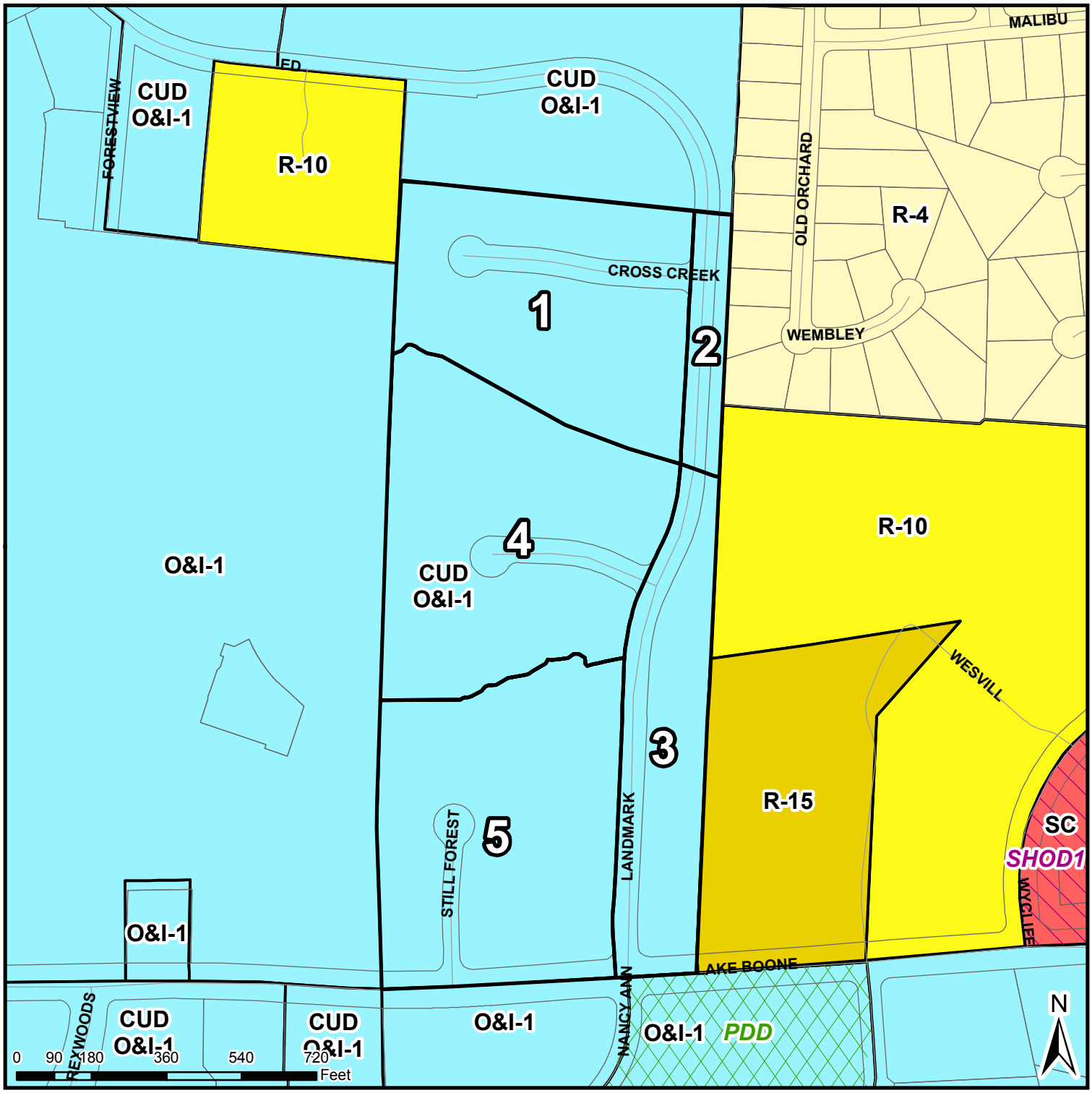
Existing Zoning Map Z-20-2013



Submittal Date

5/1/2013

Request:

Approx. 34.29 acres CUD O&I-1 to be rezoned to:

(1) 8.20 acres OX-4-CU;
(2) 1.31 acres OX-3-CU;
(3) 5.14 acres CX-4-PL-CU;
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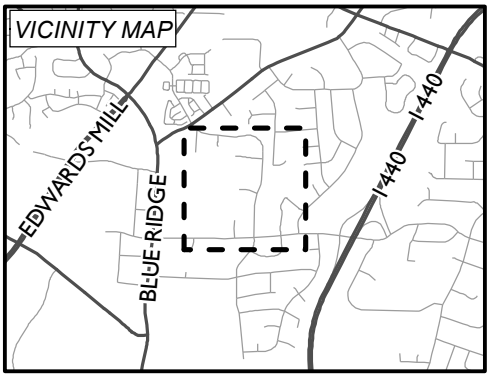


Certified Recommendation

Raleigh Planning Commission

CR# 11550

Case Information Z-20-13 Landmark Drive

Location	Lake Boone Trail, north side, between Blue Ridge Road and the I-440 Beltline Address: PIN:
Request	Rezone property from O&I-1 CUD to CX-5-PL CUD, CX-4-PL CUD, NX-4 CUD, OX-3 CUD, OX-4 CUD
Area of Request	34.29 acres
Property Owner	TBR Lake Boone LLC, c/o Tribridge Residential LLC 1575 Northside Drive Bldg. 100, Suite 200 Atlanta, GA 30318
Applicant/Contact Person	Michael Birch Morningstar Law Group 630 Davis Drive Suite 200 Morrisville NC, 27560 919-590-0388 mbirch@morningstarlawgroup.com Stephen Bates Tribridge Residential 1575 Northside Drive Bldg. 100, Suite 200 Atlanta, GA 30318 404-367-6546 Brian Purdy The John R. McAdams Company P. O. Box 14005 RTP, NC 27709 919-361-5000 purdy@johnrmcadams.com
Citizens Advisory Council	Northwest CAC Jay M. Gudeman 919-789-9884 jay@kilpatrickgudeman.com
PC Recommendation Deadline	

Comprehensive Plan Consistency

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

Future Land Use Map Consistency

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

Comprehensive Plan Guidance

FUTURE LAND USE	Office and Residential Mixed Use
CONSISTENT Policies	Policy LU 2.1—Placemaking Policy LU 2.2—Compact Development Policy LU 4.5—Connectivity Policy LU 5.4—Density Transitions Policy LU 5.6—Buffering Requirements Policy UD 3.8—Screening of Unsightly Uses
INCONSISTENT Policies	Policy LU 1.2—Future Land Use Map and Zoning Consistency

Summary of Proposed Conditions

1. Prohibited uses (only certain limited types of retail are prohibited)
2. Provision for tree planting adjacent to single family lots
3. Undisturbed area along eastern side of property
4. Minimum 120 feet between any new construction and single family lot lines
5. Mechanical equipment screening
6. Upon adoption of rezoning, request for traffic signal at Landmark Drive/Lake Boone Trail
7. If traffic signal approved for Landmark Drive/Lake Boone Trail intersection, contribution of $85,000 for such signal
8. Lighting plan
9. Owners of adjacent single family parcels to be invited to see any proposed site plan at least 30 days prior to submittal of such site plan for City approval
10. Provision for a transit easement
11. No more than 800 dwelling units and no more than 100,000 square feet of nonresidential development
12. Screening of loading areas
13. Screening of service areas
14. Limit days and hours of new construction activity
15. Construction materials not to be stored in buffer areas

Public Meetings

Neighborhood Meeting	***Public Hearing***	***Committee***	***Planning Commission***
April 16, 2013		Date: Action	Date: Action

☐ ***Valid Statutory Protest Petition***

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

Planning Commission Recommendation

Recommendation	The Planning Commission recommends approval
Findings & Reasons	1. Though partially inconsistent with the Future Land Use Map, the rezoning proposal is reasonable and in the public interest. The rezoning proposal will provide retail services that are accessible to pedestrians in this urbanizing area, particularly providing such services adjacent to the Rex Hospital campus. 2. The applicant has offered extensive conditions that provide buffering with adjacent single family housing.
Motion and Vote	Motion: Fleming Second: Braun In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Mattox, Schuster, Swink and Terando

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.

_____	_____**9/24/13**_____
Planning Director Date	Planning Commission Chairperson Date

Staff Coordinator: James Brantley james.brantley@raleighnc.gov

Zoning Staff Report – Case Z-20-13

Conditional Use District

Case Summary

Overview

The site of the proposed rezoning is a 32.49 acre property on the north side of Lake Boone Trail, between Blue Ridge Road to the west and Wycliff Road and the I-440 Beltline to the east. The Rex Hospital campus is immediately adjacent to the site to the west. The site is bisected by Landmark Drive, which runs north/south through the property. Off-site to the north, Landmark Drive becomes Ed Drive which accesses Blue Ridge Road. The southern terminus of Landmark Drive is at Lake Boone Trail. This intersection aligns with that of Nancy Ann Drive and Lake Boone Trail. Currently there is no traffic signal at this intersection. The site also contains three publicly owned and maintained cul-de-sacs: Still Forest Place (access from Lake Boone Trail), Woodlake Place (access from Landmark Drive) and Cross Creek Court (access from Landmark Drive).

The site is currently developed as an apartment complex, The Villages of Lake Boone Trail. Meredith Village apartments (zoned R-15 and R-10) are to the east of the site. To the northeast of the site is a single family neighborhood, Meredith Woods; five single family lots in this subdivision abut the subject property. The neighborhood is zoned R-4. There is a 3.8 acre vacant parcel zoned O&I-1 CUD to the north. To the northwest is the Ridgecroft Condominium community (zoned R-10), and to the west the Rex Medical Complex, zoned O&I-1.

Across Lake Boone Trail from the site is an office building zoned O&I-1. To the southeast of the site is the mixed use development “The Market Place at Lake Boone Trail” and at the intersection of Wycliff and Lake Boone Trail is the Lake Boone shopping center. These properties are designated Community Mixed Use on the Future Land Use Map. The particular property in question is designated for Office and Residential Mixed Use on the Future Land Use map.

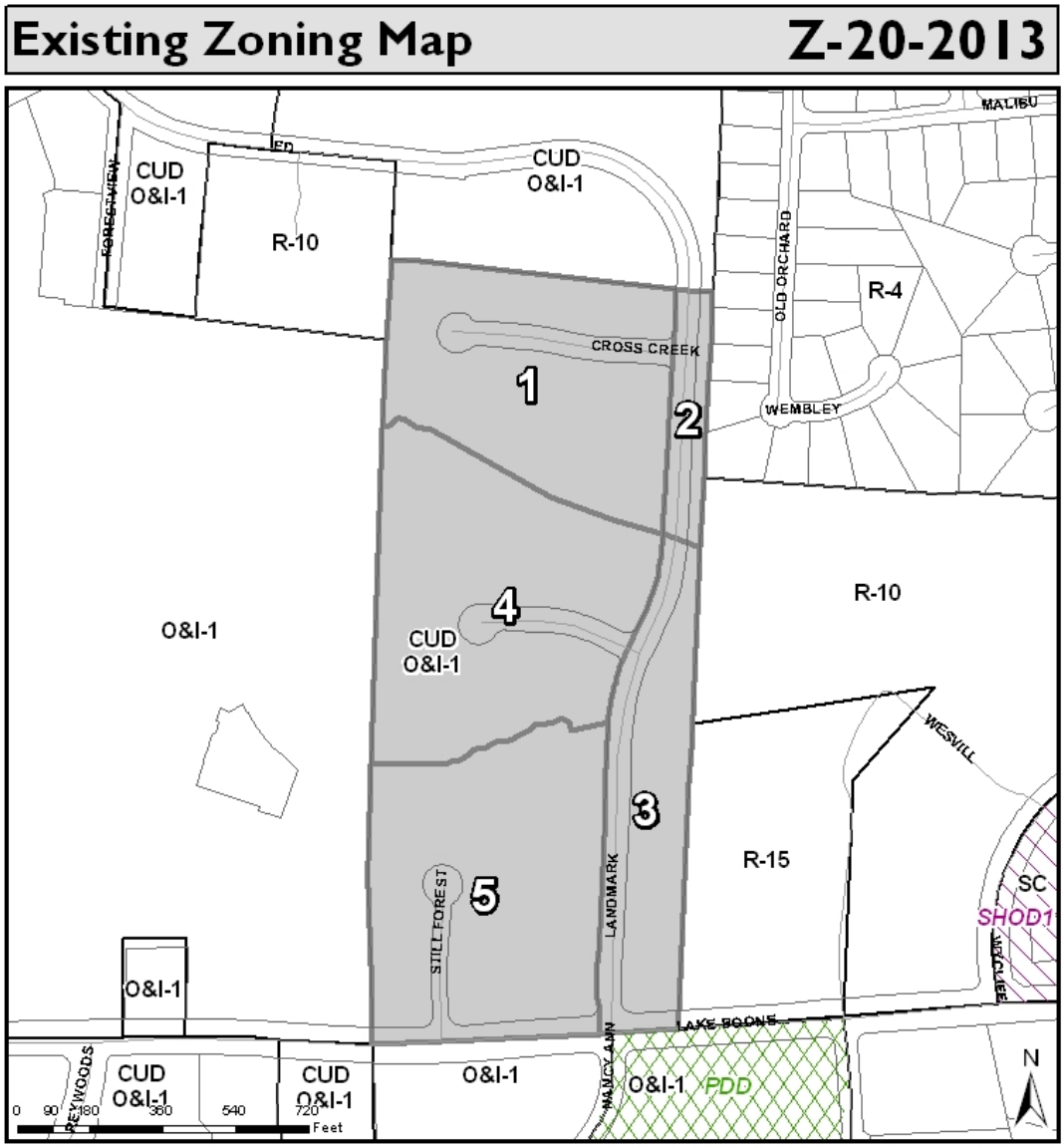
The current O&I-1 CUD zoning on the property was established by Z-15-08. There are 292 dwelling units on the property with a density of just under 9 dwellings per acre. These apartments were constructed in 1972.

There are two USGS blue line streams that cross the property from west to east. These streams are part of the headwaters of House Creek. The northern of these two streams has an impoundment on the site of approximately 1.5 acres. Both of these streams have been partially culverted.

Outstanding Issues

Outstanding Issues	1. Proposed zoning would allow retail, which is inconsistent with the Future Land Use designation	*Suggested Mitigation*	1. Remove request for CX zoning from the petition

ZONING REQUEST



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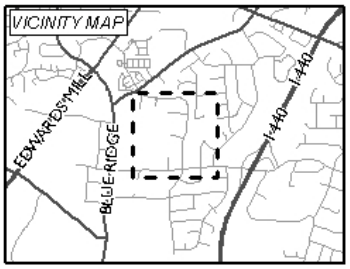


Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	***North***	***South***	***East***	***West***
Existing Zoning	O&I-1 CUD	O&I-1 CUD	O&I-1	R-4, R-10, R-15	O&I-1
Additional Overlay	n/a	n/a	PDD	n/a	n/a
Future Land Use	Office and residential mixed use	Low density residential	Community Mixed Use	Office and residential mixed use	Institutional
Current Land Use	Multi-family housing	vacant	offices	Multi- and single family housing	Hospital, offices
Urban Form	n/a	n/a	n/a	n/a	City Growth Center

1.2 Current vs. Proposed Zoning Summary

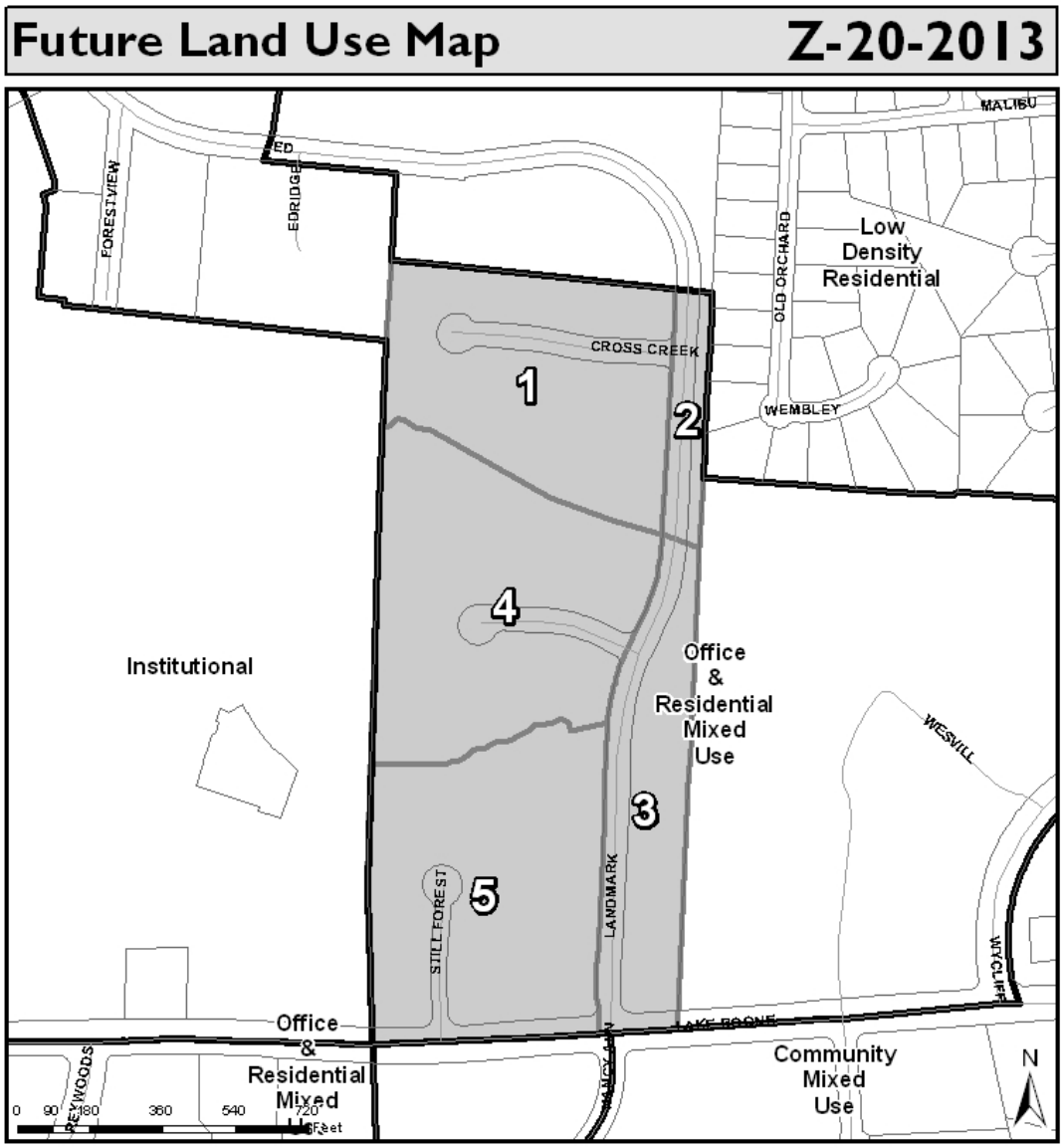
	Existing Zoning	***Proposed Zoning***
Residential Density:	23 dwelling per acre	23 dwellings per acre
Setbacks: *Front:* *Side:* *Rear:*	 Varies Varies Varies	 Varies Varies Varies
Retail Intensity Permitted:	n/a	Total nonresidential development capped at 100,000 square feet
Office Intensity Permitted:	60,000 square feet	Total nonresidential development capped at 100,000 square feet

The proposed rezoning is:

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

☐ **Incompatible.**
Analysis of Incompatibility:

FUTURE LAND USE MAP



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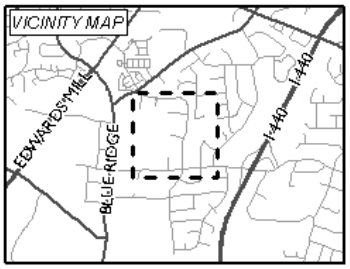

2. Comprehensive Plan Consistency Analysis

2.1 Future Land Use

Future Land Use designation: Office and Residential Mixed Use

The rezoning request is:

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

☒**Inconsistent** with the Future Land Use Map

The 10 acres requested for CX zoning are inconsistent with the Future Land Use Map, which recommends office and residential mixed uses for the entire property. CX zoning would allow up to 100,000 square feet of retail, as conditioned. The proposed zoning on the remainder of the 34.29 acre site would be compatible with the office and mixed use FLUM recommendation.

2.2 Policy Guidance

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

Policy LU 1.2 Future Land Use Map and Zoning Consistency The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes. The Future Land Use Map shall not be used to review development applications which do not include a zoning map or text amendment.

The 10 acres requested for CX zoning are inconsistent with the Future Land Use Map, which recommends office and residential mixed uses for the entire property. CX zoning would allow retail.

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

Policy LU 2.1—Placemaking Development within Raleigh's jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.

Policy LU 2.2—Compact Development New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

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.

Policy LU 5.4—Density Transitions
Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

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.

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.

2.3 Area Plan Policy Guidance

There is no small area plan for this vicinity.

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

More intense development in this growing area is desirable. The site is well served by bus transit, the road network and public utilities. There is a strong market need for office and higher density residential space in the vicinity. Retail development adjacent to the hospital complex could provide needed pedestrian-accessible services for the hospital's staff and visitors without the need to drive or cross Lake Boone Trail.

3.2 Detriments of the Proposed Rezoning

More intense development will bring more vehicles into the area, particularly if the 10 acres fronting onto Lake Boone Trail is developed for retail uses.

4. Impact Analysis

4.1 Transportation

Primary Streets	**Classification**	**2009-2012 NCDOT Traffic Volume (ADT)**	**2040 Traffic Volume Forecast (CAMPO)**
Lake Boone Trail	Avenue, 4 Lane Divided	21,000	32,649
Landmark Road	Avenue, 2 Lane Undivided	3,390	795
Blue Ridge Road/Duraleigh	Avenue, 4 Lane Divided	26,100	35,596
Blue Ridge Road	Avenue, 2 Lane Divided	10,800	14,344
Wycliff Road	Avenue, 2 Lane Undivided	9,100	6,893

Street Conditions						
Lake Boone Trail	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	5	60'	Yes	85'	5' sidewalks on both sides	None
City Standard	4	73'	Yes	101'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**No**	**No**	**Yes**	**No**	**Yes**	**No**
Landmark Road	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	2	36'	Yes	60'	Yes	None
City Standard	2	36'	Yes	64'	minimum 6' sidewalks on both sides	7' lane on one side
Meets City Standard?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**
Blue Ridge Road/Duraleigh	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	4	75'	Yes	80'	Yes	None
City Standard	4	73'	Yes	101'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**Yes**	**No**	**Yes**	**No**	**Yes**	**No**

Blue Ridge Road	Lanes	Street Width	Curb and Gutter	Right-of-Way	Sidewalks	Bicycle Accommodations
Existing	2	35'	segments of curb and gutter on both sides	75'	segments of 5' sidewalk on both sides	None
City Standard	2	48'	Yes	75'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**Yes**	**No**	**No**	**Yes**	**No**	**No**
Wycliff Road	**Lanes**	**Street Width**	**Curb and Gutter**	**Right-of-Way**	**Sidewalks**	**Bicycle Accommodations**
Existing	2	35'	Yes	64'	5' sidewalks on both sides	None
City Standard	2	36'	Yes	64'	minimum 6' sidewalks on both sides	Yes
Meets City Standard?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**
Expected Traffic Generation [vph]	Current Zoning	Proposed Zoning	Differential			
AM PEAK	516	552	36			
PM PEAK	909	1058	149			
Suggested Conditions/ Impact Mitigation:		Traffic Study Determination: Staff has reviewed a trip generation differential report for this case and a traffic impact analysis study is not recommended for Z-20-13. The applicant may want to consider delineating/channelizing the approaches for Landmark Drive/Nancy Ann Drive to Lake Boone Trail to improve the LOS of the intersection without signalization. A right turn only lane should be considered for Landmark Drive/Nancy Ann Drive to allow a right turn movement without waiting for through and left turning traffic.				
Additional Information:	Neither NCDOT nor the City of Raleigh has any roadway construction projects scheduled in the vicinity of this case.					

Impact Identified: None

4.2 Transit

Conditions on the case provide for a transit easement and shelter.

4.3 Hydrology

Floodplain	None
Drainage Basin	House
Stormwater Management	Subject to Part 10, Chapter 9
Overlay District	None

Impact Identified: Neuse River Buffers are present on site.

4.4 Public Utilities

	Maximum Demand (current)	*Maximum Demand (proposed)*	*Estimated Remaining Capacity*
Water	110,890 gpd	327,025 gpd	
Waste Water	110,890 gpd	327,025 gpd	

Impact Identified: The proposed rezoning would add approximately 216,135 gpd to the wastewater collection and water distribution systems of the City. Presently there are existing eight (8") inch sanitary sewer and water mains located throughout the proposed area for rezoning. The subsequent development would use these mains for connection to the City's utility systems. Downstream sanitary sewer improvements may be required by the City of the developer, depending on actual use. The developer must submit a downstream sewer capacity study and those required improvements identified by the study must be permitted and constructed in conjunction with or prior to the proposed development being constructed. Verification of available capacity for fire flow is required as part of the building permit submittal process. Any water system improvements required to meet fire flow requirements will also be required.

4.5 Parks and Recreation

This rezoning case does not impact the current recreation level of service in this area. There is no greenway corridor adjacent to this property.

4.6 Urban Forestry

Parking Limited frontage will not require tree conservation areas along Lake Boone Trail .

Impact Identified: The impact of this rezoning (specifically the frontage designation) will be the loss of primary tree conservation areas along Lake Boone Trail.

4.7 Designated Historic Resources

n/a

4.8 Community Development

n/a

4.9 Appearance Commission

n/a

4.10 Impacts Summary

The increase in building intensity will result in additional vehicular and transit use, additional loading to the water and sewer system, and increased use of existing park facilities.

4.11 Mitigation of Impacts

The impacts to the various City of Raleigh road, transit, public utilities and parks systems has been determined to be within the existing capacities of those systems.

5. Conclusions

The proposed zoning allows for the replacement of an aging apartment complex with new office, residential and retail development. The site, adjacent to Rex Hospital and its several associated office buildings, is appropriate for such development as the area is well-served by transit, the road network and public utilities. The site is adjacent to the City Growth Center associated with the Hospital, and more intense development here could complement the Growth Center.

However, the proposal is partially inconsistent with the Future Land Use Map, which does not envision retail uses on this property. The rezoning request would allow 10 acres of retail uses on Lake Boone Trail, and up to a maximum of 100,000 total square feet of nonresidential uses. The applicant will need to address why the benefits of retail in this location outweigh the inconsistency with the City's land use plan.

Z-20-13

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
	Michael Templeins as Manager of Owner	4-29-13

Z-20-13

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) (for conditional use requests, petitioners must own petitioned property)	TBR Lake Boone Owner, LLC	c/o Tribridge Residential, LLC 1575 Northside Dr. Bldg. 100, Ste. 200 Atlanta, GA 30318	
Property Owner(s)	Same as above	Same as above	
Contact Person(s)	Stephen Bates, Tribridge Residential	1575 Northside Dr. Bldg. 100, Ste. 200 Atlanta, GA 30318	(404) 367-6546
	Michael Birch, Morningstar Law Group	630 Davis Drive Suite 200 Morrisville, NC 27560	(919) 590-0388 mbirch@morningstarlawgroup.com
	Brian Purdy, The John R. McAdams Co.	P.O. Box 14005 RTP, NC 27709	(919) 361-5000 purdy@johnrmcadams.com

Property information

Property Description (Wake County PIN)	0785-93-2086
Nearest Major Intersection	Lake Boone Trail and Landmark Drive
Area of Subject Property (in acres)	34.29 acres per Wake County GIS
Current Zoning Districts (include all overlay districts)	O&I-1 CUD (Z-15-08)
Requested Zoning Districts (include all overlay districts)	CX-5-PL; CX-4-PL; NX-4; OX-4; OX-3, all CUD

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
ATTACHED			

EXHIBIT C. Request for Zoning Change

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

Narrative of conditions being requested:

1. The following principal uses, as listed in UDO Section 6.1.4. "Allowed Principal Use Table", shall be prohibited on all portions of the property:

   a. Boardinghouse
   b. Dormitory, fraternity, sorority
   c. Monastery, convent
   d. Orphanage
   e. Emergency shelter type A
   f. Emergency shelter type B
   g. Special care facility
   h. Cemetery
   i. College, community college, university
   j. Civic club
   k. Museum, library
   l. School, public or private (K-12)
   m. Aeration facility, artesian well
   n. Telecommunication tower – all types
   o. Water or sanitary sewer treatment plant
   p. Adult establishment
   q. Billiard hall, pool hall
   r. Bingo parlor
   s. Bowling alley
   t. Convention center, arena
   u. Shooting range
   v. Miniature golf facility
   w. Motor track
   x. Movie theater or other indoor theater
   y. Skating rink
   z. Radio, TV or recording studio, utility office
   aa. Outdoor recreation – all types
   bb. Bed and breakfast
   cc. Youth hostel
   dd. Passenger Terminal – all types
   ee. Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium
   ff. Locksmith
   gg. Palmist, psychic, medium, fortune telling
   hh. Post office
   ii. Tattoo parlor, body piercing
   jj. Wedding chapel
   kk. Pawnshop
   ll. Vehicle sales/rental
   mm. Light manufacturing
   nn. Car wash
   oo. Vehicle repair – all types

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
	Michael Tompkins, as manager of	9-19-13
	TBR Lake Boone Owner, LLC	

EXHIBIT C. Request for Zoning Change

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

2. Upon redevelopment of the property, excluding maintenance and repairs of existing buildings or structures, or reconstruction with like size buildings and uses, that area on the property (the "Buffer Area") between the eastern edge of the right-of-way of Landmark Drive and the property line adjacent to those properties described in the deeds recorded in the Wake County Registry as follows: Book 14378, Page 1296; Book 4681, Page 860; Book 3491, Page 38; Book 6241, Page 489; and Book 15160, Page 1925 (collectively, the "Single Family Residential Parcels") shall, at a minimum, be planted with five shade trees per 100 lineal feet and four understory trees per 100 lineal feet.

3. Other than the installation and maintenance of the planting material referenced in above Condition 2., the Buffer Area shall not be disturbed, with the following exceptions: (a) utility services and related easements; (b) storm drainage facilities and related easements; (c) planting material and any fences or walls permitted by the UDO to complete any transition requirements; and (d) removal of dead, pest infested, diseased or damaged plant materials that pose safety hazards, provided none of these activities are allowed in designated tree conservation areas, if any.

4. Upon redevelopment of that portion of the property designated Area 1 on the attached Exhibit 1, excluding maintenance and repairs of existing buildings or structures or reconstruction with like size buildings and uses, no new buildings or additions to existing buildings shall be constructed within one hundred and twenty (120) feet of the common property line with the Single Family Residential Parcels. The maximum building height shall be forty-five (45) feet for new buildings or additions to existing buildings located within that portion of Area 1 that is within two hundred and twenty (220) feet from the Single Family Residential Parcels.

5. Except for direct broadcast satellite dishes measuring thirty-nine (30) inches or less, all HVAC or mechanical equipment, including dish antennae, located on the roof of any building constructed after the adoption of this rezoning ordinance shall be screened in accordance with UDO section 7.2.5.D.2.

6. Within thirty (30) days of the date of the adoption of this rezoning ordinance, the property owner shall request the City of Raleigh to install a traffic signal at the intersection of Lake Boone Trail and Landmark Drive. If no traffic light is approved by the City, then the owner of the rezoned property, or if there are more than one lot owner, the owner of the largest portion of the property, shall also make this request at least every two (2) years thereafter. Further, and in addition to other notices required hereunder, the applicant for a subdivision plan or site plan review shall also make this request at the time of application, except for such plans associated with maintenance and repair of existing buildings or structures or reconstruction with like size buildings and uses. Notice of the requests made pursuant to this Condition 6. shall be provided to the Meredith Woods neighborhood and the owners of the Summit Office Building (Book 11297, Page 1077) in accordance with the methods permitted by either subsection a. or subsection b. of UDO section 10.2.1.C.1. The obligations imposed by this Condition 6. shall expire ten (10) years from the date of the adoption of this rezoning ordinance.

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
	Michael Tompkins, as manager of	9-19-13
	TBR Lake Boone Owner, LLC	

7. Within ten (10) years of the date of the adoption of this rezoning ordinance and after written notice from the City of Raleigh of the City's decision to permit the installation of the traffic signal at the intersection of Lake Boone Trail and Landmark Drive, the owner of the rezoned property, or if there are more than one lot owner, the owner of the largest portion of the property, shall contribute $85,000 to the City of Raleigh for use in connection with the traffic signal's installation. Such payment shall be provided to the City of Raleigh within six (6) months of the date of the City's decision to permit a traffic signal.

8. A lighting plan and photometric analysis of the proposed site lighting for the property shall be submitted in accordance with UDO Article 7.4. For those portions of the property designated Area 1, Area 2 or Area 4 on the attached Exhibit 1, lighting features shall create downward lighting and, if necessary, will utilize shielding, hoods, or other appropriate measures to achieve full cut-off design.

9. The applicant for any site plan concerning any portion of the property, excluding maintenance and repairs of existing buildings or structures or reconstruction with like size buildings and uses, shall provide, at least thirty (30) days in advance of submitting a site plan review application, written notice to all owners of the Single Family Residential Parcels of the applicant's submittal of any site plan to the City. Such notice shall include a proposed meeting date, where the applicant will present the site plan, lighting plan, and photometric analysis prepared in conjunction with such site plan. The applicant shall furnish such notice of this meeting to the owners of the Single Family Residential Parcels at least fourteen (14) days in advance of the applicant's proposed meeting date. The notice required by this condition shall be provided in accordance with the methods permitted by either subsection a. or subsection b. of UDO section 10.2.1.C.1.

10. Prior to recordation of a subdivision plat or issuance of a building permit for new development on the property, whichever shall first occur, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth or 20 feet in width, and may be reduced by the City based on location) and location of the easement along Lake Boone Trail shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office. Prior to issuance of a certificate of occupancy for new development on the property, an ADA accessible transit shelter (free-standing or incorporated into a building), with construction plans approved by the Public Works Department, shall be constructed by the lot owner.

11. Residential development on the property shall not exceed 800 dwelling units. Nonresidential development on the property shall not exceed 100,000 square feet of gross floor area. Prior to recordation of a subdivision plat for the property, the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable residential density and nonresidential floor area upon the property to all lots of record comprising the property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of a subdivision plat for the property and prior to recordation of the restrictive covenant, and such restrictive covenant shall be promptly recorded following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee, which consent shall not be unreasonably withheld.

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ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
	Michael Tompkins, as manager of	9-19-13
	TBR Lake Boone Owner, LLC	

12. Within that portion of the property designated Area 1 on the attached Exhibit 1, any unenclosed loading area located on that side of a building facing Landmark Drive, and where no other building is located between the loading area and Landmark Drive, shall be screened with a wall totaling at least eight feet in height and such wall shall comply with UDO sections 7.2.5.B.3 and 7.2.5.B.4.

13. Within that portion of the property designated Area 1 on the attached Exhibit 1, any unenclosed service area located on that side of a building facing Landmark Drive, and where no other building is located between the service area and Landmark Drive, shall be screened on three sides by a wall at least six feet in height and on a fourth side by a solid gate at least six feet in height. For an enclosure subject to this condition, the side of the enclosure with a gate may not face Landmark Drive. For an enclosure subject to this condition, the wall and gate screening the service area must be of a height at least 12 inches above the highest point of any dumpster located in the service area, but in no event less than six feet in height. The walls and gate subject to this condition shall comply with UDO section 7.2.5.C.3.

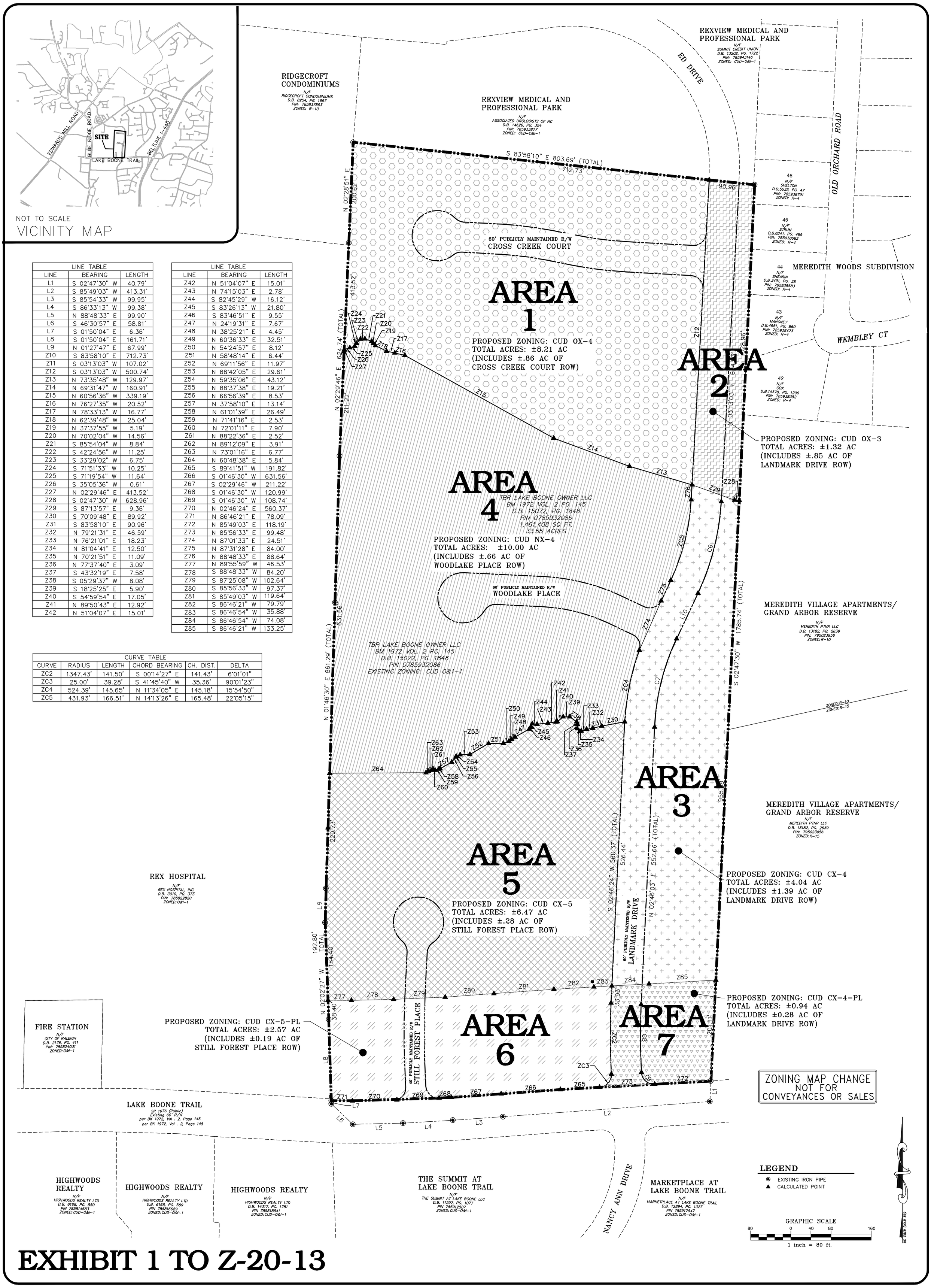
14. Within that portion of the property designated Area 1 on the attached Exhibit 1, new construction (excluding remodeling, renovation and maintenance of existing structures) shall occur only between the hours of 7:00 AM and 7:00 PM Monday through Friday, 8:00 AM and 6:00 PM Saturday, and shall be prohibited on Sunday.

15. No construction materials, debris or equipment shall be stored, handled or parked within the Buffer Area. This condition shall not prohibit the use of equipment in the Buffer Area for the purposes set forth in above Condition 3 of this rezoning ordinance.

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
	Michael Tompkins, as manager of	9-19-13
	TBR Lake Boone Owner, LLC	



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 02°47'30" W	40.79'
L2	S 85°49'03" W	413.31'
L3	S 85°54'33" W	99.95'
L4	S 86°33'13" W	99.38'
L5	N 88°48'33" E	99.90'
L6	S 46°30'57" E	58.81'
L7	S 01°50'04" E	6.36'
L8	S 01°50'04" E	161.71'
L9	N 01°27'47" E	67.99'
Z10	S 83°58'10" E	712.73'
Z11	S 03°13'03" W	107.02'
Z12	S 03°13'03" W	500.74'
Z13	N 73°35'48" W	129.97'
Z14	N 69°31'47" W	160.91'
Z15	N 60°56'36" W	339.19'
Z16	N 76°27'35" W	20.52'
Z17	N 78°33'13" W	16.77'
Z18	N 62°39'48" W	25.04'
Z19	N 37°37'55" W	5.19'
Z20	N 70°02'04" W	14.56'
Z21	S 85°54'04" W	8.84'
Z22	S 42°24'56" W	11.25'
Z23	S 33°29'02" W	6.75'
Z24	S 71°51'33" W	10.25'
Z25	S 71°19'54" W	11.64'
Z26	S 35°05'36" W	0.61'
Z27	N 02°29'46" E	413.52'
Z28	S 02°47'30" W	628.96'
Z29	S 87°13'57" E	9.36'
Z30	S 70°09'48" E	89.92'
Z31	S 83°58'10" E	90.96'
Z32	N 79°21'31" E	46.59'
Z33	N 76°21'01" E	18.23'
Z34	N 81°04'41" E	12.50'
Z35	N 70°21'51" E	11.09'
Z36	N 77°37'40" E	3.09'
Z37	S 43°32'19" E	7.58'
Z38	S 05°29'37" W	8.08'
Z39	S 18°25'25" E	5.90'
Z40	S 54°59'54" E	17.05'
Z41	N 89°50'43" E	12.92'
Z42	N 51°04'07" E	15.01'

LINE TABLE		
LINE	BEARING	LENGTH
Z42	N 51°04'07" E	15.01'
Z43	N 74°15'03" E	2.78'
Z44	S 82°45'29" W	16.12'
Z45	S 83°26'13" W	21.80'
Z46	S 83°46'51" E	9.55'
Z47	N 24°19'31" E	7.67'
Z48	N 38°25'21" E	4.45'
Z49	N 60°36'33" E	32.51'
Z50	N 54°24'57" E	8.12'
Z51	N 58°48'14" E	6.44'
Z52	N 69°11'56" E	11.97'
Z53	N 88°42'05" E	29.61'
Z54	N 59°35'06" E	43.12'
Z55	N 88°37'38" E	19.21'
Z56	N 66°56'39" E	8.53'
Z57	N 37°58'10" E	13.14'
Z58	N 61°01'39" E	26.49'
Z59	N 71°41'16" E	2.53'
Z60	N 72°01'11" E	7.90'
Z61	N 88°22'36" E	2.52'
Z62	N 89°12'09" E	3.91'
Z63	N 73°01'16" E	6.77'
Z64	N 60°48'38" E	5.84'
Z65	S 89°41'51" W	191.82'
Z66	S 01°46'30" W	631.56'
Z67	S 02°29'46" W	211.22'
Z68	S 01°46'30" W	120.99'
Z69	S 01°46'30" W	108.74'
Z70	N 02°46'24" E	560.37'
Z71	N 86°46'21" E	78.09'
Z72	N 85°49'03" E	118.19'
Z73	N 85°56'33" E	99.48'
Z74	N 87°01'33" E	24.51'
Z75	N 87°31'28" E	84.00'
Z76	N 88°48'33" E	88.64'
Z77	N 89°55'59" W	46.53'
Z78	S 88°48'33" W	84.20'
Z79	S 87°25'08" W	102.64'
Z80	S 85°56'33" W	97.37'
Z81	S 85°49'03" W	119.64'
Z82	S 86°46'21" W	79.79'
Z83	S 86°46'54" W	35.88'
Z84	S 86°46'54" W	74.08'
Z85	S 86°46'21" W	133.25'

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD BEARING	CH. DIST.	DELTA
ZC2	1347.43'	141.50'	S 00°14'27" E	141.43'	6°01'01"
ZC3	25.00'	39.28'	S 41°45'40" W	35.36'	90°01'23"
ZC4	524.39'	145.65'	N 11°34'05" E	145.18'	15°54'50"
ZC5	431.93'	166.51'	N 14°13'26" E	165.48'	22°05'15"

EXHIBIT 1 TO Z-20-13

PROJECT NO.	TRB-12000
FILENAME:	TRB-ZONING
DESIGNED BY:	*
DRAWN BY:	SMD
SCALE:	1:80
DATE:	08/27/13
SHEET NO.	1 OF 1

McADAMS

THE VILLAGES OF LAKE BOONE TRAIL

LAKE BOONE TRAIL
RALEIGH, NORTH CAROLINA

REZONING EXHIBIT 1 TO Z-20-2013

OWNER:
Tribridge Residential, LLC
1575 Northside Drive NW
Building 100, Suite 200
Atlanta, Georgia 30318

REVISIONS:
2013-10-8 ADD AREAS 6 AND 7

McADAMS
THE JOHN R. McADAMS COMPANY, INC.
2905 Meridian Parkway
Durham, North Carolina 27713
License No.: C-0293
(800) 733-5646 ▪ McAdamsCo.com

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 "Office Residential – Mixed Use" on the Future Land Use Map. This category is sometimes applied to property more suitable for a more mixed-use development pattern, including residential, office, and ancillary retail uses. The designation recognizes that higher impact uses could be appropriate in some locations. Also, this designation supports building height of up to 4 stories where near neighborhoods, and supports additional height on larger sites and in locations along major corridors where adjacent uses would not be adversely affected.

The proposed rezoning permits a mix of residential, office, and commercial uses. The proposed rezoning also applies height limits of 4 stories near surrounding residential uses and 5 stories adjacent to the hospital use and along Lake Boone Trail.

The proposed map amendment is predominantly consistent with the Future Land Use Map based on the uses and building heights permitted and the location of such uses and building heights. First, the CX, NX and OX districts permit office and residential uses, consistent with the land use recommendations of the ORMU classification. The higher impact uses are located farthest from low-density residential uses, adjacent to the Raleigh Campus of Rex Healthcare, home to Rex Hospital and associated medical office uses, and along Lake Boone Trail, which is a major thoroughfare. Second, the areas proposed for a 4-story building height maximum are those areas near surrounding residential uses, consistent with the height guidance for the ORMU classification. The areas proposed for a 5-story building height maximum are those areas farthest from residential uses, adjacent to Rex Hospital, which will not be adversely affected by five-story buildings, and along Lake Boone Trail, which is a major thoroughfare, all of which is consistent with the height guidance for the ORMU classification.

The ORMU classification acknowledges that higher impact uses are appropriate in some circumstances, and the proposed location and context of the CX and NX districts supports the location of such higher impact uses where proposed by the rezoning petition. However, the applicant acknowledges that the CX and NX district permits principal commercial uses not expressly recommended by the ORMU classification. Despite this potential inconsistency, the proposed map amendment's greater level of consistency with the ORMU category use and height recommendations as noted above, when considered together with its consistency with applicable Comprehensive Plan policies as described below, the proposed map amendment is consistent with the Comprehensive Plan.

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.

No, the subject property is not located within Area Plan or other City Council-adopted plans.

The subject property is immediately adjacent to the boundary of the Blue Ridge Road District Study, which was recently adopted by the City Council. Specifically, the subject property is adjacent to the Health & Wellness District. It is important to note that the Study identifies a short-term opportunity to provide convenience retail to existing employees in the area, in addition to the strong demand for conventional and medical office uses and the need for additional residential density to support the workforce commuting to the Health & Wellness District. This short-term opportunity exists because of the recognized "pent-up demand" for each of these uses in the area. The Study identifies few areas as appropriate for this type of commercial development within the Health & Wellness District, so the subject property offers a unique opportunity to accommodate these uses in close proximity to the significant employment area.

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, based on its consistency with the Future Land Use Map as described above and its consistency with the applicable Comprehensive Plan policies as noted below:

- Policy LU 1.2 "Future Land Use Map and Zoning Consistency"
- Policy LU 1.3 "Conditional Use District Consistency"
- Policy LU 2.6 "Zoning and Infrastructure Impacts"
- Policy LU 4.5 "Connectivity"
- Policy LU 5.4 "Density Transitions"
- Policy LU 5.6 "Buffering Requirements"
- Policy LU 10.6 "Retail Nodes"
- Policy EP 2.5 "Protection of Water Features"
- Policy EP 3.12 "Mitigating Stormwater Impacts"
- Policy EP 8.4 "Noise and Light Impacts"
- Policy UD 2.4 "Transitions in Building Intensity"
- Policy UD 7.3 "Design Guidelines"

EXHIBIT D. Request for Zoning Change

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

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

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

The surrounding area is characterized by a mix of residential, office/institutional and commercial uses; is served by alternate modes of transportation; and is in close proximity to public parks and greenways. Surrounding transportation infrastructure includes a principal arterial (Interstate 440), a secondary arterial (Edwards Mill Road), two major thoroughfares (Lake Boone Trail and Blue Ridge Road), and collector streets (Harden Street, Nancy Ann Drive, Landmark Drive, and Ed Drive). Additionally, public bus lines are available on Lake Boone Trail (CAT Route 4 – Rex Hospital) and Blue Ridge Road (CAT Route 4 and CAT Route 16 – Oberlin). Umstead State Park, Laurel Hills Community Center, Ridge Road community pool and City greenways and trails are located in close proximity to the subject property.

To the north of the subject property, the immediately adjacent parcel is actively being developed for office uses, and farther north across Ed Drive (collector street) property was recently developed for multiple office buildings. The office buildings on the north side of Ed Drive directly abut single-family detached residences.

To the east of the subject property, five single-family residences directly abut the subject property to the northeast, and the majority of the subject property's eastern boundary adjoins Meredith Village Apartments/Grand Arbor Reserve.

Lake Boone Trail, which is a major thoroughfare, is immediately south of the subject property. Conventional and medical office uses and a commercial/office use are located on the south side of Lake Boone Trail.

The Raleigh Campus of Rex Healthcare, which includes Rex Hospital and associated medical office uses, is located immediately west of the subject property. Large surface parking lots and structured parking facilities are located on the Rex Healthcare property. To the northwest of the subject property is the Ridgecroft condominium development, which contains 44 residential condominium units.

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

Property to the north is zoned O&I-1 CUD, and is developed/being developed for single-story office buildings. Property to the northeast is zoned R-4 and developed for single-family detached houses. Property to the east is zoned R-10 and R-15 and is developed for a 297-unit, multi-story apartment complex. Property to the south across Lake Boone Trail is zoned O&I-1 CUD and is developed for mid-rise office buildings. The property to the south zoned O&I-1 with a PDD overlay district is developed for a two-story retail/office building and multi-story office buildings.

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

The proposed map amendment, which permits a mix of residential, office and commercial uses, is compatible with the suitability of the property for such uses and the character of the surrounding area.

The subject property is appropriately sized to accommodate a mix of uses, and is situated at the intersection of a major thoroughfare and a collector street, which provides sufficient access to the entire

property and can serve commercial, office and residential uses. The proposed map amendment permits commercial uses on that portion of the property fronting along Lake Boone Trail, which is the most suitable location for such uses. As the property moves away from Lake Boone Trail, it is accessed by a collector road, which is appropriate to serve office and residential uses. Similarly the proposed map amendment permits higher buildings along Lake Boone Trail, and transitions to lower heights as the property moves away from Lake Boone Trail.

The subject property fronts along Lake Boone Trail, and generally property fronting elsewhere along Lake Boone Trail is developed for mid-rise buildings containing non-residential uses. The proposed map amendment permits uses and building heights on that portion of the property closest to Lake Boone Trail, similar to other uses and buildings elsewhere along Lake Boone Trail thoroughfare. The proposed map amendment also permits these non-residential uses and taller buildings adjacent to the Rex Healthcare property, which is currently developed for mid-rise buildings containing non-residential uses. As the property moves away from Lake Boone Trail, the permitted building heights step down to appropriately transition to surrounding uses. Additionally, only office and residential uses are permitted in those areas proximate to the single-family residences and condominium development. Further, the proposed map amendment contains several conditions that require increased transitions to the single-family residences.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment benefits the landowner by permitting a mix of uses on the property, which will facilitate redevelopment of the subject property.

B. For the immediate neighbors:

The proposed map amendment benefits immediate neighbors by providing transitions to the adjacent single-family residences and residential condominium owners. Additionally, the proposed map amendment will permit support and convenience uses within walking distance to residential neighbors and occupants of nearby offices, which, along with providing housing opportunities in close proximity to an employment center, will also reduce vehicle trips on Lake Boone Trail. Additionally, the rezoning ensures that the subject property will be developed in accordance with the new standards of the Unified Development Ordinance, which incorporates heightened standards for walkability and pedestrian connectivity.

C. For the surrounding community:

The proposed map amendment benefits the surrounding community by providing additional housing opportunities in close proximity to major employment generators and office uses. Additionally, the proposed map amendment will facilitate the redevelopment of the subject property, which will result in the implementation of current riparian buffer standards and stormwater management standards.

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

No, the rezoning of the subject property does not provide a significant benefit which is not available to surrounding properties. Many of the surrounding properties are zoned and developed for multi-story buildings that contain residential and non-residential uses. Additionally, convenience commercial uses exist across the street and to the east of the subject property. Many of the uses permitted by the proposed

map amendment are permitted on surrounding properties, so the rezoning does not provide a significant benefit which is not available to surrounding properties.

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

The subject property is appropriately sized for a mix of uses and is located along a major thoroughfare and collector street that provide adequate transportation infrastructure to serve the level of development permitted by the proposed map amendment. Also, the property contains streams and riparian buffers traversing the property, which will contribute to a less-intense character on that portion of the property closer to less-intense surrounding uses. Additionally, there is a thin portion of the property on the eastern side of Landmark Drive which serves as a natural transition area to the adjacent single-family residences. Finally, the property's frontage along Lake Boone Trail lends itself to the application of the parking limited frontage type, which will increase pedestrian interest and connectivity in the area. Based on the foregoing, the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

V. Recommended items of discussion (where applicable).

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

This recommended item of discussion is 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.

Since the property was last zoned, the future development plans in the area have changed and the demand for additional housing opportunities and convenience uses has been identified. The surrounding area has continued to develop for office/employment uses, generating the demand for such housing and convenience uses.

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

As discussed in the Blue Ridge Road District Study, there is strong demand and near-term opportunities in the area of the subject property for service/convenience non-residential uses.

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

This recommended item of discussion is 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 providing additional housing and service/convenience uses in close proximity to existing office uses, which may reduce vehicle trips on Lake Boone Trail. Additionally, the rezoning regulates the use of land in accordance with the Comprehensive Plan, because the proposed map amendment permits a mix of residential and non-residential uses at maximum building heights of four and five stories, consistent with the Future Land Use

Map and applicable Comprehensive Plan policies. Finally, the proposed map amendment regulates the use of land with reasonable consideration to the character of the district and the suitability of the land for particular uses, as described above.

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

The applicant has two additional arguments on behalf of the proposed map amendment.

First, the subject property is located within a mixed-use community center as shown on the Growth Framework Map. Recently, the City Council amended the Growth Framework Map to place the area to the west of the subject property within a City Growth Center, based on the recommendations of the Blue Ridge Road District Study. As discussed in the Framework section of the Comprehensive Plan, these areas represent redevelopment opportunities and are appropriate for a mix of uses. The proposed map amendment is consistent with these visions.

Second, property on the south side of Lake Boone Trail is designated on the Future Land Use Map as "Community Mixed Use." This classification encourages a mix of uses, including principal commercial uses. The area designated CMU extends from the west side of Nancy Ann Drive, east on Lake Boone Trail to Myron Drive, and across Lake Boone Trail to include the existing Lake Boone shopping center. It is important to note, however, that much of the area on the south side of Lake Boone Trail is not well positioned for redevelopment consistent with the CMU vision. Many properties on the south side of Lake Boone Trail are developed with relatively new, multi-story office buildings. Another property is developed with office condominium units. None of the properties are under similar ownership, and many of the properties are too small to implement the vision of the CMU category. There is significant topography and riparian buffer areas on the south side of Lake Boone Trail, which adversely impacts access to the properties. Finally, there is a lack of adequate transportation infrastructure and connectivity to serve such development on the south side of Lake Boone Trail, and would likely result in the use of a neighborhood road (Harden Street) to access such commercial development. All of these factors significantly limit the redevelopment potential of the south side of Lake Boone Trail.

The conditions on the north side of Lake Boone Trail are much more conducive to such development, particularly on the subject property. The subject property is primed for redevelopment, is under single ownership, is appropriately sized for a mix of uses, is at-grade with Lake Boone Trail, and is bisected by Landmark Drive, which is a collector street that does not serve any single-family neighborhood.

For these reasons, the proposed map amendment is reasonable and in the public interest.

THE VILLAGES OF LAKE BOONE TRAIL
2412 LANDMARK DRIVE
COMPLIANCE WITH URBAN DESIGN GUIDELINES FOR MIXED-USE CENTERS

Guideline	Analysis
1 Elements of Mixed-Use Areas	**Applicant's Response**: The proposed rezoning permits a mix of residential, office and commercial uses, consistent with this guideline. Additionally, the Parking Limited frontage type along Lake Boone Trail will enhance the pedestrian connectivity within the site.
2 Mixed-Use Areas/ Transition to Surrounding Neighborhoods	**Applicant's Response:** The proposed rezoning incorporates lower building heights adjacent to existing attached housing types (apartments/condos) and office uses, and provides for a 120-foot transition area that includes a 30-foot wide landscaped buffer area adjacent to low density residential uses, consistent with this guideline.
3 Mixed-Use Areas/ The Block, The Street, and The Corridor	**Applicant's Response:** The site is already appropriately connected directly into the area's road network.
4 Mixed-Use Areas/ The Block, The Street, and The Corridor	**Applicant's Response**: The site is already appropriately connected to adjacent development to the north and south. The possibility of future connectivity to the west (Rex Hospital) and east (Meredith Village Apartments/Grand Arbor Reserve) will be established by the applicant's commitment to record offers of vehicular and pedestrian cross-access to these properties.
5 Mixed-Use Areas/ The Block, The Street, and The Corridor	**Applicant's Response**: As currently developed, much of the property conforms to this guideline. Upon redevelopment, it is anticipated that the standards of this guideline will be met.

THE VILLAGES OF LAKE BOONE TRAIL
2412 LANDMARK DRIVE
COMPLIANCE WITH URBAN DESIGN GUIDELINES FOR MIXED-USE CENTERS

6 Site Design/ Building Placement	**Applicant's Response**: The proposed map amendment includes a Parking Limited frontage type along Lake Boone Trail. This frontage type limits the amount of parking between the road and the building, provides a build-to line, and requires pedestrian connectivity between the right-of-way and buildings, all consistent with this guideline given the context of the property.
7 Site Design/ Building Placement	**Applicant's Response**: The property fronts along Lake Boone Trail, and this portion of the major thoroughfare is not designated on the urban form map for a more urban frontage than Parking Limited. The Parking Limited frontage limits parking between the building and the right-of-way to no more than one bay of double-loaded parking and requires the building to be located within a build-to line measured from Lake Boone Trail, consistent with this guideline, given the context of the property and the classification of Lake Boone Trail.
8 Site Design/ Building Placement	**Applicant's Response**: The Parking Limited frontage type being applied along Lake Boone Trail allows for development consistent with this guideline.
9 Site Design/ Urban Open Space	**Applicant's Response**: It's anticipated that site design for any redevelopment that occurs pursuant to the proposed map amendment will attempt to comply with this guideline. The property contains natural features that provide open space opportunities throughout the site, with access from the public right-of-way.
10 Site Design/ Urban Open Space	**Applicant's Response**: The UDO requires outdoor amenity areas associated with residential and non-residential building types, and such amenity areas must be located adjacent to public sidewalks, providing for direct pedestrian connections consistent with this guideline.
11 Site Design/ Urban Open Space	**Applicant's Response**: The UDO requires outdoor amenity areas within the districts proposed by map amendment, including those districts that would permit multi-family residential and non-residential uses that can provide the active space adjacent to these outdoor amenity areas, consistent with this guideline.

THE VILLAGES OF LAKE BOONE TRAIL
2412 LANDMARK DRIVE
COMPLIANCE WITH URBAN DESIGN GUIDELINES FOR MIXED-USE CENTERS

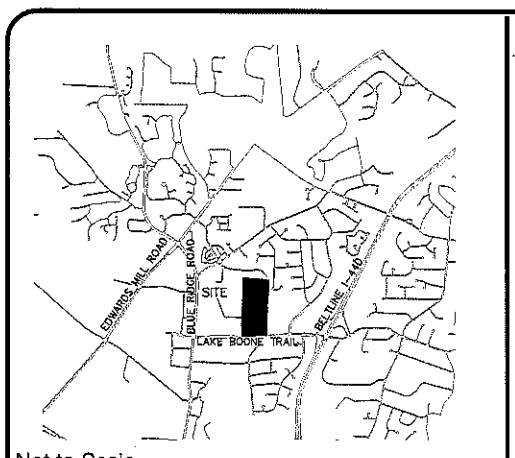
12 Site Design/Urban Open Space	**Applicant's Response**: Similar to the response to Guideline 11, the higher-density residential uses and non-residential uses will provide outdoor amenity areas in close proximity to the buildings, consistent with this guideline.
13 Site Design/ Public Seating	**Applicant's Response**: The UDO standards for outdoor amenity areas require seating opportunities, consistent with this guideline.
14 Site Design/ Automobile Parking	**Applicant's Response**: The Parking Limited frontage type applicable along Lake Boone Trail ensures that parking lots will not dominate site frontage on Lake Boone Trail, and that pedestrian routes will be provided between the building and the right-of-way, consistent with this guideline.
15 Site Design/ Automobile Parking	**Applicant's Response**: City staff has indicated that the Parking Limited frontage is the most appropriate frontage type for this location given the context of Lake Boone Trail at this point and the surrounding built-environment. The Parking Limited frontage type permits compliance with this guideline, but ensures flexibility to respond to the character of the street and surrounding area.
16 Site Design/ Automobile Parking	**Applicant's Response**: Whether, and where, a parking structure would be located on the property is not certain at this point in the rezoning process, but the applicant anticipates making efforts to comply with some or all of this guideline in the event a parking structure is developed on the property.
17 Site Design/ Transit Stops	**Applicant's Response**: The entirety of the site is within walking distance of public transit stops, primarily CAT Route 4 – Rex Hospital.
18 Site Design/ Transit Stops	**Applicant's Response**: The UDO standards ensure redevelopment of the site will meet the standards of this guideline.

THE VILLAGES OF LAKE BOONE TRAIL
2412 LANDMARK DRIVE
COMPLIANCE WITH URBAN DESIGN GUIDELINES FOR MIXED-USE CENTERS

19 Site Design/ Environmental Protection	**Applicant's Response**: Upon redevelopment, the streams traversing the property will have to be buffered in accordance with the current standards, which will provide a higher degree of protection than the existing development does, and consistent with this guideline.
20 Street Design/ General Street Design Principles	**Applicant's Response**: The UDO pedestrian access and streetscape requirements associated with the Parking Limited frontage type ensure that existing and new streetscapes will fulfill this guideline.
21 Street Design/ General Street Design Principles	**Applicant's Response**: The standards for existing and new streets under the UDO will be complied with, which will largely address this guideline given the context of Lake Boone Trail and Landmark Drive.
22 Street Design/ General Street Design Principles	**Applicant's Response**: The Parking Limited frontage type requires the implementation of an appropriate streetscape element, which will facilitate compliance with this guideline.
23 Street Design/ Spatial Definition	**Applicant's Response**: The building heights and frontage type proposed by this rezoning, along with the building massing and architectural feature requirements in the UDO, will facilitate compliance with this guideline.
24 Building Design/ Façade Treatment	**Applicant's Response**: The Parking Limited frontage type applicable to Lake Boone Trail requires a street-facing entrance on the buildings, consistent with this guideline.

THE VILLAGES OF LAKE BOONE TRAIL
2412 LANDMARK DRIVE
COMPLIANCE WITH URBAN DESIGN GUIDELINES FOR MIXED-USE CENTERS

25 Building Design/ Façade Treatment	**Applicant's Response**: The build-to requirement, street-facing entrance requirement and pedestrian connectivity requirement associated with the Parking Limited frontage type, along with the transparency standards applicable to building types contemplated for the Lake Boone Trail frontage, will ensure compliance with this guideline.
26 Building Design/ Street Level Activity	**Applicant's Response**: Although this guideline is more applicable to a more densely-packed urban development site, the sidewalk along Lake Boone Trail will be a focus of activity, which will be enhanced by the build-to line, street-facing entrances, pedestrian connections and building transparency required by the UDO given the frontage type and building types applicable to the property, all consistent with this guideline.



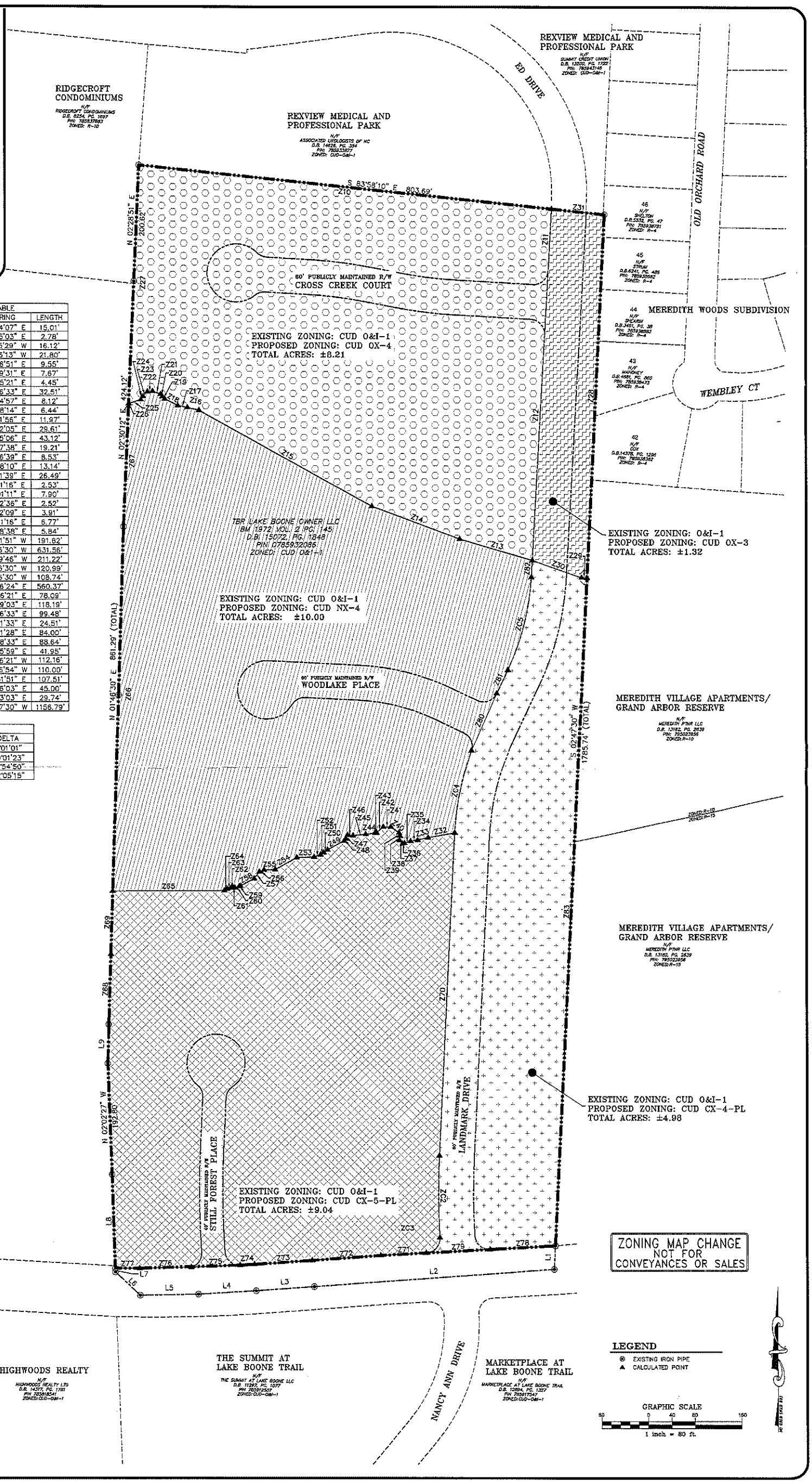
Not to Scale

VICINITY MAP

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 02°47'30" W	40.79'
L2	S 85°49'03" W	413.31'
L3	S 85°54'33" W	99.95'
L4	S 86°33'13" W	99.38'
L5	N 88°48'33" E	99.90'
L6	S 46°30'57" E	58.81'
L7	S 01°50'04" E	6.36'
L8	S 01°50'04" E	161.71'
L9	N 01°27'47" E	67.99'
Z10	S 83°58'10" E	712.73'
Z11	S 03°13'03" W	107.02'
Z12	S 03°13'03" W	500.74'
Z13	N 73°35'48" W	129.97'
Z14	N 69°31'47" W	160.91'
Z15	N 60°56'36" W	339.19'
Z16	N 76°27'35" W	20.52'
Z17	N 78°33'13" W	16.77'
Z18	N 62°39'48" W	25.04'
Z19	N 37°37'55" W	5.19'
Z20	N 70°02'04" W	14.56'
Z21	S 85°54'04" W	8.84'
Z22	S 42°24'56" W	11.25'
Z23	S 33°29'02" W	6.75'
Z24	S 71°51'33" W	10.25'
Z25	S 71°19'54" W	11.64'
Z26	S 35°05'36" W	0.61'
Z27	N 02°29'46" E	413.52'
Z28	S 02°47'30" W	628.96'
Z29	S 87°13'57" E	9.36'
Z30	S 70°09'48" E	89.92'
Z31	S 83°58'10" E	90.96'
Z32	N 79°21'31" E	46.59'
Z33	N 76°21'01" E	18.23'
Z34	N 81°04'41" E	12.50'
Z35	N 70°21'51" E	11.09'
Z36	N 77°37'40" E	3.09'
Z37	S 43°32'19" E	7.58'
Z38	S 05°29'37" W	8.08'
Z39	S 18°25'25" E	5.90'
Z40	S 54°59'54" E	17.05'
Z41	N 89°50'43" E	12.92'
Z42	N 51°04'07" E	15.01'

LINE TABLE		
LINE	BEARING	LENGTH
Z42	N 51°04'07" E	15.01'
Z43	N 74°15'03" E	2.78'
Z44	S 82°45'29" W	16.12'
Z45	S 83°26'13" W	21.80'
Z46	S 83°46'51" E	9.55'
Z47	N 24°19'31" E	7.67'
Z48	N 38°25'21" E	4.45'
Z49	N 60°36'33" E	32.51'
Z50	N 54°24'57" E	8.12'
Z51	N 58°48'14" E	6.44'
Z52	N 69°11'56" E	11.97'
Z53	N 88°42'05" E	29.61'
Z54	N 59°35'06" E	43.12'
Z55	N 86°37'38" E	19.21'
Z56	N 66°56'39" E	8.53'
Z57	N 37°58'10" E	13.14'
Z58	N 61°01'39" E	26.49'
Z59	N 71°41'16" E	2.53'
Z60	N 72°01'11" E	7.90'
Z61	N 88°22'36" E	2.52'
Z62	N 89°12'09" E	3.91'
Z63	N 73°01'16" E	6.77'
Z64	N 60°48'38" E	5.84'
Z65	S 89°41'51" W	191.82'
Z66	S 01°46'30" W	631.56'
Z67	S 02°29'46" W	211.22'
Z68	S 01°46'30" W	120.99'
Z69	S 01°46'30" W	108.74'
Z70	N 02°46'24" E	560.37'
Z71	N 86°46'21" E	78.09'
Z72	N 85°49'03" E	118.19'
Z73	N 85°56'33" E	99.48'
Z74	N 87°01'33" E	24.51'
Z75	N 87°31'28" E	84.00'
Z76	N 88°48'33" E	88.64'
Z77	S 89°55'59" E	41.95'
Z78	S 86°46'21" W	112.16'
Z79	S 86°46'54" W	110.00'
Z80	N 23°51'51" E	107.51'
Z81	N 25°16'03" E	45.00'
Z82	N 03°13'03" E	29.74'
Z83	S 02°47'30" W	1156.79'

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD BEARING	CH. DIST.	DELTA
ZC2	1347.43'	141.50'	S 00°14'27" E	141.43'	6°01'01"
ZC3	25.00'	39.28'	S 41°45'40" W	35.36'	90°01'23"
ZC4	524.39'	145.65'	N 11°34'05" E	145.18'	15°54'50"
ZC5	431.93'	166.51'	N 14°13'26" E	165.48'	22°05'15"



ZONING MAP CHANGE
NOT FOR
CONVEYANCES OR SALES

LEGEND

- ⊗ EXISTING IRON PIPE
- ▲ CALCULATED POINT

GRAPHIC SCALE

80 0 40 80 160

1 inch = 80 ft.

THE VILLAGES OF LAKE BOONE TRAIL

LAKE BOONE TRAIL

RALEIGH, NORTH CAROLINA

REZONING EXHIBIT

OWNER:

Tribridge Residential, LLC
1575 Northside Drive NW
Building 100, Suite 200
Atlanta, Georgia 30318

REVISIONS:

THE JOHN R. McADAMS COMPANY, INC.

ENGINEERS • PLANNERS • SURVEYORS • ENVIRONMENTAL

RESEARCH TRIANGLE PARK • CHARLOTTE
2905 Meridian Parkway, Durham NC 27713
800-733-5646 • www.johnrmcadams.com • License No.: C-0293

PROJECT NO.	TRB-12000
FILENAME:	TRB-ZONING
DESIGNED BY:	*
DRAWN BY:	SMD
SCALE:	1:80
DATE:	04/30/13
SHEET NO.	1 OF 1

Z-20-13

The Villages of Lake Boone Trail Rezoning

Rezoning Neighborhood Meeting Minutes – April 16, 2013

Present for the Applicant:

Stephen Broome, TriBridge Properties
Yates Dunaway, TriBridge Properties
R. Michael Birch, Jr., Morningstar Law Group
Brian Purdy, RLA, The John R. McAdams Company
Mike Klein, Planner, The John R. McAdams Company

Attendees:

Bob Alger, 3840 Ed Drive, Ste. 102
C.J. Poran & Madeleine Strum, 2809 Old Orchard Road
Chad Lefteris, VP of Operations, Rex Hospital
Ed Shearin, 2805 Old Orchard Road
Amanda Sanchez, 2801-202 Edridge Court

The neighborhood meeting was held in the Art Room of the Laurel Hills Park Community Center at 3808 Edwards Mill Road on Tuesday, April 16, 2013 beginning at 6:30 PM.

Notices of the Neighborhood Meeting were sent by regular mail to property owners within 100' of the subject site (and 100' from the south side of the Lake Boone Trail ROW past the site's frontage) on April 2, 2013. Emailed confirmation from DeShele Sumpter at the City's Planning Department is attached. A list of recipients and a corresponding notification buffer map is also attached.

An aerial of the site and environs was exhibited.

Items of discussion included:

- Possibility of pedestrian crossing and traffic signal at the Landmark/Lake Boone/Nancy Ann intersection;
- The fate of conditions currently in place;
- Parking issues on Ed Drive and potential traffic increase at the Ed Drive & Blue Ridge intersection;
- Ownership post-rezoning; and
- Buffering of the adjacent single-family neighborhood to the northeast (Meredith Woods Subdivision - Old Orchard Road and Wembley Court)

No other invitees arrived late for the meeting. The meeting concluded at 7:10 PM.

The Villages of Lake Boone Trail

Neighborhood Meeting

April 16, 2013

Sign-In Sheet

(please print legibly)

Name	Address	Phone
Bob Alger	3840 Ed Drive Ste 102 Raleigh	(919) 615 2400
C.J. PORAN MADELEINE STRUM	2809 OLD ORCHARD RD RALEIGH, NC 27607	(919) 696 1909
Chad Lofteris	Rex Hospital 4420 Lake Boone Trl.	(919) 784-2242
EA SHEARIN	2805 OLD ORCHARD RD	919 787-3043
Amanda Sanchez	2801-202 Eldridge Ct. Raleigh NC 27612	910 988 1150