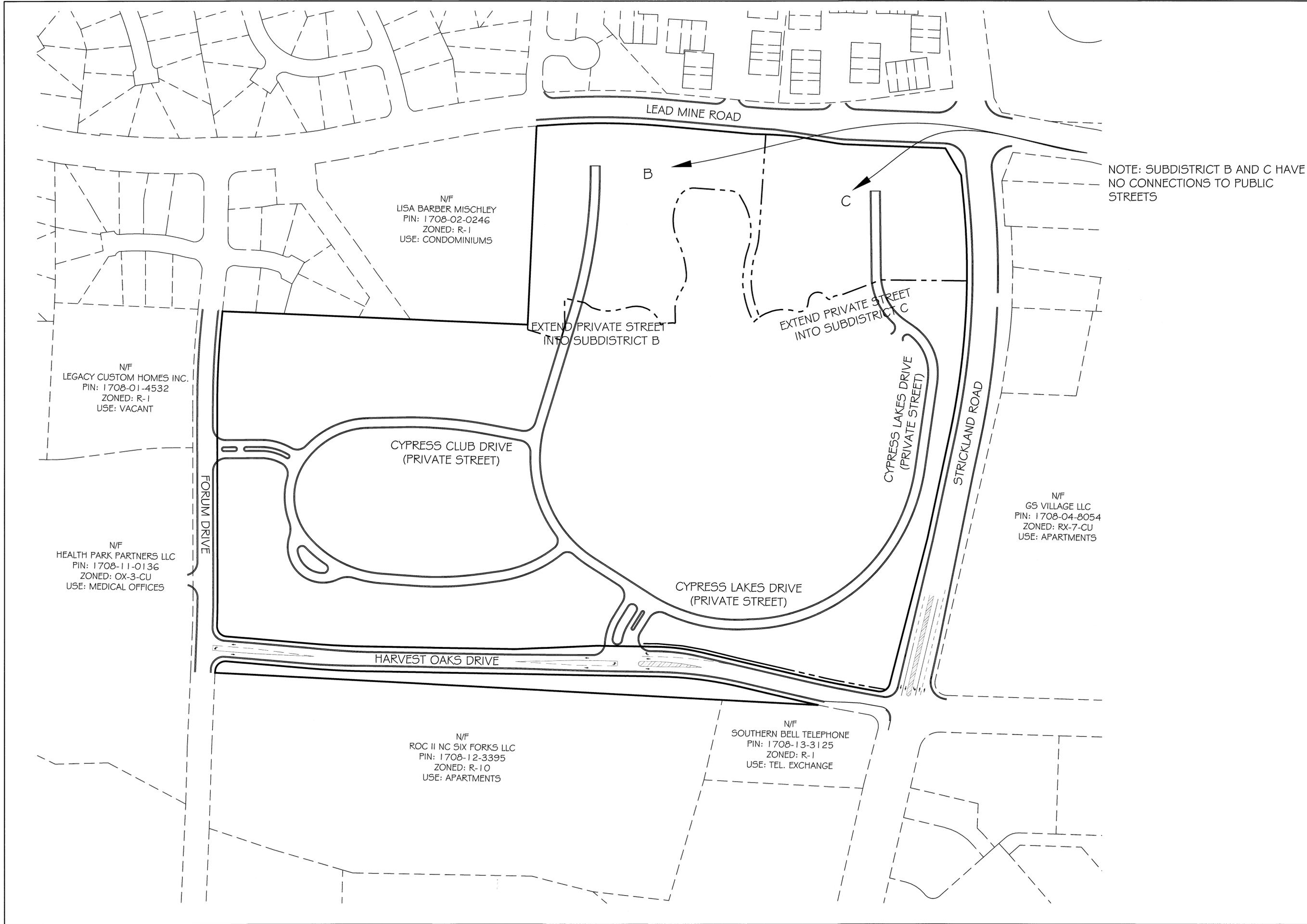
DRAWN
SMJ

DATE
JUNE 6, 2016

REVISION

SHEET
2

PROJECT
0490-2



NOTE: SUBDISTRICT B AND C HAVE NO CONNECTIONS TO PUBLIC STREETS

N/F
LISA BARBER MISCHLEY
PIN: 1708-02-0246
ZONED: R-1
USE: CONDOMINIUMS

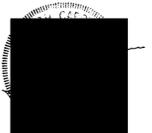
N/F
LEGACY CUSTOM HOMES INC.
PIN: 1708-01-4532
ZONED: R-1
USE: VACANT

N/F
HEALTH PARK PARTNERS LLC
PIN: 1708-11-0136
ZONED: OX-3-CU
USE: MEDICAL OFFICES

N/F
GS VILLAGE LLC
PIN: 1708-04-8054
ZONED: RX-7-CU
USE: APARTMENTS

N/F
ROC II NC SIX FORKS LLC
PIN: 1708-12-3395
ZONED: R-10
USE: APARTMENTS

N/F
SOUTHERN BELL TELEPHONE
PIN: 1708-13-3125
ZONED: R-1
USE: TEL. EXCHANGE



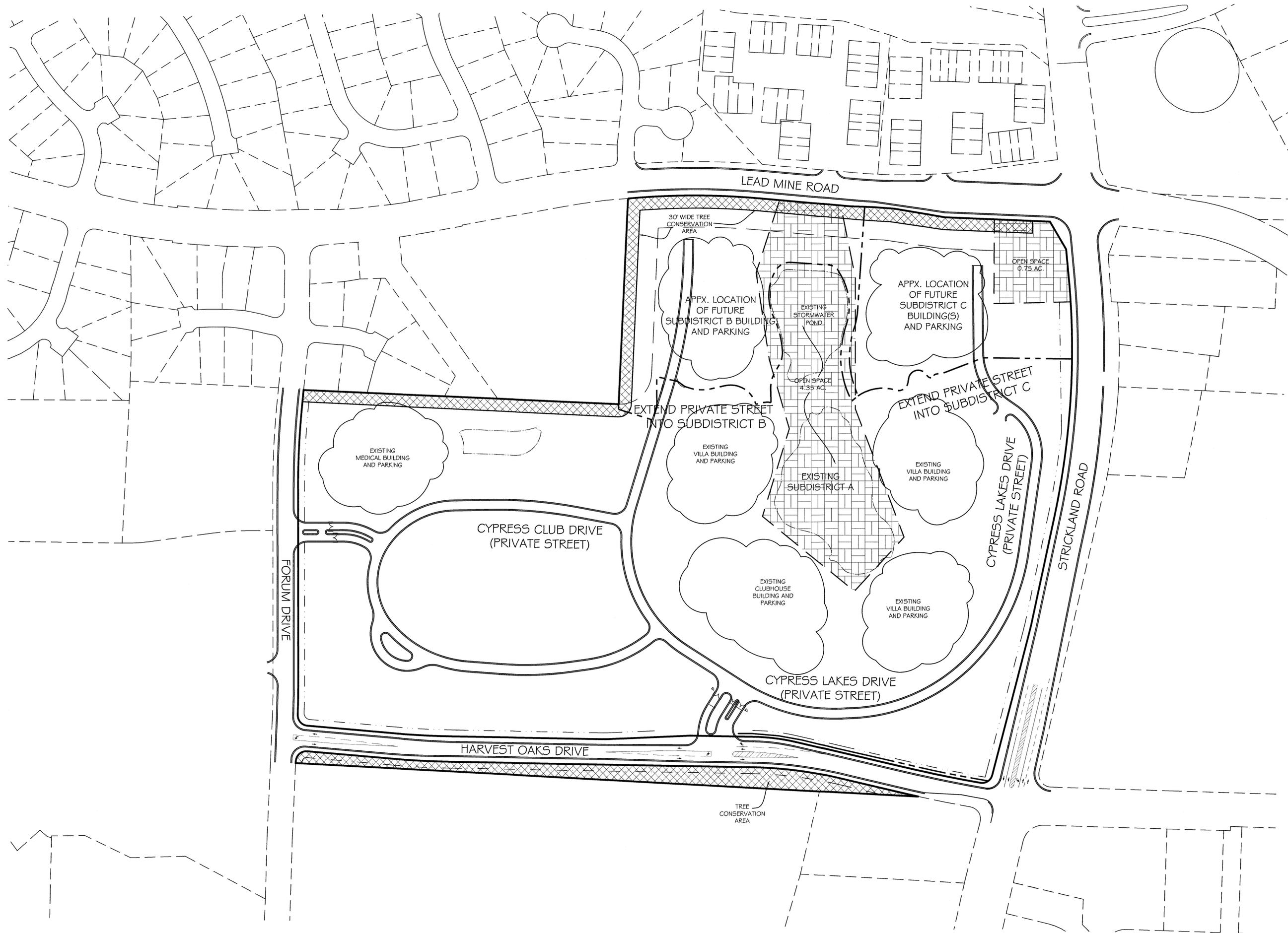
THE CYPRESS OF RALEIGH

WAKE COUNTY, NORTH CAROLINA

PD MASTER PLAN

STREET & BLOCK PLAN

SCALE	1" = 100'	DRAWN	SMJ
DATE	JUNE 7, 2016		
REVISION			
SHEET	3		
PROJECT	0490-2		

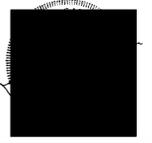
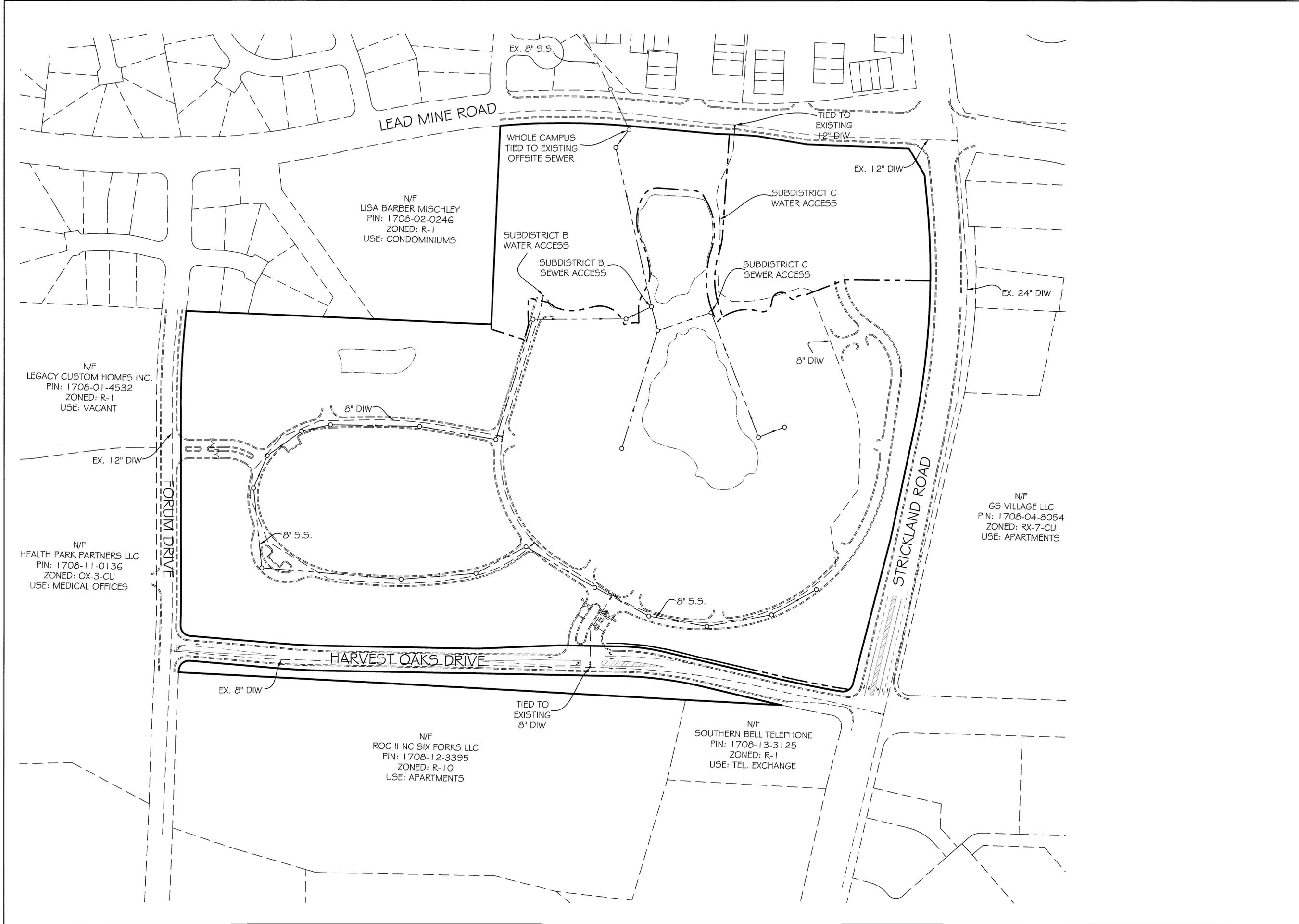


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THE CYPRESS OF RALEIGH
 PD MASTER PLAN
 DEVELOPMENT & PARKING PLAN
 CITY OF RALEIGH
 WAKE COUNTY, NORTH CAROLINA

SCALE	1"=50'	DRAWN	5MJ
DATE	JUNE 7, 2016		
REVISION			
SHEET	5		
PROJECT	0490-2		



THE CYPRESS OF RALEIGH
 PD MASTER PLAN
 MAJOR UTILITIES PLAN

CITY OF RALEIGH
 WAKE COUNTY, NORTH CAROLINA

SCALE	1" = 100'	DRAWN	SMJ
DATE	JUNE 7, 2016		
REVISION			
NO.			
DATE			
NO.	6		
PROJECT	0490-2		

