



To: Tom Bartholomew, Chair, Committee of the Whole
Members of the Planning Commission

From: Ken Bowers, AICP
Mitchell Silver, AICP

Date: April 30, 2009

Re: Future Land Uses: Blue Ridge Road at Lake Boone Trail

This memo discusses revisiting Future Land Use Map comment LT-013.1, which relates to property located on the west side of Blue Ridge Road at its intersection with Lake Boone Trail. A request has been made to revert from Office-Research and Development to Neighborhood Retail Mixed-Use on these two parcels. Staff recommends against the reversion and proposes an alternative solution.

The properties are currently occupied by an office building, the Atrium, that incorporates ancillary retail space; and the Blue Ridge Pharmacy, a retail use that supports the surrounding concentrations of medical providers. Both properties are zoned Neighborhood Business CUD. Conditions for the Atrium include a cap on retail within the building of 26,000 square feet. The total size of the building on the 4.61-acre site is about 158,000 square feet, according to Wake County tax records.

In February draft of the Future Land Use map, these properties were designated Neighborhood Retail Mixed-Use, primarily in response to the current Neighborhood Business zoning. A comment from a planning commissioner suggested that these properties would be better classified in the Office/Research and Development category, similar to surrounding uses. As this category contemplates retail ancillary to an office use, staff concurred, and this recommended change was voted on favorably by both the Committee of the Whole and the full Planning Commission.

Since that time, comments have been submitted requesting that the properties in question revert to the Neighborhood Retail Mixed-Use category. Staff recommends not making this change; rather staff recommends addressing issues raised in the comments by clarifying the scope of ancillary retail in the Office/Research and Development category.

Staff advises against reinstating the NRMU designation for the following reasons:

- Office buildings such as the Atrium are not contemplated in this category. By focusing on the 26,000 square feet of ancillary retail building, the commenter is ignoring the approximately 130,000 square feet of primary office use.
- Retail of the type found in the Atrium building, as well as the pharmacy which complements the nearby medical providers, is precisely the type of retail that should be encouraged in office areas, here and

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everywhere. See Policies ED 40 and 41. If the ORD category poses a problem for this configuration, then the appropriate solution is to amend the ORD policies, not to amend the designation for two small parcels.

- The intent of the Future Land Use Map is not to manage land use down to this small scale. A more generalized approach to the map is closer to the overall plan intent.

Ancillary retail in the ORD category is addressed by Policy LU 59, which limits such retail to 10 percent of site area. This policy was originally added so as to give more specific guidance with regards to ancillary retail. However, two issues have been identified by staff:

- The policy introduce includes a zoning-like numerical standard that, while intended to be a guide, could be construed as a hard cap. It is not in keeping with the discretionary language found in most policies.
- The policy specifically references site area, whereas the policy is more appropriately implemented at an area scale (i.e. retail in one office building could serve the workplace population of more than one structure on more than one site, if located nearby).

As applied to the Atrium property, for example, a narrow reading of Policy LU 59 would limit retail to 20,000 square feet, whereas the current zoning permits 26,000 square feet. While staff believes that the Atrium is consistent with the intent of the ORD district, the precise numerical standard could cause difficulty in the future.

Staff proposes to solve the issues above with the language attached to this memo, which removes the numerical standard and clarifies and enhances the policy.

Map I: Properties in Question



Addendum

Subsequent conversations raised issues regarding how retail and service uses are treated in the O&I zones, particularly the special use permit provision. Staff recommends adding an action in an appropriate location that the issue of ancillary retail within O&I zones be addressed as part of the update to the zoning regulations.

Attachment A: Proposed Revision to Policy LU 59

Policy LU 59 (existing)

Ancillary Retail Uses

Ancillary retail uses in residential and office developments located in areas designated *High Density Residential*, *Office Residential—Mixed Use* and *Office/Research and Development* should not occupy more than 10 percent of the total site area, and should be sited to minimize adverse traffic, noise and visual impacts on adjoining residential areas. (3, 4)

Policy LU 59 (proposed)

Ancillary Retail Uses

Ancillary retail uses in residential and office developments located in areas designated *High Density Residential*, *Office Residential—Mixed Use* and *Office/Research and Development* should ~~not~~ occupy more than 10 percent of the total site area not be larger in size than is necessary to serve primarily the resident or worker population of the primary uses in the area, should preferentially be located within a mixed-use building, and should be sited to minimize adverse traffic, noise and visual impacts on adjoining residential areas. (3, 4)

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Attachment B: Relevant Policies Regarding Mixed-Use in Office Areas

Policy ED 40

Retrofitting Older Office Environments

Encourage the intensification and retrofitting of existing office clusters with new pedestrian-friendly residential and retail uses to provide attractive and competitive live-work destinations that reduce dependence on auto travel. (1, 2, 3, 4, 5)

Policy ED 41

Designing Knowledge Industry Workplaces

Encourage the development of high-quality environments that combine office/lab space, housing, and support retail and services, such as Centennial Campus or North Hills, to compete effectively for and attract knowledge workers to Raleigh. (1, 2, 4)