

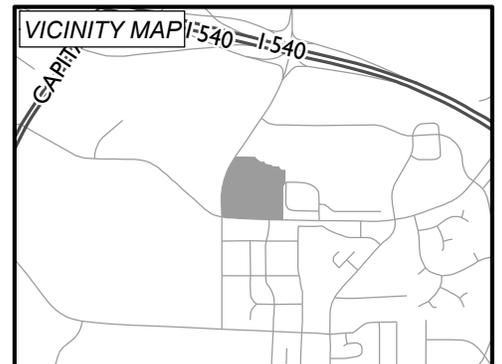


Submittal Date

12/15/2016

Request:

**12.35 acres from
CX-4-CU w/ part SHOD-1
to CX-4-CU
w/ part SHOD-1**



Rezoning Application



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

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction #
Existing Zoning Base District:	CX(CU)	Height: 4 Frontage: Overlay(s): -SHOD-1	
Proposed Zoning Base District:	CX	Height: 4 Frontage: Overlay(s): -SHOD-1	
If the property has been previously rezoned, provide the rezoning case number: Z-1-2006			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
495926			

GENERAL INFORMATION			
Date:	Date Amended (1)	Date Amended (2)	
Property Address: 6100 & 6250 Triangle Town Blvd and 7831 Old Wake Forest Rd			
Property PIN: 1727-71 -2276; -4596; and -5160		Deed Reference (book/page): DB 12909 PG 505	
Nearest Intersection: Triangle Town Blvd at Old Wake Forest Rd			
Property Size (acres):12.35	(For PD Application Only) Total Units:	Total Square Feet:	
Property Owner/Address: Faison Triangle, LLC 121 W Trade St Ste 2800 Charlotte, NC 28202-1195	Phone	Fax	
	Email		
Project Contact Person/Address: Mack Paul – Attorney for Applicant 630 Davis Dr Ste 200 Morrisville, NC 27560	Phone: 919-590-0377	Fax 919-882-8890	
	Email: mpaul@morningstarlawgroup.com		
Owner/Agent Signature	Email		

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

Owner/Agent Signature _____ Print Name _____

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY Transaction # Rezoning Case #
<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>	
STATEMENT OF CONSISTENCY	
<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 Future Land Use Map (FLUM) designation for the subject property is Community Mixed Use. The 2030 Comprehensive Plan (Comp Plan) suggests that CX is the primary corresponding zoning district for areas carrying a Community Mixed Use FLUM designation. Therefore, the requested CX base district is consistent with the Comprehensive Plan.</p>	
<p>2. Table LU-2 – Recommended Height Designations – of the Comp Plan provides guidance for up to five (5) stories for properties situated as is the subject property; however, none of the existing buildings proximate to the subject property extend beyond 4 stories in height. In order to remain consistent with the surrounding area and the Comp Plan, the requested height classification is for up to 4 stories.</p>	
<p>3. The requested rezoning is consistent with many of the policies set forth in the Comp Plan included: LU 1.3 – Conditional Use District Consistency; LU 3.2 – Location of Growth; LU 4.5 – Connectivity; LU 5.1 – Reinforcing the Urban Pattern; and more.</p>	
<p>4.</p>	
PUBLIC BENEFITS	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>1. The proposed rezoning will facilitate a development that can provide a mix of uses, including residential opportunities, in close proximity to uses that provide goods and services. This can reduce the amount of vehicle miles travelled, which is a benefit to the public.</p>	
<p>2. The requested rezoning also is consistent with the FLUM, thereby helping to achieve the vision of the Comp Plan.</p>	
<p>3.</p>	
<p>4.</p>	

REZONING APPLICATION ADDENDUM #2

Impact on Historic Resources

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

OFFICE USE ONLY

Transaction #

Rezoning Case #

INVENTORY OF HISTORIC RESOURCES

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed rezoning would impact the resource.

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation: City Growth Center Click [here](#) to view the Urban Form Map.

1.	<p><i>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.</i></p> <p>Response: The property is located near the Triangle Town Center shopping area which features a mix of uses.</p>
2.	<p><i>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.</i></p> <p>Response: The properties are not adjacent to lower density neighborhoods</p>
3.	<p><i>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.</i></p> <p>Response: Access will likely be provided along Old Wake Forest Rd and Triangle Town Blvd to facilitate access to other uses</p>
4.	<p><i>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.</i></p> <p>Response: There is an existing stub from the adjacent development to the site that likely will be connected.</p>
5.	<p><i>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.</i></p> <p>Response: Development at the site will adhere to this guideline.</p>
6.	<p><i>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.</i></p> <p>Response: Building and parking placement will be determined at site plan.</p>
7.	<p><i>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.</i></p> <p>Response: There are existing sidewalks along Old Wake Forest and Triangle Town Blvd to accommodate pedestrians.</p>
8.	<p><i>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.</i></p> <p>Response: Building and parking placement will be determined at site plan.</p>
9.	<p><i>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.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
10.	<p><i>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.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
11.	<p><i>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.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p>Response: Outdoor amenity areas will be provided consistent with the UDO.</p>
13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p>Response: 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>Response: Given the topography of the site, retaining walls likely will dominate the frontage along Old Wake Forest Road.</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>Response: The location of parking will be determined at Site Plan. Some of the site is subject to the SHOD-1 overlay.</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>Response: Structured parking is not anticipated at this time.</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>Response: Stop ID 9577 is located south of the property, directly across Old Wake Forest Rd.</p>
18.	<p>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</p> <p>Response: There is a condition for a new transit stop along Triangle Town Blvd.</p>
19.	<p>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.</p> <p>Response: Streams nearby or on the property will be properly buffered to minimize impact to them.</p>
20.	<p>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.</p> <p>Response: Sidewalks will be provided per the UDO.</p>
21.	<p>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.</p> <p>Response: Sidewalks will be provided per the UDO.</p>
22.	<p>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.</p> <p>Response: Street trees and landscaping will be provided in accordance with the UDO.</p>
23.	<p>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.</p> <p>Response: Certain natural features and the SHOD-1 overlay may impact building placement.</p>
24.	<p>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.</p> <p>Response: The building will comply with the applicable UDO standards.</p>
25.	<p>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.</p> <p>Response: The building will comply with the applicable UDO standards.</p>
26.	<p>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</p> <p>Response: There is existing sidewalk on the property, and new sidewalks will be provided per the UDO.</p>

REZONING APPLICATION SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced the Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Rezoning application review fee (see Fee Schedule for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Completed application; Include electronic version via cd or flash drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Two sets of stamped envelopes addressed to all property owners within 100 feet of property to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Completed and signed zoning conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
10. Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
11. Completed Response to the Urban Design Guidelines	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. For applications filed by a third party, proof of actual notice to the property owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
13. Master Plan (for properties requesting Planned Development or Campus District)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

MASTER PLAN SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the Master Plan Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; Include electronic version via cd or flash drive	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/ Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

REZONING OF PROPERTY CONSISTING OF +/- 15.39 ACRES
LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF TRIANGLE TOWN
BOULEVARD AND OLD WAKE FOREST ROAD, IN THE CITY OF RALEIGH

REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON NOVEMBER 28, 2016

Pursuant to applicable provisions of the Unified Development Ordinance, a meeting was held with respect to a potential rezoning with adjacent property owners on Monday, November 28, 2016, at 6:00 p.m. The property considered for these potential rezoning totals approximately 15.39 acres, located in the northeast quadrant of the intersection of Triangle Town Boulevard and Old Wake Forest Road, in the City of Raleigh, having Wake County Parcel Identification Numbers 1727-71-5160, 1727-71-2276, 1727-71-4596, and 1727-71-8806. This meeting was held at the Marsh Creek Community Center, which is located at 3050 N. New Hope Road, Raleigh, NC 27604. All owners of property within 100 feet of the subject properties were invited to attend the meeting. Attached hereto as **Exhibit A** is a copy of the neighborhood meeting notice. A copy of the required mailing list for the meeting invitations is attached hereto as **Exhibit B**. A summary of the items discussed at the meeting is attached hereto as **Exhibit C**. Attached hereto as **Exhibit D** is a list of individuals who attended the meeting.

EXHIBIT A

NEIGHBORHOOD MEETING NOTICE



Mack Paul | Partner
1330 St. Mary's Street | Suite 460
Raleigh, NC 27605
919-590-0377
mpaul@morningstarlawgroup.com
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Mack Paul

Date:

November 18, 2016

Re: Notice of meeting to discuss potential rezoning of four (4) parcels located in the northeast quadrant of the intersection of Old Wake Forest Road and Triangle Town Boulevard, containing approximately 15.39 acres, and having Wake County PINs 1727-71-5160, 1727-71-2276, 1727-71-4596, and 1727-71-8806 (the "Property"). A map of the property is on the reverse side of this notice.

We are counsel for SR Real Estate Partners, LLC ("SR"), which is considering rezoning the above captioned Property. The Property is zoned CX-4- CU. SR is considering rezoning the Property to CX-4-CU in order to remove a zoning condition related to a concept plan.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with surrounding property owners on Monday, November 28, 2016 at 6:00 PM. The meeting will be held at the Marsh Creek Community Center, located at 3050 N. New Hope Road, Raleigh, NC 27604.

This meeting is required by the City of Raleigh and is intended to afford neighbors an opportunity to ask questions about the potential rezoning and for the applicant to obtain suggestions and comments you may have about it. You are not required to attend, but are certainly welcome. After the meeting, we will prepare a report for the Raleigh Planning Department regarding the items discussed at the meeting.

Please do not hesitate to contact me directly should you have any questions or wish to discuss any issues. I can be reached at (919) 590-0377 or mpaul@morningstarlawgroup.com. More specific information is available at Planning and Development which can be reached at 919-996-2626 or planning@raleighnc.gov. You also can visit their website to find out more: www.raleighnc.gov.

PROPERTY MAP

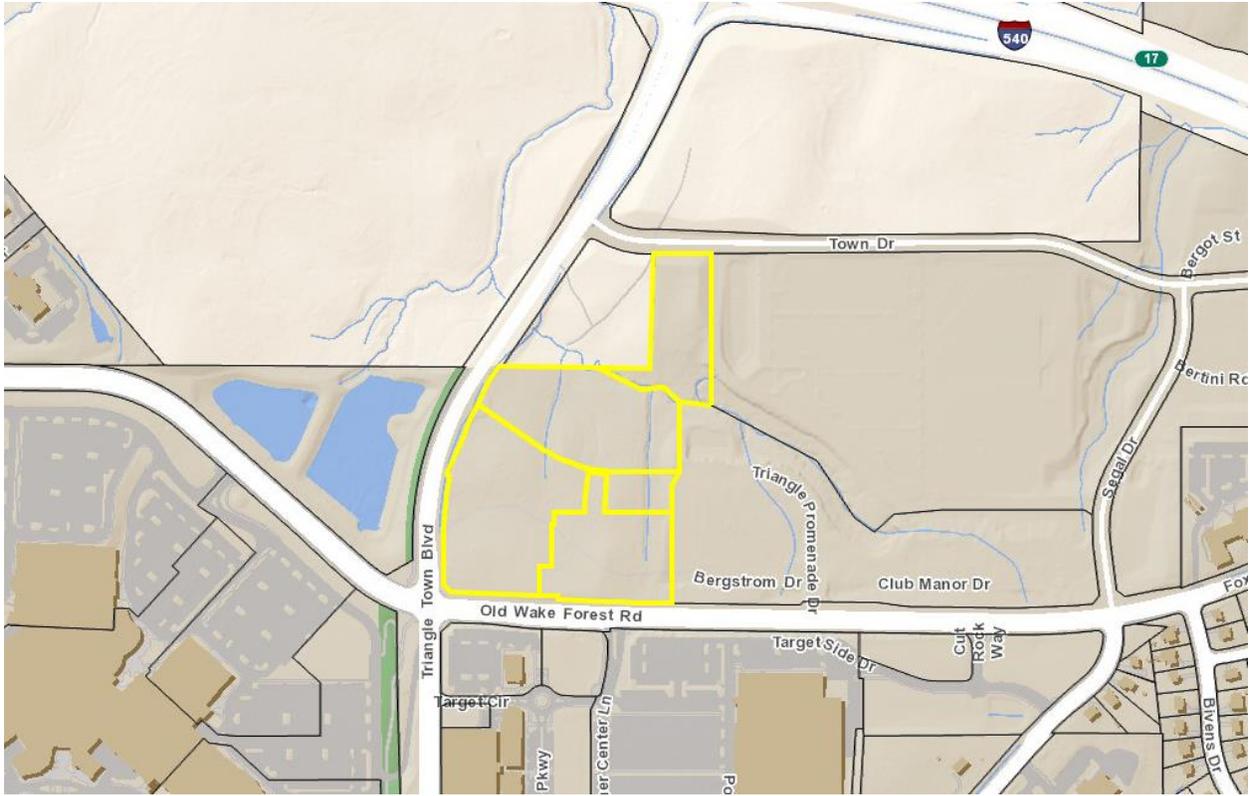


EXHIBIT B

LIST OF PROPERTY OWNERS TO WHOM NOTICES WERE SENT

G&I VIII CBL TTC LLC
220 E 42ND ST FL 27
NEW YORK NY 10017-5819

ETHEL LIMITED PARTNERSHIP
1517 CASWELL ST
RALEIGH NC 27608-2309

BEST LOCATIONS LLC
170 WIND CHIME CT
RALEIGH NC 27615-6433

CNET PROPERTIES LLC
1009 MANOR GLEN WAY
RALEIGH NC 27615-2239

TARGET CORPORATION Property
Tax Dept - T1826
PO BOX 9456
MINNEAPOLIS MN 55440-9456

FAISON TRIANGLE LLC
121 W TRADE ST STE 2800
CHARLOTTE NC 28202-1195

FAISON TRIANGLE LLC
121 W TRADE ST STE 2800
CHARLOTTE NC 28202-1195

FAISON TRIANGLE LLC
121 W TRADE ST STE 2800
CHARLOTTE NC 28202-1195

ETHEL LIMITED PARTNERSHIP
1517 CASWELL ST
RALEIGH NC 27608-2309

FAISON TRIANGLE LLC
121 W TRADE ST STE 2800
CHARLOTTE NC 28202-1195

STERLING TC PROPERTY OWNER
LLC
4601 PARK RD STE 450
CHARLOTTE NC 28209-3568

WALMART REAL ESTATE BUSINESS
TRUST (Store #3383-00) ATTN: 055
PO BOX 8050
BENTONVILLE AR 72712-8055

ETHEL LIMITED PARTNERSHIP
1517 CASWELL ST
RALEIGH NC 27608-2309

EXHIBIT C

SUMMARY OF DISCUSSION ITEMS

On Monday, November 28, 2016, at 6:00 p.m., the applicant held a neighborhood meeting for the property owners adjacent to the parcels subject to the proposed rezoning. The following items were discussed:

1. Connectivity – A representative of the adjacent development asked whether a connection would be made to the existing stub. It was explained that connectivity is a requirement of the UDO so the connection will most likely be made.

EXHIBIT D

NEIGHBORHOOD MEETING ATTENDEES

Name	Address	Phone	Email
Shelli Floyd	7880 Triangle Promenade Dr.	919.655.0355	sfloyd@grubbproperties.com