



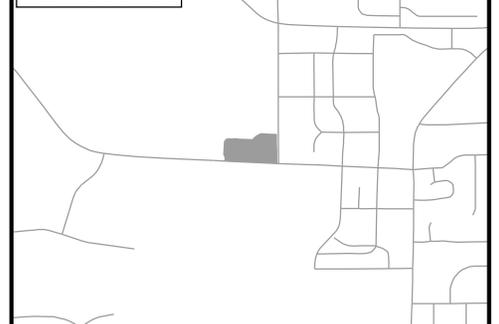
**Submittal Date**

10/13/2016

## Request:

2.64 acres from  
**CX-3-UL**  
to **CX-5-UL-CU**  
w/

VICINITY MAP



# Rezoning Application



**RALEIGH**  
DEPARTMENT OF  
CITY PLANNING



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

OCT 13 2016 AM 10:09

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			<b>OFFICE USE ONLY</b>  Transaction # 462771
Existing Zoning Classification: <u>CX-3-UL</u>			
Proposed Zoning Classification Base District: <u>CX</u> Height: <u>-5</u> Frontage: <u>-UL</u>			
If the property has been previously rezoned, provide the rezoning case number: <u>Z-27(F)-14</u>			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
462771			

GENERAL INFORMATION			
Property Address: 3951 Sumner Boulevard			Date: October 12, 2016
Property PIN: 1726-69-6549		Deed Reference (book/page): DB 16290, PG 1698	
Nearest Intersection: Sumner Boulevard and Triangle Town Boulevard			Property Size (acres): 2.64 acres
Property Owner/Address: G&I VIII CBL TTC, LLC 220 E 42nd Street, Floor 27 New York, NY 10017-5819		Phone: 423-490-8304	Fax: 423-893-4312
		Email: phil.mcneely@cblproperties.com	
Project Contact Person/Address: Rick Baker, Timmons Group 5410 Trinity Road, Suite 102 Raleigh, NC 27606		Phone: 919.866.4939	Fax:
		Email: rick.baker@timmons.com	
Owner/Agent Signature 		Email: rick.baker@timmons.com	

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

<b>REZONING APPLICATION ADDENDUM</b>	
<b>Comprehensive Plan Analysis</b>	<b>OFFICE USE ONLY</b>  <b>Transaction #</b> 462771 <b>Rezoning Case #</b> 2-35-16
<p>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.</p>	
<b>STATEMENT OF CONSISTENCY</b>	
<p>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.</p>	
<p>1. The property is designated "Regional Mixed Use" on the Future Land Use Map, which recommends high-density housing, office development, hotels and region-serving retail uses. The designation description notes that property classified RMU is zoned CX. The rezoning request for CX is consistent with the Future Land Use Map guidance.</p>	
<p>2. The property is located within a City Growth Center and within a half-mile transit buffer, and is located along an Urban Thoroughfare and Main Street, all as shown on the Urban Form Map. The Comprehensive Plan recommends an urban frontage for property situated in this manner, and the rezoning request for an Urban Limited frontage is consistent with this guidance. Additionally, Table LU-2 Recommended Height Designations states that a maximum building height of 20 stories is appropriate for property designated Regional Mixed Use and located within a Core/Transit area. Therefore, the rezoning request for a maximum building height of 5 stories is consistent with this guidance.</p>	
<p>3. The property is within the Triangle Town Center area plan, and is designated Commercial by the area plan. The rezoning request for CX, which permits commercial uses, is consistent with the Triangle Town Center area plan land use guidance.</p>	
<p>3. The proposed rezoning is consistent with the following policies of the Comprehensive Plan: LU 1.2, LU 1.3, LU 3.2, LU 7.4, LU 7.6, AP-TTC 10, and AP-TTC 20.</p>	
<b>PUBLIC BENEFITS</b>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. The rezoning request benefits the public by rezoning property consistent with the Future Land Use Map, Comprehensive Plan and Urban Form Map.</p>	
<p>2. The rezoning request benefits the public by facilitating development of a vacant site within a mixed use center.</p>	
<p>3. The rezoning request benefits the public by permitting additional building height within a commercial area that can accommodate such height and provide transition to nearby residential uses.</p>	

**Conditional Use District Zoning Conditions**

Zoning Case Number

Date Submitted

Existing Zoning **CX-3-UL**

Proposed Zoning **CX-5-UL**

**OFFICE USE ONLY**

Transaction #

462771

**NARRATIVE OF ZONING CONDITIONS OFFERED**

1. All other uses than those listed below are limited to a maximum height of four stories and 62':  
a. Hotel, motel, inn (UDO section 6.4.6.D)

2.

3.

4.

5.

6.

7.

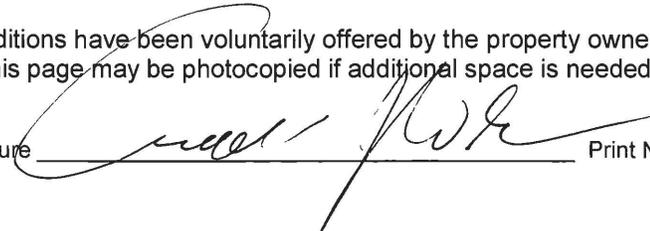
8.

9.

10.

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

Owner/Agent Signature



Print Name

Carroll J. Wade

## URBAN DESIGN GUIDELINES

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

1.	<p>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</p> <p>The rezoning request permits a mixed-use development consistent with this guideline.</p>
2.	<p>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</p> <p>The property is not adjacent to lower density neighborhoods.</p>
3.	<p>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</p> <p>The property has access to the internal road network serving the mall, which provides multiple paths for movement within the mixed use area, consistent with this guideline.</p>
4.	<p>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</p> <p>No new streets are anticipated as part of this development.</p>
5.	<p>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</p> <p>The property is located at an intersection and is part of an established block, consistent with this guideline.</p>
6.	<p>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</p> <p>The Urban Limited frontage ensures the primary street will be lined with a building, and access will be located at the side and rear of the property, consistent with this guideline.</p>
7.	<p>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>
8.	<p>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>
9.	<p>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
10.	<p>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
11.	<p>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
12.	<p>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
13.	<p>New public spaces should provide seating opportunities.</p> <p>Outdoor amenity areas will be provided consistent with the UDO.</p>
14.	<p>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</p> <p>The Urban Limited frontage prohibits parking between the building and the road, consistent with this guideline.</p>
15.	<p>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</p> <p>The Urban Limited frontage guideline requires development consistent with this guideline.</p>
16.	<p>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</p> <p>No parking structure is contemplated as part of this development, but the Urban Limited frontage would require any parking structure to be designed consistent with this guideline.</p>
17.	<p>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</p> <p>The property is within walking distance to existing and planned public transit facilities, consistent with this guideline.</p>

18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p>The property fronts along two public streets, which provide pedestrian access to nearby public transit stops, consistent with this guideline.</p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p>There are no known sensitive environmental features on the property.</p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p>No new streets are contemplated as part of this development, and a commercial driveway will comply with the UDO and Street Design Manual.</p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p>Sidewalks will be provided in accordance with the UDO.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p>Street trees and other landscaping will be provided in accordance with the UDO.</p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p>The Urban Limited frontage requires development consistent with this guideline.</p>



## TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

Neighborhood Meeting Minutes  
3951 Sumner Bldg Rezoning  
August 24, 2016 – 7:00 pm  
Millbrook Exchange Community Center  
1905 Spring Forest Road  
Raleigh, NC

No neighbors attended meeting. The only attendees were the Engineer and the developer. Please see attached sign in sheet.

5410 Trinity Rd. Suite 102 | Raleigh, NC 27607

TEL 919.866.4951 FAX 919.859.5663

Site Development | Residential | Infrastructure | Technology

[www.timmons.com](http://www.timmons.com)

To whom it may concern,

You are receiving this notice because our client is proposing to rezone the property at 3951 Sumner Blvd, Raleigh NC which is property near your property.

We will be holding a neighborhood meeting on Wednesday, August 24, 2016 from 7:00 pm to 8:00 pm to discuss the rezoning. This meeting will be held at the Millbrook Exchange Community Center, 1905 Spring Forrest Road, Raleigh NC 27615 in Room #1. You will have the opportunity at this meeting to ask questions and make comments.

The current zoning of this property is CX-3-UL (Commercial Mixed Use, 3 story, Urban Limited Frontage). The proposed rezoning is to CX-5-UL-CU (Commercial Mixed Use, 5 story, Urban Limited Frontage, Condition Use). Therefore the allowed height would be increased to 5 stories and conditions would be placed on the property. The conditions will be discussed at the meeting

I can be reached at [rick.baker@timmons.com](mailto:rick.baker@timmons.com) or 919-866-4939 if you have any questions.

Additional information can be obtained from the City of Raleigh by going to [www.raleighnc.gov](http://www.raleighnc.gov), calling 919-996-2626 or by e-mailing [rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Baker', with a stylized flourish at the end.

Rick Baker, PE

Manager- Private Land Development

Timmons Group

G & I VIII CBL TTC LLC  
220 E. 42nd St. FL 27  
New York, NY 10017  
PIN: 1726690059

Broughton Properties  
1106 Marlowe Rd  
Raleigh, NC 27609  
PIN: 1726681771

Capital Land Investment Co.  
4412 Delta Lake Dr.  
Raleigh, NC 27612  
PIN: 1726681771

G & I VIII CBL TTC LLC  
220 E. 42nd St. FL 27  
New York, NY 10017  
PIN: 1726797717

Redus NC ALL LLC  
1 Independent Dr. Ste. 615  
Jacksonville, FL 32202  
PIN: 1726790653

May Department Store Company  
7 W 7th Street  
Cincinnati, OH 45202  
PIN: 1726693978

A&C Properties LLC  
6021 Poyner Village Pkwy Ste. 109  
Raleigh, NC 27616  
PIN: 1726790859

G & I VIII CBL TTC LLC  
220 E. 42nd St. FL 27  
New York, NY 10017  
PIN: 1727506318



# Pre-Application Conference Meeting Record

Meeting Date & Time: 3/4/16

Location: 1 Exchange Plaza

Attendees: Bowman Kelly, Cesar Sanchez, Sophie Huemer, Doug Hill, Vivian Ekstrom  
Charles Dillard

Parcels discussed (address and/or PIN): 1726696549 3951 Summer Blvd

Current Zoning: CX-3-UL

Potential Re-Zoning: CX-5-UL

Other Issues Discussed: \_\_\_\_\_

3900 Summer Blvd rezoned to CX-5-UL-CU, with condition limiting  
now-hotel uses to 4 stories

Note Parks + Open Space designation on eastern boundary

Urban Limited (UL) = recommended for this site

Reconing Process: ① Pre-App (today) ② Neighbor Mtg. \* ③ Submit application

④ Staff Review ⑤ Planning Commission ⑥ City Council

\* Neighbor meeting = must invite all property owners within 100'. Take  
notes and sign-in sheet and submit both w/ application