



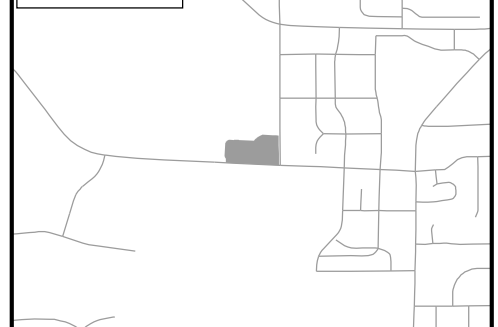
**Submittal  
Date**

10/13/2016

## Request:

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

VICINITY MAP





## Certified Recommendation

Raleigh Planning Commission

CR#

### Case Information Z-35-16 Sumner Boulevard

<i>Location</i>	Sumner Boulevard, North side at the intersection with Triangle Town Blvd. Address: 3951 Sumner Blvd. PIN: 1726696549
<i>Request</i>	Rezone property from Commercial Mixed Use –3 Stories- Urban Limited (CX-3-UL) to Commercial Mixed Use –5 Stories- Conditional, (CX-5-CU).
<i>Area of Request</i>	2.64 acres
<i>Property Owner</i>	Phil McNeely G&I VII CBL TTC, LLC 220 E 42nd Street, Floor 27 New York, NY 10017-5819
<i>Applicant</i>	Rick Baker Timmons Group 5410 Trinity Road, Suite 102 Raleigh, NC 27606
<i>Citizens Advisory Council (CAC)</i>	Northeast – Lillian Thompson, Chairperson <a href="mailto:lillianonline@icloud.com">lillianonline@icloud.com</a>
<i>PC Recommendation Deadline</i>	March 3, 2017

### 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>	Regional Mixed Use Parks and Open Space
<b><i>URBAN FORM</i></b>	Center: City Growth Center Corridor: Sumner Blvd; Urban Thoroughfare Corridor: Triangle Town Blvd: Main Street
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 1.3 – Conditional Use District Consistency Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 4.5 – Connectivity Policy UD 1.10 – Frontage Policy UD 2.5 – Greenway Access Policy AP-TTC 10 – Triangle Town Center SW Land Uses Policy AP-TTC 13 – Sumner-Spring Forest Park Greenway Extension
<b><i>INCONSISTENT Policies</i></b>	Policy LU 6.4 – Bus Stop Dedication

## Summary of Proposed Conditions

- |   |
|---|
| <ol style="list-style-type: none"> <li>1. Principal Buildings other than those containing Hotel, Motel, or Inn uses shall be limited to 4 stories and 62 feet in height.</li> <li>2. Pedestrian connection shall be made to the existing Greenway Easement and Maintenance Agreement or adjacent property (PIN 1727506318)</li> </ol> |
|---|

## Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
August 24, 2016	Northeast December 8, 2016 (No Vote) February 14, 2017 (Pending)	December 13, 2016	January 3, 2017

### Attachments

1. Staff report
2. Petition
3. Conditions
4. Neighborhood Meeting
5. Transportation Worksheet

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approval</b> , City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Comprehensive Plan and Future Land Use Map.</li> <li>2. As the CAC has not yet voted on the case, Planning Commission asks that the Public Hearing be held after the CAC vote.</li> </ol>
<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:

Sophie Huemer: (919) 996-2652; [Sophie.Huemer@raleighnc.gov](mailto:Sophie.Huemer@raleighnc.gov)



## Zoning Staff Report – Z-35-16

### Conditional Use District

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## Case Summary

### Overview

The subject site is a 2.64 acre parcel located at the northwest quadrant of the intersection of Sumner Boulevard and Triangle Town Boulevard. The site is currently unimproved. There is a recorded Tree Conservation Area on the Sumner Boulevard frontage as well as a five-foot sidewalk. Existing along the Triangle Town Boulevard frontage is the Spring Forest Trail and associated dedicated easement.

The site is in an area characterized by predominantly commercial and retail uses. The area is included in the Triangle Town Center area plan. The Urban Form Map designates the area as a City Growth Center, Sumner Boulevard as an Urban Thoroughfare, and Triangle Town Boulevard as a Main Street. The site and the surrounding area are envisioned to become an efficient mixed-use development with strong pedestrian corridors and coordination between the use of the land and the transportation systems that serve those areas.

The site is within the Triangle Town Center area plan's Southwest Quadrant. Policies in the small area plan for this quadrant and applicable to the site are focused on pedestrian paths along Sumner Boulevard and the Sumner-Spring Forest Park Greenway extension. The area plan land use map calls for "commercial uses with the Triangle Town Center mall being the primary development feature."

The property north and west of the site is the Triangle Town Center Mall, zoned Commercial Mixed Use – 3 Stories-Urban Limited. South of the property across Sumner Boulevard is an undeveloped site zoned Commercial Mixed Use – 5 Stories – Urban Limited – Conditional Use. East of the site across Triangle Town Center Boulevard is developed with commercial uses and zoned Commercial Mixed Use-4 Stories-Conditional Use.

The proposal seeks to rezone the property to allow for additional height within the Commercial Mixed Use zoning district and remove the Urban Limited Frontage in order to satisfy the recorded Tree Conservation Area requirement along Sumner Boulevard. Conditions have been provided to include a pedestrian connection to the adjacent Spring Forest trail greenway.

### Outstanding Issues

<i>Outstanding Issues</i>	1. Transit easement requested.	<i>Suggested Mitigation</i>	1. Offer of Transit easement on Triangle Town Boulevard.
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# Existing Zoning Map

**Z-35-2016**



# 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>	Commercial Mixed Use-3-Urban Limited	Commercial Mixed Use-3-Urban Limited	Commercial Mixed Use-5-Urban Limited-CU	Commercial Mixed Use-4-Urban Limited	Commercial Mixed Use-3-Urban Limited
<i>Additional Overlay</i>	n/a	n/a	n/a	n/a	n/a
<i>Future Land Use</i>	Regional Mixed Use & Public Parks and Open Space	Regional Mixed Use & Public Parks and Open Space	Community Mixed Use	Community Mixed Use	Regional Mixed Use & Public Parks and Open Space
<i>Current Land Use</i>	Undeveloped	Commercial	Undeveloped	Commercial	Commercial
<i>Urban Form (if applicable)</i>	City Growth Center; Main Street Corridor; Urban Thoroughfare Corridor	City Growth Center; Main Street Corridor; Urban Thoroughfare Corridor	City Growth Center; Main Street Corridor; Urban Thoroughfare Corridor	City Growth Center; Main Street Corridor; Urban Thoroughfare Corridor	City Growth Center; Main Street Corridor; Urban Thoroughfare Corridor

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	24 units/acre (64 units)	27 units/acre (71 units)
<i>Setbacks:</i>		
<i>Front:</i>	10'	10'
<i>Side:</i>	10' from street; 5' from lot line	10' from street; 5' from lot line
<i>Rear:</i>	20'	20'
<i>Retail Intensity Permitted:</i>	15,860 sf	17,457 sf
<i>Office Intensity Permitted:</i>	59,513 sf	65,101 sf

### 1.3 Estimated Development Intensities

	<b>Existing Zoning</b>	<b>Proposed Zoning*</b>
<i>Total Acreage</i>	2.64	2.64
<i>Zoning</i>	CX-3-UL	CX-5-CU
<i>Max. Gross Building SF (if applicable)</i>	<b>70,447</b>	<b>78,414</b>
<i>Max. # of Residential Units</i>	64 140 Hotel Units	71 165 Hotel Units

<i>Max. Gross Office SF</i>	59,513	65,101
<i>Max. Gross Retail SF</i>	15,860	17,457
<i>Max. Gross Industrial SF</i>	Not Permitted	Not Permitted
<i>Potential F.A.R</i>	.61	.68

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

The proposed rezoning is:

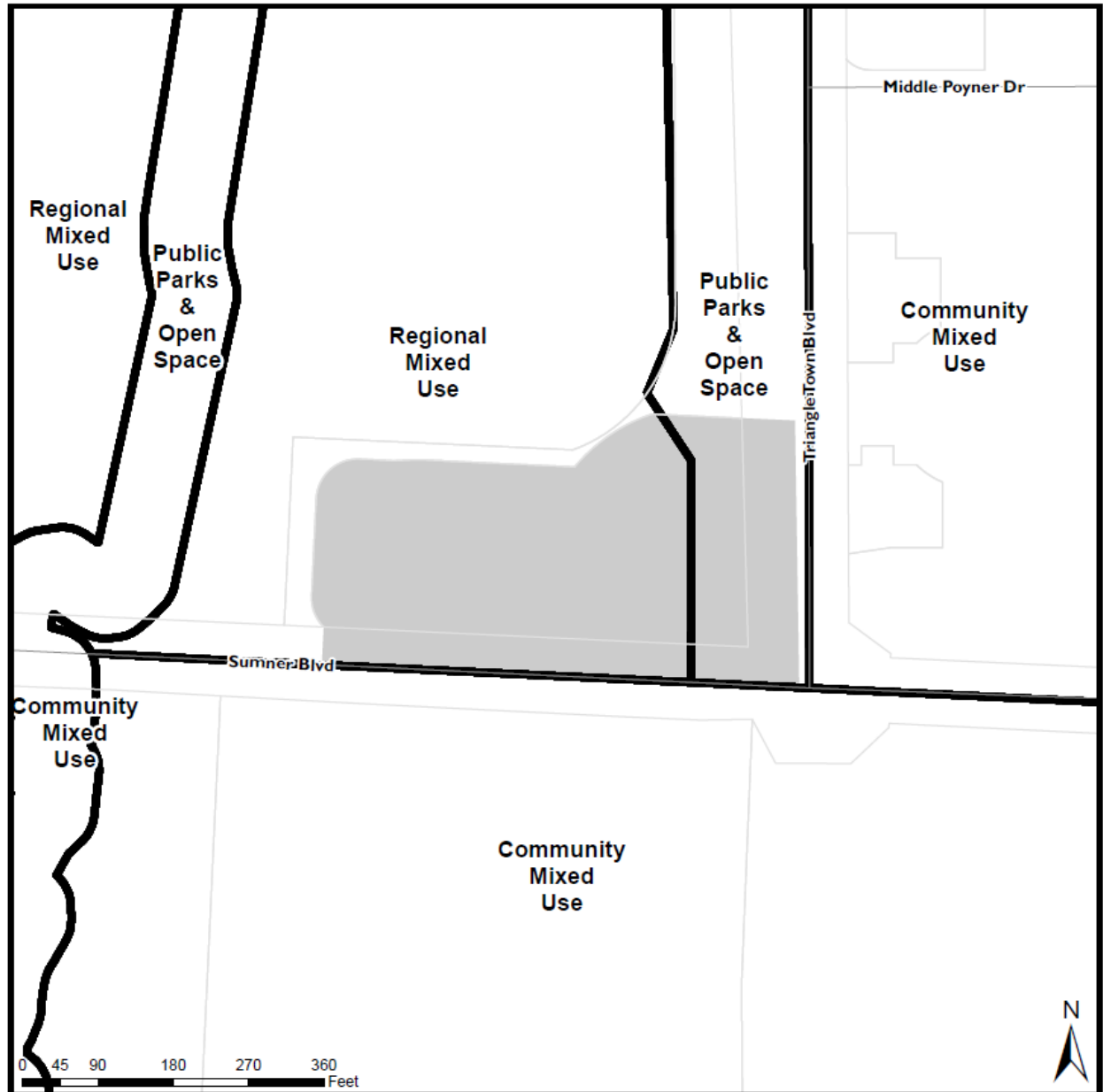
☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The site is in an area characterized by predominantly commercial and retail uses and is located adjacent to the established Triangle Town Center Mall. Uses in this area do not exceed three stories and are zoned for a height up to five stories.

# Future Land Use Map

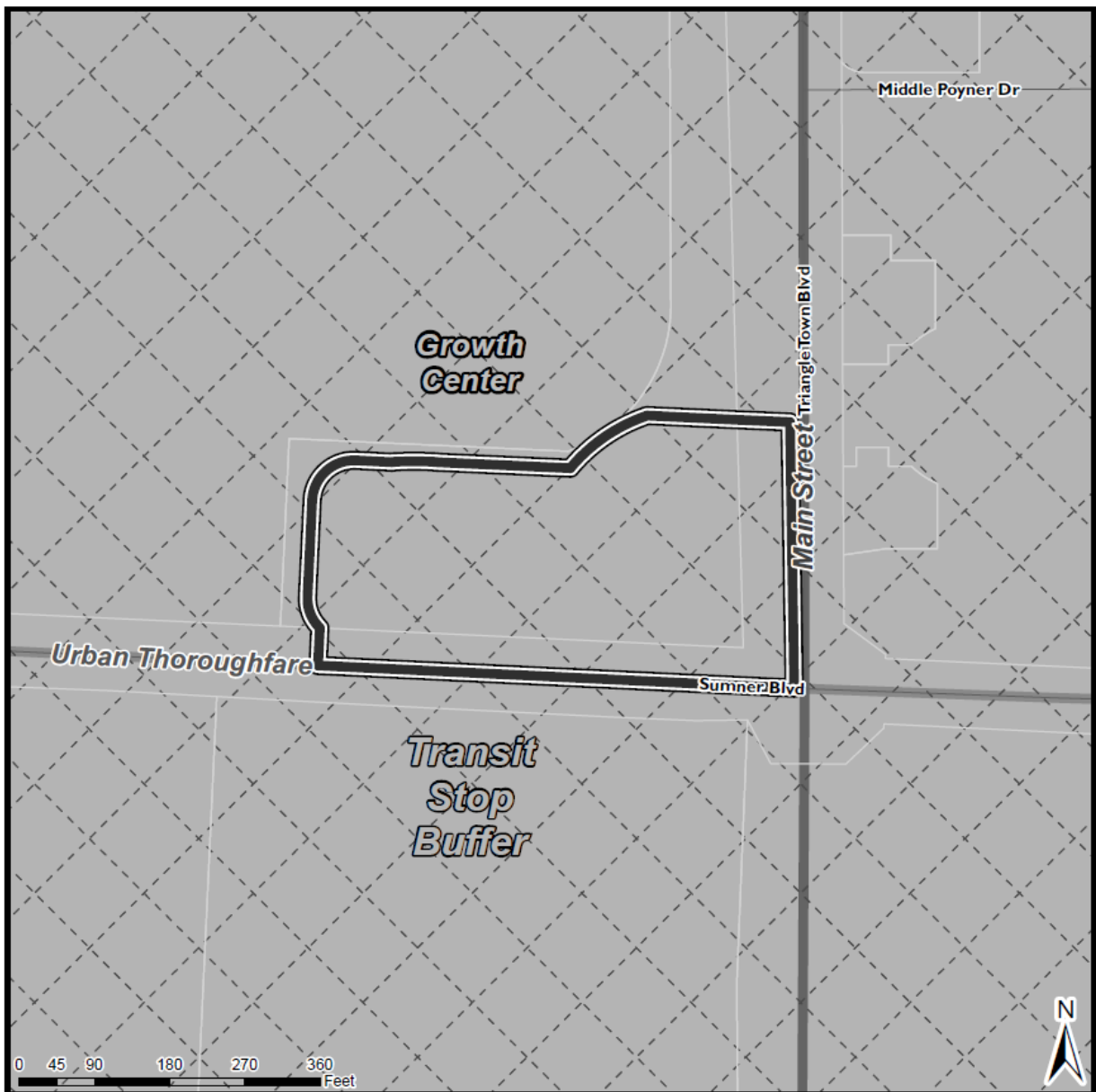
**Z-35-2016**





Urban Form Map

Z-35-2016



## 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:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- C. 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?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. The proposal is consistent with the vision, themes, and policies of the Comprehensive Plan. Specifically, the proposed district is consistent with the Managing Our Growth and the Growing successful Neighborhoods themes as the Commercial Mixed Use district provides a range of uses and access to the established Greenway Network.
- B. The Future Land Use Map designates Regional Mixed Use Future in this location. Commercial Mixed Use is consistent with this designation. Additionally, the proposed 5 story height is consistent with recommended height designation (Min. 2 Stories, Max. 20 Stories) for Core/Transit areas (Table LU-2).
- C. n/a
- D. City Infrastructure and services appear sufficient to accommodate the development possible under the proposed zoning. Sanitary Sewer Capacity Study and verification of fire flow is required at time of site plan.

### 2.2 Future Land Use

**Future Land Use designation: Regional Mixed Use**

**The rezoning request is:**

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

☐ **Inconsistent**

Commercial Mixed Use is consistent with the Regional Mixed Use Future Land Use designation. It allows a wide range of uses to serve the Triangle Town Center area.

### 2.3 Urban Form

**Urban Form designation:**

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

The rezoning request is:

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

☒ **Inconsistent**

Analysis of Inconsistency:

The removal of the Urban Limited Frontage is inconsistent with other properties west of Triangle Town Center Boulevard along Sumner Boulevard as well as the designations suggested by the Urban Form Map and applicable. However, the recorded Tree Conservation Area is in conflict with and would not allow any improvements associated with an Urban Frontage.

A condition has been offered to connect the property via pedestrian path to the adjacent Spring Forest Trail. This replicates the purpose of the frontage which is to provide for a walkable and pedestrian friendly environment across the development. Applying frontage along Sumner Boulevard given the TCA and steep topography is not a practical approach to achieving a walkable and pedestrian-friendly environment. The site is also located across from a pedestrian path to the interior of the Triangle Town Center Mall. While the proposed zoning district and the proposed height is consistent with the City Growth Center designation, the removal of the frontage is not consistent.

## **2.4 Policy Guidance**

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

**Policy LU 6.4: Bus Stop Dedication** – The City shall coordinate the dedication of land for the construction of bus stop facilities within mixed-use centers on bus lines as part of the development review and zoning process.

Offer of a transit easement will bring the proposal into consistency with this policy. However, the TCA along Sumner Boulevard would not allow improvements to this frontage. There is an opportunity to provide a transit easement on Triangle Town Boulevard in cooperation with the Parks and Recreation department and the Spring Forest Trail.

## **2.5 Area Plan Policy Guidance**

The rezoning request is **consistent** with the policies of the Triangle Town Center area plan.

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

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

- Proposed zoning provides additional height in an area envisioned to be a dense urban center.
- Commercial Mixed Use provides for a mix of uses to support the established uses in the City Growth Center.

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

- Lack of transit easement will adversely impact coordination between land use and transportation policies.

## **4. Impact Analysis**

### **4.1 Transportation**

The site is located in the northwest quadrant of Sumner Boulevard and Triangle Town Boulevard. Both Sumner Boulevard and Triangle Town Boulevard are maintained by the City of Raleigh. Sumner Boulevard and Triangle Town Boulevard have a five-lane cross section with curb, gutter, sidewalks and/or multiuse paths on both sides. Sumner Boulevard is classified as a major street in the UDO Street Plan Map (Avenue, 4-Lane, Divided). Triangle Town Boulevard is a mixed-use street (Avenue, 2-Lane, Divided). There are no City of Raleigh CIP projects or state STIP projects planned for either street in the vicinity of the Z-35-2016 site.

Site access to adjacent parcels and to the public street network will be provided via existing private streets of Triangle Town Center. Given the existing public and private street network in this area, the block perimeter standard is not applicable to case Z-35-2016.

The existing parcel is vacant and generates no traffic. Current zoning allows for a mix of uses such as hotel, multifamily residential, office and retail. Approval of case Z-35-2016 would increase these land use intensities by approximately 10%. Average peak hour trip volumes are expected to rise by 13 veh/hr; daily trip volume will increase by less than 150 veh/day. A traffic impact analysis report is not necessary for case Z-35-2016.

Z-35-2016 Existing Land Use (Vacant)	Daily	AM	PM
	0	0	0
Z-35-2016 Current Zoning Entitlements	Daily	AM	PM
	1,928	126	162
Z-35-2016 Proposed Zoning Maximums	Daily	AM	PM
	2,060	136	175
<b>Z-35-2016 Trip Volume Change (Proposed minus Existing)</b>	Daily	AM	PM
	132	10	13

**Impact Identified: None**

### **4.2 Transit**

1. Please provide a 15x20' transit easement along Triangle Town Blvd which will advance Policies LU 4.7 and LU 6.4
  - i. With the permission of the City of Raleigh Parks, Recreation and Cultural Resources Department in lieu of a transit easement space may be reserved for a transit shelter or other amenities

6. If requested by the City of Raleigh Transit Program please provide a 15x20' cement pad upon the transit easement or space within the greenway easement, a 30' cement landing zone between the back of curb and sidewalk, and ADA accessible shelter and appropriate amenities which will advance policies T 4.8 and T 4.15

**Impact Identified:** The offer of a transit easement will mitigate any impact.

#### 4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Perry Creek
<i>Stormwater Management</i>	Subject to stormwater regulations under Article 9 of UDO.
<i>Overlay District</i>	Urban Watershed Protection Overlay District

**Impact Identified:** None Identified

#### 4.4 Public Utilities

<i>Maximum Demand (current use)</i>	<i>Maximum Demand (current zoning)</i>	<i>Maximum Demand (proposed zoning)</i>
0 gpd	87,500 gpd	103,125 gpd
0 gpd	87,500 gpd	103,125 gpd

**Impact Identified:**

1. The proposed rezoning would add approximately 103,125 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy.
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

#### 4.5 Parks and Recreation

1. Site is adjacent to greenway easement and existing trail (Spring Forest Trail). Please refer to dedicated greenway easement and maintenance agreement – Book: 008867- Page: 00246-00261.
2. Development adjacent to a greenway trail should link their internal pedestrian network to the greenway trail where appropriate.
3. Recreation services are provided by Spring Forest Road Park, 0.37 miles distance. Policy PR 3.8

**Impact Identified:** None Identified.

#### **4.6 Urban Forestry**

1. There is recorded Tree Conservation Area on this property BM2008, PG 2140.

**Impact Identified:** None

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

The Raleigh Historic Landmark Small House (310 Lake Boone Trail) is approximately 550 feet from the site.

**Impact Identified:** None.

#### **4.9 Impacts Summary**

1. Provide transit easement along Sumner Boulevard.

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

1. Offer of a transit easement will mitigate any impact.

## **5. Conclusions**

The proposed rezoning is consistent with the Comprehensive Plan. The proposed zoning category and height is consistent in terms of use with the Future Land Use Map. However, the removal of the frontage is inconsistent with the Urban Form Map.

The recorded Tree Conservation Area along the frontage of Sumner Boulevard makes the application of any urban frontage infeasible. The condition provided to connect the development to the Spring Forest Trail along Triangle Town Boulevard is an appropriate application in order to advance the urban design purpose that would otherwise be served by the addition of a frontage. A transit easement is needed to be consistent with Policy LU 6.4.

The rezoning would not create any additional demand on infrastructure beyond existing zoning. Along from the urban design issues mentioned above, impacts from the development can be addressed at the site plan stage.

# Rezoning Application



RALEIGH  
DEPARTMENT OF  
CITY PLANNING



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

## REZONING REQUEST

☐ General Use    ☒ Conditional Use    ☐ Master Plan

Existing Zoning Classification: CX-3-UL

Proposed Zoning Classification Base District: CX Height: -5 Frontage: -

OFFICE  
USE ONLY

Transaction #

If the property has been previously rezoned, provide the rezoning case number: Z-27(F)-14

Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:

462771

## GENERAL INFORMATION

Property Address: 3951 Sumner Boulevard

Date October 12, 2016

Property PIN: 1726-69-6549

Deed Reference (book/page): DB 16290, PG 1698

Nearest Intersection: Sumner Boulevard and Triangle Town Boulevard

Property Size (acres): 2.64 acres

Property Owner/Address:  
G&I VIII CBL TTC, LLC  
220 E 42nd Street, Floor 27  
New York, NY 10017-5819

Phone 423-490-8304

Fax 423-893-4312

Email phil.mcneely@cblproperties.com

Project Contact Person/Address:  
Rick Baker, Timmons Group  
5410 Trinity Road, Suite 102  
Raleigh, NC 27606

Phone: 919.866.4939

Fax

Email: rick.baker@timmons.com

Owner/Agent Signature

Email rick.baker@timmons.com

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

### Conditional Use District Zoning Conditions

Zoning Case Number Z-35-16

**OFFICE USE ONLY**

Date Submitted December 2, 2016

**Transaction #**

Existing Zoning: CX-3-UL

Proposed Zoning: CX-5-

### NARRATIVE OF ZONING CONDITIONS OFFERED

1. All principal buildings other than those listed below shall be limited to a maximum height of four (4) stories and sixty-two (62) feet. A. "hotel, motel, inn" use (UDO sec. 6.4.6.D.)
2. A pedestrian connection shall be made to the existing greenway along Triangle Town Blvd as allowed by the Greenway Easement and Maintenance Agreement (BK 8867 PG 246) recorded with the Wake County Register of Deeds or as allowed by a possible future easement on the property PIN# 1727506318 as may be required.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

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

Owner/Agent Signature \_\_\_\_\_ Print Name \_\_\_\_\_



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

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 <b>Rezoning Checklist</b> 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 <b>Fee Schedule</b> 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 checked="" type="checkbox"/>	<input 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"/>			

## URBAN DESIGN GUIDELINES

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

1. *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.*  
**The rezoning request permits a mixed-use development consistent with this guideline.**
2. *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.*  
**The property is not adjacent to lower density neighborhoods.**
3. *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.*  
**The property has access to the internal road network serving the mall, which provides multiple paths for movement within the mixed use area, consistent with this guideline.**
4. *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.*  
**No new streets are anticipated as part of this development.**
5. *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.*  
**The property is located at an intersection and is part of an established block, consistent with this guideline.**
6. *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.*  
**The primary street will be lined with a building, and access will be located at the side and rear of the property, consistent with this guideline.**
7. *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.*  
**Due to the existing Tree Conservation Easement and Greenway Easement this guideline cannot be fully met however the development will incorporate as fully as feasible.**
8. *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.*  
**Due to the existing Tree Conservation Easement and Greenway Easement this guideline cannot be fully met however the development will incorporate as fully as feasible.**
9. *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.*  
**Outdoor amenity areas will be provided consistent with the UDO.**
10. *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.*  
**Outdoor amenity areas will be provided consistent with the UDO.**
11. *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.*  
**Outdoor amenity areas will be provided consistent with the UDO.**
12. *A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*  
**Outdoor amenity areas will be provided consistent with the UDO.**
13. *New public spaces should provide seating opportunities.*  
**Outdoor amenity areas will be provided consistent with the UDO.**
14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*  
**Due to the existing Tree Conservation Easement and Greenway Easement this guideline cannot be fully met however the development will incorporate as fully as feasible.**
15. *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.*  
**Due to the existing Tree Conservation Easement and Greenway Easement this guideline cannot be fully met however the development will incorporate as fully as feasible.**
16. *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.*  
**No parking structure is contemplated as part of this development.**

17.	<p><i>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.</i></p> <p><b>The property is within walking distance to existing and planned public transit facilities, consistent with this guideline.</b></p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p><b>The property fronts along two public streets, which provide pedestrian access to nearby public transit stops, consistent with this guideline.</b></p>
19.	<p><i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i></p> <p><b>There are no known sensitive environmental features on the property.</b></p>
20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p><b>No new streets are contemplated as part of this development, and a commercial driveway will comply with the UDO and Street Design Manual.</b></p>
21.	<p><i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i></p> <p><b>Sidewalks will be provided in accordance with the UDO.</b></p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i></p> <p><b>Street trees and other landscaping will be provided in accordance with the UDO.</b></p>
23.	<p><i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i></p> <p><b>Due to the existing Tree Conservation Easement and Greenway Easement this guideline may not be fully met however the development will incorporate as fully as feasible.</b></p>
24.	<p><i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i></p> <p><b>Due to the existing Tree Conservation Easement and Greenway Easement this guideline may not be fully met however the development will incorporate as fully as feasible.</b></p>
25.	<p><i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i></p> <p><b>Due to the existing Tree Conservation Easement and Greenway Easement this guideline may not be fully met however the development will incorporate as fully as feasible.</b></p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p><b>Due to the existing Tree Conservation Easement and Greenway Easement this guideline may not be fully met however the development will incorporate as fully as feasible.</b></p>

To whom it may concern,

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

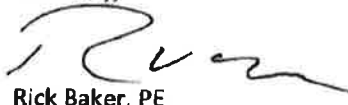
We will be holding a neighborhood meeting on Wednesday, August 24, 2016 from 7:00 pm to 8:00 pm to discuss the rezoning. This meeting will be held at the Millbrook Exchange Community Center, 1905 Spring Forrest Road, Raleigh NC 27615 in Room #1. You will have the opportunity at this meeting to ask questions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

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

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

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

Sincerely,

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

Rick Baker, PE

Manager- Private Land Development

Timmons Group



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

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

5410 Trinity Rd. Suite 102 | Raleigh, NC 27607

TEL 919.866.4951 FAX 919.859.5663

Site Development | Residential | Infrastructure | Technology

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

## ATTENDANCE ROSTER

[illegible]

## SUMMARY OF ISSUES

A neighborhood meeting was held on August 24, 2016 (date) to discuss a potential rezoning located at 3951 Sumner Blvd (property address).

The neighborhood meeting was held at 1905 Spring Forest Road (location).

There were approximately 0 (number) neighbors in attendance. The general issues discussed were:

### Summary of Issues:

N/A as no neighbors attended



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

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

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

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

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

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

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

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



PIN: 1726696549  
PIN Ext: 000  
Real Estate ID: 0429652  
Map Name: 1726 07  
Owner: G&I VIII CBL TTC LLC  
Mail Address 1: 220 E 42ND ST FL 27  
Mail Address 2: NEW YORK NY 10017-5819  
Mail Address 3:  
Deed Book: 016290  
Deed Page: 01698  
Deed Date: 02/11/2016  
Deed Acres: 2.64  
Building Value: \$0  
Land Value: \$1,242,496  
Total Value: \$1,242,496  
Billing Class: Business  
Description: LO12 TRIANGLE TOWN CENTER  
BM2015 -00887  
Heat Area: 0  
Site Address: 3951 SUMNER BLVD  
City: RALEIGH  
Township: Neuse  
Year Built: 0  
Sale Price: \$0  
Sale Date:  
Use Type:  
Design Style:  
Land Class: VACANT  
Old Parcel Number: --



0 110 220 440 ft  
1 inch = 200 feet

**Disclaimer**  
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