**ORDINANCE (2002) 349 ZC 528**
**Effective: 12/18/02**

**Z-56-02/MP-2-02** **Wade Avenue/Oberlin Road**, northwest intersection, being Wake County PIN 1704.09-15-2525. Approximately 11.857 acres rezoned to Planned Development Conditional Use Overlay District.

Conditions Dated: (6/21/02)

No development shall take place unless in conformity with the Master Plan approved in conjunction with this rezoning petition, and any amendment thereto. (Master Plan Document MP-2-02, dated December 4, 2002).

REVISED DECEMBER 4, 2002

Z-56-02
mp-2-02
12/4/02

# MASTER PLAN
# THE WADE AVENUE / OBERLIN ROAD
# MIXED-USE DEVELOPMENT
# PROPOSED PLANNED DEVELOPMENT DISTRICT

11.857 ACRES
WADE AVENUE AT OBERLIN ROAD

PURCHASER AND DEVELOPER:
CROSLAND, INC.

OWNER:
OBERLIN CAPITAL ACQUISITION LLC

CONSULTANTS:

Lacy H. Reaves - Attorney

Michael R. Thornton -- Attorney

JDavis Architects, Inc. - Land Planners

The Housing Studio, P.A. -- Architects

Kimley-Horn and Associates, Inc. - Transportation and Civil Engineers

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## I. INTRODUCTION

This document and the accompanying exhibits (collectively, the "Master Plan") are provided pursuant to provisions of the Raleigh City Code (the "Code") dealing with the Planned Development Overlay District for The Wade Avenue/Oberlin Road Mixed-Use Development (the "Development"), a mixed-use development proposed by Crosland, Inc., a national developer of mixed-use communities. The Development will be a pedestrian-oriented, urban development with complementary residential, recreation, office, and commercial land uses (as those terms are utilized in Section 10-2071 of the Code) at densities appropriate to the location of the Development, the nature of adjoining and nearby land uses, and the City's investment in existing infrastructure.

## II. LOCATION AND CONTEXT

The Master Plan for the Development deals with approximately 11.857 acres south of Wade Avenue and east of Oberlin Road (the "Property") near the intersection of the two roads. The Property is within the Cameron Village City Focus. The existing Occidental Life Insurance Company building is located upon a portion of the Property.

## III. THE DEVELOPMENT CONCEPT

For purposes of the Master Plan, there will be a maximum of four (4) buildings located on the Property, including the existing Occidental Life Insurance Company building. Each will be served by a private roadway which will connect Oberlin Road and Wade Avenue. Exhibit MP-2 submitted herewith depicts the Property and the

conceptual configuration of improvements to be constructed thereon. Notwithstanding the minimum and maximum number of dwelling units provided for each of Building A and Building B below, the combined maximum number of dwelling units for Building A and Building B shall be three hundred seventy (370) dwelling units. A minimum of two (2) and a maximum of three (3) townhome-style dwelling units will be located in Building D as described below.

## IV. THE WADE AVENUE/OBERLIN ROAD MIXED-USE DEVELOPMENT MASTER PLAN

The Property will be developed as described herein and in the Land Use Summary of Exhibit MP-2 (the "Land Use Summary"). The following uses shall be prohibited upon the Property: automotive service and repair facility; bar, nightclub, tavern, lounge (other than as part of a restaurant having a state ABC license); civic/convention center; hotel/motel; movie theater; school; utility service and substation; emergency shelter Type A or Type B; landfill; manufacturing-custom; mini-warehouse storage facility; adult establishment; airfield, landing strip or heliport; kennel/cattery; riding stables; correctional/penal facility; and outdoor stadium, outdoor theater or outdoor racetrack.

The development criteria of the four buildings shown on Exhibit MP-2 are as follows:

### A. Building A

1. Uses. Building A shall be developed for residential uses and for non-residential uses such as retail sales (convenience and/or personal services), eating establishments and professional or service offices. The residents of

Building A will also share in the use of the recreational amenities provided in Building B. As shown on Exhibit MP-2, Building A will be oriented to Oberlin Road. Building A will be utilized entirely for residential purposes, except for (a) a minimum of 9,000 square feet and a maximum of 27,000 square feet of retail sales or eating establishment uses, and (b) a minimum of zero square feet and a maximum of 3,000 square feet of professional or service offices. Building A will contain a minimum of 100 dwelling units and a maximum of 130 dwelling units. No single retail user shall occupy more than 9,000 square feet of Building A.

2. Building Height. The residential portion of Building A shall contain a maximum of four (4) stories and shall not exceed sixty (60) feet in height. Non-residential uses shall not exceed twenty (20) feet in height. All references to height contained in this Master Plan are based on proposed finish ground grade.

3. Building Setbacks and Streetyards. Setbacks and streetyards shall be as provided in the Streetyard and Setback Exhibit attached hereto as Table 1.

**B. Building B**

1. Uses. Building B shall be developed exclusively for residential uses and may include the following associated recreational amenities: swimming pool, clubhouse, exercise facility (associated with the residential development on the Property), a business center providing fax, copier, internet and related services, and an active and passive courtyard. As shown on Exhibit MP-2, Building B will be oriented to Wade Avenue. Building B will contain a minimum of 120 dwelling units and a maximum of 280 dwelling units.

2. Building Height. Building B shall contain a maximum of four (4) stories and shall not exceed sixty (60) feet in height.

3. Building Setbacks and Streetyards. Setbacks and streetyards shall be as provided in the Streetyard and Setback Exhibit attached hereto as Table 1.

**C. Building C**

1. Uses. Building C, the existing Occidental Life Insurance Company building, will be renovated. Accordingly, Building C shall be developed for office and institution/civic/services uses and related recreational and commercial uses authorized in the Office and Institution-1 District. All references hereafter to "office" uses shall include institution/civic/services uses and recreational and commercial uses authorized in the Office and Institution-1 District.

2. Building Height. Building height shall not exceed seventy seven (77) feet, the height of the existing Occidental Life Insurance Company Building.

3. Building Setbacks and Streetyards. Setbacks and streetyards shall be as provided in the Streetyard and Setback Exhibit attached hereto as Table 1.

4. Reconstruction after Casualty. In the event of a casualty event that necessitates the reconstruction of Building C, the building will be rebuilt to a height no greater than eighty (80) feet, and shall be constructed no closer to Daniels Street than one hundred seventy five (175) feet. The uses designated for Building C in Section IV(C)(1) shall continue to apply after reconstruction.

5. Daniels Street Parking Lot. The parking area located on the Daniels Street side of the Occidental Building will be constructed in three (3)

terraced levels. Each level will be vertically separated by a brick-clad retaining wall of three (3) to four (4) feet in height, and horizontally separated by a landscaped median of ten (10) feet in width. Each of the two (2) medians will be landscaped for both decorative and screening purposes, including an evergreen hedge three (3) feet in height and flowering trees planted thirty (30) feet on center. An evergreen screening hedge of six (6) to eight (8) feet in height with plant materials placed eight (8) feet on center will be installed between Daniels Street and the parking stalls along the southern edge of the parking area as depicted on Exhibit MP-2. Shade trees will be installed in compliance with Vehicular Surface Area Landscape Regulations.

**D. Building D**

1. Uses. Building D shall be developed exclusively for residential uses. As shown on Exhibit MP-2, Building D will be oriented to Daniels Street. Building D will contain a minimum of two (2) and a maximum of three (3) dwelling units.

2. Building Height. Building D shall contain a maximum of three (3) stories and shall not exceed forty (40) feet in height.

3. Building Setbacks and Streetyards. Setbacks and streetyards shall be as provided in the Streetyard and Setback Exhibit attached hereto as Table 1.

4. Alternative Screening Structure. In the event that Building D cannot be constructed due to legal impossibility, an alternative screening structure will be constructed in a manner subject to the approval of the City Council.

## V. STANDARDS AND CRITERIA APPLICABLE TO THE DEVELOPMENT

### A. Interconnectivity

As aforementioned, a private roadway, twenty four (24) feet in width, shall be constructed to connect Oberlin Road and Wade Avenue as shown on Exhibit MP-2, and made available by easement for use by the public. As further shown on such exhibit, the proximity of Oberlin Road and Wade Avenue provide excellent transportation infrastructure for the Development. The number and location of access points along Oberlin Road shall be consolidated to the maximum extent possible with the final number and location to be determined in accordance with NCDOT and City of Raleigh Department of Transportation approval upon submission of a site plan. A plan for all traffic and roadway improvements, including the possible signalization and intersection improvement at the Wade Avenue and Daniels Street intersection, shall be included in the site plan and subject to NCDOT and City of Raleigh Department of Transportation approval.

### B. Pedestrian Orientation

Sidewalks of five feet (5′) in width shall connect all of the buildings constructed within the Development with existing sidewalks along Oberlin Road and Wade Avenue. Where sidewalks do not currently exist along those portions of the Property adjoining the rights-of-way of Daniels Street, Oberlin Road and Wade Avenue, sidewalks shall be constructed where indicated on Exhibit MP-2.

### C. Public Transit

Upon development of the Property, a transit easement of at least fifteen (15) in depth and at least twenty (20) feet in length adjacent to the public right-of-way of

Oberlin Road shall be offered to the City in a location approved by the City Department of Transportation upon development.

**D. Open Space: Environmental and Aesthetic Concerns**

At least fifteen per cent (15%) of the area comprising the Development shall remain open space, which shall include the streetyards along Oberlin Road and Wade Avenue, and plazas and other public areas. Existing trees which will be preserved upon the Property are identified on Exhibit MP-3.

**E. Vehicular Parking**

Off-street parking shall be provided in accordance with provisions of the City Code. It is provided, however, with respect to mixed uses to which the Urban Land Institute's shared parking standards are applicable, such standards may be utilized to determine parking requirements in order to minimize impervious surfaces and facilitate open space. Off-street parking shall not be reduced below eighty per cent (80%) of the amount required under the applicable provisions of the City Code. On-street parking in striped spaces may be provided on interior private streets, and in such instances a thruway of at least twenty (20) feet shall be maintained. Any structured parking decks constructed between Building C and Daniels Street shall be located at least thirty (30) feet from Daniels Street.

**F. Unity of Development**

Unity of Development Guidelines approved by the City's Planning Director shall be established for the Development prior to the issuance of building permits for new construction.

**G. Transitional Protective Yards**

Transitional protective yards will be provided where required by the City's Landscape Ordinance on the boundaries of the Property. Exhibit MP-2 outlines alternate means of compliance that promote pedestrian access and interconnectivity where shared parking, shared access, or private streets or drives separate designated land uses. Such alternate means take into account the mixed-use and pedestrian-oriented nature of the Development, but shall achieve in each case, at a minimum, a Type-D transitional protective yard or its equivalent.

**H. Landscape Maintenance and Location**

A condominium association(s) or property owners' association(s) will be established to maintain common areas, open space, encroachments and private streets and drives. Streetyard plantings along any zero-setback street may be installed in the right-of-way. Encroachment agreements must be approved by the City Council prior to approval of any such planting plans.

**I. Stormwater Management**

A preliminary Stormwater Management Plan has been submitted to present a comprehensive effort to address stormwater runoff quantity and quality upon the Property. All development within the Property shall comply with the Neuse River Basin Nutrient Management Strategy.

Stormwater management infrastructure may change in size or shape at the time of submission of construction drawings. Stormwater collection systems in public rights-of-way shall conform to the City's standards and specifications. Collection systems on private property may include storage devices or other alternative design concepts.

**J. Utilities**

In order to ensure that adequate public utilities exist or will exist to serve the Development, a study will be prepared in conjunction with City Administration to determine necessary capacities for the Development. All utilities within the Development will be installed underground, including existing overhead lines.

**K. Signs**

Signage standards will be based upon standards applicable to Thoroughfare Zoning Districts under the City's Sign Ordinance.

## VI. AMENDMENTS AND APPROVALS

Only the parties owning property within the Development shall have the right to amend this Master Plan and the exhibits hereto, but only to the extent any such amendment applies to individual properties owned by such parties. Any condominium association or property owners' association owning and/or maintaining facilities that are common to the overall Development must join in all amendments to this Master Plan.

**A. Administrative Changes and Revisions**

1. Within the Property, City Administration may approve minor variations in the location of residential uses. For purposes of this subparagraph A, "minor variations" shall mean lateral shifts in location of ten feet (10') or less.

2. Within the Property, City Administration may approve changes in the configuration or arrangement of non-residential development.

3. City Administration may approve minor variations in public and private street locations, and driveway access points, increases or decreases in landscaping standards of ten percent (10%) or less, and changes in street or

sidewalk construction standards that do not affect the traffic-carrying capacity of the respective streets or sidewalks.

**B. Planning Commission Changes and Revisions**

1. For group housing, townhouse development, and unit ownership development, variations in the building to building locational requirements and setbacks from buildings, rights-of-way, and outdoor living areas may be approved by the Planning Commission without a public hearing if it can be demonstrated that equal or better air, light, and privacy can be provided with the creative arrangement of buildings and window locations, fencing, and landscaping or other innovative design.

2. The Planning Commission shall resolve any question of interpretation of this Master Plan and its exhibits that may arise in the administrative approval of any site plan upon the Property without a public hearing, and that is not resolved between City Administration and the owner. Either the Planning Director or the applicant may appeal the judgment of the Planning Commission to the City Council.

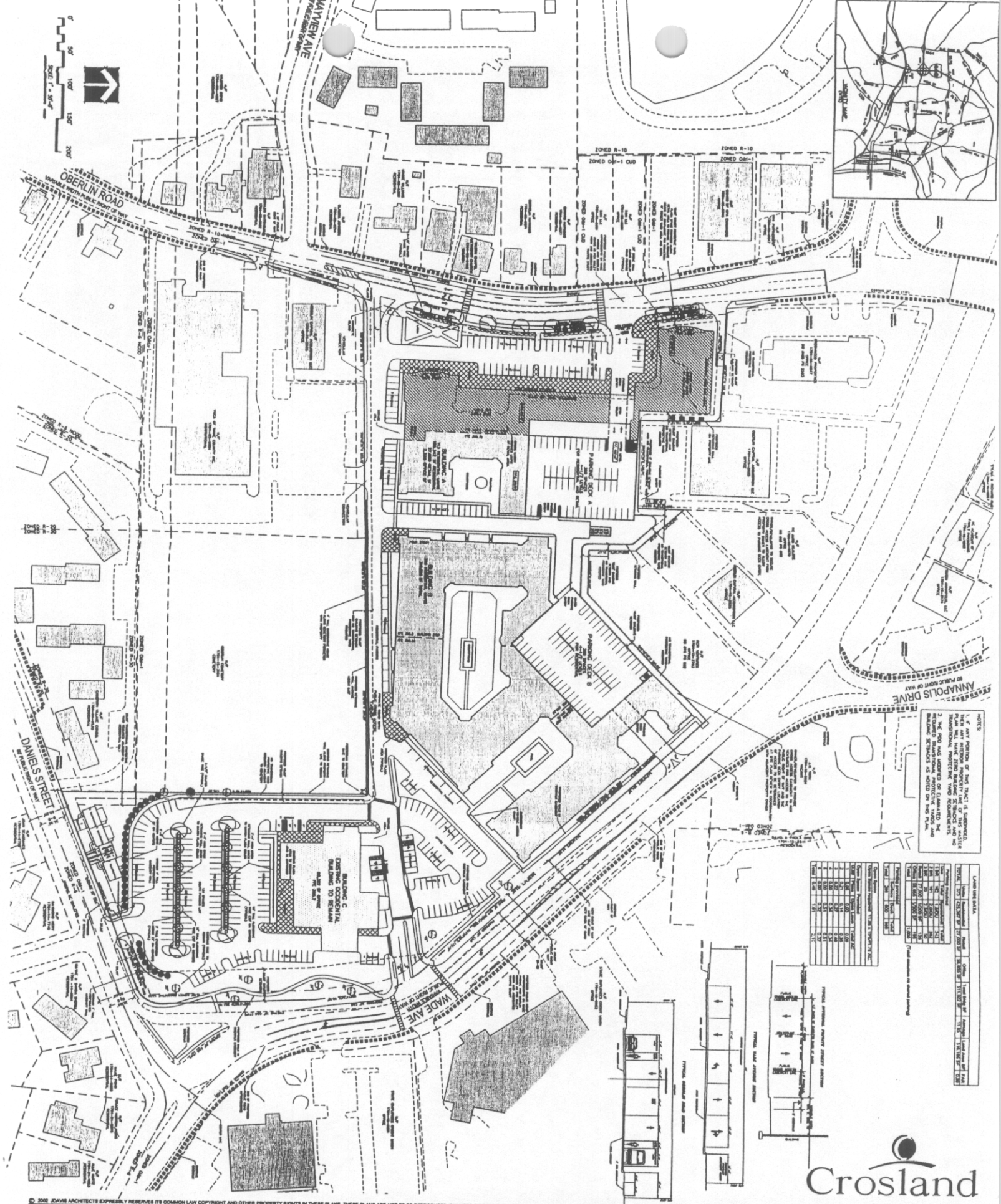
**C. City Council Changes and Revisions**

1. The City Council, after a recommendation of the Planning Commission pursuant to the preliminary site plan approval process, shall approve any change in this Master Plan or its exhibits that will create an expansion of ten percent (10%) or less with respect to a building shown on Exhibit MP-2. No building expansion shall cause Building A to be located closer to Oberlin Road than the distance shown on Exhibit MP-2, or permit an increase

in the total of maximum densities or square footage allocations for a respective land use.

2. The City Council, after a recommendation of the Planning Commission pursuant to the preliminary site plan approval process, shall approve any substantial changes in the location of uses within the Property as designated in this Master Plan. Substantial changes are those changes which are not minor variations as defined in Section VI(A)(1) above.

3. The City Council or the Board of Adjustment, in accordance with applicable provisions of the City Code, will approve all special use permits or variances that may be required for specific uses proposed in site-specific development plans.

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Project 02205
Date JUNE 20, 2002
Revisions 08.12.02 11.25.02 09.09.02 11.25.02 11.04.02 12.04.02 11.25.02
Drawn By KDT
Checked By LRZ
Content MASTER PLAN
Sheet MP2

# Wade Ave. & Oberlin Rd. Mixed Use Development

MASTER PLAN · EXHIBIT A
PDD SUBMITTAL DOCUMENT
Raleigh, North Carolina

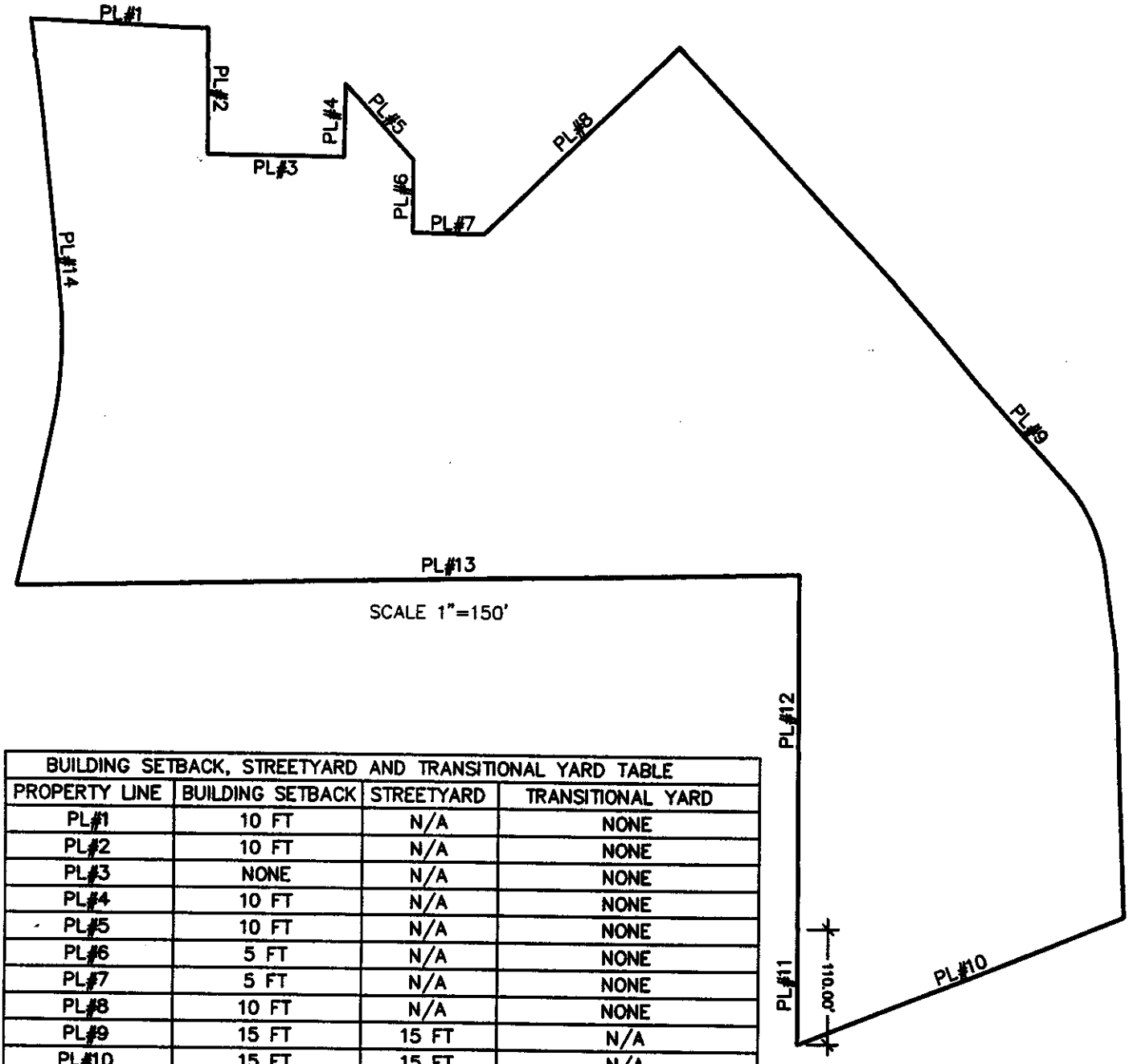
Z-56-02
12/4/02

ARCHITECT
THE HOUSING STUDIO, PA

TRAFFIC ENGINEER
KIMLEY-HORN & ASSOCIATES INC.

CIVIL ENGINEER
JOHNY A. EDWARDS & CO.

JDAVISARCHITECTS




| BUILDING SETBACK, STREETYARD AND TRANSITIONAL YARD TABLE | | | |
|---|---|---|---|
| PROPERTY LINE | BUILDING SETBACK | STREETYARD | TRANSITIONAL YARD |
| PL#1 | 10 FT | N/A | NONE |
| PL#2 | 10 FT | N/A | NONE |
| PL#3 | NONE | N/A | NONE |
| PL#4 | 10 FT | N/A | NONE |
| PL#5 | 10 FT | N/A | NONE |
| PL#6 | 5 FT | N/A | NONE |
| PL#7 | 5 FT | N/A | NONE |
| PL#8 | 10 FT | N/A | NONE |
| PL#9 | 15 FT | 15 FT | N/A |
| PL#10 | 15 FT | 15 FT | N/A |
| PL#11 | 10 FT | N/A | 20 FT TYPE 'C' ** |
| PL#12 | 10 FT | N/A | NONE ** |
| PL#13 | 10 FT | N/A | NONE |
| PL#14 | 10 FT | 10 FT* | N/A |

KEY
N/A = NOT APPLICABLE
AVG. = AVERAGE
FT = FEET
* = ALTERNATIVE MEANS OF COMPLIANCE. SEE MASTER PLAN SHEET MP2 FOR DESCRIPTION.
** = 20' TYPE C TRANSITIONAL PROTECTIVE YARD REQUIRED ADJACENT TO RESIDENTIAL ONLY.

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JDAVISARCHITECTS
200 N. West Street | Raleigh, North Carolina 27603 | tel 919.834.8620 | fax 919.828.7068

# Wade Ave. & Oberlin Rd. Mixed Use Development

RALEIGH, NORTH CAROLINA

Project CG-02005 Date REV 12.04.02
Content
STREETYARD AND SETBACK EXHIBIT

Sheet TABLE 1

# Trip Generation Table

| ITE Traffic Generation Summary<br>Wade Avenue Mixed-Use Development<br>(Vehicles) | | | | | | | |
|---|---|---|---|---|---|---|---|
| Land Use Code | Land Use | 24 Hour | | AM Peak Hour | | PM Peak Hour | |
| | | In | Out | In | Out | In | Out |
| 220 | 373 Apartment Units | 1,185 | 1,185 | 30 | 158 | 148 | 73 |
| 710 | 56,000 SF General Office | 425 | 425 | 103 | 14 | 24 | 118 |
| 831 | 9,000 SF Quality Restaurant | 405 | 405 | 5 | 2 | 45 | 22 |
| 814 | 18,000 SF Specialty Retail | 395* | 395* | 11* | 3* | 54* | 40* |
| 710 | 3,000 SF General Office | 45 | 45 | 10 | 1 | 1 | 4 |
| Subtotal | | 2,455 | 2,455 | 159 | 178 | 272 | 257 |
| -12% Internal Capture | | -294 | -294 | -- | -- | -31 | -31 |
| **Net External Trips** | | **2,161** | **2,161** | **159** | **178** | **241** | **226** |
| -20% Pass-by Reduction<br>(Quality Restaurant and Specialty Retail Only) | | -19 | -19 | -- | -- | -19 | -19 |
| **New Trips** | | **2,142** | **2,142** | **159** | **178** | **222** | **207** |

* Data based on local traffic count: 43.9 daily trips per 1,000 SF, 0.78 AM peak-hour trips per 1,000 SF (80% in / 20% out), 5.16 PM peak-hour trips per 1,000 SF (58% in / 42% out)

KIMLEY-HORN AND ASSOCIATES, INC.

Richard C. Adams, P.E.
Vice President

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