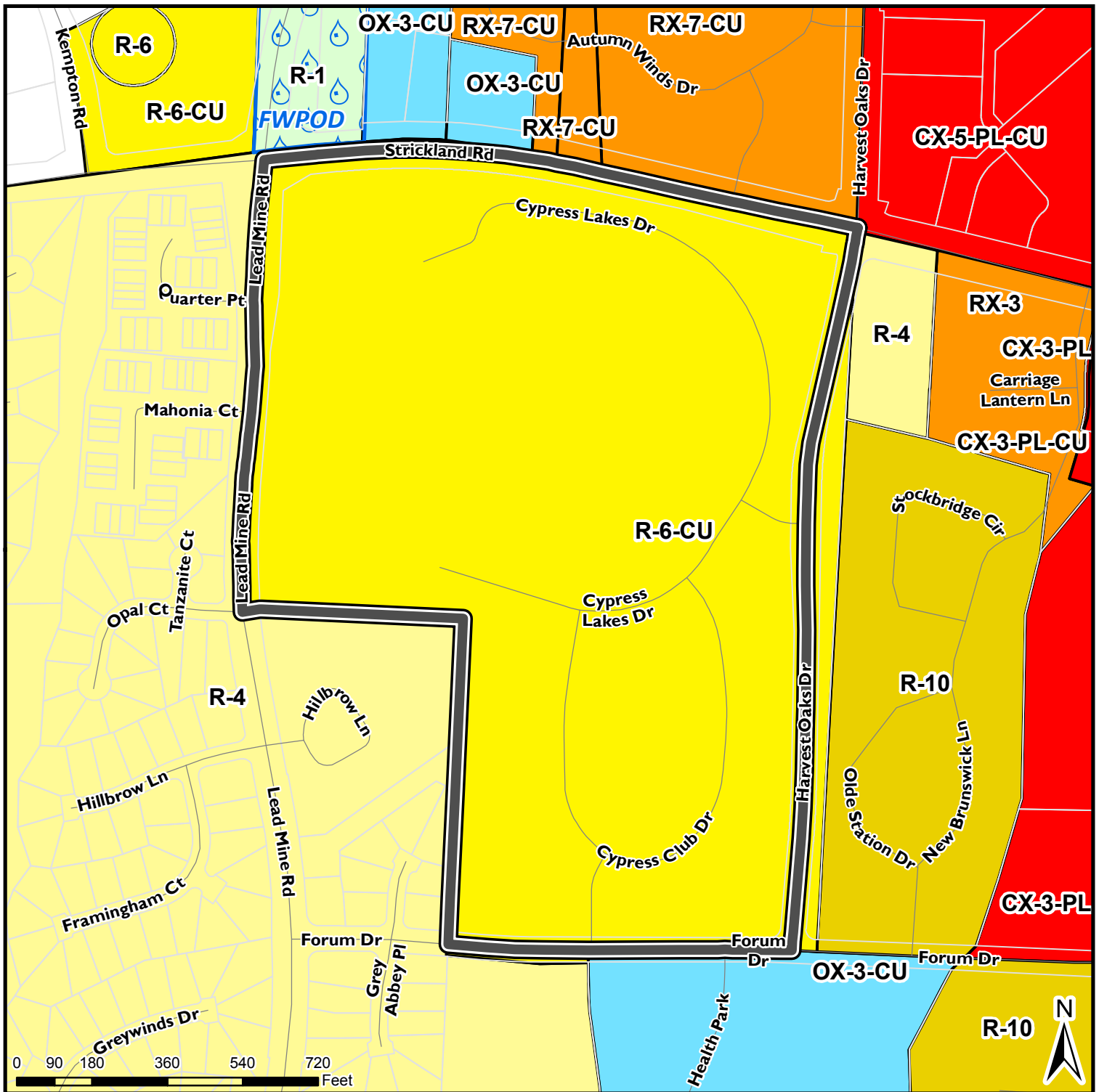


# Existing Zoning Map

**Z-16-2016**

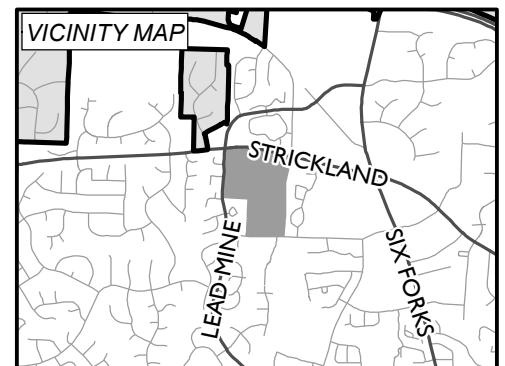


**Submittal  
Date**

6/8/2016

**Request:**

**44 acres from  
R-6-CU  
to PD**



Map Date: 6/14/2016



## Certified Recommendation

Raleigh Planning Commission

CR#

### Case Information Z-16-16

<i>Location</i>	The Cypress of Raleigh, south side of Strickland Rd, west of Harvest Oaks Dr., north of Forum Dr. and east of Lead Mine Rd. Address: 8710 Cypress Club Dr. PIN: 1708025721 and 1708121469
<i>Request</i>	Rezone property from Residential-6-Conditional Use to Planned Development (PD)
<i>Area of Request</i>	48.057 acres
<i>Property Owner</i>	Cypress of Raleigh Owners' Association, Inc. 7101 Creedmoor Road, Suite 142 Raleigh, NC 27613
<i>Applicant</i>	Joe Whitehouse 6109 Iris Drive Raleigh, NC 27612
<i>Citizens Advisory Council (CAC)</i>	North Michael O'Sullivan (Chairperson)
<i>PC Recommendation Deadline</i>	12/26/2016

### 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

<b><i>FUTURE LAND USE</i></b>	Medium Density Residential
<b><i>URBAN FORM</i></b>	No Designation
<b><i>CONSISTENT Policies</i></b>	LU 1.2 – Future Land Use Map and Zoning Consistency LU 2.1 – Placemaking LU 2.5 – Healthy Communities LU 2.6 – Zoning and Infrastructure Impacts H 4.2 – Aging in Place UD 4.3 – Improving Streetscape Design UD 6.1 – Encouraging Pedestrian-Oriented Uses
<b><i>INCONSISTENT Policies</i></b>	Name – short title

### Summary of Proposed Conditions

Not a Conditional Use Case

## Public Meetings

<b><i>Neighborhood Meeting</i></b>	<b><i>CAC</i></b>	<b><i>Planning Commission</i></b>	<b><i>City Council</i></b>
6/16/2016	8/16/2016 (Y-28, N-0)	9/27/2016	

☐ **Valid Statutory Protest Petition (Date Filed: )**

## Attachments

1. Staff report
2. Master Plan
3. Master Plan Site Plans
4. Neighborhood Meeting

## Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings &amp; Reasons</i>	
<i>Motion and Vote</i>	

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.

Planning Director	Date
-------------------	------

Planning Commission Chairperson	Date
---------------------------------	------

Staff Coordinator: Charles Dillard (919) 996-2651; [charles.dillard@raleighnc.gov](mailto:charles.dillard@raleighnc.gov)



## Zoning Staff Report – Z-16-16

### General Use District

## Case Summary

### Overview

The 48.057 acre subject site is located at the southeast corner of the intersection of Strickland Road and Lead Mine Road and contains The Cypress of Raleigh, a life care community. The Cypress is composed currently of three condominium-style “Villa” buildings, 37 Cottage/Low-rise group housing units, a Health Care facility, and a clubhouse and dining facility. The site contains a well-developed internal pedestrian network, with considerable landscaping and two large water features, in addition a number of smaller water features. An approximately 100 foot wide swatch of trees is planted on the site’s western boundary along Lead Mine Road. Additional plantings are found along the site’s remaining edges. The site’s road network is also internally-focused, with egress provided at two points – on Forum Dr. and Harvest Oaks Dr.

The Cypress was developed under a Site Plan approved in 2009 (GH-1-2009), which followed initial site plan submittals from 2004 and 2005. During the Citywide remapping, as part of Z-27-14, the site was rezoned to R-6-CU. The applicant is requesting this rezoning to allow for development of Apartment building types, which already existed prior to the R-6 remapping. In addition, the site offers a number of uses permitted in the Life Care Community, as defined in Section 6.2.3 E of the Unified Development Ordinance. The applicant has an approved building permit for one new Villa building, with plans for an additional such building, the completion of which will bring the Master Plan to full build-out.

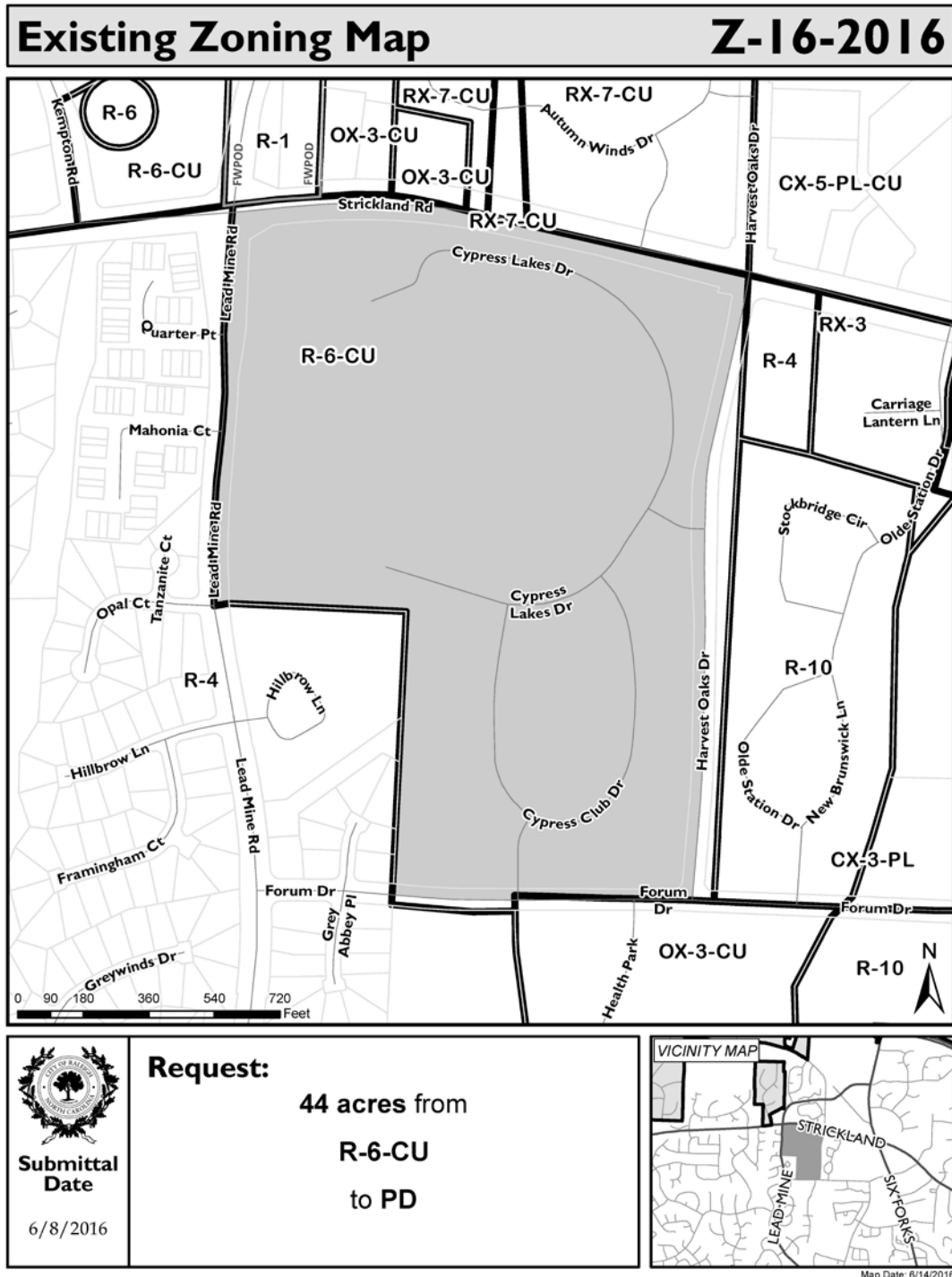
The site is designated Medium Density Residential, which permits densities above 14 units per acre. While RX is the most appropriate zoning district for such areas, Planned Developments with use limitations can also be considered appropriate. This rezoning would permit uses allowed under the Life Care Community use definition.

The North CAC voted 28-0 in support of the case.

### Outstanding Issues

<i>Outstanding Issues</i>	1. Streetscape requirement 2. Transit easement dedication on Strickland Rd. is requested. 3. Transit infrastructure may be requested.	<i>Suggested Mitigation</i>	1. Fee-in-lieu at site plan stage. 2. Address at site plan stage. 3. Address at site plan stage.
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# ZONING REQUEST



## Rezoning Case Evaluation

### 1. Compatibility Analysis

#### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	R-6-CU	OX-3-CU/RX-7-CU/R-4	R-4/OX-3-CU	R-10/R-4	R-4
<i>Additional Overlay</i>	None	None/None/FWPO D	None	None	None
<i>Future Land Use</i>	Medium Density Residential	Office & Residential Mixed Use/Moderate Density Residential	Low Density Residential/ Office & Residential Mixed Use	Medium Density Residential	Moderate Density Residential/Low Density Residential
<i>Current Land Use</i>	Life Care Community	Office/Apartments	Vacant/Office	Apartments	Apartments/ Single-Family Residential
<i>Urban Form (if applicable)</i>	None	None	None	Mixed Use Center	None

#### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	4.24 units/acre	4.24 units/acre
<i>Setbacks:</i>	*Apartment Building Type	*Apartment Building Type
<i>Front:</i>	10'	10'
<i>Side:</i>	0' or 6'	0' or 6'
<i>Rear:</i>	20'	20'
<i>Retail Intensity Permitted:</i>	Not Permitted	Not Permitted
<i>Office Intensity Permitted:</i>	Not Permitted	Not Permitted

#### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	48.06	48.06
<i>Zoning</i>	R-6-CU	PD
<i>Max. Gross Building SF (if applicable)</i>	463,818*	1,021,398
<i>Max. # of Residential Units</i>	118^	204^
<i>Max. Gross Office SF</i>	Not Permitted	Not Permitted

<i>Max. Gross Retail SF</i>	Not Permitted	Not Permitted
<i>Max. Gross Industrial SF</i>	Not Permitted	Not Permitted
<i>Potential F.A.R</i>	0.24*	0.53

The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

\*This is the existing buildout on the site today.

^This is equivalent dwelling units using the UDO provisions for congregate care and rest home. The actual number of units existing today is 60 rest home beds (15 du) and 206 congregate care condos (103 du). The proposal would permit an additional 172 congregate care condos (86 du).

The proposed rezoning is:

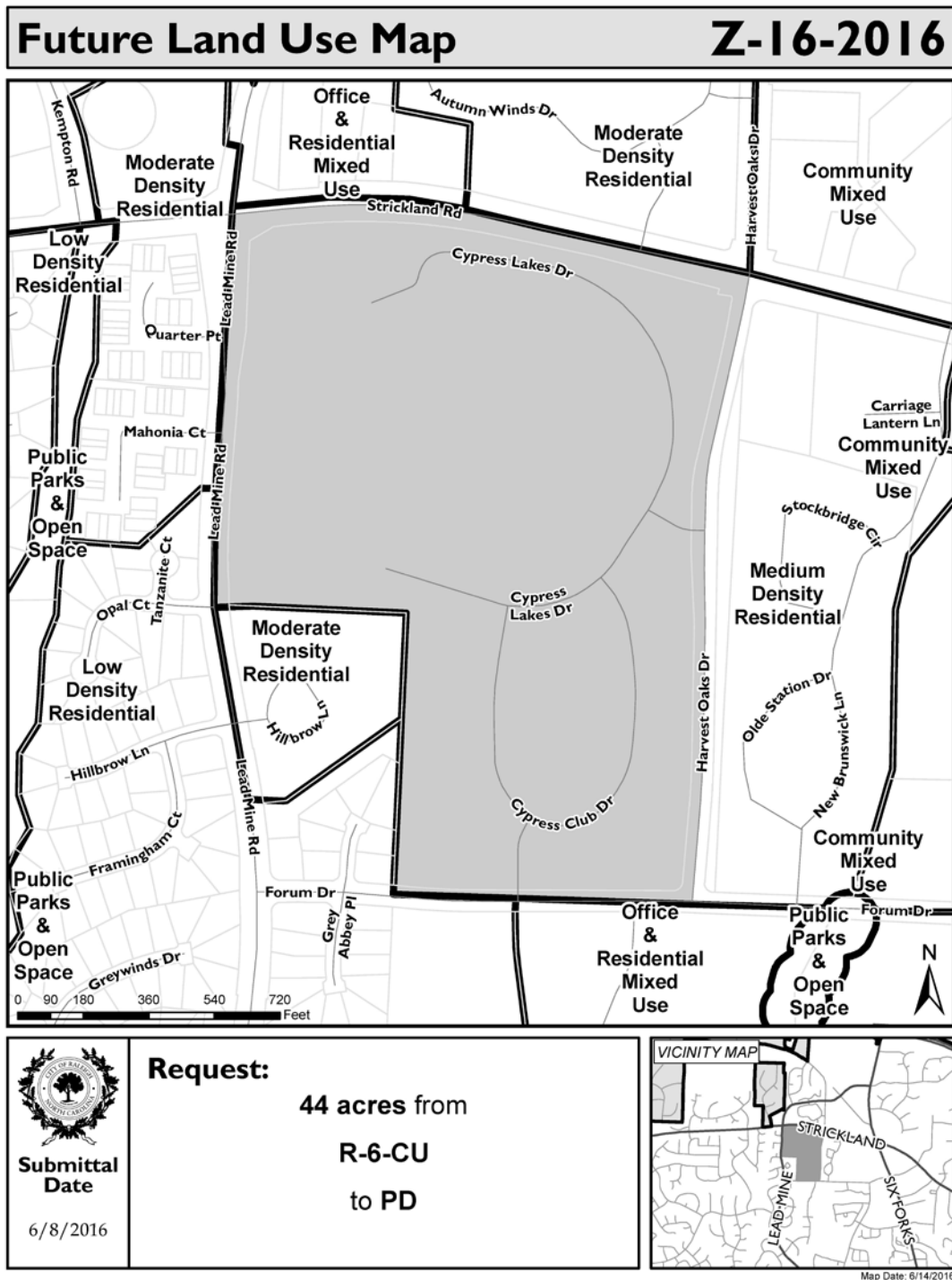
☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

Analysis of Incompatibility:

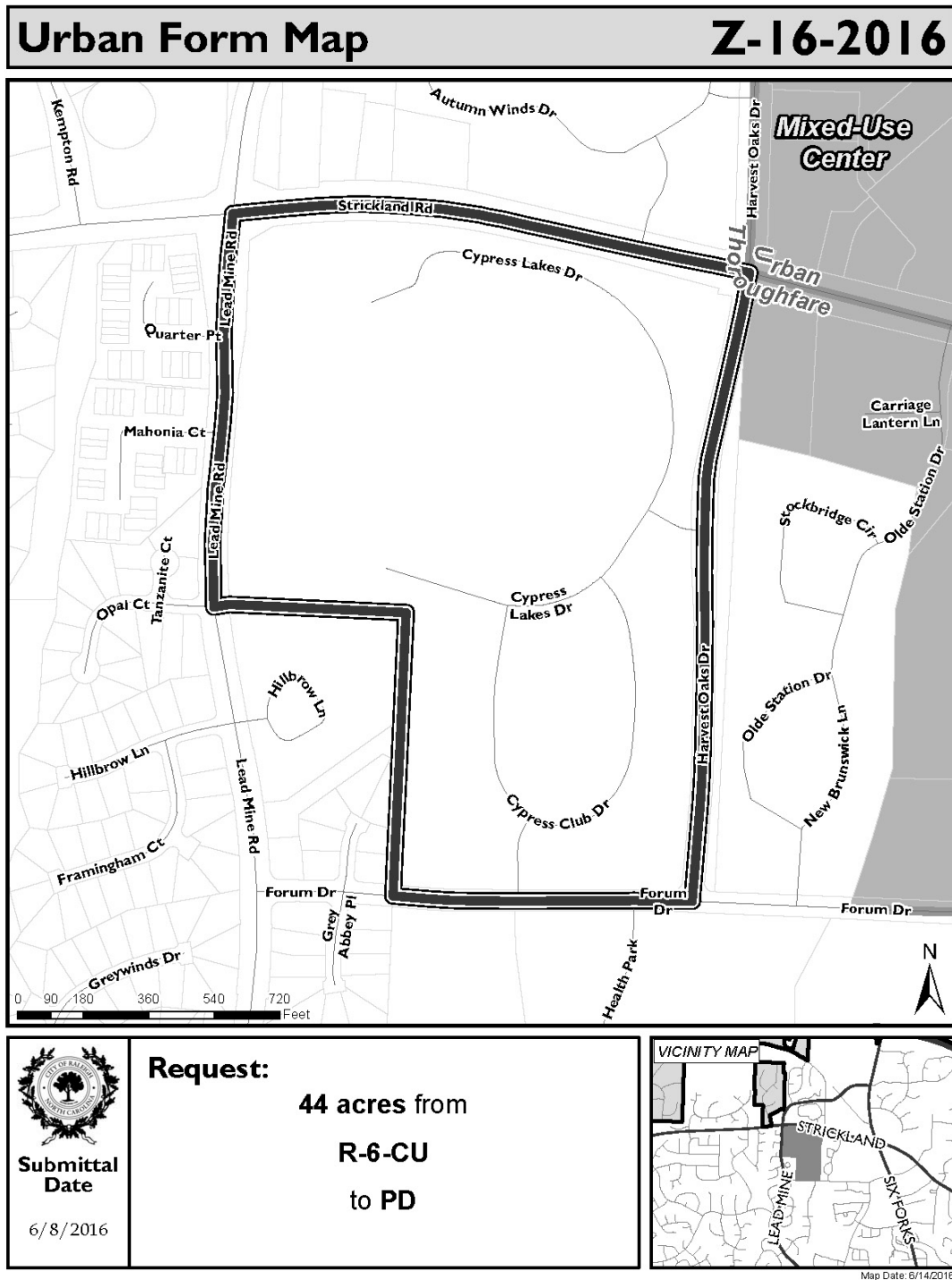
The proposal would permit additional apartment building-style condominium ("Villa") units, which are currently developed on site, along with townhouse-style condos, medical care facilities, and a club house. The surrounding uses are residential and office in nature. As such, the proposal can be considered compatible with the property and surrounding area.

# FUTURE LAND USE MAP





# URBAN FORM MAP



## 2. Comprehensive Plan Consistency Analysis

### 2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with the vision, themes, and policies contained in the Comprehensive Plan. The proposal would allow for a Planned Development with Office Mixed Use (OX) as the underlying base district. The proposal limits a number of uses otherwise permitted in OX districts, bringing it into consistency with the Comprehensive Plan.

The Future Land Use Map designates the property for Medium Density Residential, in which RX is the most appropriate district. Because of the prohibitions on certain uses, and the development of the site as a nearly fully contained Life Care Community, the proposal can be considered consistent with the Future Land Use Map.

Community facilities and streets appear sufficient to serve the use proposed for the property.

### 2.2 Future Land Use

**Future Land Use designation: Medium Density Residential**

**The rezoning request is:**

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

☐ **Inconsistent**

Analysis of Inconsistency:

While the Comprehensive Plan suggests RX is the most appropriate district in such areas, the proposal limits some uses otherwise permitted in OX districts. Furthermore, the proposal is for a Life Care Community, a development type intended to allow for substantial residential densities for the aging population. The non-residential uses permitted in Life Care Communities are low-impact and often necessary for a safe and healthy aging community. Finally, the Unified Development Ordinance considers Life Care Communities to be a "Residential" use.

### 2.3 Urban Form

Urban Form designation: **N/A**

☒ **Not applicable** (no Urban Form designation)

The rezoning request is:

☐ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Analysis of Inconsistency:

## **2.4 Policy Guidance**

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

None
------

### **3. Public Benefit and Reasonableness Analysis**

#### **3.1 Public Benefits of the Proposed Rezoning**

- The proposed rezoning would allow for continued development of an established Life Care Community that received a Site Plan approval in 2009.
- The proposal would bring the site into full conformance with zoning. The Citywide remapping to R-6 means that a Special Use permit is required for Life Care Communities. The PD zoning would allow for all Life Care Community uses without a Special Use permit.
- The proposal increases the inventory of housing for the aging and provides high-quality design with opportunities for active living.

#### **3.2 Detriments of the Proposed Rezoning**

- None

## 4. Impact Analysis

[Assess impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.]

### 4.1 Transportation

A Traffic Impact Analysis is not required.

#### Impact Identified:

1. Fees-in-lieu may be required to meet the streetscape requirements around the perimeter of the property. Where 5' sidewalks exist a fee for an additional 1' of width would be necessary to meet the UDO 6' sidewalk requirement.

### 4.2 Transit

1. Six Forks Rd is served by GoRaleigh Route 8 Six Forks
  - a. Currently the terminal loop is Six Forks to Strickland to Colonnade Center
  - b. The Wake County Transit Plan proposes the terminal loop to be Six Forks to Lead Mine to Harvest Oaks to Strickland
2. Please consider dedicating a 15x20' transit easement along Strickland Rd
3. Please provide a pedestrian connection to the transit easement
4. If requested by the transit program please consider improving the transit easement
  - a. Provide a 15x20' cement pad
  - b. Provide a 30' cement landing zone between the back of curb and sidewalk
  - c. ADA accessible transit waiting shelter with bench
  - d. Litter container

#### Impact Identified:

1. Transit easement dedication on Strickland Rd. is requested.
2. Transit infrastructure may be requested.

### 4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Mine
<i>Stormwater Management</i>	Article 9.2 of the UDO
<i>Overlay District</i>	none

1. **Impact Identified:** Site is subject to Stormwater control regulations under Article 9.2 of the UDO. At time of future site plan submittal or permitting, site must demonstrate compliance with stormwater regulations. Existing stormwater devices on site may be utilized to address stormwater requirements under previously approved design parameters. No impacts identified.

### 4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	21,888 GPD	38,888 GPD
<i>Waste Water</i>	21.888 GPD	38,888 GPD

**Impact Identified: None**

#### ***4.5 Parks and Recreation***

1. Site is located between two greenway corridors, connectivity is most feasible along Strickland or Forum.
2. Nearest existing trail access is Baileywick Trail, 0.5 miles.
3. Recreation services are provided by Baileywick Road Park, 0.7 miles.

**Impact Identified: None**

#### ***4.6 Urban Forestry***

**Impact Identified: None**

#### ***4.7 Designated Historic Resources***

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks

**Impact Identified: None**

#### ***4.8 Community Development***

The site is not located within a designated Redevelopment Plan area.

**Impact Identified:**

#### ***4.9 Impacts Summary***

1. Streetscape requirement
2. Transit easement dedication on Strickland Rd. is requested.
3. Transit infrastructure may be requested.

#### ***4.10 Mitigation of Impacts***

1. Fee-in-lieu at site plan stage.
2. Address at site plan stage.
3. Address at site plan stage.

## **5. Conclusions**

The proposal is consistent with the Comprehensive Plan and the Future Land Use Map. The proposal would allow for the full build-out of an approved site plan, including the construction of a new “Villa” condominium building that has already received a building permit. The proposed use, Life Care Community, serves a growing need in the City.

mp #1 -16 TH 475346

JUN 8 2016 PM12:02

# Rezoning Application



12:02

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

REZONING REQUEST			
<input type="checkbox"/> General Use <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Master Plan			<b>OFFICE USE ONLY</b>  Transaction # 466362
Existing Zoning Classification <u>Residential-6-CU</u>			
Proposed Zoning Classification Base District <u>Planned Development</u> Height <u>6</u> Frontage <u>N/A</u>			
If the property has been previously rezoned, provide the rezoning case number: <u>Z-06-07</u>			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
<div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <span>471367</span> <span></span> <span></span> <span></span> </div> </div>			

GENERAL INFORMATION			
Property Address <u>8710 Cypress Club Drive</u>			Date <u>June 8, 2016</u>
Property PIN <u>1708-02-5721</u>		Deed Reference (book/page) Deed Book: 13240 Page Number: 738	
Nearest Intersection <u>Lead Mine Road, Harvest Oaks Drive, Forum Drive and Strickland Road</u>			Property Size (acres) <u>44 acres</u>
Property Owner/Address Cypress of Raleigh Owners' Association, Inc. c/o Mark Andrews 7101 Creedmoor Road, Suite 142 Raleigh, NC 27613		Phone <u>919.877.8167</u>	Fax <u>919.844.7378</u>
		Email <u>mark@tmeinvestments.com</u>	
Project Contact Person/Address Joe Whitehouse <u>802-2233</u> 6109 Iris Drive Raleigh, NC 27612		Phone <u>919.870.9007</u>	Fax <u>919.866.1874</u>
		Email <u>joe@cueinc.net</u>	
Owner/Agent Signature 		Email <u>mpaul@morningstarlawgroup.com</u>	

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

Acres - 48.05    Drainage - mine  
 CAZ - North    1708.13  
 Zoning - R-6-CU    24-units  
 2-bldgs    45,500



REZONING APPLICATION ADDENDUM	
<p align="center"><b>Comprehensive Plan Analysis</b></p>	<p align="center"><b>OFFICE USE ONLY</b></p>
<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>	<p align="center"><b>Transaction #</b></p> <p align="center"><b>Rezoning Case #</b></p>
<p align="center"><b>STATEMENT OF CONSISTENCY</b></p>	
<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>The Future Land Use Map designates the property as Medium Density Residential. This category applies to</p> <ol style="list-style-type: none"> <li>1. garden apartments, condominiums and suburban-style apartment complexes. The proposed master plan will allow the completion of a development that meets the standards for this category.</li> </ol>	
<p>LU 2.1 says that new development should create places, streets and spaces that meet the needs of people</p> <ol style="list-style-type: none"> <li>2. at all stages of life in a setting that is safe, attractive and distinctive. The master plan meets this policy.</li> </ol>	
<p>LU 2.4 says that new development on large sites should provide access to ample open space.</p> <ol style="list-style-type: none"> <li>3. The master plan meets this policy.</li> </ol>	
<p>LU 2.5 says that new development should support healthy communities and active lifestyles by creating</p> <ol style="list-style-type: none"> <li>4. safe and ample pedestrian circulation and similar amenities. The master plan meets this policy.</li> </ol>	
<p align="center"><b>PUBLIC BENEFITS</b></p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>The proposed rezoning will accommodate a Continuing Care Retirement Community, providing a range of health</p> <ol style="list-style-type: none"> <li>1. care, food service, personal services, and recreational amenities for the residents. This type of development will provide a housing type that meets an increasing demand for quality congregate care facilities in the City of Raleigh.</li> </ol>	
<p>The proposed rezoning will correct certain nonconformities created during the conversion from the Part 10 zoning code to the Unified Development Ordinance. In particular, the existing zoning of R-6 does not permit the existing building type and layout on the property.</p> <ol style="list-style-type: none"> <li>2. The rezoning will ensure the pre-conversion entitlements remain in place and the development can be completed as originally envisioned.</li> </ol>	
<p>The proposed rezoning will facilitate the completion of a well-planned and designed development that is</p> <ol style="list-style-type: none"> <li>3. walkable and appropriately scaled. Further, the development will afford residents access to ample open space while maintaining a safe and secure environment for senior residents.</li> </ol>	
<p>4.</p>	

**MASTER PLAN (MP-1-2016)**

**THE CYPRESS OF RALEIGH**

**PROPOSED PLANNED DEVELOPMENT DISTRICT**

± 48.057 ACRES

OWNER:

Cypress of Raleigh Owners' Association, Inc.

DEVELOPER/DECLARANT:

Cypress of Raleigh, LLC

CONSULTANTS:

Mack Paul  
Morningstar Law Group, L.L.P.

Stuart Jones  
Jones & Crossen - Land Planning and Civil Engineers

Original Submittal Date June 8, 2016  
Resubmittal Date September 9, 2016

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## SUMMARY INFORMATION

- A. Name of Development: The Cypress of Raleigh
- B. Name of Owner: Cypress of Raleigh Owners' Association, Inc.  
c/o Mark Andrews  
7101 Creedmoor Road, Suite 142  
Raleigh, NC 27613
- C. Name of Developer/Declarant: Cypress of Raleigh, LLC  
8801 Cypress Lakes Drive  
Raleigh, NC 27615
- C. Applicant: Joe Whitehouse  
6109 Iris Drive  
Raleigh, NC 27612  
919.870.9007  
919.866.1874 (fax)  
[joe@cueinc.net](mailto:joe@cueinc.net)
- D. Attorney: Mack Paul  
Morningstar Law Group, L.L.P.,  
630 Davis Drive, Suite 200  
Morrisville, NC 27560  
Tel: 919.590.0377  
[mpaul@morningstarlawgroup.com](mailto:mpaul@morningstarlawgroup.com)
- E. Land Planner and Civil Engineer Stuart Jones  
Jones & Cnossen Engineering, PLLC  
221 N. Salem Street, Suite 200  
Apex, North Carolina 27502  
[stuart@jonescnossen.com](mailto:stuart@jonescnossen.com)

## **1. INTRODUCTION**

This document and the accompanying exhibits submitted herewith (collectively, the "Master Plan") are provided pursuant to provisions of the Unified Development Ordinance (the "UDO") dealing with the Planned Development ("PD") District for the Cypress of Raleigh (the "Development"). The Development is a life care community, which includes both congregate care and rest home uses, as defined by the UDO developed by Cypress of Raleigh, LLC (the "Developer"). The Development is owned by those record title owners of the units comprising the condominium as reflected in the Wake County Registry (collectively the "Owner"). Cypress of Raleigh Owners' Association, Inc. is the condominium association established pursuant to the NC Condominium Act to serve as agent for the Owner with respect to certain matters (the "Association").

The Development is and will continue to be a mixed use, pedestrian-oriented development with complementary residential, recreation, open space, food service, skilled nursing care, memory care, rehabilitation, assisted living and other personal services (as those terms are utilized in the UDO) for the residents at densities appropriate to the location of the Development, market conditions, the nature of land uses in the vicinity, and the City's investment in existing infrastructure. Accordingly, the Master Plan sets forth density and square footage limitations as well as modifications to the UDO as appropriate to accomplish the development program described herein.

## **2. COMPREHENSIVE PLAN**

The Master Plan for the Development addresses the development and redevelopment of approximately 48.057 acres located in North Raleigh, bounded generally on the east by Harvest Oaks Drive, the north by Strickland Road, the west by Lead Mine Road and the south by Forum Drive (the "Property"). For a graphic depiction of the area to be rezoned, please refer to the existing conditions and phasing plan submitted with this Master Plan as Plan Sheet 2. The Property is currently the site of a life care community developed pursuant to an approved site plan (GH-1-09). The purpose of this rezoning and Master Plan is to bring the Development into conformity with the rules and regulations contained in the UDO as existed prior to the city-wide remapping effective in 2016.

The Future Land Use Map ("FLUM") identifies the Property as medium density residential. This category applies to garden apartments, condominiums and suburban style apartment complexes. Consistent with the FLUM, the proposed density in connection with the Development is medium density residential. In addition, the Development will further a number of policies in the Comprehensive Plan. For example, it will serve as a pedestrian-oriented, congregate care facility, providing senior residents all of the personal services and amenities they need on-site. The Development will help foster an integrated community, linking housing with food service, skilled nursing care, personal services, rehabilitation, memory care, assisted living, open space and other amenities.

## **3. INTENT FOR PD DISTRICTS**

The Cypress of Raleigh meets the intent of the PD District in several ways. In particular, the PD District will help the Development to achieve a high quality project design. It will facilitate the integration of a cohesive development that allows residents access to a range of amenities, including personal services, food, recreation and health care services in a setting that is walkable and medium scale. As a life care community, the Cypress of Raleigh promotes the safety and security of its residents.

The PD District allows the Development to meet this objective while in keeping with the surrounding area and placing minimal impact on the area's infrastructure.

#### 4. GENERAL DESIGN PRINCIPLES AND URBAN DESIGN GUIDELINES

The Development meets the General Design Principles for PD Districts in a number of ways. It contains a range of housing stock, including multifamily and detached housing. It is well integrated by providing a range of services to residents of the Development, including skilled nursing care, rehabilitation services, assisted living, memory care, in-home care, assistance with daily living, recreational activities, food service, social activities and personal services. A substantial buffer and landscaping surround the Development with a gated entrance to promote the safety of the residents. Internal connections provide convenient pedestrian access throughout the Development. Architecture and landscaping provide a cohesive design to the buildings and surroundings, fitting with the topography, site and climate. The Development includes public art and other clearly identifiable water features unique to this location. Finally, the development pattern has a scale that ensures the residents have ample access to open space and light.

In addition, the Cypress of Raleigh incorporates a number of elements of the Urban Design Guidelines. For example, open spaces provide convenient seating opportunities and are integrated throughout the Development. Internal streets are interconnected throughout, providing ease of circulation and access for residents. The Development contains a mix of uses, serving the needs of the residents who are seniors. The transitions to the surrounding neighborhoods include substantial buffering and landscaping.

#### 5. LAND USE DENSITY

Land use intensities for the Development are described in the site data table on Plan Sheet 1 submitted with this Master Plan. Plan Sheet 1 establishes "Equivalent Dwelling Units" based on the density assigned to congregate care facilities when the Development was originally approved by the City of Raleigh. For example, one congregate care unit counts as one-half a dwelling unit. Land Use intensities can be transferred between subdistricts so long as the overall limitation on intensities for the three subdistricts is not exceeded. Subdistrict sizes and general building locations are shown on the Land Use Plan submitted with this Master Plan.

The maximum development intensity for each subdistrict shown on the Land Use Plan shall be:

- A. Subdistrict A
  - 1. **Uses and Density.** Subdistrict A may be developed for up to 45,500 square feet of civic use and 136 equivalent dwelling units.
  - 2. **Building Height.** Buildings located in Subdistrict A shall be limited to 6 stories and 82.5 feet in height.
  - 3. **Building Type.** Apartment, Civic, General and Detached Building Types may be used in Subdistrict A.

- B. Subdistrict B
  - 1. **Uses and Density.** Subdistrict B may be developed for up to 29 equivalent dwelling units.
  - 2. **Building Height.** Buildings located in Subdistrict B shall be limited to 6 stories and 82.5 feet in height.
  - 3. **Building Type.** Apartment and Detached Building Types may be used in Subdistrict B.
- C. Subdistrict C
  - 1. **Uses and Density.** Subdistrict C may be developed for up to 39 equivalent dwelling units.
  - 2. **Building Height.** Buildings located in Subdistrict C shall be limited to 6 stories and 82.5 feet in height.
  - 3. **Building Type.** Apartment and Detached Building Types may be used in Subdistrict C.

## 6. MODIFICATIONS REQUESTED PURSUANT TO UDO SECTION 4.7.2

This PD District proposes certain modifications to the UDO pursuant to UDO Section 4.7.2. They are as follows:

### A. New Streets and Block Perimeter

As a life care community that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As such, it will not be subject to the new streets requirements contained in Article 8.4. In addition, the Development will not be subject to the minimum block perimeter standards contained in Article 8.3, which will not create any lots without direct street frontage or create safety issues or contribute to congestion. Further, it is reasonable to eliminate block perimeter standards based on the existing site layout of the Development.

Due to the existing infrastructure and development, certain street typologies under Article 8.4 will be modified. Forum Drive and Harvest Oaks Drive are both two lane avenues, undivided according to the City's street manual. However, the existing streets were built as collector streets under the old City Code as shown in the Street and Block Plan contained on Plan Sheet 3. These existing streets will serve as an alternate to UDO Section 8.4.5 given the fact the infrastructure is already in place. Finally, the sidewalk width will be modified to reflect the existing 5' sidewalk width based on the significant landscaping planted on private property along Harvest Oaks Drive and Forum Drive.

### B. Use Standards

The Residential Mixed Use (RX) district is appropriate for properties identified as medium density residential on the Future Land Use Map. However, since RX requires a special use permit for a life care community use, this master plan is selecting Office Mixed Use (OX) as its base district. The following uses permitted in the OX District shall be prohibited:

- college, community college, university;
- sports academy;
- commercial parking lot;
- heliport;
- detention center, jail, prison;

research and development; and  
plant nursery.

**C. Building/Structure Setbacks and Build-To**

As a life care community that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As a result, all buildings within the Development will front private streets and not the public street system exterior to the Development. Therefore, the minimum building/structure setback requirements and build-to requirements applicable to the building types in Article 3.2 shall not apply.

**D. Lot Dimensions**

As a life care community, the Development has a condominium ownership structure. Consequently, the Development is on a single lot, inclusive of the detached homes and multifamily buildings. Therefore, the minimum lot dimension area and width requirements applicable to the building types in Article 3.2 shall not apply.

**E. Floor Heights**

As a life care community with elderly residents, the buildings within the Development are designed for ease of access. In particular, they are designed so that residents do not have to climb steps to enter buildings. Therefore, the minimum ground floor elevation requirements applicable to the building types in Article 3.2 shall not apply.

**F. Transparency**

As a life care community, the buildings within the Development are designed for the needs of its residents. For the Apartment Building Type, the minimum transparency shall be 15%.

**G. Open Space**

Based on the configuration of open space within the existing life care community, the Development will contain a minimum of 10% open space.



**MASTER PLAN (MP-~~1~~<sup>1</sup>-2016)**

**THE CYPRESS OF RALEIGH**

**PROPOSED PLANNED DEVELOPMENT DISTRICT**

± 48.057 ACRES

OWNER:

Cypress of Raleigh Owners' Association, Inc.

DEVELOPER/DECLARANT:

Cypress of Raleigh, LLC

CONSULTANTS:

Mack Paul

Morningstar Law Group, L.L.P.

Stuart Jones

Jones & Cnossen - Land Planning and Civil Engineers

Original Submittal Date ~~June 8, 2016~~

Resubmittal Date September 9, 2016

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C. Building/Structure Setbacks and Build-To	6
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E. Floor Heights	7
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## SUMMARY INFORMATION

- A.      Name of Development:                      The Cypress of Raleigh
- B.      Name of Owner:                              Cypress of Raleigh Owners' Association, Inc.  
c/o Mark Andrews  
7101 Creedmoor Road, Suite 142  
Raleigh, NC 27613
- C.      Name of Developer/Declarant:              Cypress of Raleigh, LLC  
8801 Cypress Lakes Drive  
Raleigh, NC 27615
- C.      Applicant:                                      Joe Whitehouse  
6109 Iris Drive  
Raleigh, NC 27612  
919.870.9007  
919.866.1874 (fax)  
[joe@cueinc.net](mailto:joe@cueinc.net)
- D.      Attorney:                                        Mack Paul  
Morningstar Law Group, L.L.P.,  
630 Davis Drive, Suite 200  
Morrisville, NC 27560  
Tel: 919.590.0377  
[mpaul@morningstarlawgroup.com](mailto:mpaul@morningstarlawgroup.com)
- E.      Land Planner and Civil Engineer              Stuart Jones  
Jones & Crossen Engineering, PLLC

221 N. Salem Street, Suite 200

Apex, North Carolina 27502

[stuart@jonescossen.com](mailto:stuart@jonescossen.com)

## 1. INTRODUCTION

This document and the accompanying exhibits submitted herewith (collectively, the "Master Plan") are provided pursuant to provisions of the Unified Development Ordinance (the "UDO") dealing with the Planned Development ("PD") District for the Cypress of Raleigh (the "Development"). The Development is a ~~Continuing Care Retirement Community (or "life care community, which includes both~~ congregate care facility" and rest home uses, as defined ~~in~~ by the UDO) developed by Cypress of Raleigh, LLC (the "Developer"). The Development is owned by those record title owners of the units comprising the condominium as reflected in the Wake County Registry (collectively the "Owner"). Cypress of Raleigh Owners' Association, Inc. is the condominium association established pursuant to the NC Condominium Act to serve as agent for the Owner with respect to certain matters (the "Association").

The Development is and will continue to be a mixed use, pedestrian-oriented development with complementary residential, recreation, open space, food service, skilled nursing care, memory care, rehabilitation, assisted living and other personal services (as those terms are utilized in the UDO) for the residents at densities appropriate to the location of the Development, market conditions, the nature of land uses in the vicinity, and the City's investment in existing infrastructure. Accordingly, the Master Plan sets forth density and square footage limitations as well as modifications to the UDO as appropriate to accomplish the development program described herein.

## 2. COMPREHENSIVE PLAN

The Master Plan for the Development addresses the development and redevelopment of approximately 48.057 acres located in North Raleigh, bounded generally on the east by Harvest Oaks Drive, the north by Strickland Road, the west by Lead Mine Road and the south by Forum Drive (the "Property"). For a graphic depiction of the area to be rezoned, please refer to the existing conditions and phasing plan submitted with this Master Plan as Plan Sheet 2. The Property is currently the site of a ~~congregate~~ life care facility community developed pursuant to an approved site plan (GH-1-09). The purpose of this rezoning and Master Plan is to bring the Development into conformity with the rules and regulations contained in the UDO as existed prior to the city-wide ~~remapping~~ remapping in effect effective in 2016.

The Future Land Use Map ("FLUM") identifies the Property as medium density residential. This category applies to garden apartments, condominiums and suburban style apartment complexes. Consistent with the FLUM, the proposed density in connection with the Development is medium density residential. In addition, the Development will further a number of policies in the Comprehensive Plan. For example, it will serve as a pedestrian-oriented, congregate care facility, providing senior residents all of the personal services and amenities they need on-site. The Development will help foster an integrated community, linking housing with food service, skilled nursing care, personal services, rehabilitation, memory care, assisted living, open space and other amenities.

### 3. INTENT FOR PD DISTRICTS

The Cypress of Raleigh meets the intent of the PD District in several ways. In particular, the PD District will help the Development to achieve a high quality project design. It will facilitate the integration of a cohesive development that allows residents access to a range of amenities, including personal services, food, recreation and health care services in a setting that is walkable and medium scale. As a ~~congregate~~life care ~~facility~~community, the Cypress of Raleigh promotes the safety and security of its residents. The PD District allows the Development to meet this objective while in keeping with the surrounding area and placing minimal impact on the area's infrastructure.

### 4. GENERAL DESIGN PRINCIPLES AND URBAN DESIGN GUIDELINES

The Development meets the General Design Principles for PD Districts in a number of ways. It contains a range of housing stock, including multifamily and detached housing. It is well integrated by providing a range of services to residents of the Development, including skilled nursing care, rehabilitation services, assisted living, memory care, in-home care, assistance with daily living, recreational activities, food service, social activities and personal services. A substantial buffer and landscaping surround the Development with a gated entrance to promote the safety of the residents. Internal connections provide convenient pedestrian access throughout the Development. Architecture and landscaping provide a cohesive design to the buildings and surroundings, fitting with the topography, site and climate. The Development includes public art and other clearly identifiable water features unique to this location. Finally, the development pattern has a scale that ensures the residents have ample access to open space and light.

In addition, the Cypress of Raleigh incorporates a number of elements of the Urban Design Guidelines. For example, open spaces provide convenient seating opportunities and are integrated throughout the Development. Internal streets are interconnected throughout, providing ease of circulation and access for residents. The Development contains a mix of uses, serving the needs of the residents who are seniors. The transitions to the surrounding neighborhoods include substantial buffering and landscaping.

### 5. LAND USE DENSITY

Land use intensities for the Development are described in the site data table on Plan Sheet 1 submitted with this Master Plan. ~~Land use~~[Plan Sheet 1 establishes "Equivalent Dwelling Units" based](#)

on the density assigned to congregate care facilities when the Development was originally approved by the City of Raleigh. For example, one congregate care unit counts as one-half a dwelling unit. Land Use intensities can be transferred between subdistricts so long as the overall limitation on intensities for the three subdistricts is not exceeded. Subdistrict sizes and general building locations are shown on the Land Use Plan submitted with this Master Plan.

The maximum development intensity for each ~~Tract~~subdistrict shown on the Land Use Plan shall be:

A. Subdistrict A

1. **Uses and Density.** Subdistrict A may be developed for up to 45,500 square feet of civic use and 136 equivalent dwelling units.
2. **Building Height.** Buildings located in Subdistrict A shall be limited to ~~six~~6 stories and 82.5 feet in height.
3. **Building Type.** Apartment, Civic, General and Detached Building Types may be used in Subdistrict A.

B. Subdistrict B

1. **Uses and Density.** Subdistrict B may be developed for up to 29 equivalent dwelling units.
2. **Building Height.** Buildings located in Subdistrict B shall be limited to 6 stories and 82.5 feet in height.
3. **Building Type.** Apartment, ~~Civic, General~~ and Detached Building Types may be used in Subdistrict B.

C. Subdistrict C

1. **Uses and Density.** Subdistrict C may be developed for up to 39 equivalent dwelling units.
2. **Building Height.** Buildings located in Subdistrict C shall be limited to 6 stories and 82.5 feet in height.
3. **Building Type.** Apartment, ~~Civic, General~~ and Detached Building Types may be used in Subdistrict C.



## 6. MODIFICATIONS REQUESTED PURSUANT TO UDO SECTION 4.7.2

This PD District proposes certain modifications to the UDO pursuant to UDO Section 4.7.2. They are as follows:

### A. New Streets and Block Perimeter

As a ~~congregate~~life care ~~facility~~community that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As such, it will not be subject to the new streets requirements contained in Article 8.4. In addition, the Development will not be subject to the minimum block perimeter standards contained in Article ~~8.3~~8.3, which will not create any lots without direct street frontage or create safety issues or contribute to congestion. Further, it is reasonable to eliminate block perimeter standards based on the existing site layout of the Development.

Due to the existing infrastructure and development, certain street typologies under Article 8.4 will be modified. Forum Drive and Harvest Oaks Drive are both two lane avenues, undivided according to the City's street manual. However, the existing streets were built as collector streets under the old City Code as shown in the Street and Block Plan contained on Plan Sheet 3. These existing streets will serve as an alternate to UDO Section 8.4.5 given the fact the infrastructure is already in place. Finally, the sidewalk width will be modified to reflect the existing 5' sidewalk width based on the significant landscaping planted on private property along Harvest Oaks Drive and Forum Drive.

### B. Use Standards

The Residential Mixed Use (RX) district is appropriate for properties identified as medium density residential on the Future Land Use Map. However, since RX requires a special use permit for a life care community use, this master plan is selecting Office Mixed Use (OX) as its base district. ~~All of the allowable~~The following uses ~~contained~~permitted in the OX District shall be ~~permissible within the Development except for the following~~prohibited:

college, community college, university;  
sports academy;  
commercial parking lot;  
heliport;  
detention center, jail, prison;  
research and development; and  
plant nursery.

~~In addition, a restaurant use shall not be subject to the use standards applicable to the OX District as described in UDO Section 6.4.10.c.2.b. Personal services shall not be subject to the use standards applicable to the OX District as described in UDO Section 6.4.9.G.2.~~

#### **C. Building/Structure Setbacks and Build-To**

As a ~~congregate~~life care ~~facility~~community that is fully enclosed for the safety and security of its residents, the Development has a private, internal street network. As a result, all buildings within the Development will front private streets and not the public street system exterior to the Development. Therefore, the minimum building/structure setback requirements and build-to requirements applicable to the building types in Article 3.2 shall not apply.

#### **D. Lot Dimensions**

As a ~~congregate~~life care ~~facility~~community, the Development has a condominium ownership structure. Consequently, the Development is on a single lot, inclusive of the detached homes and multifamily buildings. Therefore, the minimum lot dimension area and width requirements applicable to the building types in Article 3.2 shall not apply.

#### **E. Floor Heights**

As a ~~congregate~~life care ~~facility~~community with elderly residents, the buildings within the Development are designed for ease of access. In particular, they are designed so that residents do not have to climb steps to enter buildings. Therefore, the minimum ground floor elevation requirements applicable to the building types in Article 3.2 shall not apply.

#### **F. Transparency**

As a ~~congregate~~life care ~~facility~~community, the buildings within the Development are designed for the needs of its residents. ~~Therefore~~For the Apartment Building Type, the minimum transparency ~~requirements applicable to the building types in Article 3.2 shall not apply~~shall be 15%.

#### **G. Open Space**

Based on the configuration of open space within the existing life care community, the Development will contain a minimum of 10% open space.

Document comparison by Workshare Professional on Friday, September 09, 2016 2:40:37 PM

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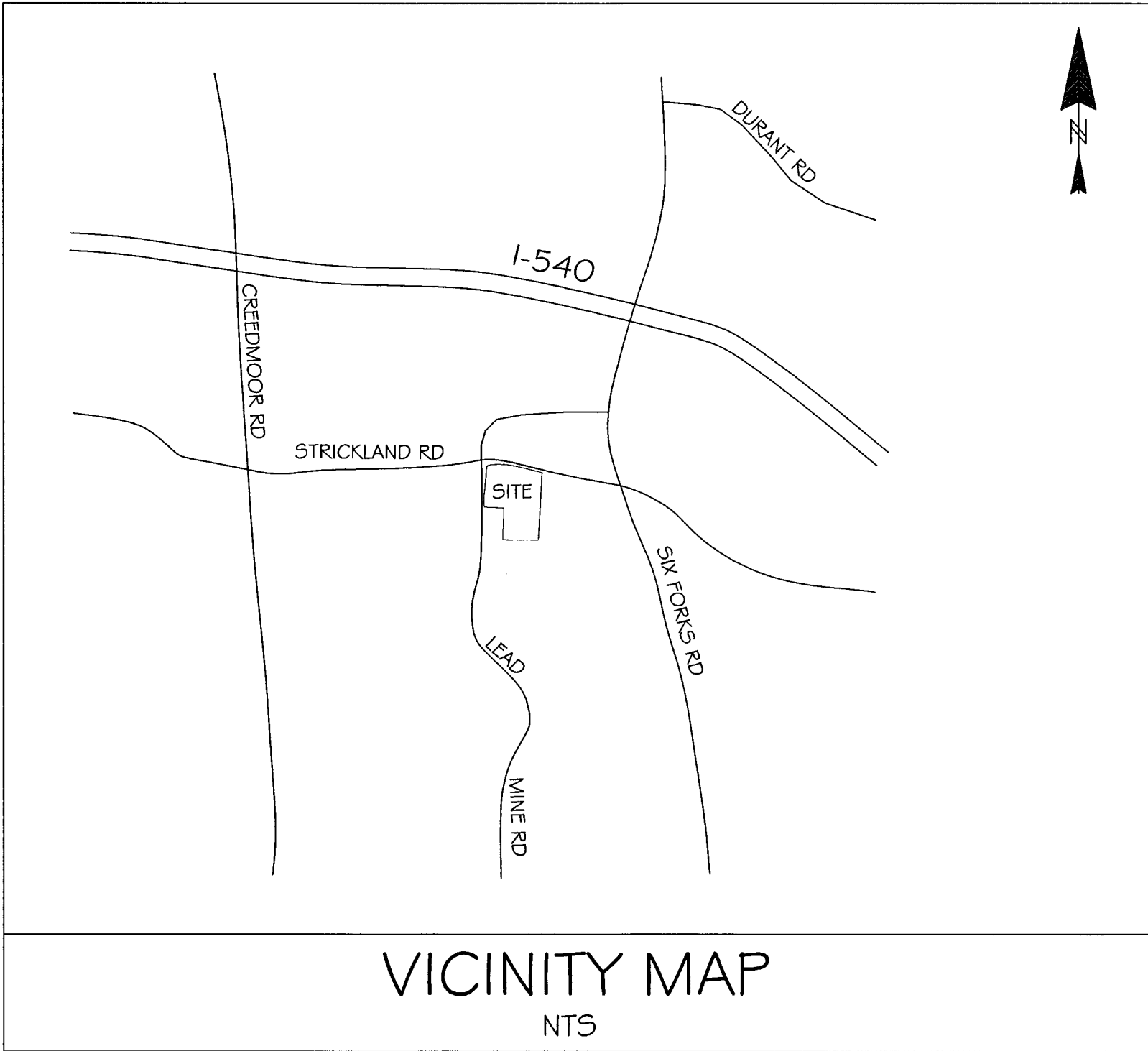
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<u>Moved to</u>	
Style change	
Format change	
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

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	Count
Insertions	33
Deletions	33
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	66

# The Cypress of Raleigh

A CONTINUING CARE RETIREMENT COMMUNITY

- SHEET INDEX:
- 1. COVER SHEET
  - 2. EXISTING CONDITIONS PHASING PLAN
  - 3. STREET & BLOCK PLAN
  - 4. PEDESTRIAN PLAN
  - 5. DEVELOPMENT & PARKING PLAN
  - 6. MAJOR UTILITIES PLAN
  - 7. STORMWATER PLAN
  - 8. OPEN SPACE & TREE CONSERVATION PLAN



## SITE DATA TABLE

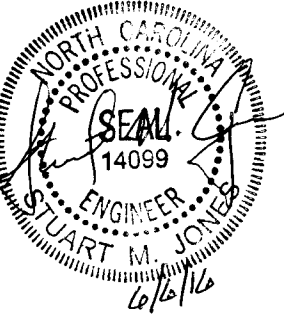
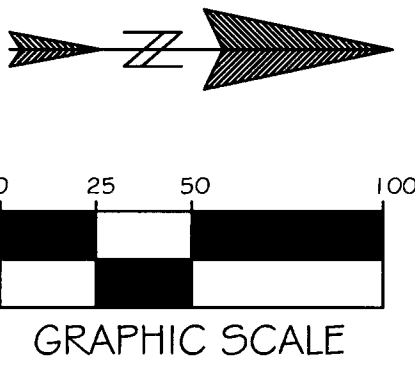
Subdistrict A				
Building Type	Dwelling Unit (DU) Conversion			
Apartment	168 Villa Units	Equals	84	DU's
Detached	37 Cottages	Equals	37	DU's
Apartment	60 Beds (rest home)	Equals	15	DU's
	<b>Total</b>		<b>136</b>	<b>DU's</b>
Civic Building Club House	45,000 SF	Gross Floor Area		
Civic Building Guard House	500 SF	Gross Floor Area		

Subdistrict B				
Building Type	Dwelling Unit (DU) Conversion			
Apartment	58 Villa Units	Equals	29	DU's
	<b>Total</b>		<b>29</b>	<b>DU's</b>

Subdistrict C				
Building Type	Dwelling Unit (DU) Conversion			
Apartment	60 Villa Units	Equals	30	DU's
Detached	9 Cottages	Equals	9	DU's
	<b>Total</b>		<b>39</b>	<b>DU's</b>

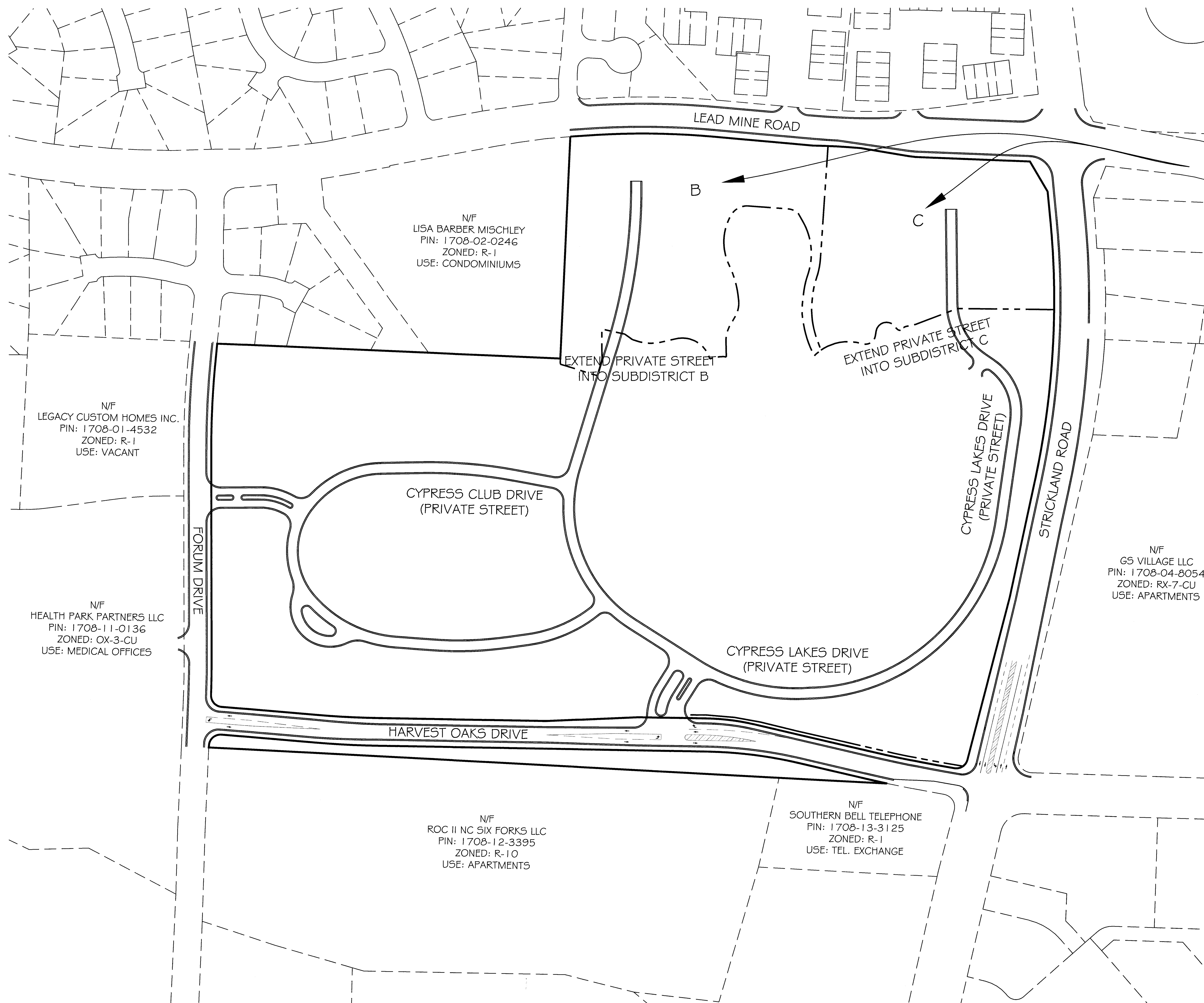
TOTALS				
Building Type	Dwelling Unit (DU) Conversion			
Apartment	286 Villa Units	Equals	143	DU's
Detached	46 Cottages	Equals	46	DU's
Apartment	60 Beds (rest home)	Equals	15	DU's
	<b>Total</b>		<b>204</b>	<b>DU's</b>
Civic Building Club House	45,000 SF	Gross Floor Area		
Civic Building Guard House	500 SF	Gross Floor Area		

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION



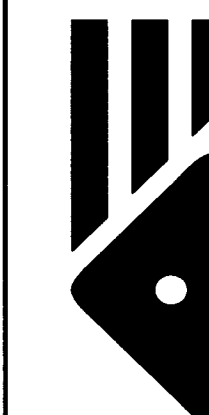






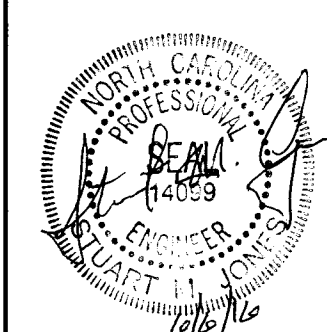
NOTE: SUBDISTRICT B AND C HAVE  
NO CONNECTIONS TO PUBLIC  
STREETS

**Jones & Crossen**  
ENGINEERING, PLLC  
Construction Management | Land Planning



Civil Engineering | Construction Management | Land Planning  
ENGINEERING, P.L.L.C.

221 N. SALEM ST.  
SUITE 001  
PO BOX 1062  
APEX, NC 27502  
Office: 919-387-1174  
Registration: P-0151  
[www.lonescrossen.com](http://www.lonescrossen.com)



# THE CYPRESS OF RALEIGH

PD MASTER PLAN

WAKE COUNTY, NORTH CAROLINA

STREET &amp; BLOCK PLAN

SCALE	DRAWN
1" = 100'	SMJ

DATE JUNE 7, 2016

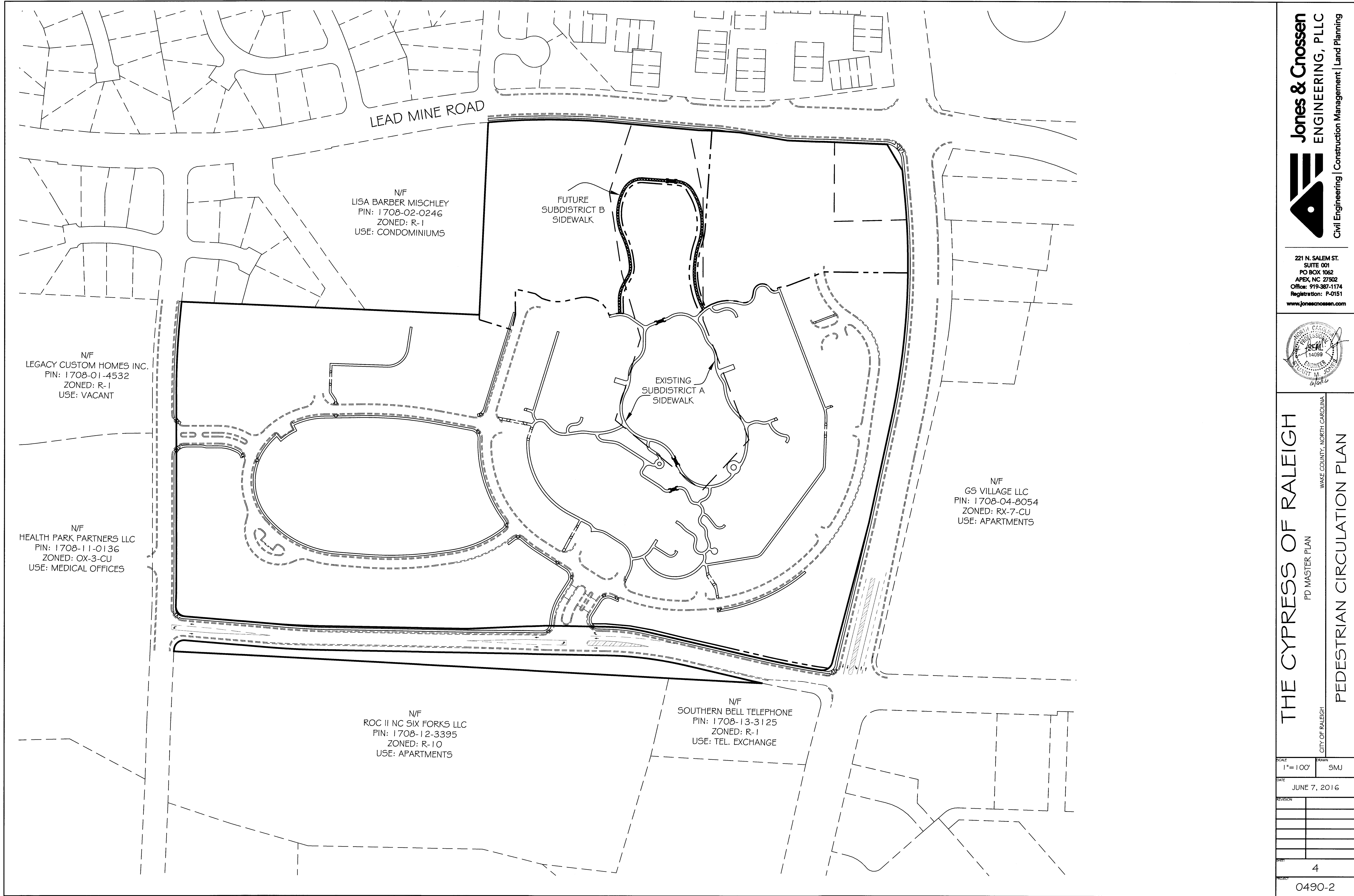
REVISION	



3	

PROJECT 0400 2

	0450-2
--	--------



LEAD MINE ROAD

N/F  
LISA BARBER MISCHLEY  
PIN: 1708-02-0246  
ZONED: R-1  
USE: CONDOMINIUMS

FUTURE  
SUBDISTRICT B  
SIDEWALK

EXISTING  
SUBDISTRICT A  
SIDEWALK

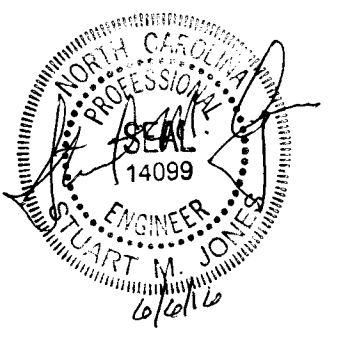
N/F  
GS VILLAGE LLC  
PIN: 1708-04-8054  
ZONED: RX-7-CU  
USE: APARTMENTS

N/F  
LEGACY CUSTOM HOMES INC.  
PIN: 1708-01-4532  
ZONED: R-1  
USE: VACANT

N/F  
HEALTH PARK PARTNERS LLC  
PIN: 1708-11-0136  
ZONED: OX-3-CU  
USE: MEDICAL OFFICES

N/F  
ROC II NC SIX FORKS LLC  
PIN: 1708-12-3395  
ZONED: R-10  
USE: APARTMENTS

N/F  
SOUTHERN BELL TELEPHONE  
PIN: 1708-13-3125  
ZONED: R-1  
USE: TEL. EXCHANGE



THE CYPRESS OF RALEIGH

PD MASTER PLAN

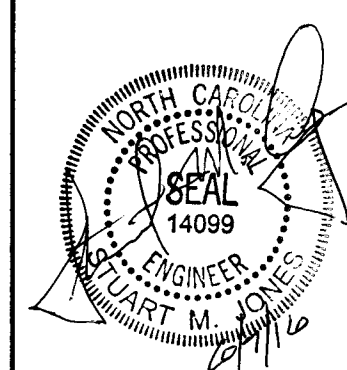
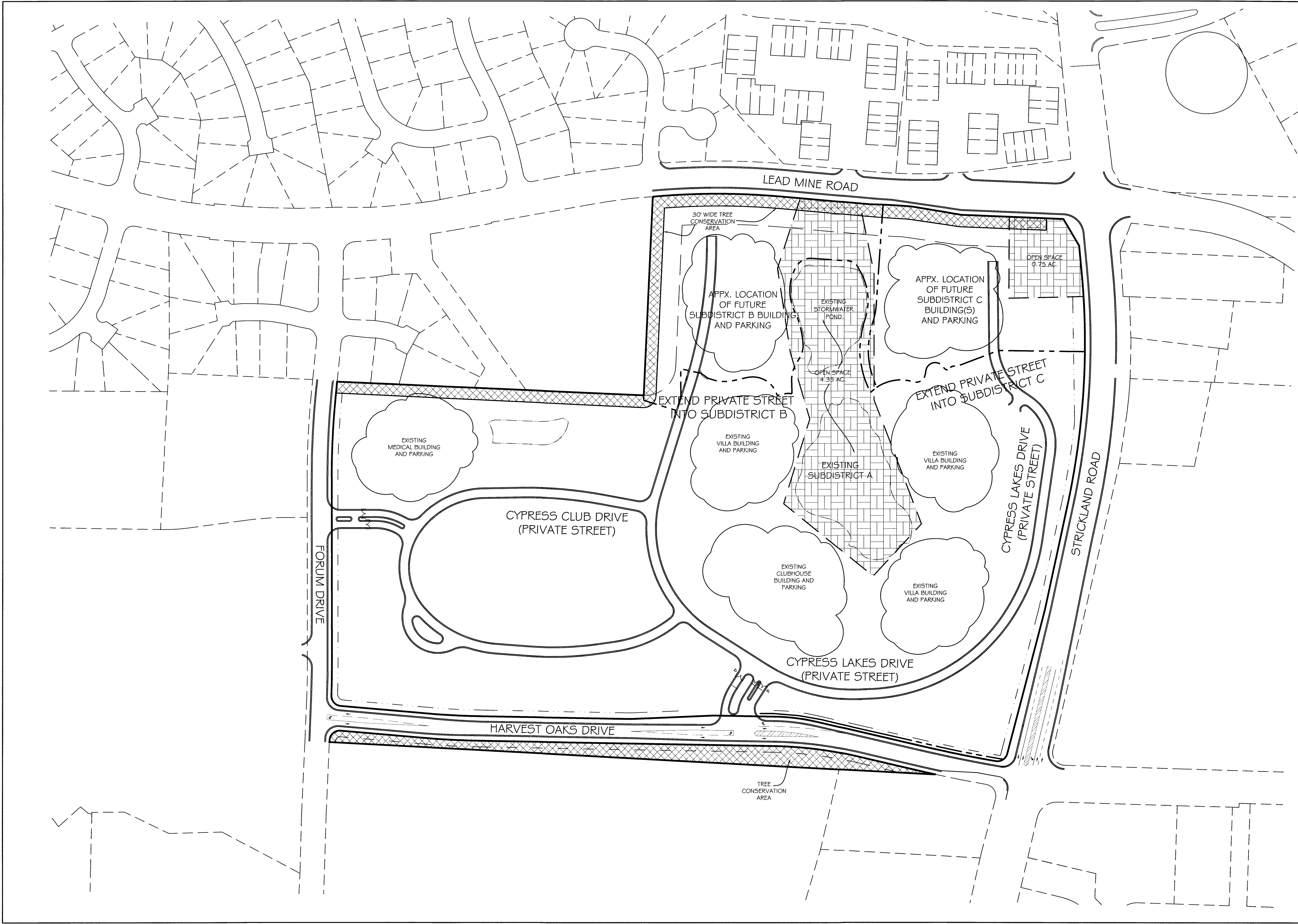
PEDESTRIAN CIRCULATION PLAN

WAKE COUNTY, NORTH CAROLINA

CITY OF RALEIGH

SCALE	1"=100'	DRAWN	SMJ
DATE	JUNE 7, 2016		
REVISION			
4			
0490-2			

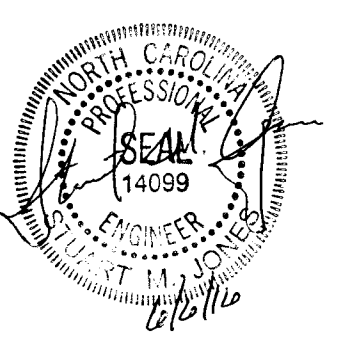
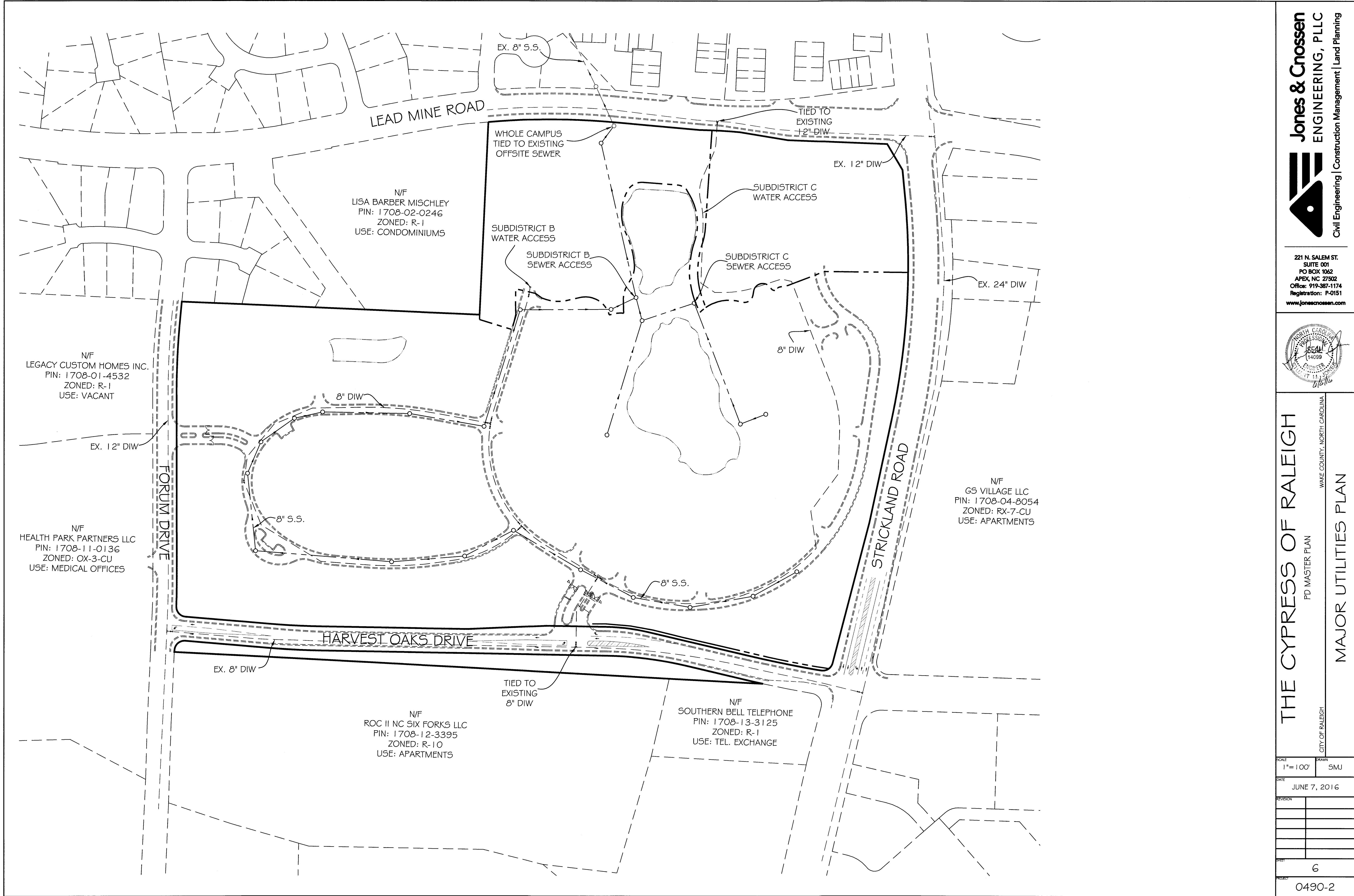




**THE CYPRESS OF RALEIGH**  
PD MASTER PLAN  
CITY OF RALEIGH  
WAKE COUNTY, NORTH CAROLINA  
**DEVELOPMENT & PARKING PLAN**

SCALE	1"=50'	DRAWN	SMJ
DATE	JUNE 7, 2016		
REVISION			
SHEET	5		
PROJECT	0490-2		





**THE CYPRESS OF RALEIGH**  
PD MASTER PLAN  
CITY OF RALEIGH  
WAKE COUNTY, NORTH CAROLINA  
**MAJOR UTILITIES PLAN**

SCALE	1"=100'	DRAWN	SMJ
DATE	JUNE 7, 2016		
REVISION			
SHEET	6		
PROJECT	0490-2		

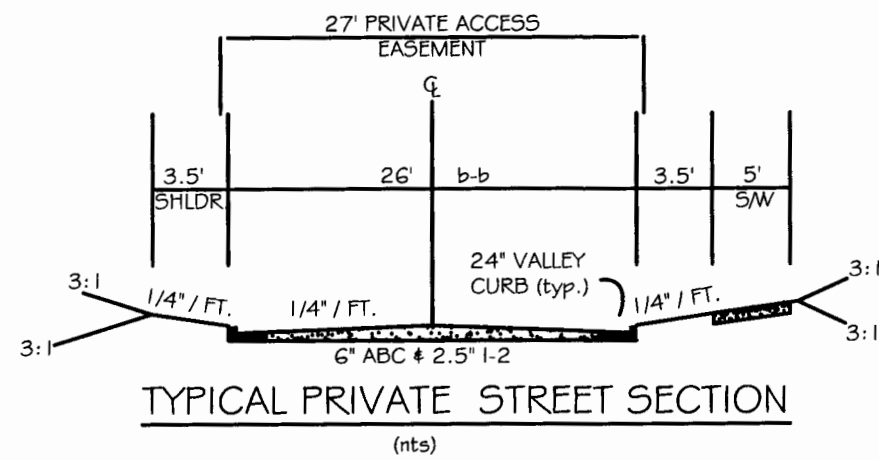






**ZONING CONDITIONS: ZONING CASE # Z-G-07**

1. REIMBURSEMENT VALUES FOR FUTURE RIGHT-OF-WAY DEDICATION FOR THE PROPERTY SHALL BE AT RESIDENTIAL-4 VALUES.
2. DEVELOPMENT OF THE PROPERTY SHALL NOT EXCEED A MAXIMUM OF 204 DWELLING UNITS OR 4.25 DWELLING UNITS PER ACRE WHICHEVER IS MORE.
3. STORMWATER CONTROLS SHALL BE DESIGNED AND INSTALLED SUCH THAT THE PEAK FLOW LEAVING THE PROPERTY AFTER DEVELOPMENT SHALL NOT EXCEED THE PREDEVELOPMENT PEAK FLOW FOR THE 2-YEAR, 10-YEAR, 25-YEAR AND 100-YEAR DESIGN STORMS.
4. THE PROPERTY SHALL BE DEVELOPED AS A LIFE CARE COMMUNITY AS THAT TERM IS DEFINED IN THE RALEIGH CODE.



**NOTES**

1. BOUNDARY INFORMATION TAKEN FROM MAPS BY ELINGBURG LAND SURVEY CO.
2. TOPOGRAPHIC, PLANIMETRIC AND UTILITY INFORMATION SHOWN HEREON TAKEN FROM APPROVED CONSTRUCTION DRAWING INFORMATION FROM THIS OFFICE. CYPRESS SITE AS SHOWN IS STILL UNDER CONSTRUCTION.
3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT & CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
4. THIS PROPERTY IS BEING DEVELOPED AS A LIFE CARE COMMUNITY AS ALLOWED UNDER THE CITY OF RALEIGH CODE OF ORDINANCES. THE DEVELOPER SHALL RETAIN OWNERSHIP OF ALL PROPERTIES OUTSIDE OF PUBLIC RIGHT-OF-WAY.
5. THE DEVELOPER IS CHOOSING TO USE THE NEWLY DEDICATED RIGHT-OF-WAY FOR FORUM DRIVE AND HARVEST OAKS DRIVE FOR DENSITY CALCULATIONS. THE DEVELOPER WILL NOT BE SEEKING REIMBURSEMENT FOR PUBLIC RIGHT-OF-WAY DEDICATION FOR FORUM DRIVE AND HARVEST OAKS DRIVE. ADDITIONAL RIGHTS-OF-WAY FOR LEADMINE ROAD AND STRICKLAND ROAD HAVE BEEN PREVIOUSLY DEDICATED.
6. THE CYPRESS OF RALEIGH IS PROVIDING AN INTERNAL ON-CALL SHUTTLE SERVICE THAT CAN PROVIDE TRANSPORTATION FOR ALL RESIDENTS TO THE CLUBHOUSE AND DINING FACILITIES.
7. THE CLUBHOUSE INCLUDES APPROXIMATELY 20,000 SQUARE FEET OF COMMON SPACES FOR RECREATION AND DINING WHICH IS APPROXIMATELY 60 SQUARE FEET PER ROOMING UNIT FOR THIS PROJECT.
8. ALL INTERNAL STREETS, DRIVEWAYS AND PARKING LOTS WILL BE PRIVATE AND CONSTRUCTED TO CITY OF RALEIGH STANDARDS FOR PRIVATE STREETS.
9. THE DEVELOPER RESERVES THE RIGHT TO CHANGE THE SHAPE AND CONFIGURATION OF THE VILLA BUILDINGS UP TO THE TIME OF BUILDING PERMIT AS LONG AS THE TOTAL NUMBER OF VILLA UNITS IS NOT EXCEEDED OR SETBACKS VIOLATED. IF THE BUILDINGS CHANGE FROM THE APPROVED FOOTPRINT, A REVISED PRELIMINARY PLAN MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY PLANNING STAFF.
10. THE HEALTH CARE FACILITY CONTAINS SKILLED NURSING CARE, EMERGENCY HEALTH CARE SERVICES AND A 60 BED REST HOME COMPONENT.
11. ALL STREETS AND RIGHTS-OF-WAY WITHIN AND ADJACENT TO THE PROJECT ARE CONSISTENT WITH THE CITY OF RALEIGH COMPREHENSIVE PLAN WITH REGARD TO PROPOSED ROADWAY LOCATIONS AND RIGHT-OF-WAY REQUIREMENTS.
12. SOLID WASTE COLLECTION FOR THIS PROJECT SHALL BE ADMINISTERED BY ON-SITE EMPLOYEES. ALL TRASH SHALL BE COLLECTED AT BUILDINGS BY EMPLOYEES AND DELIVERED TO THE TRASH COMPACTOR FOR PICK-UP BY THE CITY OF RALEIGH.

SITE INFORMATION	PREVIOUSLY APPROVED	CURRENT
ZONING: PROPERTY PIN NUMBER: TOTAL SITE AREA: AREA IN FORUM DRIVE RW: AREA IN HARVEST OAKS DRIVE RW: TOTAL AREA OF RW DEDICATION: DENSITY TRANSFER FROM RW DENSITY TRANSFER FROM LOT #2 (1.04 AC): LINEAR FEET IN HARVEST OAKS DRIVE:	R-4 1708.13-02-5503 48.057 ACRES 0.607 ACRES (26,455 SF) 2.397 ACRES (104,375 SF) 3.003 ACRES (130,830 SF) 12 DWELLING UNITS 4 DWELLING UNITS 1650	R-6 CUD 1708.13-02-5503 48.057 ACRES 0.607 ACRES (26,455 SF) 2.397 ACRES (104,375 SF) 3.003 ACRES (130,830 SF) 12 DWELLING UNITS 4 DWELLING UNITS 1650

SITE DATA SUMMARY	PREVIOUSLY APPROVED	CURRENT
MAXIMUM RESIDENTIAL DENSITY: PROPOSED COTTAGE UNITS: HEALTH CARE FACILITY BEDS (4 BEDS = 1 D.U.): PROPOSED VILLA UNITS: TOTAL PROPOSED DWELLING UNITS:	192 DWELLING UNITS 37 = 37 DWELLING UNITS 60 BEDS = 15 DWELLING UNITS 280 = 140 DWELLING UNITS 192	204 DWELLING UNITS 39 = 39 DWELLING UNITS 60 = 15 DWELLING UNITS 300 = 150 DWELLING UNITS 204
PHASE 1 AREA: PHASE 1 DENSITY: PHASE 2 AREA: PHASE 2 DENSITY: PHASE 3 AREA: PHASE 3 DENSITY:	39.70 AC 135 DWELLING UNITS 3.71 AC 29 DWELLING UNITS 3.20 AC 28 DWELLING UNITS	39.70 AC 136 DWELLING UNITS 3.80 AC 29 DWELLING UNITS 3.61 AC 39 DWELLING UNITS
OFF-STREET PARKING REQUIRED: OFF-STREET PARKING PROVIDED:	262 (13 HANDICAP) 559 (27 HANDICAP)	273 (14 HANDICAP) 592 (32 HANDICAP)
REQUIRED OPEN SPACE: OPEN SPACE PROVIDED: IMPERVIOUS SURFACE COVERAGE:	10% = 4.81 AC 10.6% = 5.08 AC 36.8%	10% = 4.81 AC 10.6% = 5.10 AC 37.6%
DEVELOPER:	CYPRESS OF RALEIGH, LLC P.O. BOX 97608 RALEIGH, NC 27624	CYPRESS OF RALEIGH, LLC P.O. BOX 97608 RALEIGH, NC 27624

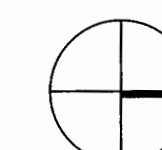
PARKING SUMMARY	PREVIOUSLY APPROVED	PROPOSED
HEALTH CARE FACILITY: ± 8,000 SF ADMINISTRATIVE & EMPLOYEE AREA REQUIRED PARKING (1 SPACE/ 300SF): 60 BEDS REQUIRED PARKING (1 SPACE/ 3BEDS): SPACES PROVIDED:	8,000 SF X 1 SPACE/ 300 SF = 27 SPACES 60 BEDS X 1 SPACE/ 3 BEDS = 20 SPACES 58 (4 HANDICAP)	8,000 SF X 1 SPACE/ 300 SF = 27 SPACES 60 BEDS X 1 SPACE/ 3 BEDS = 20 SPACES 58 (4 HANDICAP)
CLUBHOUSE FACILITY: ± 15,000 SF ADMINISTRATIVE & EMPLOYEE AREA REQUIRED PARKING (1 SPACE/ 300 SF): SPACES PROVIDED:	15,000 SF X 1 SPACE/ 300 SF = 45 SPACES 47 (4 HANDICAP)	15,000 SF X 1 SPACE/ 300 SF = 45 SPACES 47 (4 HANDICAP)
BUILDING A: ROOMING UNITS: REQUIRED PARKING (1 SPACE/ 3 UNITS): SPACES PROVIDED:	55 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 68 (4 HANDICAP)	55 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 68 (4 HANDICAP)
BUILDING B: ROOMING UNITS: REQUIRED PARKING (1 SPACE/ 3 UNITS): SPACES PROVIDED:	58 UNITS X 1 SPACE/ 3 UNITS = 20 SPACES 78 (4 HANDICAP)	58 UNITS X 1 SPACE/ 3 UNITS = 20 SPACES 78 (4 HANDICAP)
BUILDING C: ROOMING UNITS: REQUIRED PARKING (1 SPACE/ 3 UNITS): SPACES PROVIDED:	55 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 79 (4 HANDICAP)	55 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 75 (4 HANDICAP)
BUILDING D: ROOMING UNITS: REQUIRED PARKING (1 SPACE/ 3 UNITS): SPACES PROVIDED:	56 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 75 (4 HANDICAP)	74 UNITS X 1 SPACE/ 3 UNITS = 25 SPACES 87 (6 HANDICAP)
BUILDING E: ROOMING UNITS: REQUIRED PARKING (1 SPACE/ 3 UNITS): SPACES PROVIDED:	55 UNITS X 1 SPACE/ 3 UNITS = 19 SPACES 73 (4 HANDICAP)	58 UNITS X 1 SPACE/ 3 UNITS = 20 SPACES 87 (6 HANDICAP)
COTTAGES (2 BEDROOM UNITS): REQUIRED PARKING (2 SPACES/ UNIT): SPACES PROVIDED:	37 UNITS X 2 SPACES/UNIT = 74 SPACES 74 (2 CAR GARAGES) PLUS 8 GUEST SPACES	39 UNITS X 2 SPACES/UNIT = 78 SPACES 78 (2 CAR GARAGES) PLUS 8 GUEST SPACES

BUILDING INFORMATION SUMMARY	PREVIOUSLY APPROVED	PROPOSED
HEALTH CARE FACILITY: MAXIMUM BUILDING HEIGHT: PROPOSED TOTAL AREA: PROPOSED BED CAPACITY:	1-2 STORIES 30' ± 38,000 SF (WITH EXPANSION) 60 BEDS	1-2 STORIES 30' ± 38,000 SF (WITH EXPANSION) 60 BEDS
CLUBHOUSE FACILITY: MAXIMUM BUILDING HEIGHT: PROPOSED TOTAL AREA:	1-2 STORIES 40' 45,000 SF	1-2 STORIES 40' ± 45,000 SF
BUILDING A: MAXIMUM BUILDING HEIGHT: BELOW GRADE PARKING: PROPOSED VILLAS:	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 55 UNITS	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 55 UNITS
BUILDING B: MAXIMUM BUILDING HEIGHT: PROPOSED VILLAS:	5 STORIES OF VILLA UNITS 75' 58 UNITS	5 STORIES OF VILLA UNITS 75' 58 UNITS
BUILDING C: MAXIMUM BUILDING HEIGHT: BELOW GRADE PARKING: PROPOSED VILLAS:	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 55 UNITS	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 55 UNITS
BUILDING D: MAXIMUM BUILDING HEIGHT: BELOW GRADE PARKING: PROPOSED VILLAS:	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 56 UNITS	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 74 UNITS
BUILDING E: MAXIMUM BUILDING HEIGHT: BELOW GRADE PARKING: PROPOSED VILLAS:	5 STORIES OF VILLA UNITS 75' 1 STORY, ± 26 SPACES 55 UNITS	5 STORIES OF VILLA UNITS 75' 0 SPACES 58 UNITS
COTTAGE UNITS: MAXIMUM BUILDING HEIGHT: PARKING: PROPOSED COTTAGES:	1 OR 2 STORY 25' 2 CAR GARAGE (EACH UNIT) 37 COTTAGES	1 OR 2 STORY 25' 2 CAR GARAGE (EACH UNIT) 39 COTTAGES

OLD: GH-1-05  
NEW: GH-1-09

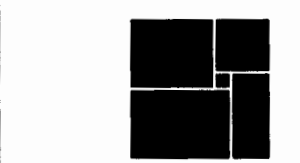
Preliminary - Not  
Released for  
Construction

SCALE: NTS



**The Cypress of Raleigh**  
A CONTINUING CARE RETIREMENT COMMUNITY  
RALEIGH, NORTH CAROLINA

**Jones & Crossen**  
ENGINEERING, PLLC  
Civil Engineering | Construction Management | Land Planning  
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APEX, NC 27502



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DESIGN

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Atlanta, Georgia 30328  
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FAX: 770.916.2299  
www.thw.com

SITE  
PLAN

J4C PROJECT #: 0490-2  
Date: 6/30/08  
Project No.: 0723  
Drawn by: DCK  
Checked by: SMJ

APPROVED  
SITE  
PLAN

9







Mack Paul | Partner  
630 Davis Drive, Suite 200  
Morrisville, NC 27560  
919-590-0377  
mpaul@morningstarlawgroup.com  
www.morningstarlawgroup.com

To: Neighboring Property Owner

From: Mack Paul

Date: May 25, 2016

Re: Notice of meeting to discuss potential rezoning of property located on the west side of Harvest Oaks Drive, south of Strickland Road, containing approximately 44 acres, with the address of 8710 Cypress Club Drive, and having Wake County Parcel Identification Number 1708-02-5721 (the "Property" also known as the Cypress of Raleigh).

We are counsel for Cypress of Raleigh, LLC, owner of the Property. Our client is being required to rezone the Property from Residential-6-Conditional Use (R-6-CU) to Planned Development (PD) due to recent changes in the City's zoning code. Those changes included a city-wide "remapping" of all properties to new zoning districts intended to reflect existing property entitlements. Unfortunately, that did not happen in a number of instances, including the remapping of the Cypress of Raleigh's property. Consequently, this proposed rezoning is necessary to bring the zoning for the Property back into alignment with the zoning that existed prior to the remapping process.

You are cordially invited to attend a meeting to discuss the potential rezoning. We have scheduled a meeting with members of the condominium and surrounding property owners on Monday, June 6, 2016, at 5 p.m. This meeting will be held at the clubhouse located at the Cypress of Raleigh. To reach the clubhouse, please enter the gate to the Cypress of Raleigh from Harvest Oaks Drive. A security guard will have a list of all invitees and will direct you to the clubhouse.

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 owners to obtain suggestions and comments you may have about it. Again, this rezoning is only to reestablish the property entitlement that existed for the Cypress of Raleigh prior to the remapping. You are not required to attend, but certainly are 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.



**ATTENDANCE ROSTER**

NAME	ADDRESS
Herb Dascombe	Cypress Club Drive 27615
W. F. Dysen	8811 Cypress Lake Drive #402
Augustine Roman, Jr.	8408 Gray Abbey Place
Betty Gunter	8601 Cypress Lakes Drive #409
C. W. Zimmerlin	8601 Cypress Lakes Drive #409
Nancy & Ron Schuler	8821 Cypress Lakes Drive #511
Carolyn Cline	8821 Cypress Lakes Drive #308
Connie Grant	8601 Cypress Lakes Drive A #102
Phyllis M. Rosenbaum	8811 Cypress Lakes Drive #411
Ruth Rhodes	8703 Cypress Club
Ron Van Vactor	A108
Julie Wilsnack	8713
Phyllis Rideout	8811 Cypress Lakes Drive #203
Bob Morrison	8821 Cypress Lakes Drive Villa #401

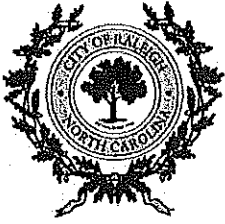
## SUMMARY OF ISSUES

A neighborhood meeting was held on June 6, 2016 (date) to discuss a potential rezoning located at 8710 Cypress Club Drive, Raleigh, NC (property address). The neighborhood meeting was held at the Cypress of Raleigh clubhouse (location). There were approximately 15 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

Attendee asked why current zoning does not allow building heights needed.
Attendee asked about nonconformities created by city-wide remapping.
Attendee asked about implications of nonconformities created by city-wide remapping.
Attendee asked why the homeowners association has to pay for the rezoning costs.
Attendee asked why the City of Raleigh cannot remedy nonconformity issue.
Attendee asked if the rezoning would affect the existing development or to-be-completed aspects of





# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Pre-Application Conference

This form must be provided at the time of formal submittal.

Process Type	
<input type="checkbox"/>	Board of Adjustment (Contact: <u>Eric Hodge</u> )
<input type="checkbox"/>	Comprehensive Plan Amendment (Contact: <u>Dan Becker</u> )
<input checked="" type="checkbox"/>	Rezoning (Contact: <u>Daniel Band</u> )
<input type="checkbox"/>	Site Review* (Contact: <u>Stacy Barbour</u> )
<input type="checkbox"/>	Subdivision (Contact: <u>Meade Bradshaw</u> )
<input type="checkbox"/>	Subdivision (Exempt) (Contact: <u>Peggy Goodson</u> )
<input type="checkbox"/>	Text Change (Contact: <u>Travis Crane</u> )

\* Optional conference

GENERAL INFORMATION	
Date Submitted	3/15/16
Applicant(s) Name	Joe Whitehouse
Phone	
Email	
Property PIN #	1708025721
Site Address / Location	8601 Cypress Lakes Dr
Current Zoning	R-6-CU
Additional Information (If needed)	

FOR OFFICE USE ONLY	
Transaction #	466362
Date of Pre-Application Conference	3/23/16
Staff Signature	