



### Letter from the Chair of the Raleigh Planning Commission

According to a recent report from Businessweek.com, Raleigh, North Carolina has been identified as “the best American city.” This recognition is especially noteworthy considering the current economy. With the support of public officials, active citizens and the development community, Raleigh remains a top destination to conduct business.

Another crowning achievement for the city occurred during the 2011 North Carolina Planning Conference. The City of Raleigh received the Outstanding Planning Award for Comprehensive Planning/Large Community for its 2030 Comprehensive Plan. The Planning Commission played a major role in the approval and adoption of the 2030 Comprehensive Plan. In addition, the City of Raleigh received the Outstanding Planning Award for the Implementation of the Reconstruction and Revitalization of Hillsborough Street. These are two great accomplishments for the city.

Development plans remain slow but steady as rezoning and site plan approvals have increased both in number and complexity over the previous year. The Planning Commission has reviewed and made several amendments to the Comprehensive Plan in order to realign existing zoning to meet the requests of citizens and the development community, and has also reviewed numerous text changes. The Planning Commission continues to work to ensure that development and the planning process remains a top priority for the city and its citizens.

During the past year, in an effort to educate and improve efficiency and effectiveness of the planning process, the Planning Commission engaged in several workshops conducted by planning staff such as Ethical Principles in Planning, Land Use Decision Making in Local Government and multiple sessions on the Unified Development Ordinance (UDO). The planning staff, UDO Advisory Committee and UDO Consultant continues to conduct workshops and hold public hearings for citizens to learn and provide feedback regarding the new code. The new UDO code will replace the current code with the intent to codify and simplify the process.

As we look forward to a new year, the Planning Commission remains committed to serving the public’s interest and upholding high ethical principles and standards of all matters related to the planning process and the citizens of Raleigh.

Marvin T. Butler  
Chairman of the Planning Commission

### Raleigh Planning Commission 2010-2011

#### Members:

Marvin Butler, Chair  
Term Ends: 6/30/13  
3rd Term

Linda Harris Edmisten, Vice-Chair  
Term Ends: 6/20/13  
3rd Term

Stephen Smith, Vice-Chair  
Term Ends: 6/30/11  
3rd Term

Tom Bartholomew  
(Chairman 1-1-10 to 7-13-10)  
Term Ends: 6/30/11  
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Paul Anderson  
Term Ends: 9/6/11  
2 1/2 Term

Peter Batchelor  
Term Ends: 3/16/12  
1st Term

Quince Fleming  
Term Ends: 3/3/13  
2nd Term

Waheed Haq  
Term Ends: 4/17/13  
3rd Term

Erin Sterling Lewis  
Term Ends: 11/16/13  
2nd Term

Joseph Lyle  
Term Ends: 6/30/13  
1st Term

Isabel Mattox  
Term Ends: 1/20/12  
1st Term

Steven D. Schuster  
Term Ends: 12/2/12  
1st Term

### **Letter from the Director of the Department of City Planning**

The City of Raleigh continues to rank among the “best of” lists. Some of these accolades include: “Fifth Strongest Job Market” by Bloomberg Businessweek; “Most Wired City in America” by Forbes; the “Second Fastest-Growing Metro Region” by Brookings; and the “Triangle is named the third best metro area for business” by Forbes. Raleigh’s continued success is due in part to the Planning Department’s commitment to building a community of lasting value. Our continued commitment to growing Raleigh in a thoughtful and sustainable manner can be seen in all areas of the city.

One area of focus for the Planning Department is to provide enhancements to the major corridors of the city. Last year the Public Works Department completed the award winning reconstruction and revitalization of Hillsborough Street. The Planning Department provided assistance by reshaping the project as an economic development project and facilitating public engagement to shepherd the project through the construction phase. The Planning Department has completed several studies which include the Jones Franklin Area Study and the New Bern Avenue Corridor Study. Two more major studies, the Capital Boulevard Corridor Study and the Blue Ridge Road Area Study, will be completed in the coming year. When implemented, these plans will dramatically enhance the major corridors to the city while providing thoughtful transportation options and advance the economic vitality of these areas.

The Planning Department continues to lead the way toward regulatory reform. The Comprehensive Plan set the stage for this reform by reducing the number of policies from 5,500 to 900. This helped set the stage for what needed to be fixed in the code. Over the last year, staff has been working with Code Studio and the development community to modernize the code to accommodate the needs of Raleigh and the changes we will see in the coming years. The Unified Development Ordinance (UDO) will reduce regulations and shift most development approvals to staff. If approved by City Council, the UDO will save money, streamline the approval process and produce more predictable outcomes. In addition, the UDO will create regulations that address market trends, incorporate best practices and address contextual issues throughout the city.

Along with special projects and studies, the Planning Department continues to support a number of Boards and Commissions within the City in addition to the Planning Commission and their sub-committees. This includes support for the City Council and Comprehensive Planning Committee; the Raleigh Appearance Commission and their sub-committees; the Raleigh Historic Development Commission; and the Passenger Rail Task Force. The Department also supports other Boards and Commissions on an as-needed basis, including the Environmental Advisory Board and the Bicycle and Pedestrian Advisory Commission.

The Planning Department also provides enhanced support to the 18 Citizen Advisory Councils (CACs). This broadens our exposure and provides pertinent information on planning initiatives. The geographic planner serves as a conduit for information to and from the CACs.



Mitchell Silver, AICP  
Director, Raleigh Department of City Planning



## Noteworthy Development Proposals

Developers focused on the healthiest sector of the housing market, multi-family dwellings. The number of apartment and condominium projects increased over the last fiscal year while the single family home market remains stagnant. Several projects fell into the category of mixed-use which combines multi-family dwellings with retail and/or office space. In the fiscal year 2010-2011, city staff and the Planning Commission approved several multi-family and mixed-use projects including: Beachwood Apartments Phase III, Clairmont at Brier Creek, The Jamison at Brier Creek, Holly Ridge Apartments, Oberlin Road Condos, Residences at Cameron Village, University Suites at NCSU (addition), University Tower, University Village, Water Garden Village, West Morgan Apartments, 600 Saint Mary Street and 425 North Boylan. Once these projects are completed they will add 2,797 dwellings and 67,309 square feet of retail/office space. These projects are located in Raleigh's Northwest, Southwest, Southeast and inside the beltline near NCSU campus and Cameron Village. East Raleigh has seen growth in and around Wake Medical Center with the New Bern Crossing Hotel and Wake Medical Office Building. A major re-development project for Rex Hospital was approved to include three buildings with a total of 187,220 square feet along the south side of Lake Boone Trail in Northwest Raleigh.



University Village



Beachwood Apartments



Residence at Cameron Village



West Morgan Apartments



West Morgan Apartments

## Noteworthy Text Changes from the past year

### **TC-3-10 Pedestrian Access Effective 08-08-10**

Amends the Pedestrian Access section of the Zoning Code regarding safe pedestrian access throughout individual sites as follows:

- Requires a 5-foot minimum width for internal sidewalks
- Requires that the pedestrian access be an ADA-compliant walkway
- Expands the requirement for safe pedestrian connections between the main entrance of buildings to be physically separated from driveways, parking areas, streets and transit stops
- Addresses phasing on completion of sidewalks for existing developments with multiple principle buildings

### **TC-4-10 Floodprone Area Regulations (DENIED)**

This proposal was initiated by the Stormwater Management Advisory Commission (SMAC). This text change proposed to significantly limit development within the 100 year flood plain to those uses permitted within designated 'floodways'.

This would have most likely resulted in an increased number of lots which would experience practical difficulties or hardships based on the magnitude of their floodprone area designation, and would therefore have needed to appeal to the City Council for relief.

The Planning Commission recommended denial of TC-4-10 and further recommended that the Stormwater Management Advisory Commission be directed to review the Action Items and Policies of the 2030 Comprehensive Plan related to floodplain management, evaluate alternate approaches and ensure

that the full impacts of any future proposed changes have been fully analyzed.

### **TC-5-10 Stormwater Replacement Fund Effective 12-01-10**

Amends the City Code to allow the City to assess property owners for the maintenance or replacement of private shared stormwater devices in lieu of the current replacement (escrow) account annual payments.

This text change was adopted to relieve the financial burden placed on property owner's associations due to economic factors. The City returned 17 million dollars in the stormwater escrow account fund to the property owner's associations. The property owner's association will continue to be responsible for making repairs or replacing faulty stormwater devices; failure to do so will result in the City making the necessary repairs or replacement and assessing the private property owners.

As an alternative, this text change requires the establishment of a general replacement fund with the developer paying twenty four percent of the replacement cost of the facility. In addition, creating a privately maintained sinking fund with the full amount deposit being collected over the useful life of the facility.

### **TC-6-10 Tree Conservation Regulations Effective 02-01-11**

The City's Tree Conservation Ordinance was adopted by the City Council on January 4, 2005 and became effective on May 1, 2005. As directed by the City Council, the ordinance was developed jointly between the Inspections Department, the City Attorney's

office, the Department of City Planning and the City Council-appointed Tree Conservation Task Force. At the time of its adoption, the City Council directed Administration to undertake a full review of the new ordinance two years following its inception; the intent being to review the effectiveness. With two years of working experience, the work group reconvened. TC-6-10 is the result of the Council's directive and represents the issues identified and the changes proposed, as overseen by the Council's Comprehensive Planning Committee.

A proposal to amend the Tree Conservation Ordinance to implement changes that fall into one of four categories: Ordinance Modifications, Increased Flexibility, Ordinance Simplification, and Protection of the Right Trees.

**Sustainable Sites:** Encourage the use of environmentally-friendly site planning and landscape design approaches and techniques such as those developed by the Sustainable Sites Initiative.

**Green Infrastructure:** Ensure protection of Raleigh's unique and significant green infrastructure, its natural resources, landscapes, and ecological systems through best practices management, stewardship and land use regulations.

**Scenic Vistas and Views:** Explore options for protecting and creating scenic vistas and views of natural landscapes and features that are important in establishing, enhancing, and protecting the visual character of the City, mindful of other goals such as preserving and enhancing the City's tree canopy.

**Urban Forestry:** Expand and strengthen urban forestry and tree preservation programs to protect the existing tree cover and add to it.

**Tree Selection:** Tree species should be selected for site suitability, superior form, disease resistance,

regional performance, drought tolerance, urban tolerance, diversity, and mature size by an ISA Certified Arborist or a professional approved by the Parks and Recreation Department's Urban Forestry staff.

**Tree and Landscape Ordinance Amendments:** Amend existing regulations as needed to ensure that the urban forest is conserved during the development process, with priority given to preserving the most ecologically beneficial trees or grouping of trees. Review the criteria for allowing alternates to improve the effectiveness of the ordinance. Evaluate the appropriateness of locating primary tree save areas along the frontage of the property.

### **TC-9-10 Watershed Regulations Effective 06-01-11**

As mandated by the State of North Carolina's Environmental Management Commission's Falls Reservoir Water Supply Nutrient Strategy: Stormwater Management for New Development, jurisdictions governing properties located within the Falls Lake Basin, are required to adopt the Strategy's regulations for new development by the summer of 2012.

TC-9-10 amends the City Code to implement the rules of the State's Falls Lake Water Supply Nutrient Strategy to apply to new development located within the City's Reservoir Watershed Protection Area Overlay Districts. The regulations propose to limit nutrient discharges in stormwater to no more than 2.2 pounds per acre per year for nitrogen and to no more than 0.33 pound per acre per year for phosphorus.



## Noteworthy Zoning Cases from the past year

### **Z-11-10 Hillsborough & West Morgan Street Approved August 3, 2010**

The request was to rezone a collection of properties just south of Hillsborough Street at West Morgan Street. The rezoning included a request to apply a Pedestrian Business Overlay District (PBOD) to allow a mixed use development with high density residential. The rezoning removed a suite of Industrial uses, and permitted a mixed-use redevelopment of the property. The rezoning resulted in the approval of the West Morgan Apartments (SP-15-11).

The PBOD and Streetscape and Parking Plan establish the streetscape in the area, and provide pedestrian amenities adjacent to the development. The creation of an urban pedestrian-friendly environment at this location will further link NCSU, the Hillsborough Street commercial district, and Downtown. The approved site plan for the West Morgan Apartments will include 14' sidewalks along West Morgan St., Tryon Hill Dr. and Wakefield Ave.

Many of the Comprehensive Plan policies applicable to this case address the need for transitions. The development will address transitions through the use of height, setback and/or stepback requirements, as well as prohibit certain uses adjacent to existing residential properties.

### **Z-12-10 Cameron Village Neighborhood Approved October 19, 2010**

This request was brought to the City by a number of residents in the neighborhood to down-zone the properties directly to the north of the Cameron Village Shopping Center to Special R-6. The citizens' request was brought forward in

an effort to prevent multi-family development and in turn protecting the integrity of the established neighborhood.

The proposed rezoning is consistent with the future land use map, area plan guidance and policy guidance in the comprehensive plan. After review it was established that the proposed rezoning has no identified negative impacts.

### **Z-19-10 New Bern Avenue and I-440 Approved March 1, 2011**

This request was to rezone a large property near the New Bern and I-440 interchange to allow office, retail and residential uses.

This site is within an area designated as being appropriate for Office/Research and Development land uses. As proposed, this request was inconsistent with the guidance in the Comprehensive Plan. The majority of the site is bounded by either highway right-of-way or Industrial zoning. While the surrounding neighborhood was zoned Industrial-1 conditional use, it contained many established single-family structures. The rezoning would introduce large-scale multi-family as a permitted use; as many as 250 dwelling units could be constructed. The rezoning was ultimately approved after a detailed planning study for the property and surrounding area was performed. The study provided rezoning guidance for the neighborhood to make the residential uses consistent with the applied zoning.

### **Z-2-11 Ebenezer Church Rd. Denied April 19, 2011**

This request would have permitted an expansion of the existing rock quarry located between Duraleigh Road and Ebenezer Church Road. The Planning Commission held



### **2010-2011 Raleigh Planning Commission**

top row: Quince Fleming, Peter Batchelor, Steven D. Schuster  
middle row: Marvin Butler, Joseph Lyle, Erin Sterling Lewis, Waheed Haq  
bottom row: Isabel Mattox, Linda Harris Edmisten, Paul Anderson  
not pictured: Tom Bartholomew and Stephen Smith

several well-attended meetings to discuss this contentious zoning case.

The proposed request would have rezoned residentially zoned land from R-4 & R-2 with MPOD to Industrial-1 CUD with MPOD, with the intent to expand an existing quarry operation. The existing quarry operations pre-dated the city's zoning on this property. The applicant provided conditions such as additional buffering, transitional zones, limited access and other provisions. In addition, several significant public benefits were being offered such as greenway easement, park land dedication, construction of a parking lot, offer to reconstruct Poyner Road and offer on the pit for stormwater detention and flood control purposes on a temporary basis. However, given the inconsistency and incompatibility of the proposed

request with the surrounding residential uses, and its potential direct and indirect adverse impacts the request was denied.

### **Z-3-11 Lead Mine Rd. Approved July 5, 2011**

This request was to rezone a large residential parcel to permit an elderly care facility. The proposal is inconsistent with the Future Land Use Map, which calls for residential development of lower density on the parcel. However, no significant infrastructure, school enrollment, or traffic impacts are expected from rezoning. The rezoning would provide an opportunity to develop an elderly care facility, which is consistent with several policies contained within the Comprehensive Plan.

## Special Projects—Ongoing & Completed

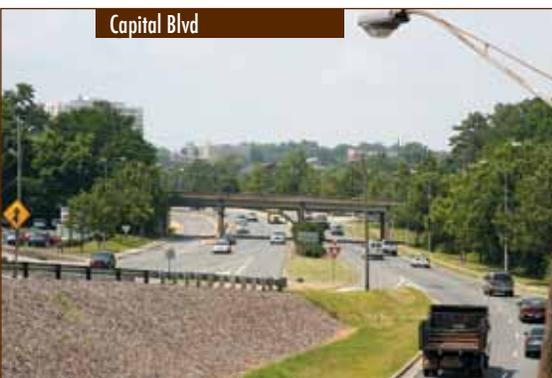


### Raleigh's New Development Code – the “Unified Development Ordinance”

The City of Raleigh along with Code Studio has completed the Unified Development Ordinance (UDO), which when approved by City Council, will replace the current development code. The UDO addresses contemporary development and zoning practices in a format that is easily understood by administrators and the development community. The UDO supports the goals and policies of the award winning 2030 Comprehensive Plan while reducing regulations and shifting most development approvals to staff providing more predictable outcomes. In addition, the UDO will create regulations that address market trends, incorporate best practices and address contextual issues throughout the city.

### Capital Boulevard Corridor Study

The Capital Boulevard Corridor Study seeks to create an ambitious yet realistic vision for transforming the most-travelled and least-loved gateway into downtown Raleigh into a showcase for multimodal transportation and green infrastructure. Conducted largely in-house with the support of a team of pro-bono consultants, the process has included three public workshops, a comprehensive inventory, an analysis of existing conditions within the corridor, and a multi-departmental and jurisdictional “in-reach” effort to coordinate effort among the relevant City, County and State departments and agencies.



Capital Blvd

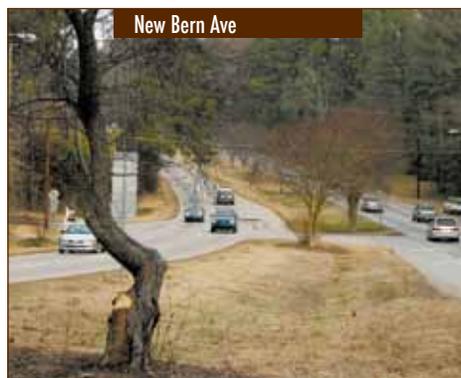
Major components of the vision include:

- Creating a system of parallel local access streets running the length of the corridor to accommodate cyclists, pedestrians, and transit vehicles, as well as low-speed automobile traffic.
- Connecting the Five Points neighborhoods directly into this new street system to provide a direct bicycle and pedestrian connection to downtown.
- Creating two major new linear parks along the Pigeon House Branch at the northern and southern edges of the study area, connected by a greenway path running from Peace Street to Crabtree Creek.
- Promoting the redevelopment of key sites located at the new parks and proposed rail transit stations.
- Pursuing stream and floodplain restoration along the Pigeon House Branch to improve water quality and relocate frequently flooded property out of harm's way.
- Leveraging pending NCDOT bridge replacement projects to redesign the interchanges at Peace Street and Wade Avenue to facilitate vehicular movement, better accommodate pedestrians and cyclists, complete the street grid, and provide a framework for development.

The final report is nearing completion and will be presented to the City Council in 2012.

### New Bern Avenue Corridor Study

Running east from downtown Raleigh to Wake Medical Center, the 440 Beltline, and beyond, New Bern Avenue is a historic gateway and heavily traversed transportation corridor. Unique among the four major gateways into downtown by virtue of its cultural significance, width, and attractively landscaped median, it shows signs of wear, and the lack of pedestrian facilities along its length is no longer acceptable as it has become the city's most heavily used transit corridor. The study of the New Bern Avenue corridor from Swain Street to Crabtree Creek proposes to renew and refresh the corridor through a mix of public and private reinvestments.



New Bern Ave

Specific recommendations include:

- Improve corridor appearance through landscape plantings, public art, and wayfinding signage to recognize the history and identity of each section of the corridor.
- Support pedestrian, bicycle, and transit use through a Complete Streets design strategy for transit, bike, and pedestrian accommodations and improved stormwater management techniques.
- Extend and connect sidewalks along the corridor, into neighborhoods, and to greenway trails, and locate additional crosswalks and median refuges for pedestrians to improve pedestrian connectivity and convenience.
- Reduce the bus headways to 15 minutes all day and continued upgrading of transit passenger amenities.
- Stimulate economic development and revitalization by using regulatory incentives and targeted public investment to reposition key sites for appropriate (re)development.

The study is complete and currently posted for public comment. The finalized study was presented to City Council on January 17, 2011 where it was unanimously endorsed. City staff was directed to implement short-term and long-term action items recommended in the New Bern Avenue corridor study.

### The Jones Franklin/Western/Hillsborough Area Study

The Jones Franklin Special Study Area was defined during the 2030 Comprehensive Planning Process as an area undefined by future land use (Special Study Area A-9). The study, exploring the area near the intersections of Jones Franklin Road, Western Boulevard, and Hillsborough Street, sought to determine a Land Use Classification consistent with the intent of the 2030 Comprehensive Plan; explored future transportation studies and projects; and explored Capital Improvement Projects, zoning recommendations, and open space requirements for future study.



Jones Franklin Rd



## Special Projects—Ongoing & Completed

The final report provided detailed information and solutions to guide the future physical and regulatory characteristics of the area. Public involvement was a key component in the process and allowed the development of recommendations that serve the community's needs, those of the existing and proposed transit system, and the city as a whole. Throughout the public process, the community expressed the desire that new development include a mixture of community and neighborhood scaled mixed-use, medium density residential, focused density and height near the rail corridor and potential light rail station. Additionally, the community was outspoken in the desire to improve and coordinate transit facilities in the district by improving and consolidating bus stops, adding additional pedestrian and bicycle amenities, continuing the boulevard feel along Western Boulevard, and improving roadway stormwater management in the immediate vicinity.

On December 6, 2011 the Raleigh City Council voted unanimously to accept the report and recommendations. Council also forwarded the study to the January 17, 2012 joint meeting of Council and the City of Raleigh Planning Commission.

### Regulatory Reform

The City of Raleigh development staff conducted a workshop with members of the Development Services Advisory Committee and individuals from the development community. At the workshop participants identified opportunities for improvement within our development related services. Planning and Development Director, Mitchell Silver, kicked off the session by reiterating the partnership with our stakeholders and inviting candid discussion. Approximately 30 stakeholders participated in the workshop.

All participants in the workshop were asked to consider the development process in its entirety and to identify any processes, policies or procedures that could be improved or eliminated to affect the most significant impact on the development systems within the City of Raleigh. After nearly three hours of discussion, the group identified eight areas for improvement. In addition to identifying these eight target areas, the participants provided very specific feedback and actionable items. Some of the areas identified for improvement included: consistency between review and field staff, communication, customer service, technology enhancements, reliability and flexibility.

City staff will be incorporating ideas and suggestions from the workshop into staff work plans for the year 2012.

### Union Station Complex

Staff from the Raleigh Urban Design Center, the Department of City Planning, and the Office of Transportation Planning has been working with a team of engineers and architects from the North Carolina Department of Transportation (NCDOT) to develop a plan for the first phase of the City's proposed Union Station complex.

In the 2010 report, *Union Station: Raleigh's Multi-Modal Transit Center*, the City developed a plan for a multi-modal station complex that was intended



to serve as a hub for local and regional rail transit, intercity passenger rail, and local, regional and national bus providers. The station complex would also provide a connection to the proposed Southeast High Speed Rail project, which will provide new rail service between Raleigh and Washington, DC.

The most recent proposal for the first phase of the complex would involve the adaptive reuse of a building adjacent to the railroad corridor in the City's Warehouse District. The building was formerly part of the Dillon Supply Company's collection of industrial buildings and is currently owned by Triangle Transit. NCDOT has determined that the renovation of this structure would provide over 20,000 square feet for waiting areas, ticketing windows, crew facilities, and administrative offices. This space could serve as the grand waiting hall for the Union Station facility.

This renovation project would be the first phase of realizing the overall Union Station concept. Phase I is intended to replace the existing 4,500 square foot Amtrak facility on W. Cabarrus Street which operates

over capacity today. At over 164,000 boarding's per year, Raleigh's existing station is second only to Richmond, Virginia in passenger rail traffic in the Southeastern United States.

The City of Raleigh existing Amtrak recently allocated \$3 million towards this first phase of the proposed Union Station complex as a result of the recent successful 2011 transportation bond referendum.



## Planning & Development

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