



Certified Recommendation

Raleigh Planning Commission

CR# 11387

Case Information – Z-11-10

<i>Location</i>	South side of Hillsborough Street, east of its intersection with Park Avenue to Morgan Street, west side, north of Tryon Hill Rd, and Wakefield Dr, west side.
<i>Size</i>	6.67 acres
<i>Request</i>	Rezone property from Residential-20, Office and Institution-2, Buffer Commercial, Neighborhood Business and Industrial-2 to Industrial-2-Conditional Use with Pedestrian Business Overlay District.

Comprehensive Plan Consistency

<i>Future Land Use Designation</i>	Mixed Use Retail, per Morgan-Hillsborough Small Area Plan (part of 1989 Comprehensive Plan)
<i>Applicable Policy Statements</i>	LU 1.3 – Conditional Use District Consistency LU 5.4- Density Transitions UD 2.4- Transitions in Building Intensity UD 6.1- Encouraging Pedestrian-Oriented Uses UD 7.3 – Design Guidelines DT 1.13- Downtown Transition Areas DT 1.15- High Density Development DT 1.16 – High Density Public Realm Amenities DT 1.17 – Auto-Oriented Businesses

Consistent

Inconsistent

Summary of Conditions

<i>Submitted Conditions</i>	<ul style="list-style-type: none"> • Prohibit industrial uses • Require active uses for a percentage of ground floor facades • Screening of parking lighting • Restrictions on massing and bulk • Maximum number of residential units • Minimum square footage commercial/office use • Required open space and conditionally required pedestrian path • Prohibit bar, tavern, nightclub and lounge when adjacent to certain residential parcels • Limitation on building height • Requirement for minimum setbacks and stepbacks, landscape screening • Dedication of transit easements • Maximum number of curb cuts for parcel west of Wakefield Ave • Prohibit drive through uses
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Issues and Impacts

<i>Outstanding Issues</i>	None
<i>Impacts Identified</i>	<ul style="list-style-type: none"> Potential need for additional capacity in elementary, middle, and high schools

Suggested Conditions and Proposed Mitigation

<i>Suggested Conditions</i>	<ul style="list-style-type: none"> The applicant may wish to consider a limitation on density for those portions of property directly adjacent to single family lots.
<i>Proposed Mitigation</i>	N/A

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
6/7/10	7/20/10	8/3/10: deferred 9/7/10: recommended approval	9/14/10: recommended approval

Valid Statutory Protest Petition

Attachments

- Staff report
- Existing Zoning/Location Map
- Future Land Use

Planning Commission Recommendation

<i>Recommendation</i>	Approval of conditions submitted 9/8/10
<i>Findings & Reasons</i>	<ol style="list-style-type: none"> The request is consistent with the Comprehensive Plan. The request is consistent with identified policies in the 2030 Comprehensive Plan and land use guidance in the 1989 Comprehensive Plan. The applicant has offered conditions that address outstanding issues and mitigate impacts of the zone change. The rezoning would stimulate redevelopment of a property in an area of the City that has been dormant for a number of years.
<i>Motion and Vote</i>	<p>Motion: Harris Edmisten Second: Bartholomew</p> <p>In favor: Anderson, Bartholomew, Batchelor, Fleming, Harris Edmisten, Mullins, Smith</p> <p>Opposed: Sterling</p>

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 9/14/10 Date _____
 Staff Coordinator: Elizabeth Alley elizabeth.alley@raleighnc.gov



Zoning Staff Report – Z-11-10

Conditional/General Use District

Request

<i>Location</i>	South side of Hillsborough Street, east of its intersection with Park Avenue to Morgan Street, west side, north of Tryon Hill Rd, and Wakefield Dr, west side.
<i>Request</i>	Rezone property from Residential-20, Office and Institution-2, Buffer Commercial, Neighborhood Business and Industrial-2 to Industrial-2- Conditional Use with Pedestrian Business Overlay District (PBOD).
<i>Area of Request</i>	6.67 acres
<i>Property Owner</i>	FMW at Hillsborough & Morgan LLC
<i>PC Recommendation Deadline</i>	November 17, 2010

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	R-20, O&I-2, BC, NB, I-2	I-2 CUD
<i>Additional Overlay</i>	None	PBOD
<i>Land Use</i>	Vacant, restaurant, nightclub	Multiple uses allowed
<i>Residential Density</i>	45 units	2134 units

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	NB and O&I-1	O&I 2 and IND-2	NB, O&I 1	O&I 1, R-20 and SR R-30
<i>Future Land Use</i>	None, Institutional, Office Residential Mixed Use	Medium Density Residential, none	none	Office and Residential Mixed Use, Moderate Density Residential
<i>Current Land Use</i>	Retail, Restaurant, Office, Institutional	Multi-family Residential, Office, Retail, Restaurant	Office, Retail, Residential	Residential, Institutional

Comprehensive Plan Guidance

<i>Future Land Use</i>	Mixed Use, per Hillsborough-Morgan Small Area Plan (part of 1989 Comprehensive Plan)
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<i>Area Plan</i>	Hillsborough-Morgan Small Area Plan (included in 1989 Comprehensive Plan but not 2030 Comprehensive Plan)
<i>Applicable Policies</i>	LU 1.3 – Conditional Use District Consistency LU 5.4- Density Transitions UD 2.4- Transitions in Building Intensity UD 6.1- Encouraging Pedestrian-Oriented Uses UD 7.3 – Design Guidelines DT 1.13- Downtown Transition Areas DT 1.15- High Density Development DT 1.16 – High Density Public Realm Amenities DT 1.17 – Auto-Oriented Businesses

Contact Information

<i>Staff</i>	Elizabeth Alley 807-8477 elizabeth.alley@raleighnc.gov
<i>Applicant</i>	Mack Paul; K&L Gates, 743.7300
<i>Citizens Advisory Council</i>	Hillsborough CAC: Ana Duncan Pardo, chairperson

Overview

The site is currently zoned R-20, NB, BC, O&I-2 and I-2. Adjacent properties are zoned SP R-30, R-20, NB, I-2 and O&I-2. The request is to rezone the site to O&I-2 CUD with PBOD. The conditions generally exclude industrial uses allowed under I-2 zoning, and allow for non-industrial uses as well as residential uses up to 320 units per acre. PBOD's are required to be accompanied by a Streetscape and Parking Plan. The associated Streetscape and Parking Plan sets design standards for sidewalks, streetscape materials, facades, and parking location and screening, and also sets height and stepback requirements.

Exhibit C & D Analysis

Staff examines consistency with the Comprehensive Plan, compatibility with the surrounding area, public benefits and detriments of the proposal, and summarizes any associated impacts of the proposal.

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s)

1.1 Future Land Use

The site is classified as a 'special study area' on the Future Land Use Map in the 2030 Comprehensive Plan, and therefore does not have any future land use designation. The 2030 Plan was adopted with a resolution that related directly to the special study areas on the future land use map. Land use guidance for these special study areas is found within the previous 1989 Comprehensive Plan. In this instance, the 1989 Plan contained a small area plan (the Hillsborough-Morgan Plan) that designated this area appropriate for mixed use retail. The conditions as proposed limit allowed uses. The desired zone districts, I-2 with Pedestrian Business Overlay District, would provide for a mix of uses.

1.2 Policy Guidance

The following policy guidance is applicable with this request

Policy LU 1.3 - Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan

The conditions submitted generally prohibit industrial uses on the site. These restrictions are consistent with the Comprehensive Plan, as they prevent incompatible, high impact industrial uses from being placed adjacent to residential uses. The conditions also address transitions through conditions related to use, height, setback and stepback.

Policy LU 5.4 - Density Transitions

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

While the subject properties are not designated on the Future Land Use Map, the rezoning could result in two areas with significantly different development intensity. The zoning conditions and streetscape plan do not restrict density and a moderate or high-density residential development would be permitted. The zoning application does not include conditions that would restrict all intensive commercial and residential uses but does restrict bars, nightclubs, taverns and lounges adjacent to single family residential and does include conditions related to height, setback, and stepback.

Policy UD 2.4 - Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single-family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the adjacent properties planned for lower density.

The Streetscape and Parking Plan includes a height map that details height, stepback and setback. The stepbacks shown on the height map are generally 25 feet deep from the property line and have a 45 foot height maximum (with the exception of along Hillsborough and Morgan Streets, where a 1:1 stepback from 45 feet to 70 feet maximum is allowed). The conditions detail a minimum building setback from shared property lines for single family residential that fronts Ashe Avenue and Morgan Street.

Policy UD 6.1 - Encouraging Pedestrian-Oriented Uses

New development, streetscape, and building improvements in Downtown and mixed-use corridors and centers should promote high intensity, pedestrian-oriented use and discourage automobile-oriented uses and drive-through uses.

The proposed rezoning includes a Pedestrian Business Overlay District, and the required Streetscape and Parking Plan calls for wider sidewalks, street furniture and street trees, reduced parking requirements and screened parking, and active ground floor facades. Pedestrian Business Overlay Districts permit up to 320 dwelling units per acre, the highest residential density allowed in the city. The Streetscape and Parking Plan provides design standards for new commercial, retail and residential

structures as well as the screening of parking. The associated conditions require active ground floor uses for the majority of the site, however there is no requirement for active ground floor uses for the parcel located on the west side of Wakefield Drive. The zoning conditions do prohibit drive-through and automobile-oriented uses.

Policy UD 7.3 - Design Guidelines

Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

*The text below lists each respective Design Guideline, **the applicant's response**, and related staff comments.*

Elements of Mixed-Use Areas

1. *All Mixed-Use Areas should generally provide retail (such as eating establishments, food stores, and banks), office, and residential uses within walking distance of each other.*

Response: We are proposing a PBOD which entitles residential as well as retail and commercial. We have conditioned a minimum of 8000 sf retail/commercial, and active uses on the site. The total area of the case is 6.67 acres and is an urban infill development.

The proposed rezoning allows for multiple uses and the site is within close proximity to retail, office and residential uses.

Mixed-Use Areas /Transition to Surrounding Neighborhoods

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.*

Response: The Streetscape and parking plan height map offers transitions to residential uses. Conditions in the case further limit heights, offer setbacks, and in one case additional landscaping. Bars, taverns, lounges and nightclubs have been eliminated as allowable uses in sensitive areas.

The proposed rezoning includes conditions related to height, stepback, setback and use restrictions where the site is adjacent to lower density neighborhoods.

Mixed-Use Areas /The Block, The Street and The Corridor

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.*

Response: The development is in an older part of the City with a wide mix of uses. served by the existing road network including Hillsborough and Morgan Streets. A pedestrian path through the large block is offered in the event that the Whitley Street dead end is abandoned.

The site is already developed and contains multiple streets and connections to the surrounding neighborhood. The PBOD will require construction of 14' sidewalks on all streets in that are included in the site.

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.*

Response: Existing roads will be maintained, no new roads are contemplated. Should the dead end street be closed, a pedestrian path will be offered to maintain and enhance connectivity.

No new streets or abandonment of streets are included in this rezoning request.

5. *Block faces should have a length generally not exceeding 660 feet.*

Response: We are in compliance with this guideline.

The existing block faces on the site generally do not exceed 600 feet in length.

Site Design/Building Placement

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.*

Response: PBOD standards, and the streetscape and parking plan regulate parking areas accordingly. PBOD allows 0 lot line at streets, and conditions in the case commit to 75% active uses on building frontages on Hillsborough and Morgan, 50% on other streets. These must be commercial uses, except at Ashe and Park, where residential is allowable to transition to adjacent neighborhoods.

The zoning conditions contain a minimum active ground floor use requirement for all but one block face, and restrict the placement and guide the screening of all parking adjacent to streets.

7. *Buildings should be located close to the pedestrian street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings.*

Response: The development will be urban in nature as noted above. Parking will be beside, behind, or below buildings, and will be screened.

There are no maximum setbacks contemplated in the zoning conditions or Streetscape and Parking Plan. Parking placement and screening is addressed.

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*

Response: Buildings will respect corners. Active uses and restrictions on parking locations will assure an urban streetscape. Loading and/or parking will not be placed at corners.

The zoning conditions require a large percentage of ground floor facades to contain active uses, but there are no conditions that require active uses specifically at street corners.

Site Design/Urban Open Space

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.*

Response: PBOD requires a 14 ft sidewalk area at all public streets. PBOD requires 5% min. open space. Case offers 10% open space on lots East of Ashe, as well as 10% additional publicly accessible open space should Whitley Street be abandoned. Sun exposure and views will be accounted for during building design.

PBODs are required to have 14' sidewalks. In addition, the conditions require provision of open space for a portion of the site and identify two spaces at street intersections for open space.

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.*

Response: See notes above.

The zoning conditions require active ground floor uses with sidewalk access for the majority of street frontage on the site.

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.*

Response: See notes above. Active uses are conditioned in the case- 75% at Hillsborough and Morgan, 50% along other streets.

The zoning conditions require active ground floor uses for the majority of street frontage on the site.

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.*

Response: See above on active uses, PBOD guidelines, and parking restrictions.

The zoning conditions require the provision of open space but do not define the spatial characteristics of adjacent buildings.

Site Design/Public Seating

13. *New public spaces should provide seating opportunities.*

Response: Public benches will be located at site plan approval. Other Seating for restaurants can be accommodated in 14 ft. sidewalk areas.

The Streetscape and Parking Plan identifies a street bench design and indicates that it will be placed at bus stops on the site that do not already have benches. The conditions offer a minimum of two benches at the corner of Tryon Hill and Wakefield Avenue.

Site Design/Automobile Parking and Parking Structures

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*

Response: see notes above on PBOD and Parking configuration restrictions w/in Streetscape and parking plan.

The zoning conditions and Streetscape and Parking Plan address parking location and screening, and require active ground floor uses for the majority of street frontage on the site.

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.*

Response: See notes on Active uses fronting streets. New development will comply with this item.

The zoning conditions and Streetscape and Parking Plan address parking location and screening, and require active ground floor uses (not parking) for the majority of street frontage on the site.

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.*

Response: Streetscape and Parking plan calls for parking structures below or adjacent to new development to be of the same character as primary buildings. No unadorned concrete or steel structures are allowed. Openings in parking structures must be screened with metal screening, mullions matching building design, or other measures.

The Streetscape and Parking Plan includes design guidance for parking screening and integration with the architecture of associated buildings.

Site Design/Transit Stops

17. *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.*

Response: Hillsborough and Morgan Streets are served by Cat, TTA, and Wolf prowl lines. Stops are in close proximity or along development frontage. Mixed use nature of development and surrounding fabric offers opportunities for internal capture and walking to services.

The zoning case permits dense development in a location well served by transit.

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*

Response: No part of the development will be more than a few hundred feet from transit stops.

The zoning conditions require active ground floor uses including building entrances along street frontages.

Site Design/Environmental Protection

19. *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.*

Response: Site is highly urbanized, previously developed, and in large part industrial in historic use. New development will provide street trees, open space, storm water retention and quality per code, and other features that will actually improve environmental impact over existing conditions.

The site currently contains a large amount of impervious surfaces and multiple structures. Redevelopment will not further adversely impact slopes, watercourses or floodplains.

Street Design/General Street Design Principles

20. *It is the intent of these guidelines to build streets that are integral components of community design. Streets should be designed as the main public spaces of the City and should be scaled for pedestrians.*

Response: PBOD and Streetscape and parking plan offer 14 ft, sidewalks and street trees at all public streets.

The Streetscape and Parking Plan includes detailed design requirements for wide sidewalks, street trees, and street furniture.

21. *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.*

Response: See above. Development will meet this criteria.

Sidewalks in PBODs are required by zoning code to have a minimum 14' sidewalk. The Streetscape and Parking Plan offers an alternative design for secondary street sidewalks that does not meet this requirement.

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment 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.

Response: Streetscape and parking plan identifies streets trees, and specifies root containment systems and grates. The urban nature of the development does not lend itself to 'landscape strips' adjacent to roadways. Trees have been selected in consultation with urban forester for varying conditions and to compliment adjacent streetscape conditions. Street trees will be installed at a caliper consistent with high chances of survival, 2" minimum.

The Streetscape Plan includes detailed sidewalk and planting design standards that will aid in the growth of healthy street trees.

Street Design/Spatial Definition

23. *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.*

Response: Building can be built to 0 lot line. Building height map in Streetscape and parking plan offers transitions to taller buildings from street level along Hillsborough and Morgan, and offers lower heights (45 ft) along Ashe and Park, as well as surrounding residential uses.

The Streetscape and Parking Plan includes requirements for street trees as well as building height stepbacks to give an appropriate sense of enclosure to adjacent streets.

Building Design/Facade Treatment

24. *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.*

Response: See note above on Active uses, which requires entrances at grade. See also Streetscape and parking plan requirements including no more than 15 ft. blank wall at commercial uses, glass to see into and out of businesses, etc.

The zoning conditions and Streetscape and Parking Plan require active ground floor uses with building entrances for the majority of street frontages, and additionally limit expanses of blank facades and unbroken building planes.

25. *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.*

Response: Streetscape and parking plan regulates these items as well as allowable materials.

The Streetscape and Parking Plan includes design requirements for the ground level of buildings and include language regarding building materials, signage, awnings, and elements that engage the street such as windows, doors, balconies and stoops.

Building Design/Street Level Activity

26. *The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

Response: See notes above concerning conditioned active uses, 14 ft. sidewalk areas, minimum retail/commercial of 8000 sf East of Ashe Avenue.

Zoning conditions and Streetscape and Parking Plan design requirements ensure that a building entrances will be located along sidewalks and that sidewalks will be designed to accommodate pedestrian movement and interaction.

Policy DT 1.13 - Downtown Transition Areas

In areas where the Downtown Element boundaries are located in proximity to established residential neighborhoods, residential densities should taper to be compatible with adjacent development. Non-residential uses with the greatest impacts- such as theaters, concentrated destination nightlife and retail, and sports and entertainment uses- should be directed away from these transition areas. Where existing zoning overlays are mapped, the height guidance in these districts should not be changed outside of an area planning process.

The 2030 Comprehensive Plan identifies “downtown transition areas” on Map DT-3. The subject property is located adjacent to the boundary of an identified ‘downtown transition area’. The proposed rezoning does not further restrict density for the parcels adjacent to the residential uses along Ashe Avenue, Park Avenue, or West Morgan Street, and allows residential densities up to 320 dwelling units per acre. The proposed rezoning does limit height, and requires setbacks and/or stepbacks and restricts certain high-impact uses on portions of the site adjacent to single family residential. Nearby residential densities range from moderate to high, with a mix of single family homes, townhouses, apartments above commercial, garden apartments, and a fraternity house.

Policy DT 1.15 - High Density Development

Highest density development should occur along the axial streets (Hillsborough Street, Fayetteville Street, and New Bern Avenue), major corridors (as identified by the thoroughfare plan), surrounding the squares, and within close proximity to planned transit stations.

The proposed zoning allows for high density development along Hillsborough Street and Morgan Street as called for in DT 1.15, but also along Ashe Avenue, Park Avenue, Tryon Hill Dr, Whitley St, and Wakefield Dr. which are not major corridors. The petition, as proposed, would permit up to 320 dwelling units per acre on the entirety of the property. The conditions related to height, setback and stepback will functionally limit density, although a high density development would still be feasible on all portions of the site.

Policy DT 1.16 - High Density Public Realm Amenities

High-density developments Downtown should include public realm amenities, such as publicly accessible open space, public art, seating areas, and water features that complement the building and its nearby uses.

Pedestrian Business Overlay Districts require 14’ wide sidewalks. The Streetscape and Parking Plan offers an alternative to the 14’ sidewalks for “secondary” streets that is not consistent with the code requirements for sidewalk width in PBODs. In addition the Streetscape and Parking Plan includes requirements for street trees and

indicates bench design, although bench placement is not required in the right of way per the Streetscape and Parking Plan. The conditions associated with the case require open space provisions, although not for the entirety of the site.

DT 1.17 – Auto-Oriented Businesses

Development, building types and building features with an automobile orientation, such as drive thrus, should not be developed in Downtown or pedestrian-oriented business districts.

The petition offers conditions that restrict drive through uses and auto-oriented uses.

1.3 Area Plan Guidance

The property is located within the Morgan-Hillsborough Small Area Plan from the 1989 Comprehensive Plan. The Morgan-Hillsborough SAP is not a part of the 2030 Comprehensive Plan; however, per adopting resolution of the 2030 Comprehensive Plan, the Hillsborough-Morgan Plan provides land use guidance for the property. The Small Area Plan calls for mixed uses including retail along Hillsborough Street east of Park Avenue as well as along West Morgan Street. The plan also calls for mixed uses including industrial south of Whitley surrounding the intersection of Wakefield and Tryon Streets, and south of West Morgan. As proposed, the application is consistent with the Small Area Plan guidance.

2. Compatibility of the proposed rezoning with the property and surrounding area

The site is located between downtown and NCSU at the intersection of two thoroughfares, and is just over ½ mile from a planned transit station. The closest planned transit station, the Multi-Modal Transit Center, is approximately .55 miles east of the site at the Boylan Wye. The planned rail system could run on the railroad tracks south of the site, or potentially in West Morgan Street, however commuter rail transit locations have not been finalized.

The surrounding area includes a mix of uses and intensity, including multi-family residential, low scale office, commercial and retail uses, a fraternity house, and a 3-story mixed use structure, as well as a number of single family residential structures directly adjacent to the site. The rezoning would permit a similar mix of uses, however the scale and intensity of permitted are greater than that of the surrounding area. Conditions have been submitted regarding height, setback and stepback, as well as use restrictions and active use requirements to address this potential compatibility issue.

3. Public benefits of the proposed rezoning

The proposed rezoning eliminates the possibility of industrial uses being built in direct proximity to residential uses and enables high-density residential as well as commercial uses in an area with adequate public facilities to accommodate them.

The proposed rezoning and associated Streetscape and Parking Plan requires wide sidewalks, street trees and furniture, and screened parking and allows for vertical mixed uses with no setback, and reduced parking requirements. These are typical elements of urban pedestrian-friendly environments, and in this location could help further link NCSU, the Hillsborough Street commercial district, and Downtown. The residential densities allowed under the proposed zoning could strengthen the market for neighborhood-serving retail uses.

4. Detriments of the proposed rezoning

The proposed rezoning could allow for residential densities that are higher than the surrounding area; however, it is not likely that any development could reach the maximum densities allowed (320 du/acre) under the height limits included in the Streetscape and Parking Plan (45-70 feet). Conditions are also offered related to setback, stepback, and/or use restrictions adjacent to existing single family residential properties.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

5.1 Transportation

Hillsborough Street is classified as a major thoroughfare (2007 ADT 16,000 vpd) and is constructed as a five-lane curb and gutter section with sidewalks on both sides within a 90-foot right-of-way. City standards call for Hillsborough Street to be striped with 4' bicycle lanes on each side. Morgan Street is also classified as a major thoroughfare (2007 ADT 4,500 vpd) and exists as a 2-lane curb and gutter street with sidewalks on both sides within a 65-foot right-of-way. City standards call for Morgan Street to be a multi-lane street with 4' bicycle lanes on each side within a minimum 90-foot right-of-way.

Ashe Avenue is classified as a collector street (2007 ADT 5,200 vpd) and exists as 2-lane curb and gutter section with sidewalks on both sides within a 47-foot right-of-way. City standards call for Ashe Avenue to be constructed as 41-foot curb and gutter section with striped 4' bicycle lanes on both sides within a minimum 60-foot right-of-way. Park Avenue is classified as a residential street and exists as 2-lane curb and gutter section with sidewalks on both sides within a 42-foot right-of-way. City standards call for Park Avenue to be constructed with a 31-foot back-to-back curb and gutter section within a minimum 50-foot right-of-way.

Wakefield Avenue is classified as a commercial street and is constructed as a 2-lane curb and gutter section within a 50-foot right-of-way. City standards call for Wakefield Avenue to be constructed as 41-foot back-to-back curb and gutter section with sidewalk on a minimum of one side within a 60-foot right-of-way. Tryon Hill Drive is classified as marginal access street and exists and two-lane curb and gutter section within a 40-foot right-of-way. City standards call for Wakefield Avenue to be constructed with sidewalk on a minimum of one side within 50-foot right-of-way. Whitley is also classified as a marginal access street and exists and two-lane curb and gutter section within a 50-foot right-of-way. City standards call for Whitley Street to be constructed with sidewalk on a minimum of one side within the existing right-of-way.

Impact Identified: By the year 2030 traffic volumes along Hillsborough Street near the subject property are forecasted to increase 107% or 33,167 vehicles per day. The proposed zoning may generate additional traffic up to 740 vehicles per hour during the PM peak hours and up to 600 vehicles per hour during the AM peak hours. A trip generation report has been submitted and found to be acceptable. The applicant may wish to consider adding a condition that offers cross-access to the property to the south.

5.2 Transit

The proposed zoning could potentially increase transit ridership in this location.

Impact Identified: Due to the density of the proposed development it is recommended that ADA accessible waiting shelters be constructed that are consistent with the style and structure of the project. Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City transit easements measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way on Hillsborough St and on Morgan St to support bus stops for current and future transit services in the area. The location of the transit easements shall be reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry. The applicant has provided a condition to mitigate this impact.

5.3 Hydrology

<i>Floodplain</i>	none
<i>Drainage Basin</i>	Rocky Branch
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	none

Impact Identified: none

5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	70,035 gpd	50,025 gpd
<i>Waste Water</i>	70,035 gpd	50,025 gpd

The proposed rezoning would not add to the wastewater collection or water distribution systems of the City of Raleigh. There are existing sanitary sewer and water mains in Ashe Avenue which could serve the proposed rezoning.

Impact Identified: None

5.5 Parks and Recreation

This site is not located adjacent to any greenway corridors. Current services are provided at Pullen Park and the proposed rezoning will not add to the level of service.

Impact Identified: None

5.6 Urban Forestry

The individual parcels are less than two acres in size and are therefore not subject to tree conservation laws. If the parcels are recombined into one or more parcels that are >= two acres, the site would have to comply with tree conservation laws when developed (Code Section 10-2082.14).

Impact Identified: None

5.7 Wake County Public Schools

4. That, in Condition (k), (**Ed. New condition j**) a minimum amount of non-residential square footage be conditioned, along with a maximum square footage for single non-residential spaces, such that the allotted 20,000 sf maximum will be comprised of a combination of multiple tenants, rather than one single tenant.
5. That, in the Streetscape Plan, details of lighting fixtures (p. 11) be delineated and provided for Appearance Commission review prior to approval of the Plan by the City Council [in accordance with Code Sec. 10-2055(f)(2)].
6. That, in the Streetscape Plan, the list of Proposed Street Trees (p. 14) be amended to include additional and/ or alternate species, particularly in regard to species to be positioned under overhead power lines, and provided for Appearance Commission review prior to approval of the Plan by the City Council [in accordance with Code Sec. 10-2055(f)(2)].

7. Conclusions

The proposed PBOD and Streetscape and Parking Plan rezoning request eliminates the possibility of industrial uses being built in direct proximity to residential uses and enables high-density residential as well as commercial uses in an area with adequate public facilities to accommodate them. The creation of an urban pedestrian-friendly environment at this location could help further link NCSU, the Hillsborough Street commercial district, and Downtown.

The Hillsborough-Morgan Small Area Plan contained in the 1989 Comprehensive Plan identifies the site for mixed use: residential, bed and breakfast, office and institutional as well as mixed use: residential, commercial, office and institutional, retail. While these uses are allowed in the zoning application, there are no requirements that the site contain a mix of uses.

Many of the Comprehensive Plan policies applicable to this case address the need for transitions. The application addresses transitions through the use of height, setback and/or stepback requirements, as well as prohibition of certain uses adjacent to existing residential properties. The application does not specifically address residential density, although there is a condition related to a maximum number of units on a portion of the site. The application also includes conditions related to the provision of open space and active ground floor uses, however these conditions do not apply to the entirety of the site.

The Streetscape Plan identifies an alternative to the 14-foot minimum sidewalk width stated in the Zoning Code.

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	676	175.6%
Daniels	1,162	101.5%	1,336	116.7%
Broughton	2,174	106.3%	2,300	112.5%

Impact Identified: The proposed rezoning could result in the need for additional capacity at the impacted elementary, middle, and high schools.

5.8 Designated Historic Resources

The site is not located within a National Register Historic District or a Raleigh Historic Overlay District, nor does it include any National Register individually-listed properties or Raleigh Historic Landmarks. The site is adjacent to the Cameron Park National Register Historic District (located across Park Ave and Hillsborough St from the site), St. Mary's College (a National Register individually-listed property located across Hillsborough St from the site), and the John H. Thompson House (a Raleigh Historic Landmark located across Morgan St from the site).

In addition, Grosvenor Garden Apartments, a Raleigh Historic Landmark is located ½ block east of the site. The Cameron Court Apartments, Ellington House, and First Church of Christ Scientist are all located within 2 blocks of the site and are on the state study list for designation as Raleigh Historic Landmarks. The Cameron Park Apartments, located at the intersection of Ashe Ave and Hillsborough St, are also on the state study list for inclusion as a Raleigh Historic Landmark, and are directly adjacent to the site.

Impact Identified: None. Height, stepback, active use requirements and parking screening for uses adjacent to historic resources are addressed through the conditions and Streetscape and Parking Plan.

5.9 Impacts Summary

The following impacts have been identified:

- Potential need for additional capacity in elementary, middle, and high schools

5.10 Mitigation of Impacts

The following possible mitigation factors have been identified:

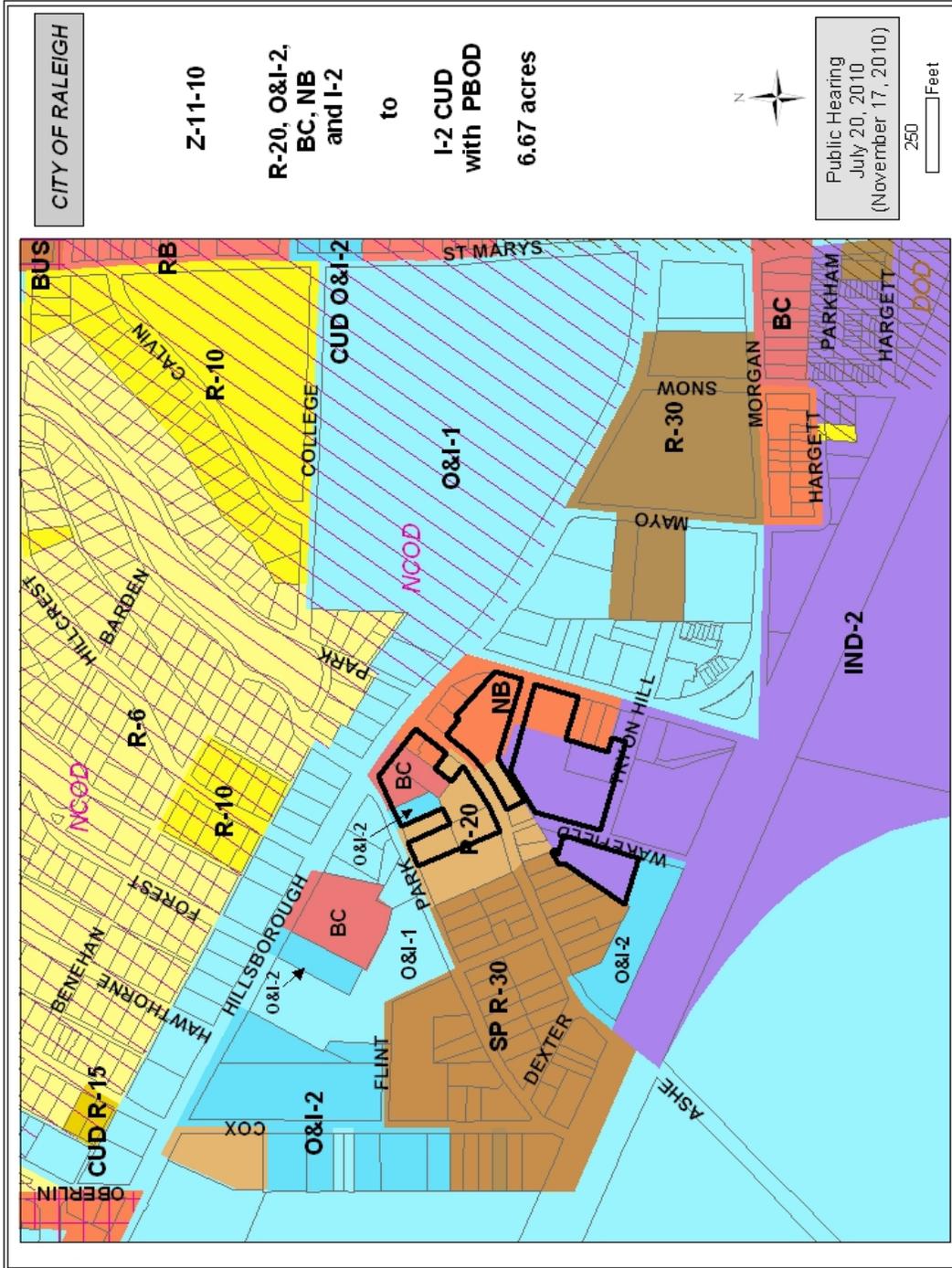
- None

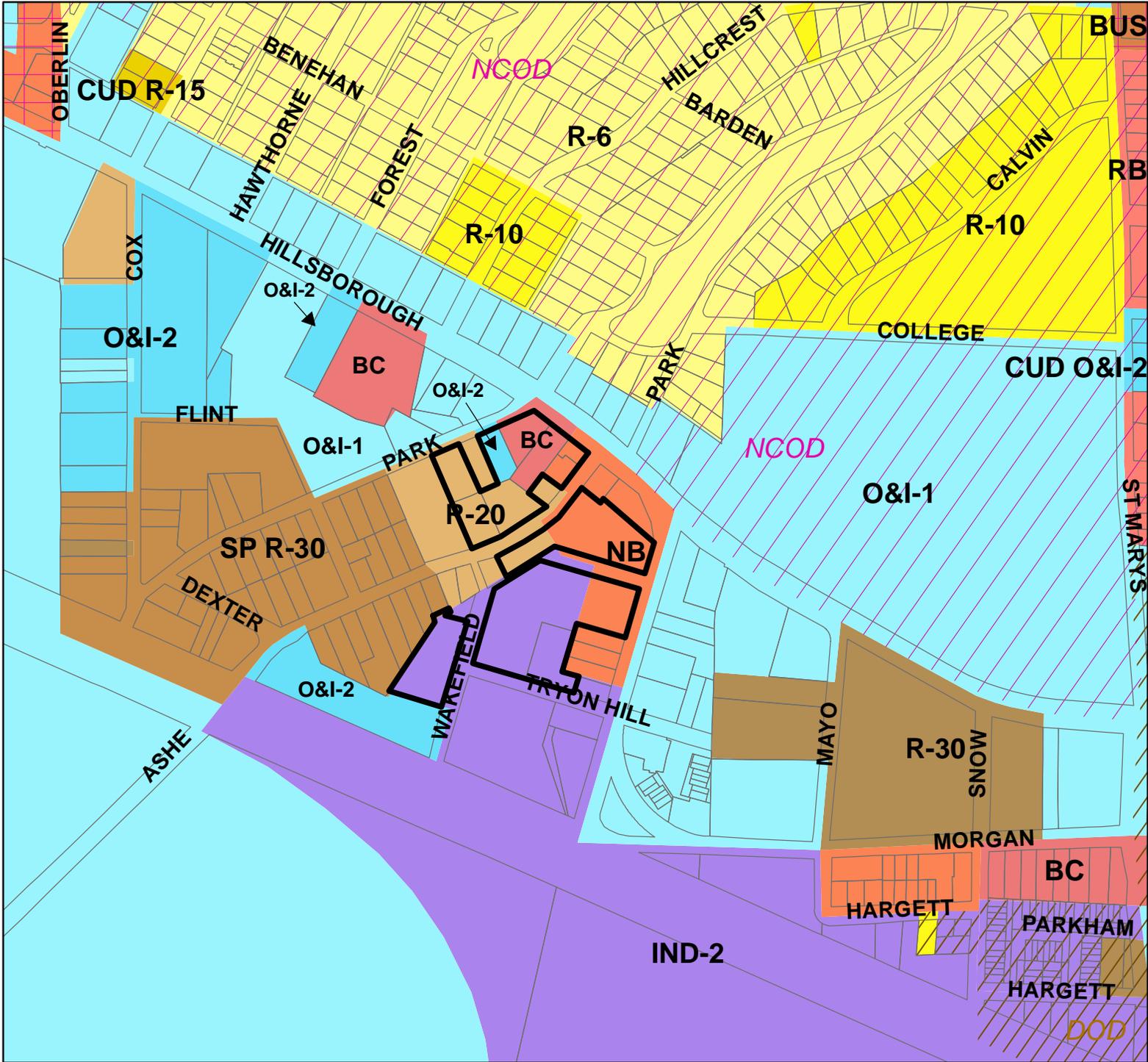
6. Appearance Commission

The request is subject to Appearance Commission review. The applicants presented the request to the Appearance Commission on July 15, 2010. The Commission had the following comments:

1. That, in Condition (d), "residential" be deleted from the definition of "active uses."
2. That, in Condition (e), in complement to the 50% minimum percentage of active uses provided for building façades at sidewalk level on Ashe Avenue, Park Avenue, and the east side of Wakefield Avenue, a minimum percentage of residential uses at sidewalk level also be conditioned. This figure is intended to assure continuity of existing residential character, while reducing the potential percentage of driveways, parking deck facades, and/or utility areas along the street fronts.
3. That, in Condition (i), (**Ed. New condition I**) the specified pedestrian path be provided regardless of any potential abandonment of Whitley Street, and that the path be positioned close to mid-block between Ashe Avenue and W. Morgan Street.

Existing Zoning Map





CITY OF RALEIGH

Existing Zoning Map

Z-11-10

R-20, O&I-2, BC, NB and I-2

to

I-2 CUD with PBOD

6.67 acres

Public Hearing
 July 20, 2010
 (November 17, 2010)

250
 Feet

CITY OF RALEIGH
CITY PLANNING DEPT

DNS
2010 FEB 29 AM 8:06



Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.

2. That the following circumstance(s) exist(s):

- City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
- Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
- The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.

4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:

- 1) to lessen congestion in the streets;
- 2) to provide adequate light and air;
- 3) to prevent the overcrowding of land;
- 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
- 5) to regulate in accordance with a comprehensive plan;
- 6) to avoid spot zoning; and
- 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

FMW at Hillsborough & Morgan LLC

By: [Signature]
Mack Paul and Michael Birch, Attorneys for the Petitioner

Date: 3/1/10



Office Use Only	
Petition No.	<u>Z-11-10</u>
Date Filed:	<u>3-1-10</u>
Filing Fee:	<u>pd 1028.00 by C14# 1319</u>

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print

See instructions, page 9

	Name(s)	Address	Telephone / E-Mail
<p>1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.</p>	<p><u>FMW at Hillsborough & Morgan LLC</u></p>	<p><u>132 Brevard Court Charlotte, NC 28202</u></p>	
<p>2) Property Owner(s):</p>	<p><u>FMW at Hillsborough & Morgan LLC</u></p>	<p><u>132 Brevard Court Charlotte, NC 28202</u></p>	
<p>3) Contact Person(s):</p>	<p><u>Mack Paul and Michael Birch K&L Gates LLP</u></p>	<p><u>P.O. Box 17047 Raleigh, NC 27619</u></p>	<p><u>(919) 743-7326 Mack.Paul@klgates.com (919) 743-7314 Michael.Birch@klgates.com</u></p>
<p>4) Property Description: Please provide surveys if proposed zoning boundary lines do not follow property lines.</p>	<p>Wake County Property Identification Number(s) (PIN): <u>1703-29-0807, 1703-19-8695, 1703-19-9501, 1703-19-5540, 1704-10-9162, 1704-10-9027, 1704-10-8049, 1704-10-8117, 1704-10-7141, 1703-19-7985, 1704-10-6017 and 1703-19-6982</u></p>		
	<p>General Street Location (nearest street intersections): <u>South side of Hillsborough Street, between Park Avenue and West Morgan Street</u></p>		
<p>5) Area of Subject Property (acres):</p>	<p><u>+/- 6.67 acres</u></p>		
<p>6) Current Zoning District(s) Classification: Include Overlay District(s), if Applicable</p>	<p><u>Residential-20, Office & Institution-2, Buffer Commercial, Neighborhood Business and Industrial-2</u></p>		
<p>7) Proposed Zoning District Classification: Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.</p>	<p><u>Industrial-2 – Conditional Use, all with Pedestrian Business Overlay District</u></p>		

Exhibit B-1

List of Adjacent Property Owners

<u>Name and Address</u>	<u>PIN</u>
North Carolina Farmhouse Assoc. Inc. P.O. Box 33285 Raleigh, NC 27636-3285	1703-19-5935
Progress Park L. P. NC 1505 Hillsborough Street Raleigh, NC 27605-1830	1704-10-4178
Charles A. Creech, II 108 Park Avenue Raleigh, NC 27605-1833	1704-10-5242
Harry & Constantine Kledaras P.O. Box 25581 Raleigh, NC 27611-5581	1704-10-5336
Cameron Dental Properties LLC 1407 Hillsborough Street Raleigh, NC 27605-1828	1704-10-5361
Arrowood & Williams Properties LLC 1715 Park Drive Raleigh, NC 27605-1610	1704-10-6287
Howard F. & Dianne W. Hadley 210 Groveland Avenue Raleigh, NC 27605-1631	1704-10-6180
Fleeta D. White Heirs c/o H. Glenn White, III, Executor 1009 Schieffelin Road Apex, NC 27502-1777	1704-10-8406
First Church of Christ Scientists 1404 Hillsborough Street Raleigh, NC 27605-1829	1704-10-8462

Adams-Terry Realty Company 1310 Hillsborough Street Raleigh, NC 27605-1827	1704-10-9364
Theodore N. & Pamela B. Van Dyk 1306 Hillsborough Street Raleigh, NC 27605-1827	1704-20-0320
Theodore M. & Pam Van Dyk 1306 Hillsborough Street Raleigh, NC 27605-1827	1704-20-0286
1215 Hillsborough Street LLC 319 Yadkin Drive Raleigh, NC 27609-6362	1704-20-1222
J. Michael Word Catherine A. Stewart 1309 College Place Raleigh, NC 27605-1804	1704-20-0369
Saint Mary's College Attn: Mary Ethel McCorkle 900 Hillsborough Street Raleigh, NC 27603-1610	1704-20-2141
1215 Hillsborough Street LLC 319 Yadkin Drive Raleigh, NC 27609-6362	1704-20-0054
Fang Yi Liu Tay Luh Liu 402 Whisperwood Drive Cary, NC 27518-9127	1703-29-1909
Fang Yi Liu Tay Luh Liu 402 Whisperwood Drive Cary, NC 27518-9127	1703-29-1973
Saint Mary's School Business Office 900 Hillsborough Street Raleigh, NC 27603-1610	1704-20-9090

Fletcher Historic Properties LLC Robert M. Birch 1042 Washington Street Raleigh, NC 27605-1258	1703-29-2686
Benjamin Investment Properties LLC 1115 Hillsborough Street Raleigh, NC 27603-1505	1703-29-3753
Crencos Properties LLC 3500 Camp Mangum Wynd Raleigh, NC 27612-4191	1703-29-2690
J. Arthur Gordon 901 W. Morgan Street Raleigh, NC 27603-1511	1703-29-2585
Haven House Inc. 706 Hillsborough Street, Suite 200 Raleigh, NC 27603-1664	1703-29-2448
Reywall LLC 900 W. Morgan Street Raleigh, NC 27603-1512	1703-29-2318
Safechild Inc. 864 W. Morgan Street Raleigh, NC 27603-1614	1703-29-1285
William D. Martin, Jr., Trustee W. Daniel Martin, III, Trustee 2126 Harborway Drive Wilmington, NC 28405-5269	1703-19-9363
Garry H. Hoover 3300 Kirks Grove Lane Raleigh, NC 27603-5153	1703-19-9251
William D. Martin, Jr., Trustee W. Daniel Martin, III, Trustee 2126 Harborway Drive Wilmington, NC 28405-5269	1703-19-9201

William D. Martin, Jr., Trustee W. Daniel Martin, III, Trustee 2126 Harborway Drive Wilmington, NC 28405-5269	1703-19-7269
John & Alyssa Vine-Hodge 203 Ashe Avenue Raleigh, NC 27605-1814	1703-19-2583
William P. & Margaret Y. Wilkins 1116 Temple Street Raleigh, NC 27609-4346	1703-19-3527
Michael W. Iverson 123 Ashe Avenue Raleigh, NC 27605-1851	1703-19-3593
Michael W. Iversen 121 Ashe Avenue Raleigh, NC 27605-1800	1703-19-4539
Vernon Dane Wilson, Jr. 119 Ashe Avenue Raleigh, NC 27605-1812	1703-19-4672
Alice Harvey 117 Ashe Avenue Raleigh, NC 27605-1812	1703-19-5616
Karen E. Patch 115 Ashe Avenue Raleigh, NC 27605-1812	1703-19-5750
Jeff C. & Joyce B. Bulluck 4112 Pepperton Drive Raleigh, NC 27606-1734	1703-19-5795
Jefferson C. & Joyce B. Bulluck 407 N. Boylan Avenue Raleigh, NC 27603-1211	1703-19-6753
Edwin E. Utley, Trustee 1912 Hunting Ridge Road Raleigh, NC 27615-5514	1703-19-7728

1215 Hillsborough Street LLC 319 Yadkin Drive Raleigh, NC 27609-6362	1704-10-8072
Mary Anne Jobe 909 W. Morgan Street Raleigh, NC 27603-1511	1703-29-0548
Harllee H. Jobe Heirs 909 W. Morgan Street Raleigh, NC 27603-1511	1703-29-0533
Kenneth Shannon Lamm 905 W. Morgan Street Raleigh, NC 27603-1558	1703-29-0418
J. Arthur Gordon 901 W. Morgan Street Raleigh, NC 27603-1511	1703-29-0422
YMCA, Inc. 1603C Hillsborough Street Raleigh, NC 27605-1638	1704-10-1332
North Carolina State AFL-CIO PO Box 10805 Raleigh, NC 27605-0805	1704-10-7449

Exhibit B-1 continued

List of Adjacent Property Owners (Velvet Cloak Villas Condominiums)

<u>Name and Address</u>	<u>PIN</u>
Velvet Cloak Villas Condominiums PO Velvet Cloak Villas Condominiums Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 000
Niemchak Holdings LLC 1013 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 001
Debnam, Winnie Rebecca 1009 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 002
Owens, William C. 113 Hunters Trl E Elizabeth City, NC 27909-3218	1704-10-3366 003
Owens, William 113 Hunters Trl E Elizabeth City, NC 27909-3218	1704-10-3366 004
Debnam, Winnie Rebecca 1009 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 005
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 006
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 007
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 008
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 009
Charles Brewer Investments LLC PO Box 8938 Asheville, NC 28814-8938	1704-10-3366 010

<u>Name and Address</u>	<u>PIN</u>
Charles Brewer Investments LLC PO Box 8938 Asheville, NC 28814-8938	1704-10-3366 011
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 012
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 013
McLeod, Bernice A. & Sherman 1505 B 109 Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 014
McLeod, Sherman & Bernice A. 1505-111 Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 015
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 016
Moore, Thad D & Susan D 2705 Newquay St Durham, NC 27705-1627	1704-10-3366 017
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 018
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 019
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 020
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 021
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 022
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 023

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 024
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 025
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 026
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 027
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 028
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 029
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 030
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 031
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 032
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 033
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 034
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27560-1830	1704-10-3366 035

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27560-1830	1704-10-3366 036
Sullivan, Leonard H. & Deborah 1143 Executive Cir, Ste D Cary, NC 27511-4571	1704-10-3366 037
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 038
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 039
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 040
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 041
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 042
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 043
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 044
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 045
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 046
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 047

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 048
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 049
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 050
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 051
Wilson, Donald W. & Rebecca G. 78 Piney Lane Leasburg, NC 27291-9019	1704-10-3366 052
Whitt, Ronald William Whitt, Elizabeth Hester 592 Newton Pleasant Loop Road Hurdle Mills, SC 27514	1704-10-3366 053
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 054
Nguyen CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 055
Bohan, Christopher & Diane 66 Jameson Road Newland, NC 28657-8850	1704-10-3366 056
Bohan, Christopher & Diane 66 Jameson Road Newland, NC 28657-8850	1704-10-3366 057
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 058
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 059

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 060
Hughes, Daniel B. & Christine L. 921 Orange Street Wilmington, NC 28401-4748	1704-10-3366 061
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 062
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 063
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 064
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 065
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 066
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 067
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 068
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 069
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 070
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 071

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 072
Parkerson, John B. Jr. & Katherine A. 2214 Rockwell Avenue Cantonsville, MD 21228-4719	1704-10-3366 073
Parkerson, John B. Jr. & Katherine A. 2214 Rockwell Avenue Cantonsville, MD 21228-4719	1704-10-3366 074
Lavallee, Joseph Edward 1505 Hillsborough St Unit 214 Raleigh, NC 27605-1830	1704-10-3366 075
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 076
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 077
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 078
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 079
Sullivan, Leonard H. & Deborah 1143 Executive Cir., Ste. D Cary, NC 27511-4571	1704-10-3366 080
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 081
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 082
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 083

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 084
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 085
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 086
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 087
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 088
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 089
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 090
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 091

List of Adjacent Property Owners (Pullen Park Lofts Condominiums)

<u>Name and Address</u>	<u>PIN</u>
Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 000
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 001
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502	1703-19-3400 002
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 003
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 004
Everett F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 005
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 006
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 007
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 008

Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 009
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 010
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 011
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 012
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 013
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 014
Kenneth Ray Bolick P.O. Box 560282 Charlotte, NC 28256-0282	1703-19-3400 015
Glenda L. Daniel 1512 Rock Drive Raleigh, NC 27610-3119	1703-19-3400 016
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 017
Owen E. and Billie P. Widman 2532 Fordham Drive Fayetteville, NC 28304-3642	1703-19-3400 018
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 019

Robert Ward McKeel 2308 Van Dyke Avenue Raleigh, NC 27607-6934	1703-19-3400 020
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 021
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 022
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 023
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 024
Thomas J. Robertson 244 Henderson Drive Clemmons, NC 27012-7137	1703-19-3400 025
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 026
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 027
Doris S. Whitaker 816 Cooper Road Raleigh, NC 27610-3730	1703-19-3400 028
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 029

Everette Franklin and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 030
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 031
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 032
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 033
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 034
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 035
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 036
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 037
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 038
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 039
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 040

2-11-10

Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 041
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 042
Everett F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 043
Lois Jane Flowers Williams 3621 Carolyn Drive Raleigh, NC 27604-1615	1703-19-3400 044
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 045
Marvin Anthony White P.O. Box 3118 Eagle Pass, TX 78853-3118	1703-19-3400 046
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 047
Navinbhai N. and Minaxi N. Tailor 6029 Big Sandy Drive Raleigh, NC 27616-5792	1703-19-3400 048
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 049
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 050
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 051

Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 052
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 053
Navinbhai N. and Minaxi N. Tailor 6029 Big Sandy Drive Raleigh, NC 27616-5792	1703-19-3400 054
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 055
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 056
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 057
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 058
Manjit Singh and Swaran M. Jawa 1708 Tryon Drive Fayetteville, NC 28303-3750	1703-19-3400 059
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 060
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 061
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 062

Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 063
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 064
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 065
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 066
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 067
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 068
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 069
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 070
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 071
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 072
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 073

Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 074
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 075
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 076
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 077
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 078
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 079
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 080
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 081
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 082
Patricia K. Yelvington 1118 Poole Drive Garner, NC 27529-4539	1703-19-3400 083
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 084

Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 085
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 086
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 087
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 088
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 089
Everette Franklin and Naomi Bear Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 090
William Stephen Wilson, Jr. 7904 Old Bunch Road Zebulon, NC 27597-8674	1703-19-3400 091
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 092
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 093
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 094
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 095

Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 096
Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 097
Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 098
Everette Franklin and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 099
Everette F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 100

List of Velvet Cloak Villas Condominium Owners

2-11-10

<u>Name and Address</u>	<u>PIN</u>
Velvet Cloak Villas Condominiums PO Velvet Cloak Villas Condominiums Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 000
Niemchak Holdings LLC 1013 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 001
Debnam, Winnie Rebecca 1009 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 002
Owens, William C. 113 Hunters Trl E Elizabeth City, NC 27909-3218	1704-10-3366 003
Owens, William 113 Hunters Trl E Elizabeth City, NC 27909-3218	1704-10-3366 004
Debnam, Winnie Rebecca 1009 Deboy Street Raleigh, NC 27606-1758	1704-10-3366 005
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 006
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 007
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 008
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 009
Charles Brewer Investments LLC PO Box 8938 Asheville, NC 28814-8938	1704-10-3366 010
Charles Brewer Investments LLC PO Box 8938 Asheville, NC 28814-8938	1704-10-3366 011

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 012
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 013
McLeod, Bernice A. & Sherman 1505 B 109 Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 014
McLeod, Sherman & Bernice A. 1505-111 Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 015
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 016
Moore, Thad D & Susan D 2705 Newquay St Durham, NC 27705-1627	1704-10-3366 017
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 018
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 019
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 020
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 021
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 022
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 023
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 024

2-11-10

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 025
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 026
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 027
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 028
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 029
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 030
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 031
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 032
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 033
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27650-1830	1704-10-3366 034
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27560-1830	1704-10-3366 035
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27560-1830	1704-10-3366 036

<u>Name and Address</u>	<u>PIN</u>
Sullivan, Leonard H. & Deborah 1143 Executive Cir, Ste D Cary, NC 27511-4571	1704-10-3366 037
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 038
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 039
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 040
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 041
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 042
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 043
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 044
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 045
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 046
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 047
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 048

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 049
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 050
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 051
Wilson, Donald W. & Rebecca G. 78 Piney Lane Leasburg, NC 27291-9019	1704-10-3366 052
Whitt, Ronald William Whitt, Elizabeth Hester 592 Newton Pleasant Loop Road Hurdle Mills, SC 27514	1704-10-3366 053
Nguyens CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 054
Nguyen CAO PTNRP LLC 2829 Lauren Oaks Drive Raleigh, NC 27616-8611	1704-10-3366 055
Bohan, Christopher & Diane 66 Jameson Road Newland, NC 28657-8850	1704-10-3366 056
Bohan, Christopher & Diane 66 Jameson Road Newland, NC 28657-8850	1704-10-3366 057
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 058
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 059
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 060

<u>Name and Address</u>	<u>PIN</u>
Hughes, Daniel B. & Christine L. 921 Orange Street Wilmington, NC 28401-4748	1704-10-3366 061
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 062
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 063
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 064
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 065
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 066
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 067
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 068
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 069
Progress Park L P NC 1505B Hillsborough Street Raleigh, NC 27605-1830	1704-10-3366 070
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 071
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 072
Parkerson, John B. Jr. & Katherine A. 2214 Rockwell Avenue Cantonsville, MD 21228-4719	1704-10-3366 073

<u>Name and Address</u>	<u>PIN</u>
Parkerson, John B. Jr. & Katherine A. 2214 Rockwell Avenue Cantonsville, MD 21228-4719	1704-10-3366 074
Lavalley, Joseph Edward 1505 Hillsborough St Unit 214 Raleigh, NC 27605-1830	1704-10-3366 075
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 076
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 077
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 078
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 079
Sullivan, Leonard H. & Deborah 1143 Executive Cir., Ste. D Cary, NC 27511-4571	1704-10-3366 080
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 081
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 082
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 083
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 084
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 085

<u>Name and Address</u>	<u>PIN</u>
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 086
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 087
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 088
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 089
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 090
Progress Park L P NC 1505B Hillsborough St Raleigh, NC 27605-1830	1704-10-3366 091

CITY OF RALEIGH
CITY PLANNING DEPT

List of Pullen Park Lofts Condominium Owners

Z-11-10

<u>Name and Address</u>	<u>PIN</u>
Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 000
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 001
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502	1703-19-3400 002
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 003
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 004
Everett F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 005
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 006
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 007
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 008
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 009



2-11-10

Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 010
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 011
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 012
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 013
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 014
Kenneth Ray Bolick P.O. Box 560282 Charlotte, NC 28256-0282	1703-19-3400 015
Glenda L. Daniel 1512 Rock Drive Raleigh, NC 27610-3119	1703-19-3400 016
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 017
Owen E. and Billie P. Widman 2532 Fordham Drive Fayetteville, NC 28304-3642	1703-19-3400 018
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 019
Robert Ward McKeel 2308 Van Dyke Avenue Raleigh, NC 27607-6934	1703-19-3400 020

Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 021
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 022
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 023
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 024
Thomas J. Robertson 244 Henderson Drive Clemmons, NC 27012-7137	1703-19-3400 025
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 026
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 027
Doris S. Whitaker 816 Cooper Road Raleigh, NC 27610-3730	1703-19-3400 028
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 029
Everette Franklin and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 030

Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 031
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 032
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 033
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 034
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 035
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 036
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 037
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 038
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 039
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 040
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 041

Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 042
Everett F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 043
Lois Jane Flowers Williams 3621 Carolyn Drive Raleigh, NC 27604-1615	1703-19-3400 044
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 045
Marvin Anthony White P.O. Box 3118 Eagle Pass, TX 78853-3118	1703-19-3400 046
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 047
Navinbhai N. and Minaxi N. Tailor 6029 Big Sandy Drive Raleigh, NC 27616-5792	1703-19-3400 048
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 049
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 050
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 051
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 052

Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 053
Navinbhai N. and Minaxi N. Tailor 6029 Big Sandy Drive Raleigh, NC 27616-5792	1703-19-3400 054
Community Alternatives for Supportive Abodes Corporation P.O. Box 12545 Raleigh, NC 27605-2545	1703-19-3400 055
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 056
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 057
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 058
Manjit Singh and Swaran M. Jawa 1708 Tryon Drive Fayetteville, NC 28303-3750	1703-19-3400 059
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 060
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 061
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 062
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 063

Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 064
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 065
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 066
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 067
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 068
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 069
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 070
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 071
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 072
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 073
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 074

Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 075
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 076
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 077
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 078
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 079
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 080
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 081
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 082
Patricia K. Yelvington 1118 Poole Drive Garner, NC 27529-4539	1703-19-3400 083
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 084
Triangle Investment Holdings LLC 605 Samara Street Apex, NC 27502-7143	1703-19-3400 085

Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 086
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 087
Christopher H. and Kerry W. Martin 4404 Becton Court Apex, NC 27539-8852	1703-19-3400 088
Michael C. Wicker 11 Laquinta Loop Pinehurst, NC 28374	1703-19-3400 089
Everette Franklin and Naomi Bear Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 090
William Stephen Wilson, Jr. 7904 Old Bunch Road Zebulon, NC 27597-8674	1703-19-3400 091
Harpal S. Dhama 5002 Golden Arrow Drive Rancho Palos Verdes, CA 90275-3815	1703-19-3400 092
The Nora Melinda Glenn Trust 107 Windel Drive Suite 205 Raleigh, NC 27609-4471	1703-19-3400 093
Becton Properties LLC P.O. Box 1398 Holly Springs, NC 27540-1398	1703-19-3400 094
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 095
Hanoa Investments Ltd. P.O. Box 98451 Raleigh, NC 27624-8451	1703-19-3400 096

Z-11-10

Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 097
Pullen Park Lofts Owners Association 514 Daniels Street Suite 312 Raleigh, NC 27605-1317	1703-19-3400 098
Everette Franklin and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 099
Everette F. and Naomi B. Lloyd 6308 Dixon Drive Raleigh, NC 27609-3648	1703-19-3400 100

EXHIBIT C. Request for Zoning Change

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(g) Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City transit easements to the extent required to measure fourteen feet (14') in depth from back-of-curb by twenty feet (20') long adjacent to the public right-of-way on Hillsborough Street and on Morgan Street to support bus stops for current and future transit services in the area. The location of the transit easements shall be reasonably acceptable to the owner of the property so as not to interfere with the owner's planned improvements and reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry. If, prior to the issuance of the first building permit for development on the property, a bus stop is located at one or both of the transit easements deeded pursuant to this condition (g), then the owner of the developing property shall construct an ADA accessible shelter within that easement or easements for which there is a bus stop at a cost not to exceed \$5,000 per shelter, or in the alternative, the shelter(s) may be integrated into building architecture with canopies or other appropriate measures for sheltering riders with Transit Division approval, and such approval shall not be unreasonably withheld.

(h) Building facades fronting public rights-of-way will have no more than 50 feet of unbroken plane. Balconies, bays or building steps of at least two feet may be used to relieve facades.

(i) Development on the site area East of Ashe Avenue (PIN 1703-29-0807; DB 12572, PG 2349; PIN 1703-19-8695; DB 12572, PG 2361; PIN 1703-19-9501; DB 12979, PG 123, as shown on attached exhibit), excluding the parcel at 106 Wakefield Avenue (PIN 1703-19-5540; DB 12587, PG 1071, as shown on attached exhibit) (the "Wakefield Avenue Parcel"), shall consist of no less than three buildings.

(j) Development on the site area East of Ashe Avenue will have a maximum of 285 residential units, and a maximum of 20,000 square feet floor area gross (excluding floor area devoted to elevator shafts, stairwells, mechanical equipment, attics, balconies and mezzanines, enclosed porches) of street level retail sales/commercial uses (other than parking facilities listed in the Schedule of Permitted Land Uses in Zoning Districts). This condition does not apply to the Wakefield Avenue Parcel.

(k) There shall be no drive-through window located on the Property.

Open Space

(l) A pedestrian path connecting Ashe Avenue and West Morgan Street shall be constructed and maintained. This pedestrian way shall be a minimum of fourteen feet in width, with a minimum 8 ft wide paved sidewalk. The path will incorporate green space, patios or other similar features along its entire length. This pedestrian path shall not be closed to public use, except for repair or maintenance. Inclusion of this path in the project is contingent upon abandonment of Whitley Street.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 9 through 13 of the Zoning Application Instructions.

Note: if additional space is necessary, attach extra page(s) of Exhibit C signed and dated by all property owners

FMW at Hillsborough & Morgan LLC

By: _____

Date: 9/8/2010

Name: Jim Zanoni

Title: Manager

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(m) A minimum of 10% of site area within development East of Ashe Avenue will be green space-planting areas and/or grass. An additional 10% of open space for tenant/resident use in the form of balconies, courtyards, and other amenities will be provided within development East of Ashe Avenue. The open space provided by this condition (m) within the site area East of Ashe Avenue is contingent on abandonment of Whitley Street. The Wakefield Avenue Parcel and the site area within development West of Ashe Avenue (PIN 1704-10-8117; DB 12747, PG 1007; PIN 1704-10-8049; DB 13324, PG 2399; PIN 1704-10-9162; DB 13324, PG 2399; PIN 1704-10-9027; DB 13324, PG 2399; PIN 1704-10-7141; DB 12572, PG 2361; PIN 1704-10-6017; DB 12572, PG 2361; PIN 1703-19-6982; DB 12572, PG 2361; PIN 1703-19-7985; DB 12572, PG 2361, as shown on the attached exhibit) shall meet the open space standards and requirements of Raleigh City Code section 10-2055(d)(4).

(n) An air pump open for public use shall be installed in the general area of where the property lines of 925 W. Morgan Street (PIN 1703-29-0807 and DB 12572, PG 2349) meets the neighboring property of 1207 Hillsborough Street (PIN 1703-29-1936 and DB 10176, PG 1246) at the West Morgan Street right-of-way.

(o) The area measuring 20 feet by 30 feet located at the corner of Tryon Hill Drive and Wakefield Avenue, described in Deed Book 2012, Page 173 in the Wake County Registry, shall be maintained as open space, accessible to the public and with an outdoor seating area including at least two public benches consistent with those provided for in the Streetscape and Parking Plan.

Transitions

(p) In addition to the uses prohibited in above condition (a), bar, nightclub, tavern, and lounge, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited as a principal use within 50 feet of the public right-of-way of Hillsborough Street.

(q) In the event any one of those properties located at 123 Ashe Avenue (PIN 1703-19-3593; DB 12842, PG 1731), 121 Ashe Avenue (PIN 1703-19-4539; DB 12344, PG 412), 119 Ashe Avenue (PIN 1703-19-4672; DB 11891, PG 306), 117 Ashe Avenue (PIN 1703-19-5616; DB 13722, PG 1614) or 115 Ashe Avenue (PIN 1703-19-5750; DB 12481, PG 2393) (collectively, "Ashe Avenue Properties") is being used as a single-family dwelling or two-family dwelling at the time of site plan approval for properties immediately adjacent to the aforementioned properties, then the following conditions shall apply to the Wakefield Avenue Parcel:

- (1) The minimum rear yard building setback for any building located on the Wakefield Avenue Parcel is 20 feet;
- (2) The minimum side yard building setback for any building located on the Wakefield Avenue Parcel is 20 feet from the northern property line adjoining those properties with PIN 1703-19-5795; DB 3422, PG 967 and PIN 1703-19-5750; DB 12481, PG 2393;

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 9 through 13 of the Zoning Application Instructions.

Note: if additional space is necessary, attach extra page(s) of Exhibit C signed and dated by all property owners

FMW at Hillsborough & Morgan LLC

By: _____

Date: 9/8/2016

Name: Jim Zanoni

Title: Manager

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(3) The maximum building height for any building on the Wakefield Avenue Parcel shall be 45 feet;

(4) In addition to the uses prohibited in above condition (a), bar, nightclub, tavern, and lounge, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited on the Wakefield Avenue Parcel;

(5) In addition to any transitional protective yard requirements that may be required on the Wakefield Avenue Parcel, one additional 4 inch caliper screening tree shall be planted per 30 linear feet along the Wakefield Avenue Parcel's common property line with the Ashe Avenue Properties.

(6) There shall be no more than four (4) curb cuts from the Wakefield Avenue Parcel on to Wakefield Avenue.

(r) In the event the property located at 105 Park Avenue (PIN 1704-10-6180; DB 6986, PG 599) is being used as a single-family dwelling or two-family dwelling at the time of site plan approval for properties immediately adjacent to 105 Park Avenue (PIN 1704-10-6180; DB 6986, PG 599), then the following conditions shall apply:

(1) The maximum building height for any portion of a building within 25 feet of any property line adjacent to 105 Park Avenue (PIN 1704-10-6180; DB 6986, PG 599) shall be 45 feet; outside of this 25 feet zone, the maximum building height for any portion of a building is 70 feet.

(2) In addition to the uses prohibited in above condition (a), bar, nightclub, tavern, and lounge, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited within 50 feet of the property line of 105 Park Avenue (PIN 1704-10-6180; DB 6986, PG 599).

(s) In the event the properties located at 909 West Morgan Street (PIN 1703-29-0533; DB 874, PG 80), 913 West Morgan Street (PIN 1703-29-0548, DB 1100 PG 528) are being used as single-family dwellings or two-family dwellings at the time of site plan approval for properties immediately adjacent to 909 and 913 West Morgan Street, then the following conditions shall apply:

(1) The minimum building setback shall be 10 feet from any property line of 909 West Morgan Street (PIN 1703-29-0533; DB 874, PG 80) or 913 West Morgan Street (PIN 1703-29-0548, DB 1100 PG 528);

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FMW at Hillsborough & Morgan LLC

By: _____

Date: 9/8/2010

Name: Jim Zanoni

Title: Manager

EXHIBIT C. Request for Zoning Change

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1) Conditional Use Zone Requested: Industrial-2 – Conditional Use with Pedestrian Business Overlay District**2) Narrative of conditions being requested:**

As used herein, the "Property" refers to those certain tracts or parcels of land containing approximately 6.67 acres located on the south side of Hillsborough Street between Park Avenue and West Morgan Street in Raleigh, North Carolina, having Wake County PIN 1703-29-0807, 1703-19-8695, 1703-19-9501, 1703-19-5540, 1704-10-9162, 1704-10-9027, 1704-10-8049, 1704-10-8117, 1704-10-7141, 1703-19-7985, 1704-10-6017 and 1703-19-6982.

Prohibited Uses

(a) The following uses, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited on the Property:

- mini warehouse storage facility
- airfield or landing strip
- heliport
- cemetery
- correctional/penal facility – governmental and non-governmental
- crematory
- funeral home
- adult establishment
- carwash facility
- kennel/cattery
- vehicle sales/rental
- automotive service and repair facility
- pawn shop
- rifle range – all kinds
- bottling plant
- bulk products (storing, sorting and breaking)
- bulk storage of flammable and combustible liquids
- incinerator
- machine shop
- manufacturing – restricted and general
- mining and quarrying
- outdoor storage – all kinds
- scrap materials – indoor storage
- solid waste – indoor and outdoor reclamation and landfill
- terminal, facility, railroad roundhouse and depot
- gas plant

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FMW at Hillsborough & Morgan LLC

By: _____

Name: Jim Zanoni

Title: Manager

Date: 9/8/2010

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(2) The maximum building height for any portion of a building within 25 feet of any property line adjacent to 909 West Morgan Street (PIN 1703-29-0533; DB 874, PG 80) or within 25 feet of 913 West Morgan Street (PIN 1703-29-0548, DB 1100 PG 528) shall be 45 feet; outside of this 25 foot zone, the maximum building height for any portion of a building is 70 feet;

(3) In addition to the uses prohibited in above condition (a), bar, nightclub, tavern, and lounge, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited within 50 feet of 909 West Morgan Street (PIN 1703-29-0533; DB 874, PG 80) or shall be prohibited within 50 feet of 913 West Morgan Street (PIN 1703-29-0548, DB 1100 PG 528).

(t) In the event the property located at 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972) is being used as a single-family dwelling or two-family dwelling at the time of site plan approval for properties immediately adjacent to 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972), then the following conditions shall apply:

(1) The maximum building height for any portion of a building within 25 feet of the eastern-most property line (side yard) of 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972) shall be 45 feet; the maximum building height outside this 25 foot zone shall be 70 feet;

(2) The maximum building height for any portion of a building within 10 feet of the southern-most property line (rear yard) of 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972), excluding any alley right-of-way, shall be 45 feet; the maximum building height outside this 10 foot zone shall be 70 feet;

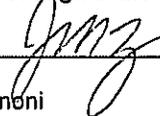
(3) For uses other than a single family dwelling use, there shall be a minimum side yard building setback of 10 feet from the common property line of the property and 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972);

(4) In addition to the uses prohibited in above condition (a), bar, nightclub, tavern, and lounge, as listed in the Schedule of Permitted Land Uses in Zoning Districts in section 10-2071 of the Raleigh City Code, shall be prohibited within 50 feet of 109 Ashe Avenue (PIN 1703-19-7728; DB 11420, PG 972).

Note: if additional space is necessary, attach extra page(s) of Exhibit C signed and dated by all property owners

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 9 through 13 of the Zoning Application Instructions.

FMW at Hillsborough & Morgan LLC

By: 

Name: Jim Zanoni

Title: Manager

Date: 9/8/2010

WEST OF ASHE AVE.:

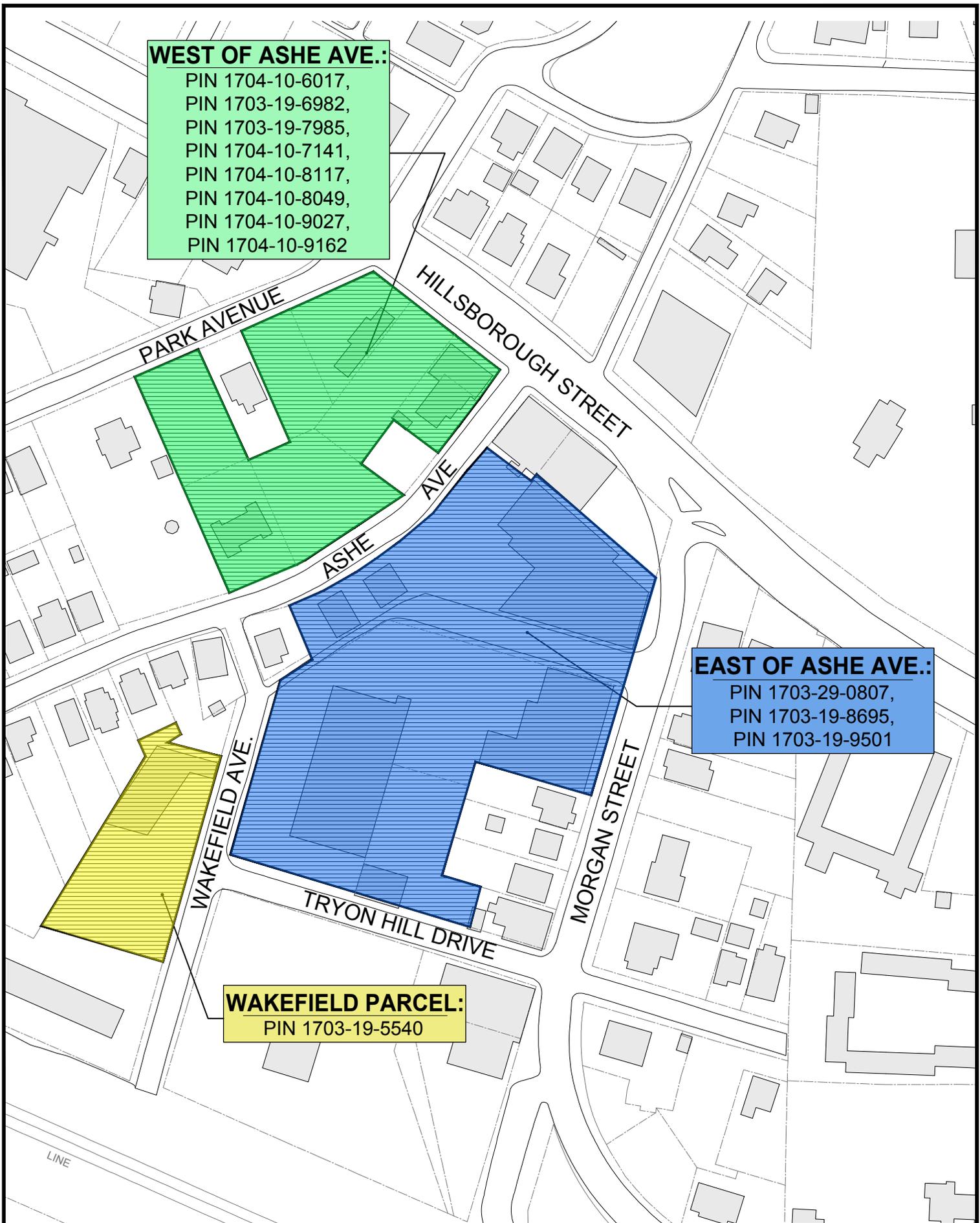
- PIN 1704-10-6017,
- PIN 1703-19-6982,
- PIN 1703-19-7985,
- PIN 1704-10-7141,
- PIN 1704-10-8117,
- PIN 1704-10-8049,
- PIN 1704-10-9027,
- PIN 1704-10-9162

EAST OF ASHE AVE.:

- PIN 1703-29-0807,
- PIN 1703-19-8695,
- PIN 1703-19-9501

WAKEFIELD PARCEL:

- PIN 1703-19-5540



Hillsborough Morgan PBOD Parcels

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

- A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:**

The Property is located within Special Study Area 8: West Morgan Street. According City Council Resolution 2009-997, section 3, the policy guidance from the 1989 Comprehensive Plan, including any small area plan, is in effect until a plan for this area is adopted. The proposed land uses for the Property are consistent with the land uses recommended by the 1989 Comprehensive Plan, which calls for a mix of residential, office and retail uses as discussed in section I.B. below.

- B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.**

The Property is located within the Hillsborough and Morgan Small Area Plan, part of the 1989 Comprehensive Plan. According to this small area plan, a mix of uses retail, office and retail uses are encouraged for property located to the south of Hillsborough Street and east of Park Avenue. For property located south of Whitley Street and surrounding the intersection of Tryon Hill Drive and Wakefield Avenue, the small area plan also permits a mix of uses. The Property is not located on the residential side of the policy boundary line. Also, the small area plan recommends that streetscape improvements be extended along Hillsborough Street.

- C. **Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").**

As noted above, the 1989 Comprehensive Plan policies are applicable to the Property. The land use policies for the Property are noted above, and the proposed map amendment is consistent with those policies. The 2030 Comprehensive Plan policies are also applicable. The proposed map amendment is consistent with Policy LU 1.3 "Conditional Use District Consistency" because the proposed zoning conditions prohibit industrial uses and permits a mix of residential, office and retail uses on the Property. Policy LU 4.7 "Capitalizing on Transit Access" encourages sites within one-half mile of a planned transit station to be developed with intense residential and mixed uses. The Property is within one-half mile of planned transit stations as shown on the Growth Framework Map, and the proposed map amendment permits increased residential density and a mix of uses. Policy LU 7.6 "Pedestrian Friendly Development" and Policy UD 6.1 "Encouraging Pedestrian-Oriented Uses" encourages new and redeveloped commercial areas and mixed-use centers to be pedestrian friendly and promote high intensity uses. The proposed map amendment will provide enhanced pedestrian ways and increased residential density through the Pedestrian Business Overlay District. Based on the above, the proposed map amendment is consistent with the Comprehensive Plan.

II. Compatibility of the proposed map amendment with the property and the surrounding area.

- A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):**

Commercial uses are located immediately north, south and east of the Property. Office and institutional uses are located east of the Property across West Morgan Street and north of the Property across Hillsborough Street. Medium-density residential condominiums are located to the southwest of the Property. Single-family detached dwellings are located to the west of the Property. Office and institutional uses are located to the west of the property, across Park Avenue. Hillsborough Street and West Morgan Street are major thoroughfares.

- B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):**

Parcels to the north across Hillsborough Street and east across West Morgan Street are zoned Office & Institution-1. Parcels to the south are zoned Industrial-2. Parcels to the west are zoned Office & Institution-1, Residential-20 and Residential-30. Adjacent parcels to the north and east are zoned Neighborhood Business.

- C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:**

The proposed map amendment permits a high-density residential mixed use development. It is compatible with the suitability of the Property for particular uses given the Property's location at the corner of two major thoroughfares, between two future rail stations shown on the Growth Framework Map, and north of a fixed railway. The proposed map amendment is also compatible with the character of the surrounding area, which consists of a mix of retail, office, institutional and residential uses.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed map amendment benefits the landowner by permitting it to redevelop industrial uses for a more appropriate mix of residential, office and retail uses.

B. For the immediate neighbors:

The immediate neighbors benefit from the proposed map amendment because the proposed map amendment prohibits the industrial uses currently permitted on the Property. Also, the immediate neighbors will benefit from the investment in, and redevelopment of, the Property. Third, the surrounding community will benefit from the pedestrian and streetscape improvements required by the Pedestrian Business Overlay District. There are no known detriments to the immediate neighbors.

C. For the surrounding community:

The surrounding community also benefits from the redevelopment of industrial uses into a mixed-use development permitted by the proposed map amendment. Additionally, the surrounding community benefits from the pedestrian and streetscape improvements required by the Pedestrian Business Overlay District. Third, the surrounding community benefits from intense residential development near planned transit stations that will decrease automobile dependence and lessen traffic congestion. There are no known detriments to the surrounding community.

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

No, the rezoning of this property does not provide a significant benefit which is not available to the surrounding properties. In fact, high density residential uses are permitted to the east, southwest and west of the Property. Office uses are permitted on parcels to the east, north, west and south of the property. Retail uses are permitted on some adjacent parcels.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

The Property is currently a mix of vacant industrial uses and underutilized commercial parcels. Given the Property's proximity to Downtown, a major university and planned rail stations, the Property is ripe for redevelopment as a mixed-use, pedestrian-oriented project. Moreover, given the surrounding land uses, many of the uses permitted by much of the current zoning are no longer appropriate. Also, the pedestrian and streetscape improvements required by the Pedestrian Business Overlay District are in the public interest and will add to an already active street.

V. Recommended items of discussion (where applicable).

- a. An error by the City Council in establishing the current zoning classification of the property.**

This recommended item of discussion is not applicable.

- b. **How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.**

This recommended item of discussion is not applicable.

- c. **The public need for additional land to be zoned to the classification requested.**

This recommended item of discussion is not applicable.

- d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

This recommended item of discussion is not applicable.

- e. **How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**

The rezoning advances the fundamental purposes of zoning as set forth in the state enabling legislation by permitting a mixed-use development that (i) is consistent with the Future Land Use Map and Comprehensive Plan policies, (ii) will decrease traffic congestion, and (iii) add to the public realm in terms of pedestrian and streetscape improvements.

VI. Other arguments on behalf of the map amendment requested.

There are no other arguments on behalf of the requested map amendment at this time.



Hillsborough Morgan

Streetscape and Parking Plan

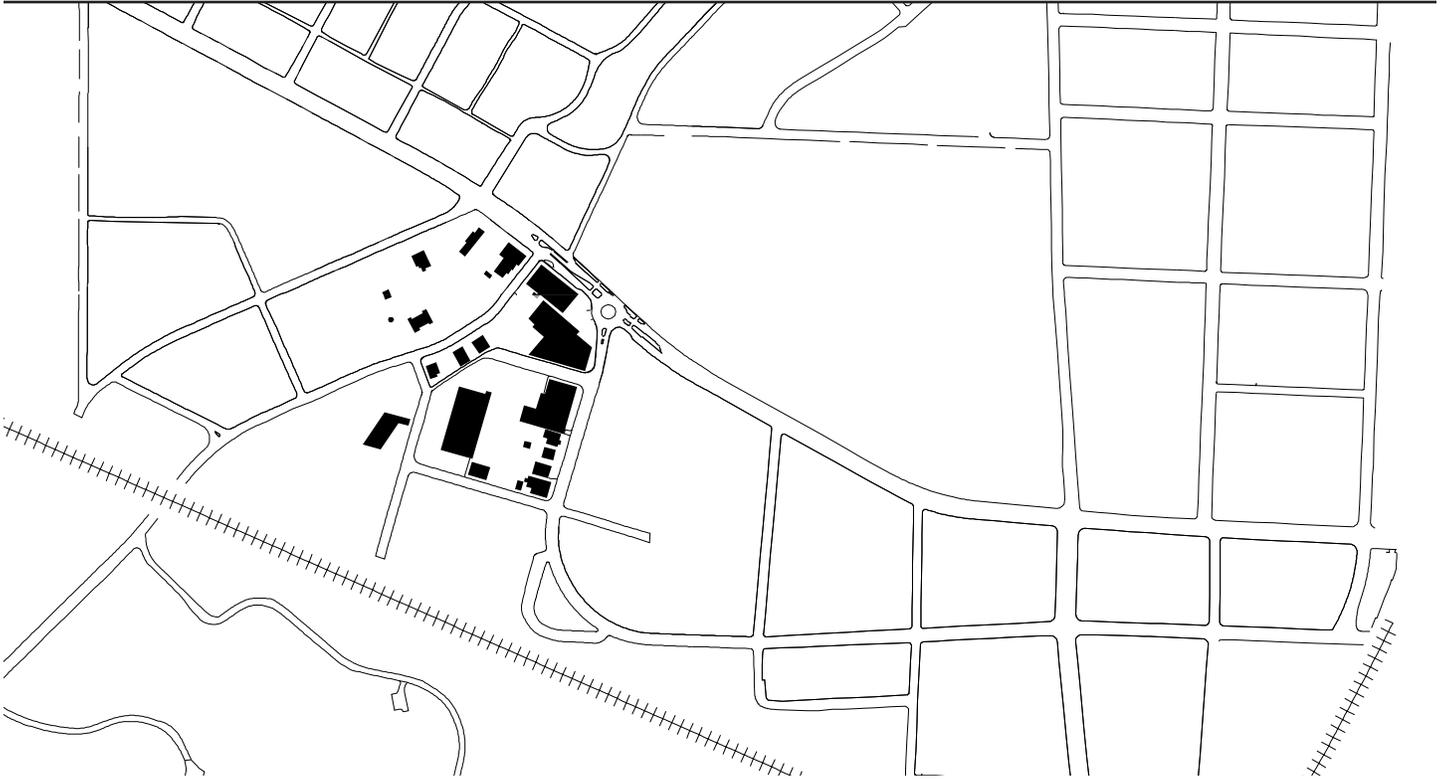
Raleigh, North Carolina
March 2010

Draft - September 9, 2010

Table of Contents

Introduction	
Background	4
Planning Goal	4
Transportation	5
Streetscape Concept	5
Plan Area Boundary Map	6
Streetscape Standards	
Sidewalks	7
Crosswalks	10
Utilities	11
Maintenance Plan	11
Canopies/Awnings	11
Streetlights	11
Building Facades	11
Commercial/Retail	11
Residential Structures	11
Existing Buildings	11
Building Setbacks	12
Transition Yards	12
Vehicular Parking Areas	12
Structured Parking	12
Parking Ratios	12
Heights	12
Building Height Map	13
Proposed Street Trees	14
Proposed Tree Grates	15
Proposed Tree Planting Details	16
Streetscape Furniture	17

Introduction



Background

The sites covered by this plan have been variously utilized for over 100 years, housing such uses as a bakery and bottling plant early in the Century, in addition to homes, and later, retail and restaurant uses along Hillsborough and Morgan Streets.

The site is variously zoned I-2, R-20, buffer commercial, and neighborhood business. The streetscape and parking plan, along with a PBOD designation for the area, will facilitate uses and development in keeping with Raleigh's resurgent urban core.

The site is strategically located between NC State and State Capitol, and with direct connections and frontage on Hillsborough Street, Morgan Street, and Ashe Avenue, which connects it to Pullen Park and Western Boulevard.

Raleigh's growth, re-commitment to the urban core, and renewed appetite for transit make this site ideal for a pedestrian and transit friendly, mixed use re-development.

Planning Goal

The goal of this streetscape and parking plan is to offer a planning armature which will align the site with redevelopment efforts along Hillsborough Street, and to facilitate pedestrian friendly, transit friendly residential and

community retail development uses on the site. The site is currently a significant void in the fabric of the community that stretches along Hillsborough Street. This plan aims to offer a structure for mending this void, and encouraging appropriate development on this well located but under-utilized parcel.

The Streetscape and public realm elements are contemplated here; parking standards which align with the urban nature of the site are offered, and height limits for varying quadrants of the site are set.

Residential densities will follow the established PBOD regulations that are in place in all other PBODs throughout the City, including Glenwood South, a few blocks to the north and East, and University Village, a few blocks to the West.

Appropriately dense residential development, along with community scale retail, and other uses such as a possible hotel, will provide a needed boost in activity, investment, and vitality to the area. Existing retail and restaurant businesses along Hillsborough and Morgan will benefit significantly from new residents and activity, and pedestrians in the area will find new interest and value in a reactivated fabric.

Introduction Cont.

Transportation

The site is located adjacent to the City's most heavily served street, Hillsborough Street. Cat Buses, The Wolf Line Prowler, and TTA busses all serve the site currently. The R-line circulates at the corner of Glenwood and Hillsborough, .5 mile east.

Morgan Street is currently undergoing final conversion to two way traffic, increasing access and flexibility around the site. As mentioned above, the site also has direct access to Pullen Park, Dorothea Dix, and Western Boulevard via Ashe Avenue.

Some future rail plans contemplate a light rail station within a few yards of the site. Current regional rail stations are planned .6 miles to the East in Downtown, and .8 miles West on the NC State Campus. Appropriate, dense, mixed use development will create demand for future transit. Residents on the site will benefit from current and future service, which will relieve much of the need for auto-only commuting, shopping and travel from this location. Additional density and mix of uses in this area will also reduce the need for car trips.

Streetscape Concept

The Streetscape concept contemplates two roadway types within the area:

Primary Roadways/Primary Pedestrian Corridors

Hillsborough Street and Morgan Street

Secondary Roadways/Secondary Pedestrian Corridors

Neighborhood scale streets including Ashe Avenue, Tryon Street, Wakefield Street, and Park Avenue.

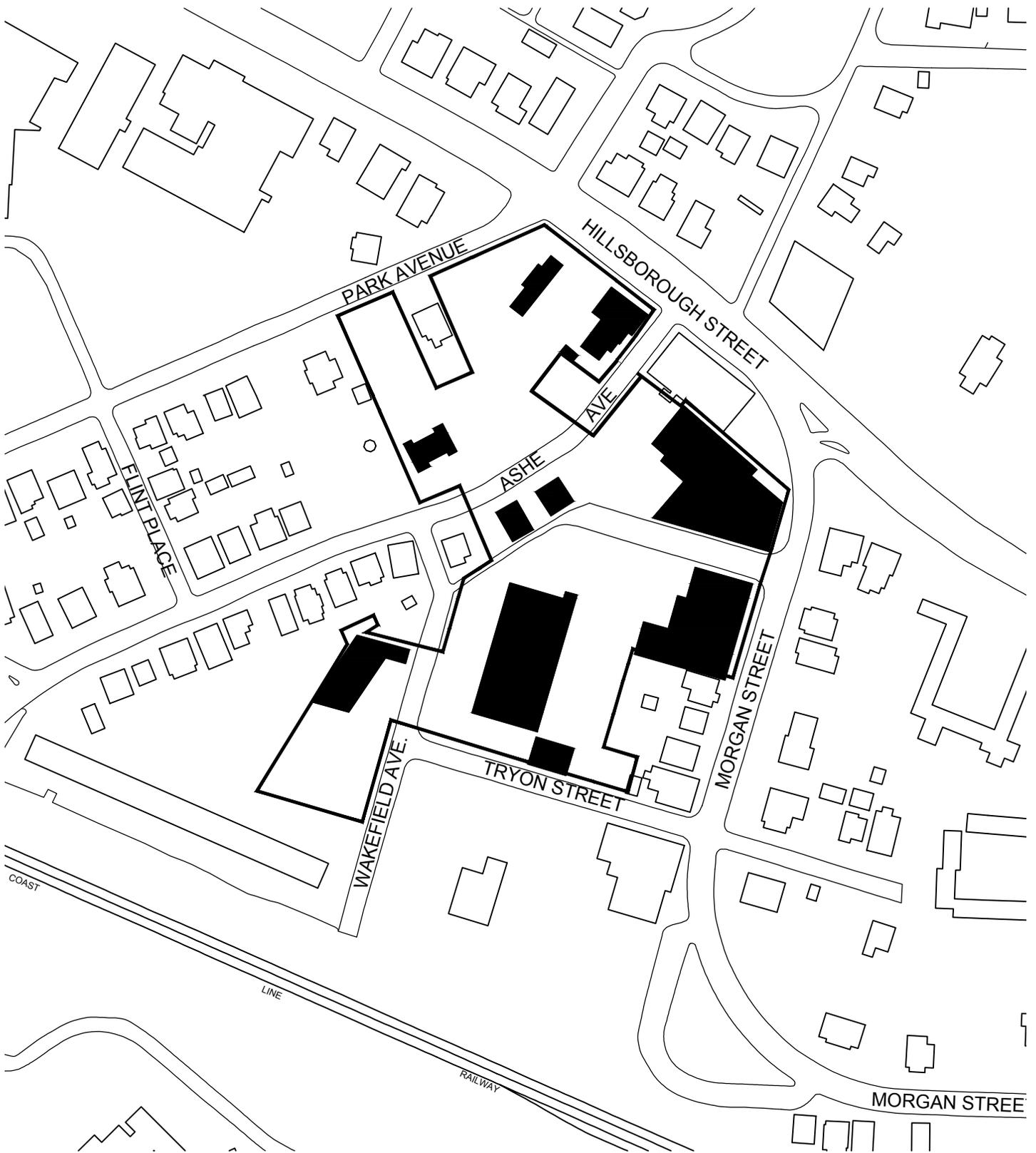
On Hillsborough Street and Morgan Streets, the streetscape plan can transition from that of Hillsborough Street Improvements to the west in terms of paving width, sidewalk treatments, and street furnishings, neighborhood streets will receive a modified treatment; concrete sidewalks will be extended to the curb, tree grates will accommodate street trees, and existing planting strips adjacent to the property can remain to offer transition to adjacent residential areas.

This will allow for modest planting and/or outdoor seating areas, while limiting impervious surfaces and walkways that are out of scale with the roadway, and its surrounds.

It is recommended that the City continue its revitalization effort along Hillsborough Street, and proceed with undergrounding of power lines and streetscape between Oberlin and Morgan.

The resulting plan will provide unity with other parts of the Hillsborough Street community while respecting the scale and character of secondary streets in the area.

Hillsborough Morgan PBOD Boundary



Streetscape Standards

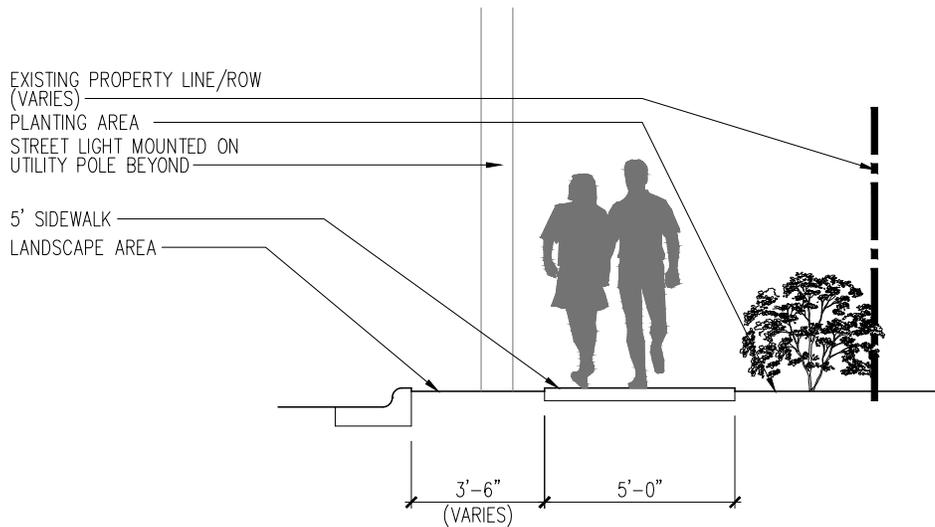
Sidewalks

Existing sidewalks will remain and be modified as shown below. This will provide an ease of transition to existing sidewalks outside the PBOD.

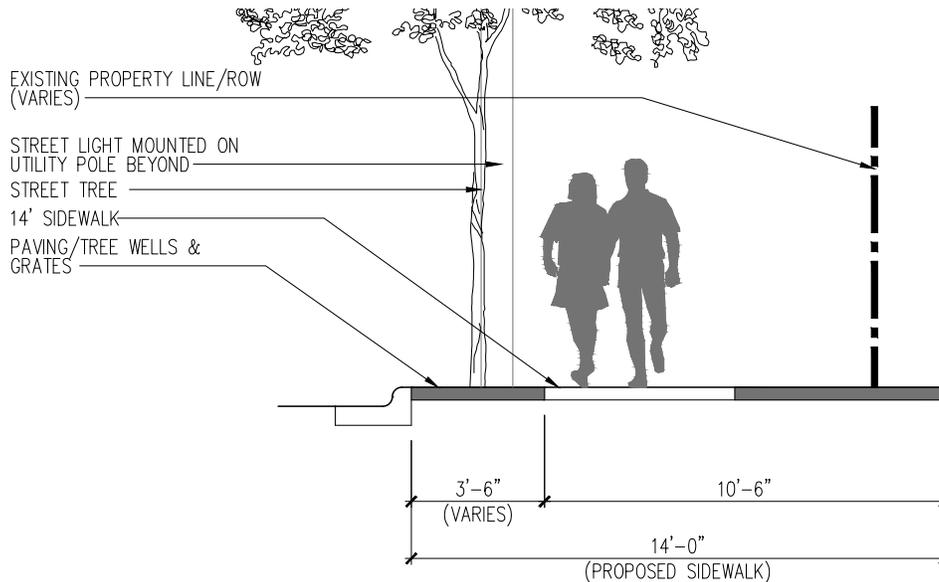
Sidewalks/Primary Roads- Hillsborough and Morgan Streets will receive full 14 ft sidewalks per City PBOD standards. Refer to accompanying illustration.

Sidewalks/ Secondary Roads- All other streets will be subject to 14 ft building setback from curb line. Sidewalks in these areas will be approximately 8 ft wide, starting at the curb. For residential uses, the remaining 6 ft may be planted area, patios, stoops, or other features, or may be paved where active uses are contemplated at street level. Refer to accompanying illustration.

Existing Sidewalk Section

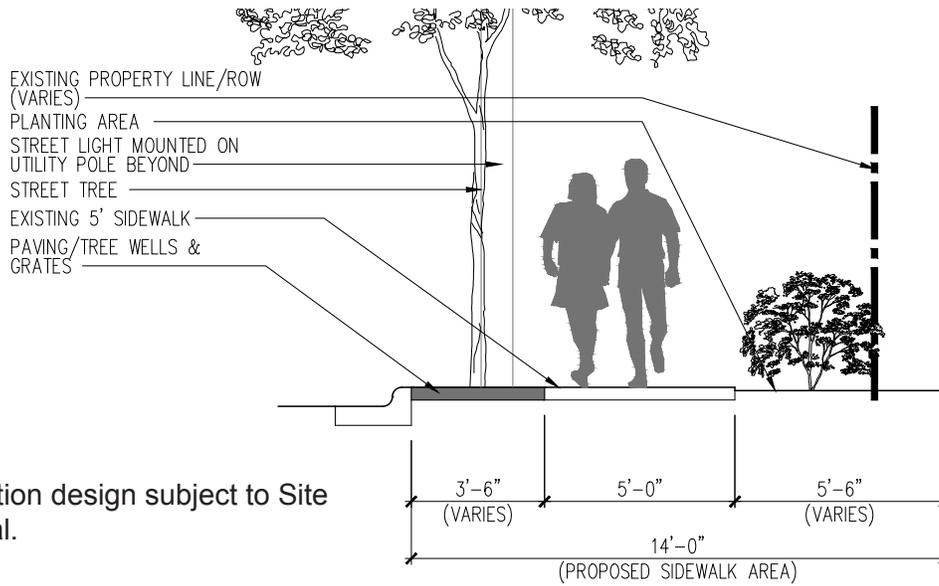


Proposed Sidewalk Section - Primary



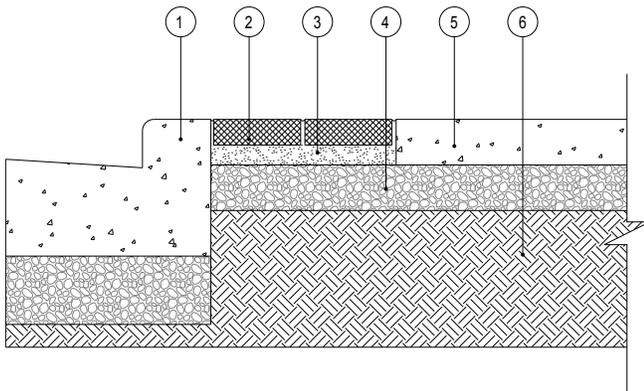
Streetscape Standards Cont.

Proposed Sidewalk Section - Secondary



Note: Transition design subject to Site Plan Approval.

Curb Detail



1. CONCRETE CURB AND GUTTER
2. 3-5/8"x7-5/8"x2-1/4" PEDESTRIAN RATED BRICK PAVER
3. 2" SAND SETTING BED
4. 4" COMPACTED STONE BASE
5. 4" CONCRETE SIDEWALK
6. COMPACTED SUBGRADE

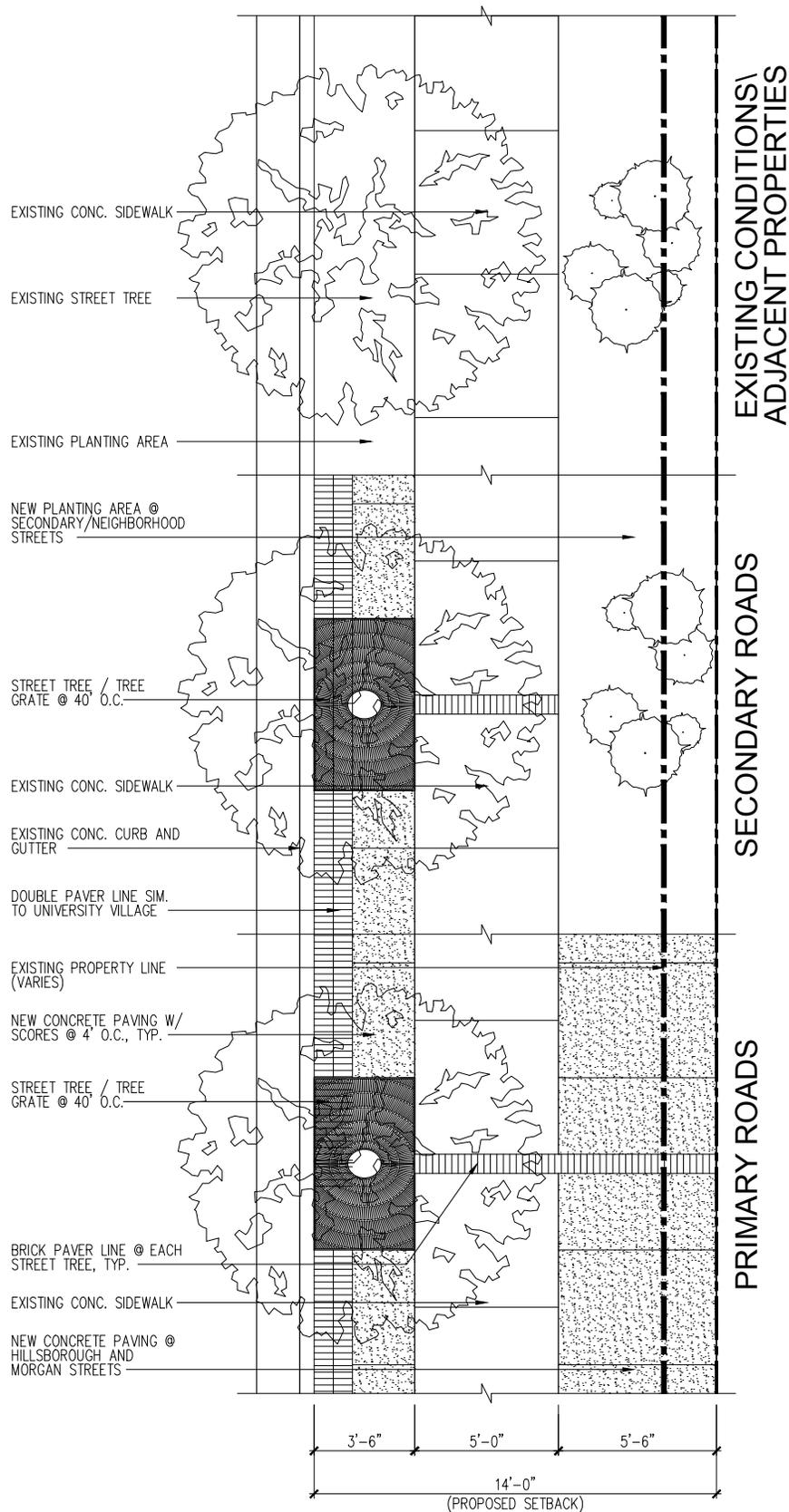
Accent Paver



Manufacturer: Pine Hall Brick
 Brick Specification: English Edge
 Dark Accent Paver

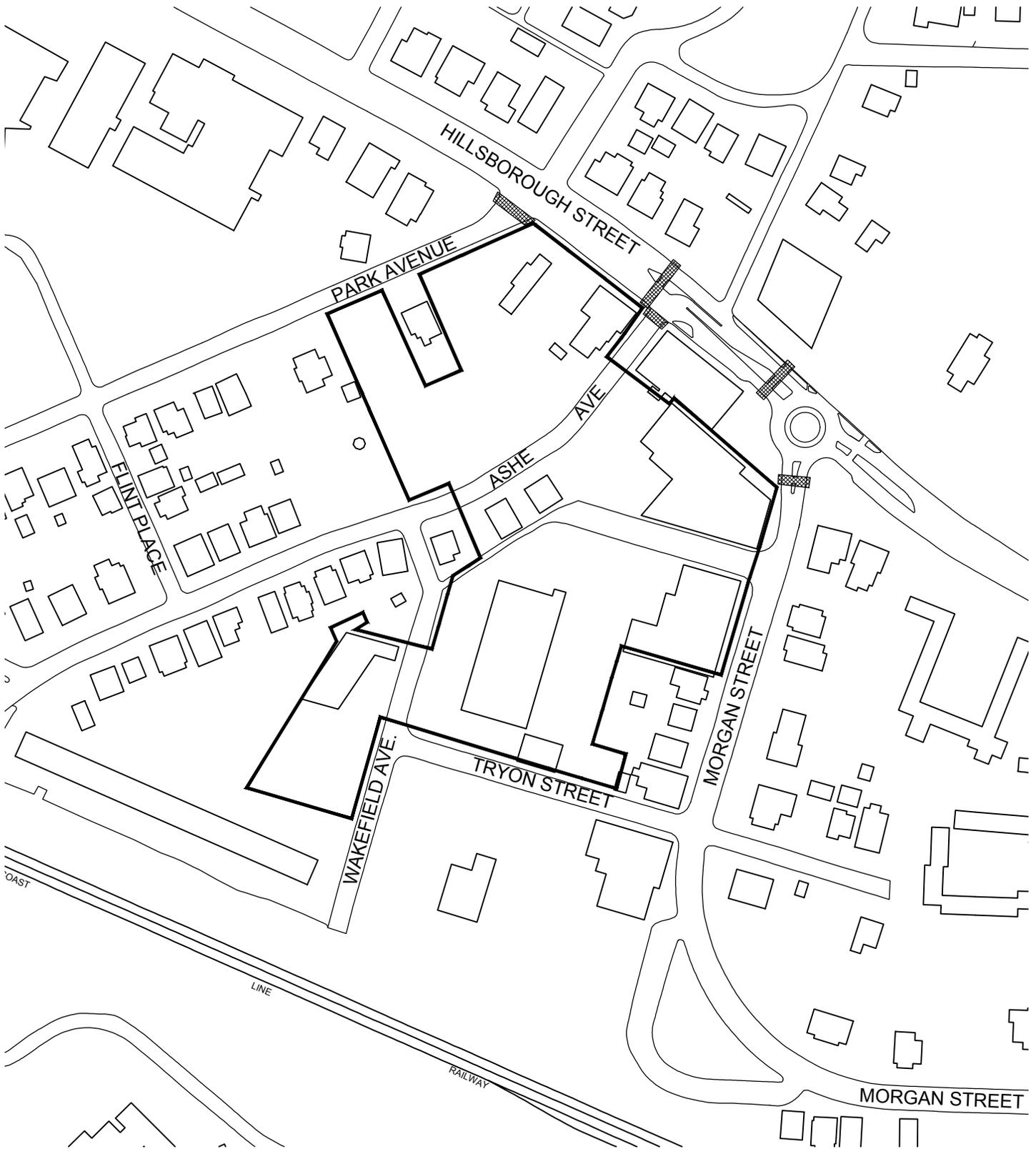
Streetscape Standards Cont.

Proposed Sidewalk Plan



Hillsborough Morgan Crosswalks

 LOCATION OF CROSSWALK



Streetscape Standards Cont.

Utilities

Utilities are well established in most of the area. Utilities will be on poles in the right of way. It is recommended that The City of Raleigh underground utilities along Hillsborough Street and Morgan Street.

Maintenance Plan

Maintenance in excess of that customarily provided by the City of Raleigh will be provided by individual property owners. This includes maintenance of sidewalks/planters required by PBOD but within property lines, **watering street trees and keeping sidewalks clear of debris.**

Signage

The design and placement of signage should complement the architectural character of the building and be oriented towards the pedestrian. Small high-quality signs are encouraged to enhance the appearance of the building and streetscape.

The following signage types are encouraged: Awning signs, window stencils, wall signs (when internally lit text should be illuminated with opaque background). Low profile ground signs are allowed on private property as allowed by the city code. Paddle signs **meeting Raleigh Sign Ordinance guidelines and oriented to pedestrian traffic** are encouraged. **Paddles signs shall maintain a minimum clear height of 9'-0" above the ground.**

The following signage types are prohibited: Off-premise signs, internally illuminated awning signs and internally illuminated signs that do not have an opaque background.

Canopies/Awnings

Canopies and awnings are encouraged for commercial uses along major pedestrian corridors. Awnings and canopies must be at least 9 feet above the sidewalk at their lowest point **excluding a flexible valence which may extend one additional foot.** ~~with any supporting structure located a minimum of 8 feet above the sidewalk.~~ An encroachment agreement approved by City Council is necessary if the awning projects into the public right-of-way.

Street Lights

Adequate lighting of the sidewalk and street area is essential to creating a safe and inviting streetscape. Additional street lighting may be necessary to achieve the appropriate levels needed within the business area along Hillsborough and Morgan Street. A short-term solution is to increase the wattage and number of lighting fixtures in the area using existing poles. In the long-term, it is recommended street lighting improvements and pole replacement be included with utility undergrounding by The City of Raleigh. ~~Cobra head or LED light fixtures on steel poles should be used in combination with bollard-style lighting for pedestrian areas.~~ **A supplementary**

lighting plan will be provided at the time of site plan approval for frontage of any development in the district.

Building Facades

There are a variety of buildings in the immediate area, ranging from modest one and two story residential structures on Morgan and Ashe, to 3 and 4 story apartment buildings to the east, and multi-story hotels (Velvet Cloak and Brownstone) just to the West.

Commercial/Retail

New building facades on primary streets should reflect the neighborhood retail character of the area. New Buildings with ground floor retail/commercial uses should include:

- A public doorway oriented toward the public right of way
- Facades with no more than 15 linear feet of 'blank' exterior walls facing the right of way
- Fenestration areas that allow for views into, and out of the building.
- Canopies, awnings, lighting features, and/or other treatments to denote the retail nature of the space.
- Durable materials in keeping with surrounding buildings - brick/masonry, natural stucco, cementitious or wood lap siding, and assorted trim elements of quality construction such as wood, aluminum storefront, and similar systems.

Residential Structures

Residential structures will have facades that address public right of ways. Ground level units will have **one or more of the following:** balconies, porches, stoops, bay windows, or other active elements that address the street.

Where parking is concealed under residential structures, ground level treatments will be of quality materials, with architectural details which match the primary building and provide a positive edge for pedestrians. Planters, decorative grates and openings, light fixtures, and other elements may be used to break up ground level facades and provide pedestrian scale.

Existing buildings

There are a variety of buildings in the area, with varying levels of architectural quality and distinction. Along Hillsborough Street, The mixed use apartment building at the corner of Ashe and Hillsborough, though outside of the proposed PBOD, should be recognized and efforts made to preserve and enhance the building. Many of the other structures in the area are industrial in nature and purpose, do not possess meaningful architectural character, and occupy parcels that merit repositioning and redevelopment. New construction

Streetscape Standards Cont.

~~should offer consideration of adjacent significant existing buildings outside of the PBOD through appropriate uses, materials and transitions.~~

Building Setbacks

Building setbacks from street right of ways shall be 0. All streets within the PBOD will have a minimum 14 ft. Sidewalk area. As noted above, this can be a combination of paving adjacent to the curb, and planted area or additional paving on private property. Additional right of way dedication shall not be required to accommodate the sidewalk. However, all provisions of 10-2055 (d)(4)(a), sidewalk widening will be met, with the exception of the sidewalk designations outlined above. **Any variation from the 14 ft. sidewalk will require site plan approval through City Council.**

Except **those setbacks prescribed in Zoning Case Z-11-10 for individual parcels, where otherwise modified in 10-2055 or herein,** all building setbacks will conform to the provisions of the underlying zoning **or as modified in Zoning Case Z-11-10.**

Transition Yards

For an urbanizing, dense, centrally located area such as Morgan Hillsborough, suburban buffer requirements are not practical. Open space created by these buffers provides little amenity, and can create nuisance areas between buildings.

Therefore it is recommended that of TPY planting areas be minimized through use of fences, walls and other measures per 10-2082.9.

Vehicular Parking Areas

No new vehicular parking areas, including additions to parking areas existing prior to the application of a PBOD, shall be located in any portion of the site parallel to and adjoining a public right of way. Parking areas may be located behind the front wall of the principal building when a closed decorative wall or appropriate landscape screen is built to screen parking from the sidewalk.

Lanscaping must comply with standards of 10-2082.6(b).

Structured Parking

Structured parking below or adjacent to new development will be screened with elements that carry architectural features of primary structures. No unimproved concrete or steel structures visible from any right of way are permitted. Colored precast, brick, stucco, and other materials relating to primary structures will be used. Openings in structures will be softened with architectural screening such as metal lattices, mullions matching building patterns, or similar features.

12 *Draft - September 9, 2010*

Parking Ratios

This area is well served by transit, has many businesses, services, and amenities within easy walking distance, and will be afforded a great deal of new pedestrian related activity as new developments take hold in the area. Mixed use development will also facilitate cross parking for uses with different hours of operation and occupation.

Given the pedestrian oriented nature of the area, the accompanying parking standards hereby govern within the district. Parking ratios noted in this plan will apply to all existing uses, expansion, and new structures within the district.

Minimum off street parking will be provided in the area in accordance with City PBOD ratios outlined in 10-2055(e)(1). ~~and are as follows:~~

~~Residential- 1 off street space for each unit~~

~~Commercial and Retail uses- no parking requirement for the first 10,000 sf of each use.~~

~~Parking to be provided at a ratio of 1 space per 400 sf gross area thereafter.~~

~~For eating establishments, bars, nightclubs, taverns, and lounges within 100 ft. of a residential zoning district with hours of operation extending past 11 pm- 1 space per 400 sf gross area.~~

Heights

The accompanying map shows maximum heights for all areas of the plan. The goal is to provide pedestrian scale facades along Hillsborough and Morgan Streets and height transitions to and from lower scale structures.

Note that allowable heights in this area for the various current zoning are:

I-2	50 ft w/ 1 ft increase for each 1 ft added setback width
All other districts	40 ft w/ 1 ft. increase for each 1 ft added setback width

Street Trees

Street trees will be installed per the streetscape plan at the time of development of the parcels at public right of ways prior to the issuance of a certificate of occupancy for the development on the parcel.

Refer to sidewalk plan on page 9 for typical tree spacing.

Refer to page 14 for tree species.

Refer to page 15 for tree grate specifications.

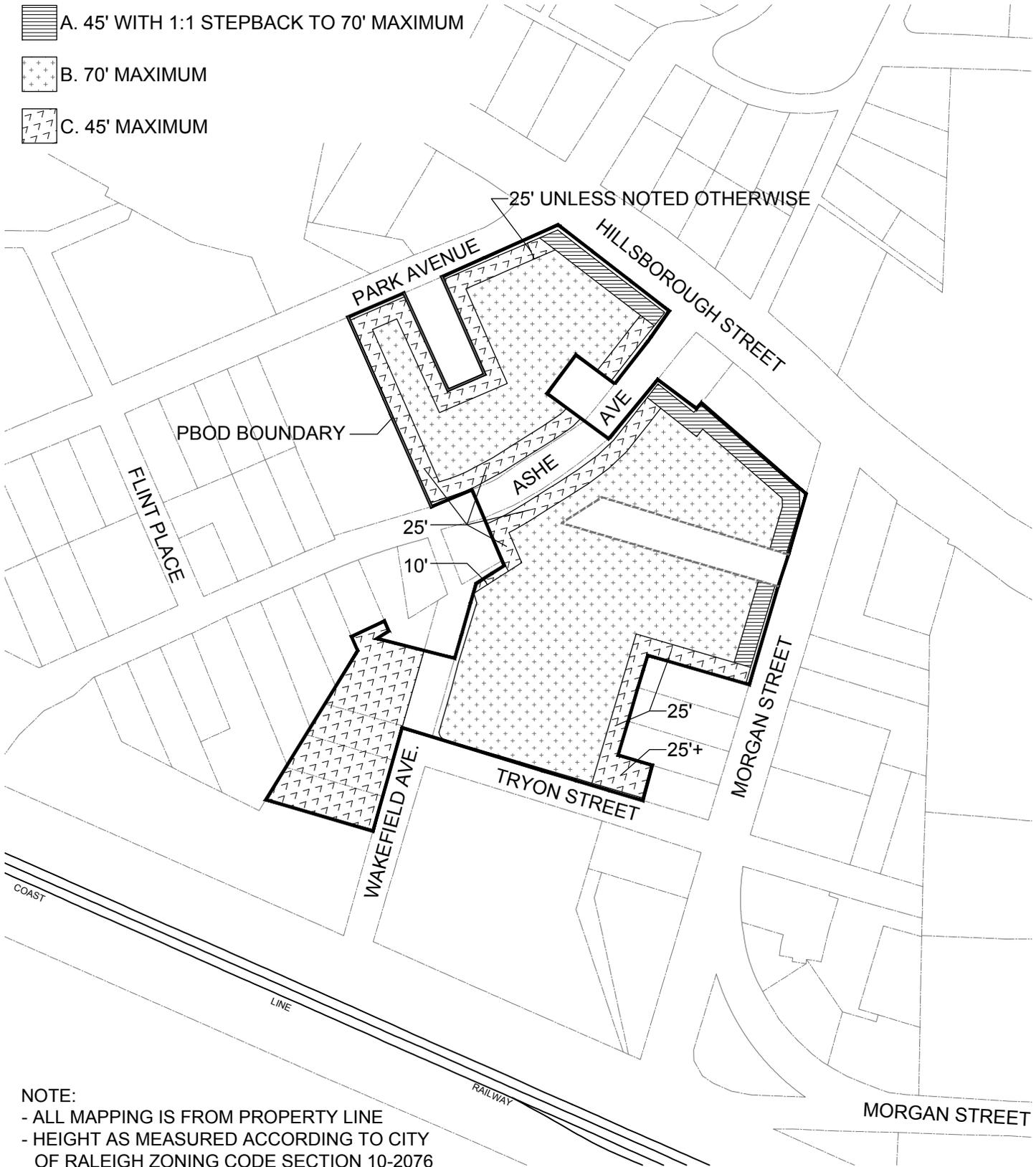
Refer to page 16 for tree planting details.

Hillsborough Morgan Building Heights

 A. 45' WITH 1:1 STEPBACK TO 70' MAXIMUM

 B. 70' MAXIMUM

 C. 45' MAXIMUM



NOTE:
 - ALL MAPPING IS FROM PROPERTY LINE
 - HEIGHT AS MEASURED ACCORDING TO CITY OF RALEIGH ZONING CODE SECTION 10-2076
 - ADDITIONAL SETBACKS AND DEVELOPMENT RESTRICTIONS MAY APPLY. REFER TO CASE Z-11-10 FOR DETAILS.

Proposed Street Trees



Chinese Pistache
(Pistacia chinensis)

Location: Hillsborough Street
Shape: Oval; Round; Spreading; Vase Shape
Foliage: Green w/ Red Flower
Fall Color: Orange-Red
(This tree is already in use to the west)



Chinese Fringe Tree
(Chionanthus retusus)

Location: Secondary, Morgan w/ Power Lines
Shape: Round, Vase Shape
Foliage: Green w/ White Flower
Fall Color: Yellow



Japanese Zelkova
(Zelkova serrata)

Location: Secondary, Morgan w/o Power Lines
Shape: Vase Shape
Foliage: Rough, Dark Green
Fall Color: Copper; Orange; Red; Yellow

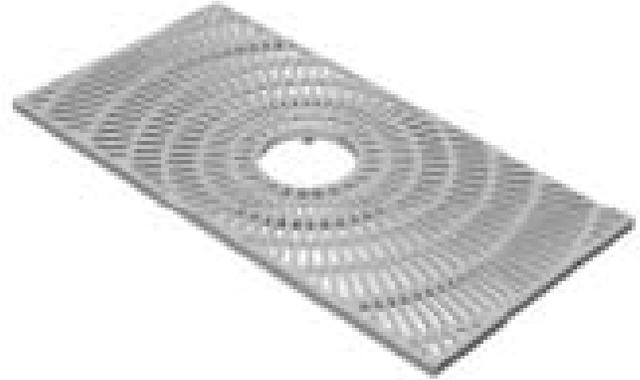
Proposed Tree Grates

Manufacturer: Neenah Foundry

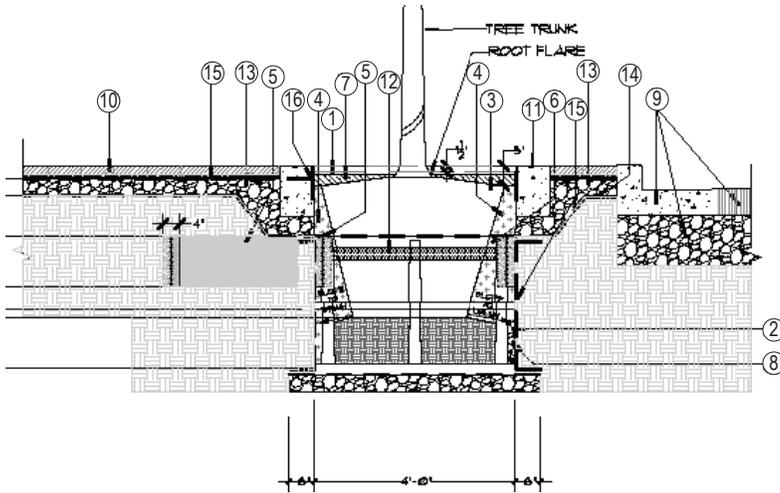
Tree grates are necessary to give the young tree access to oxygen while still allowing the space to be available for pedestrian traffic on a congested sidewalk.

Tree guards are not specified as part of the streetscape plan due to the often adverse impact of items chained to tree guards on the health of trees.

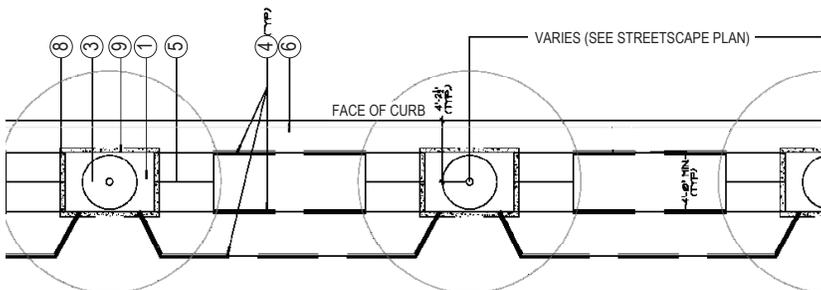
Note: All grates to be ADA compliant



Proposed Tree Planting Details



- ① TREE PIT OPENING
- ② CRUSHED STONE DRAIN SUMP W/ FILTER FABRIC WRAP
- ③ TREE ROOTBALL, REMOVE TOP 1/3 OF WIRE BASKET OR ROOTBALL STRAPS, REMOVE TOP 1/2 OF BURLAP ROOTBALL COVERINGS, REMOVE ALL SYNTHETIC STRAP MATERIAL AND COVERINGS FROM ENTIRE ROOTBALL. SET TOP SURFACE ELEVATION OF ROOTBALL FLUSH WITH FINAL EXISTING GRADE.
- ④ BACKFILL WITH PLANTING SOIL
- ⑤ TREE PIT ROOT PATH AERATION SHEET IN TRENCH, BACKFILL TRENCH W/SPECIFIED SOILS. EXTEND IN-LINE TO NEXT ADJACENT TREE.
- ⑥ DEEP ROOT SILVA CELL, WITH 3' OF COMPOST BETWEEN SILVA CELL DECK AND PLANTING SOIL BACKFILL WITH PLANTING SOILS.
- ⑦ 2" MULCH AS SPECIFIED (DO NOT MULCH WITHIN 6" OF TREE TRUNK)
- ⑧ 4" DRAIN PIPE
- ⑨ CONCRETE CURB, GUTTER, ROADWAY AND BASE
- ⑩ CONCRETE/BRICK PAVER WALKWAY
- ⑪ 4' x 12" FLUSH CONCRETE EDGE
- ⑫ 3" COMPOST BETWEEN SILVA CELL AND PLANTING SOIL
- ⑬ AGGREGATE BASE COURSE
- ⑭ 24" WIDE GEOTEXTILE, 18" MINIMUM OVERLAP PAST EXCAVATION
- ⑮ GEOGRID. 'J' 6" MINIMUM BELOW BACKFILL AT BASE. OVERLAP 12" MINIMUM AT T
- ⑯ METAL TREE GRATE FRAME



- ① TREE PIT OPENING 6'-8" x 4'-0" (TYP.)
- ② 4" PVC DRAIN PIPE IN STONE DRAIN SUMP WRAPPED IN FILTER FABRIC.
- ③ TREE ROOTBALL
- ④ TREE PIT ROOT PATH AERATION SHEET IN 4" WIDE TRENCH, BACKFILL TRENCH W/SPECIFIED SOILS, EXTEND IN-LINE TO NEXT ADJACENT TREE
- ⑤ DEEP ROOT SILVA CELL (DOUBLE STACKED), BACKFILL WITH SPECIFIED SOILS
- ⑥ CONCRETE CURB AND GUTTER
- ⑦ CONCRETE / PAVER WALKWAY
- ⑧ 4' x 12' CONCRETE CURB AROUND TREE PIT, FLUSH WITH BRICK PAVING
- ⑨ METAL TREE GRATE FRAME

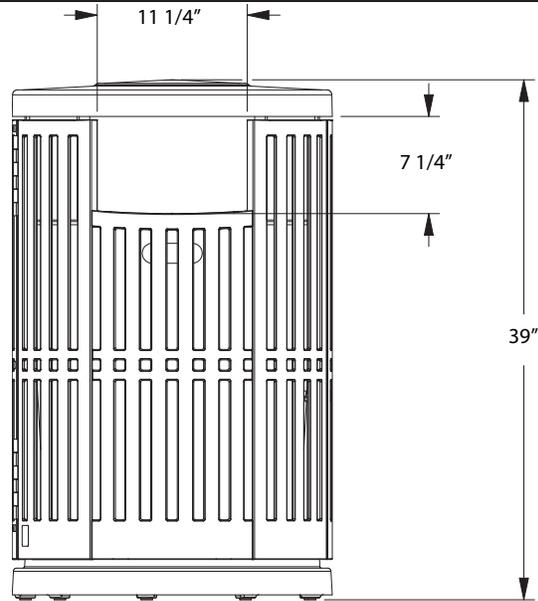
The decision to use root paths and Silva Cells prevents the soil from compacting and allowing the roots more room to grow and providing much needed nutrients for larger healthier tree. The current planting detail provides no additional systems for the tree to thrive in harsh urban environments.

Note: This detail and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Trash Receptacle

Manufacturer: Landscape Forms
Color: Anodized Finish
Style: Chase Park
Description: 24" Diameter / 36 Gallon
Side Opening Litter
Notes: 61% Recycled Material
100% Recyclable

This contemporary style was selected because it is designed and built to meet the rigors of urban spaces. This design features a hinged door that swings open for easy trash removal. The closed top was requested by both the parks and recreation department and the maintenance staff to keep rain water out of the trash receptacle. This product is made from 61% recycled material and is 100% recyclable. Landscape Forms powder coat finish contains no heavy metals and has extremely low VOCs



Note: These cans can be employed in select locations should the City of Raleigh extend pick-up service to the area.

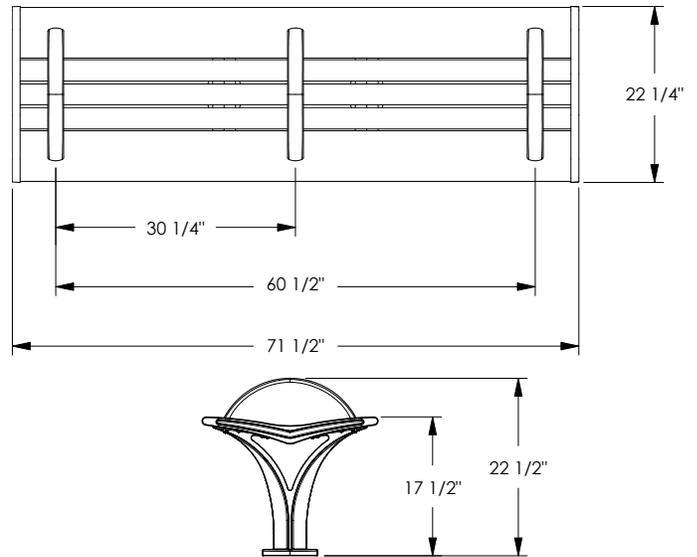


Note: This site fixture and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Bench

Manufacturer: Landscape Forms
Color: Anodized Finish
Style: Austin
Description: Flat Bench - Cantilever - 2 End Arms / 1 Center Arm
Notes: 48% Recycled Material
100% Recyclable

This design was selected because of its balance of contemporary style and simplicity. This product is made from 48% recycled material and is 100% recyclable. Landscape Forms powder coat finish contains no heavy metals and is a hard yet flexible finish that resists rusting, chipping, peeling and fading.



Note: ~~If utilized bench style is selected, we will add at existing transit stops w/in PBOD which currently do not have benches.~~ Benches will be added at properties subject to transit easements at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel.

Note: This site fixture and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Bike Rack

Manufacturer: Landscape Forms
Color: Stainless Steel
Style: Flo Bike Rack
Notes: 91% Recycled Material
100% Recyclable

This design was selected because of its contemporary style and simplicity. This product is made of 91% recycled material and is 100% recyclable. This design is similar in character to the existing bike racks on Hillsborough Street.



Note: ~~Minimum 1 bike rack at each block face with an active use. Exact locations to be determined at site plan submittal when building entrance locations are identified.~~ Bicycle parking facilities will be provided per 10-2055(e)(6) at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel.

Note: This site fixture and associated text/information was taken from the University Village Streetscape Plan Amendment for continuity purposes.

Proposed Air Pump

Manufacturer: Dero
Product: Air Kit
Description: Bicycle rack mounted air pump

Note:
Bike pump will be located as shown in map below and installed at the time of development and prior to issuance of a Certificate of Occupancy for development of the parcel on which the pump is located.

