Request:
2.90 acres from R-20 & O&I-1 to O&I-2 CUD with PBOD
Case Information Z-35-12 (SSP-7-12) Oberlin Rd.

<table>
<thead>
<tr>
<th>Location</th>
<th>Oberlin Road east side and Daniels Street west side, north of Smallwood Drive and Cameron Village Shopping Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size</td>
<td>2.9 acres</td>
</tr>
<tr>
<td>Request</td>
<td>Rezone property from R-20 and O&amp;I-1 to O&amp;I-2 CUD and R-20 CUD with PBOD</td>
</tr>
</tbody>
</table>

Comprehensive Plan Consistency

The rezoning case is ☑ Consistent ☒ Inconsistent with the 2030 Comprehensive Plan.

A checked box signifies consistency with the applicable 2030 Comprehensive Plan policy:

<table>
<thead>
<tr>
<th>Future Land Use Designation</th>
<th>Office and Residential Mixed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy LU 1.3</td>
<td>Conditional Use District Consistency</td>
</tr>
<tr>
<td>Policy LU 2.6</td>
<td>Zoning and Infrastructure Impacts</td>
</tr>
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<td>Policy UD 2.4</td>
<td>Transitions in Building Density</td>
</tr>
<tr>
<td>Policy UD 5.1</td>
<td>Contextual Design</td>
</tr>
<tr>
<td>Policy UD 6.1</td>
<td>Encouraging Pedestrian-Oriented Uses</td>
</tr>
<tr>
<td>Policy UD 7.3</td>
<td>Design Guidelines (1-26 policies)</td>
</tr>
<tr>
<td>Policy AP-WO 1</td>
<td>Wade-Oberlin Vision</td>
</tr>
<tr>
<td>Policy AP-WO 2</td>
<td>Wade-Oberlin Land Use Compatibility</td>
</tr>
<tr>
<td>Policy AP-WO 6</td>
<td>Wade-Oberlin Transition</td>
</tr>
<tr>
<td>Policy AP-WO 7</td>
<td>Oberlin Road Main Street</td>
</tr>
<tr>
<td>Policy AP-WO 8</td>
<td>Wade-Oberlin Auto-Oriented Retail</td>
</tr>
<tr>
<td>Policy AP-WO 13</td>
<td>Oberlin Road Corridor</td>
</tr>
</tbody>
</table>

Summary of Conditions

1. Prohibited land uses
2. Hours of operation
3. Outdoor lighting
4. Parking deck cladding
5. No more than 275 dwelling units
6. No more than 90,000 square feet of office uses
7. No drive through window
8. Provision for transit easement
9. Pedestrian and handicapped accessibility
10. Building façade articulation
11. Limit possibility of 3+ bedroom units
12. Applicability of 616 Streetscape Plan
13. Cross access
14. Sewer capacity at time of building permit

### Issues and Impacts

<table>
<thead>
<tr>
<th>Outstanding Issues</th>
<th>Impacts Identified</th>
<th>Suggested Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proposal does not meet some of the location guidelines for Pedestrian Business Overlay Districts. Proposal lacks retail uses, does not comprise at least one side of one block, and is not an expansion of an existing Pedestrian Business Overlay District.</td>
<td>1. Increased traffic</td>
<td>1. Clarify wording regarding trip generation per requirements of the City’s Transportation Planning office</td>
</tr>
<tr>
<td>2. Planning Commission approval needed for alternative sidewalk designs on Daniels Street.</td>
<td>2. Increased demand on water and wastewater systems</td>
<td></td>
</tr>
<tr>
<td>3. High intensity development adjacent to single family housing</td>
<td>3.</td>
<td></td>
</tr>
</tbody>
</table>

### Public Meetings

<table>
<thead>
<tr>
<th>Neighborhood Meeting</th>
<th>Public Hearing</th>
<th>Committee</th>
<th>Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 13, 2012</td>
<td>October 16, 2012</td>
<td>Date:</td>
<td>Date: 12/11/12</td>
</tr>
</tbody>
</table>

- **Valid Statutory Protest Petition**

### Attachments

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

### Planning Commission Recommendation

- **Recommendation**
  
  The Planning Commission finds that this case is inconsistent with the Comprehensive Plan, however based on the finding and reasons below and should be approved in accordance with conditions dated December 11, 2012.

- **Findings & Reasons**
  
  1. That while the proposed rezoning request is inconsistent with the Future Land Use Map, it is consistent with all other applicable Comprehensive Plan Policies.
  2. The request is reasonable and in the public interest. The
Applicant has provided several zoning conditions that mitigate impacts associated with the proposal. Therefore rezoning to Office and Institution-2 Conditional Use with PBOD as conditioned will provide the applicant a broader range of uses for redevelopment.

3. The proposal is consistent and compatible with the surrounding area. While the property is adjacent to residential, the applicant has provided conditions to help ensure an appropriate transition with adequate buffering.

Motion and Vote

Motion: Schuster
Second: Sterling-Lewis
Recused: Fluhrer

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.

December 11, 2012

Planning Director Date Planning Commission Chairperson Date

Staff Coordinator: James Brantley James.brantley@raleighnc.gov
Zoning Staff Report – Case Z-35-12

Conditional Use District

Request

<table>
<thead>
<tr>
<th>Location</th>
<th>Oberlin Road east side and Daniels Street west side, north of Smallwood Drive and Cameron Village Shopping Center</th>
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<td>Request</td>
<td>Rezone property from R-20 and O&amp;I-1 to O&amp;I-2 CUD and R-20 CUD with PBOD</td>
</tr>
<tr>
<td>Area of Request</td>
<td>2.9 acres</td>
</tr>
<tr>
<td>Property Owner</td>
<td>616 Partners, LLC, Oberlin Investors, LLC</td>
</tr>
<tr>
<td>PC Recommendation Deadline</td>
<td>January 14, 2013</td>
</tr>
</tbody>
</table>

Subject Property

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>R-20, O&amp;I-1</td>
<td>O&amp;I-2 CUD and R-2- CUD</td>
</tr>
<tr>
<td>Additional Overlay</td>
<td></td>
<td>PBOD</td>
</tr>
<tr>
<td>Land Use</td>
<td>Office building, residential</td>
<td>Office and/or residential</td>
</tr>
<tr>
<td>Residential Density</td>
<td>15 du/ac; 45 dwellings</td>
<td>94 du/ac; 275 dwellings max</td>
</tr>
</tbody>
</table>

Surrounding Area

<table>
<thead>
<tr>
<th></th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>O&amp;I-1</td>
<td>O&amp;I-1</td>
<td>R-20</td>
<td>O&amp;I-1</td>
</tr>
<tr>
<td>Future Land Use</td>
<td>Office and Residential Mixed Use</td>
<td>Office and Residential Mixed Use</td>
<td>Office and Residential Mixed Use</td>
<td>Medium density residential</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Office building</td>
<td>Office building, retail</td>
<td>Single and multifamily residential</td>
<td>Office buildings</td>
</tr>
</tbody>
</table>

Comprehensive Plan Guidance

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>Office and Residential Mixed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan</td>
<td>Wade Oberlin Area Plan</td>
</tr>
<tr>
<td>Applicable Policies</td>
<td>Policy LU 1.3 Conditional Use District Consistency</td>
</tr>
<tr>
<td></td>
<td>Policy LU 2.6 Zoning and Infrastructure Impacts</td>
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Policy AP-WO 6 Wade-Oberlin Transition
Policy AP-WO 7 Oberlin Road Main Street
Policy AP-WO 8 Wade-Oberlin Auto-Oriented Retail
Policy AP-WO 13 Oberlin Road Corridor

Contact Information

<table>
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<tr>
<th>Staff</th>
<th>James Brantley, <a href="mailto:james.brantley@raleighnc.gov">james.brantley@raleighnc.gov</a>, 919-966-2651</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>616 Partners, LLC; Oberlin Investors LLC</td>
</tr>
<tr>
<td>Citizens Advisory Council</td>
<td>Hillsborough CAC, William Allen, <a href="mailto:will@allenheuer.com">will@allenheuer.com</a>, 919-836-5515</td>
</tr>
</tbody>
</table>

Case Overview

The proposal is to rezone two contiguous parcels and a small portion of a third parcel, located just north of the northwest corner of the intersection of Oberlin Road and Smallwood Drive. The parcel fronting onto Oberlin Road is 2.42 acres in size, zoned O&I-1 and contains a one story office building. The second parcel, which fronts onto Daniels Street, is .46 acres in size and is zoned R-20. This parcel contains a one story multifamily building. The two parcels abut one another in the center of the block for approximately 45 feet. The rezoning request also includes approximately 0.06 acres of the southern edge of adjacent parcel pin #1704044002 immediately to the north. The proposal calls for a rezoning to O&I-2 Conditional Use District with a Pedestrian Business Overlay District (PBOD).

The request is to change the zoning of the Oberlin Road parcels from O&I-1 to O&I-2 CUD, and the Daniels Street parcel from R-20 to R-20 CUD (same conditions on all parcels). A Pedestrian Business Overlay Zone and streetscape plan would be applied to all of the land.

Conditions prohibit certain uses (telecommunications tower, drive-through windows, etc), limit residential uses to 275 dwellings (94 du/ac), limit office uses to 90,000 square feet, and restrict building heights on parts of the property to five, four and three stories.

A streetscape and parking plan is a required component of a PBOD. The applicants have submitted the “616 Oberlin Streetscape and Parking Plan,” which establishes standards for sidewalks, facades, tree planting, and signs.

The site is surrounded by a mix of different zoning districts and land uses. To the north is a multistory office building zoned O&I-1. To the southeast is a single family house, zoned R-20. Across Daniels Street are single family houses zoned SP R-6. To the south are an office building and retail shops, zoned O&I-1 and SC CUD. Across Oberlin Road to the east are office buildings zoned O&I-1.

The site is located in a mixed use community center/city growth center, as indicated on the Growth Framework map in the Raleigh Comprehensive Plan.

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

1.1 Future Land Use
The request is inconsistent with the Future Land Use Map because the residential density proposed exceeds that recommended per the Future Land Use Map. On the Future Land Use Map, the western portion of the site, fronting onto Oberlin Road, is designated Office and Residential Mixed Use. The eastern portion of the site, fronting onto Daniels Street, is designated Medium Density Residential. Per these designations, 81 dwellings (28 du/ac) could be constructed on the combined 2.9 acre site. Zoning conditions on the case cap the number of dwellings at 275 (94 du/ac).

1.2 Policy Guidance
The following policy guidance is applicable with this request:

<table>
<thead>
<tr>
<th>Policy LU 1.3</th>
<th>Conditional Use District Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan</td>
</tr>
</tbody>
</table>

Inconsistent. Conditions allow substantially more dwellings than recommended in the Comprehensive Plan.

<table>
<thead>
<tr>
<th>Policy LU 2.6</th>
<th>Zoning and Infrastructure Impacts</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.</td>
</tr>
</tbody>
</table>

Consistent. Traffic analysis and provisions for sewer upgrades have been provided.

<table>
<thead>
<tr>
<th>Policy LU 5.4</th>
<th>Density Transitions</th>
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<tbody>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Policy LU 5.6</th>
<th>Buffering Requirements</th>
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<tr>
<td></td>
<td>New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.</td>
</tr>
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<tr>
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<td>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.</td>
</tr>
</tbody>
</table>
Consistent. Provision has been made to limit the heights of buildings adjacent to existing single family housing,

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

Consistent. The zoning conditions provide for a transit easement.

Policy LU 10.6
Retail Nodes
Retail uses should concentrate in mixed-use centers and should not spread along thoroughfares in a linear "strip" pattern unless ancillary to office or high-density residential use.

Consistent. The proposal reinforces the retail core at Cameron Village shopping center.

Policy UD 5.1
Contextual Design
Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

Consistent. The 616 Oberlin Streetscape Plan generally complements the Cameron Village streetscape plan.

Policy UD 6.1
Encouraging Pedestrian-Oriented Uses
New development, streetscape, and building improvements in Downtown, pedestrian business districts and TOD areas should promote high intensity, pedestrian-oriented use and discourage automobile-oriented uses and drive-through uses.

Consistent. The intensity of uses allowed by the proposal will increase pedestrian activity in the area. Drive-throughs are prohibited by the conditions.

Policy UD 7.3
Design Guidelines
The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications in mixed-use areas such as Pedestrian Business Overlay Districts and mixed-use designations on the Future Land Use Map, including preliminary site plans and development plans, petitions for the application of the Pedestrian Business or Downtown Overlay Districts, Planned Development Districts, and Conditional Use zoning petitions.

The proposal is generally consistent with the design guidelines.

Design Guidelines for Mixed-Use Developments

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.

Applicant’s Response:
The subject properties are not in the “core” of the Cameron Village with regard to retail area, and the proposed use of the property is generally assumed to be “High Intensity” residential, or office use with accessory retail. These land uses are in accord with the Wade/Oberlin Area Plan that does not encourage significant retail use on this site.

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.

Applicant’s Response:
Transition elements (building height, building setback, HVAC location, open space) are provided in either the zoning conditions or the streetscape plan.

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.

Applicant’s Response:
There is an existing network of grid-style streets adjacent to the subject property - no changes are proposed.

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.

Applicant’s Response:
There are no street extensions proposed by this project, and the subject property is immediately adjacent to a grid of existing streets.

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

Applicant’s Response:
Block faces are existing, and no changes are proposed.

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.

Applicant’s Response:
Parking areas are required to be the rear or side of principal building(s). (Except for minimal quantity of courtesy/delivery spaces, parking spaces between a building and a public right of way are prohibited.

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.

Applicant’s Response:
The building(s) shall adhere to this standard, in accord with setback and design guidelines provided. Parking shall be located behind, within or to the side of the building(s).

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

Applicant’s Response:
The subject properties are not located at a street intersection

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.

Applicant’s Response:
The 616 Oberlin Streetscape & Parking Plan provides for public access urban space, found in the wide sidewalk zone. Private access urban open space associated with residential use shall be located with ready access to building occupants, taking into account views and sun exposure.

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.

Applicant’s Response:
The building(s) shall provide pedestrian entrances directly onto public sidewalks, especially along Oberlin Road.

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.

Applicant’s Response:
The proposed uses include all of the categories stated in the criteria, and they shall be located on the perimeter (street frontage)
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.

**Applicant’s Response:**
The proposed development allows the use of interior courtyard or garden space to serve residents as building setbacks are set close to public right of way - refer to Exhibit "A" of the zoning conditions.

### Site Design/Public Seating

13. New public spaces should provide seating opportunities.

**Applicant’s Response:**
*Seating (benches) is a component of the streetscape plan.*

### Site Design/Automobile Parking

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

**Applicant’s Response:**
The 616 OBERLIN Streetscape & Parking Plan addresses location of parking, and type of driveway (ramp-type, not street-type).

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.

**Applicant’s Response:**
The 616 OBERLIN Streetscape & Parking Plan directs the location of parking, with exception for courtesy drop-off parking, to be placed behind, within, or to the side of buildings.

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.

**Applicant’s Response:**
Parking structure(s) are required to provide an architectural skin compatible to the materials utilized on the principal building.

### 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.

**Applicant’s Response:**
The subject property is located on existing transit routes. A transit shelter is included in the zoning conditions.
18. Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.

Applicant’s Response:
A contiguous urban-form sidewalk footprint is a zoning condition (see building setback, Exhibit “A”/Zoning Conditions), providing opportunity for direct access from transit stop to the building entrances. See 616 OBERLIN Streetscape & Parking Plan.

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.

Applicant’s Response:
There are no environmentally sensitive areas on the subject property, which was previously developed.

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.

Applicant’s Response:
The streets surrounding the property are existing. Footprint for wide sidewalk on Oberlin Road is provided by zoning condition.

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.

Applicant’s Response:
See 616 OBERLIN Streetscape & Parking Plan, specified sidewalks are in accord with this criteria: wider sidewalk along Oberlin Road, smaller scale sidewalk along Daniels Street.

22. Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree 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 ¼ " caliper and should be consistent with the City’s landscaping, lighting, and street sight distance requirements.

Applicant’s Response:
See 616 OBERLIN Streetscape & Parking Plan, where street trees are proposed for urban form pit-type installation along Oberlin Road and tree-lawn style installation for Daniels Street.

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.

Applicant's Response:
The building setbacks established in Exhibit "A" of the zoning conditions and guidance in the streetscape plan conform to these criteria.

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.

Applicant's Response:
Per zoning conditions, all buildings facing a public street shall have at least one (1) pedestrian entrance.

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.

Applicant's Response:
Where commercial uses (office, residential services, retail, etc) adjoin Oberlin Road on the ground level there will be direct adjacency between the sidewalk and the uses inside the building.

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.

Applicant's Response:
Wide sidewalks, including pedestrian furnishings, are specified in the 616 OBERLIN Streetscape & Parking Plan.

1.3 Area Plan Guidance

The site is included in the Wade Oberlin Area Plan.

Policy AP-WO 1
Wade-Oberlin Vision
The Wade-Oberlin area should evolve into a livelier pedestrian and transit-oriented mixed-use center.
Consistent. The proposal will increase pedestrian and transit use.

Consistent. Building height transitions and step-backs have been provided.

Consistent. The proposal will support the role of Oberlin Road as the area’s main street.

Consistent. The proposal does not permit auto-oriented retail or other auto-oriented uses.

Inconsistent. The plan recommends office and institutional uses for this site.

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

The portion of the rezoning request that faces Oberlin Road is generally compatible with other properties on Oberlin Road. However, a streetscape plan contiguous with that for Cameron Village, including the parcel in the northeast corner of Oberlin Road and Smallwood Drive, would have been preferable to a stand-alone streetscape plan. The portion of the proposal facing Daniels Street is more problematic in that it immediately
abuts a single family property to the south, and is across Daniels Street from other single family housing.

3. Public benefits of the proposed rezoning
An increase of office space and/or residential density will further the policy of making the Cameron Village area into a "livelier pedestrian and transit-oriented mixed-use center." The proposal also locates intense development in an established city growth center where bus transit is available.

4. Detriments of the proposed rezoning
The proposal will increase demands on the water and wastewater systems if the site is built out to the maximum intensity allowed by the rezoning proposal. Similarly the proposal could result in significantly more traffic in the vicinity.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.
Particular concerns were raised by staff concerning the impact of the proposal on the water, wastewater and roads systems.

5.1 Transportation

<table>
<thead>
<tr>
<th>Primary Streets</th>
<th>Classification</th>
<th>2011 NCDOT Traffic Volume (ADT)</th>
<th>2035 Traffic Volume Forecast (CAMPO)</th>
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<tbody>
<tr>
<td>Oberlin Road</td>
<td>Minor Thoroughfare</td>
<td>3,700</td>
<td>6,470</td>
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<tr>
<td>Daniels Street</td>
<td>Collector Street</td>
<td>N/A</td>
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**Street Conditions**

<table>
<thead>
<tr>
<th>Oberlin Road</th>
<th>Lanes</th>
<th>Street Width</th>
<th>Curb and Gutter</th>
<th>Right-of-Way</th>
<th>Sidewalks</th>
<th>Bicycle Accommodations</th>
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</thead>
<tbody>
<tr>
<td>Existing</td>
<td>5</td>
<td>56'</td>
<td>Back-to-back curb and gutter section</td>
<td>75'</td>
<td>5' sidewalks on both sides</td>
<td>None</td>
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<tr>
<td>City Standard</td>
<td>3</td>
<td>53'</td>
<td>Back-to-back curb and gutter section</td>
<td>80'</td>
<td>minimum 5' sidewalks on both sides</td>
<td>sharrows on both sides</td>
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<table>
<thead>
<tr>
<th>Daniels Street</th>
<th>Lanes</th>
<th>Street Width</th>
<th>Curb and Gutter</th>
<th>Right-of-Way</th>
<th>Sidewalks</th>
<th>Bicycle Accommodations</th>
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</thead>
<tbody>
<tr>
<td>Existing</td>
<td>2</td>
<td>41'</td>
<td>Back-to-back curb and gutter section</td>
<td>60'</td>
<td>5' sidewalks on west side of the street</td>
<td>None</td>
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<tr>
<td>City Standard</td>
<td>2</td>
<td>41'</td>
<td>Back-to-back curb and gutter section</td>
<td>60'</td>
<td>minimum 5' sidewalks on one side</td>
<td>N/A</td>
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| Meets City Standard? | Yes | Yes | Yes | No | Yes | No |

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<tr>
<td>AM PEAK</td>
<td>78</td>
<td>272</td>
<td>194</td>
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<tr>
<td>PM PEAK</td>
<td>118</td>
<td>263</td>
<td>145</td>
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Suggested Conditions/Impact Mitigation: Traffic Study Determination: Staff has reviewed a trip generation differential report for this case. Based on the increase in allowable land use intensity permitted under the requested
zoning a traffic impact analysis (TIA) study is not recommended for Z-35-12.

| Additional Information: | The City has major streetscape improvement project planned within the vicinity of this case. |

Impact Identified: The rezoning would increase the traffic volume in the area.

5.2 Transit
Impact Identified: The requested rezoning may increase transit usage in this location. A transit easement is provided by the zoning conditions.

5.3 Hydrology

<p>| | |</p>
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<tbody>
<tr>
<td>Floodplain</td>
<td>None</td>
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<tr>
<td>Drainage Basin</td>
<td>Pigeon House</td>
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<tr>
<td>Stormwater Management</td>
<td>Subject to Part 10, Chapter 9</td>
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<tr>
<td>Overlay District</td>
<td>None</td>
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Impact Identified: None.

5.4 Public Utilities

There are presently existing six (6") inch sanitary sewer mains and existing eight (8") inch water mains in both Oberlin Road and Daniels Street rights-of-way. The proposed average daily demand is approximately 76,250 GPD as reflected by the proposed 275 dwellings plus 7500 gpd for 90,000 square feet of office space, which results in an impact of approximately 63,425 GPD of additional flow to the Public Utilities systems.

Impact Identified: The rezoning could have an adverse impact on the water and sanitary sewer system, given the increase in intensity. The applicant has provided a zoning condition regulating the timing of redevelopment of the property relative to the design and construction of sewer lines.

5.5 Parks and Recreation

The subject tract is not located adjacent to a greenway corridor. The proposed rezoning will not impact the recreation level of service

Impact Identified: None.

5.6 Urban Forestry

Code section 10-2082.14 will apply to any site plan on a tract of 2 acres or more in size.

Impact Identified: The application of the tree conservation ordinance will not be effected due to the proposed rezoning.

5.8 Designated Historic Resources

n/a

5.9 Community Development
5.10 Impacts Summary
The increase in development intensity allowed per the rezoning request will increase vehicular traffic and transit demand. Of particular concern is the increase in demands on the water and wastewater systems.

5.11 Mitigation of Impacts
Through negotiations with the Staff the applicant has submitted trip generation information and provisions for dealing with sewer capacity issues as the time of building permitting.

6. Appearance Commission
In a memo dated October 1, 2012, the Commission made the following requests:

Where parking decks are placed adjacent to the right of way, they should be wrapped with active uses.

Any upper portions of parking decks that cannot be wrapped should be screened with architecturally compatible materials and fenestration patterns.

The applicant has addressed these issues.

7. Conclusions
The proposal does not meet some of the locational guidelines for Pedestrian Oriented Overlay District; particularly there is no retail component and the site is not contiguous with the nearby Cameron Village PBOD and streetscape plan area. The proposed zoning would allow considerably more intense development on the site.

The proposal will locate relatively intense development in an area were infrastructure is available and which is served by transit. Such intense development located within easy walking distance of Cameron Village Shopping Center and other nearby services will increase the urban vitality of the area.
Certified Recommendation
Case Z-35-12/Oberln Rd.

Existing Zoning Map

Case Number: Z-35-12

Request:
2.90 acres from R-20 & O&I-1 to O&I-2 CUD with PBOD

City of Raleigh Public Hearing
October 16, 2012
(January 14, 2013)
Future Land Use Map

Case Number: Z-35-12

Future Land Use Map

Low Density Residential

Office & Residential Mixed Use

Public Parks & Open Space

Neighborhood Mixed Use

Medium Density Residential

Community Mixed Use

Request:
2.90 acres from R-20 & O&I-1 to O&I-2 CUD with PBOD
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 ("616 OBERLIN"; 2012-06-14):

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:

   a. to lessen congestion in the streets;
   b. to provide adequate light and air;
   c. to prevent the overcrowding of land;
   d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
   e. to regulate in accordance with a comprehensive plan;
   f. to avoid spot zoning; and
   g. 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. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

<table>
<thead>
<tr>
<th>Signature(s)</th>
<th>Print Name</th>
<th>Date</th>
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<tbody>
<tr>
<td></td>
<td>James Anthony; 516 PARTNERS, LLC (Manager/Member)</td>
<td>6/14/12</td>
</tr>
<tr>
<td></td>
<td>James Anthony; Oberlin Investors, LLC (Manager/Member)</td>
<td>6/14/12</td>
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Rezoning Petition
Form Revised August 23, 2010
**EXHIBIT B. Request for Zoning Change (616 OBERLIN; 2012-06-14)**

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum.

## Contact Information

<table>
<thead>
<tr>
<th>Petitioner(s)</th>
<th>Name(s)</th>
<th>Address</th>
<th>Telephone/Email</th>
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<tbody>
<tr>
<td></td>
<td>616 PARTNERS, LLC</td>
<td>702 Oberlin Road; #400 Raleigh, NC / 27605</td>
<td>919.582.3100 <a href="mailto:janthony@aacre.com">janthony@aacre.com</a></td>
</tr>
</tbody>
</table>

(for conditional use requests, petitioners must own petitioned property)

<table>
<thead>
<tr>
<th>Property Owner(s)</th>
<th>Name(s)</th>
<th>Address</th>
<th>Telephone/Email</th>
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## Contact Person(s)

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<tr>
<td></td>
<td>James Anthony, Owner AACRE</td>
<td>702 Oberlin Road; #400 Raleigh, NC / 27605</td>
<td>919.582.3100 <a href="mailto:janthony@aacre.com">janthony@aacre.com</a></td>
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<tr>
<td></td>
<td>David Brown/Planner JDAVIS Architects</td>
<td>510 Glenwood Av; #201 Raleigh, NC 27603</td>
<td>919-835-1500 <a href="mailto:davidb@jdavisarchitects.com">davidb@jdavisarchitects.com</a></td>
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<tr>
<td></td>
<td>Michael Birch/Attorney Morningstar Law Group</td>
<td>630 Davis Drive; #200 Morrisville, NC 27560</td>
<td>919-550-0388 <a href="mailto:mbirch@morningstarlawgroup.com">mbirch@morningstarlawgroup.com</a></td>
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## Property information

**Property Description (Wake County PIN)**

- 1704-03-5727; 615 Daniels St.
- 1704-03-2618; 616 Oberlin Rd.
- 1704-04-4002; 702 Oberlin Rd. (portion of)

(Please see attached exhibit)

**Nearest Major Intersection**

- Oberlin Road and Smallwood Drive

**Area of Subject Property (in acres)**

- +/- 2.9 Acres

**Current Zoning Districts (include all overlay districts)**

- R-20; O&I-1

**Requested Zoning Districts (include all overlay districts)**

- O&I-2, CUD; PBOD
The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City/State/Zip</th>
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Please SEE ATTACHMENT
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<th>Name 2</th>
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<td>Daniel, Ann S</td>
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<td>6404 Lakerest CT</td>
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<td>Martin, Paulette H</td>
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<td>1301 Binley PL</td>
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<td>Whitehead, Elizabeth H</td>
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<td>Scotland Neck NC 27874</td>
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<td>Sutton, Meredith Anne</td>
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<td>Raleigh NC 27605-1179</td>
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<td>Brooks, Jason T</td>
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<td>Hunter, Anne A Heirs</td>
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<td>Raleigh NC 27607-6492</td>
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<td>Hardin, Jeffrey Glenn</td>
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<td>409 Daycare Dr</td>
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<td>Madry, Randall Jr</td>
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1704049530 28
LEE, SUE & TART
102 ARROWHEAD DR
CLINTON NC 28328

1704049530 29
STROUD, ANDREA G
PO BOX 1550
RALEIGH NC 27602-1550

1704049530 30
ELLINGTON, JAN S
301 COLONY DR
NORTH MYRTLE BEACH SC 29582-2525

1704049530 31
BELLO, KENNETH GERARD
833 DANIELS ST APT C
RALEIGH NC 27605-3108

1704049530 32
BARNES, AMY
633 DANIELS ST APT B
RALEIGH NC 27605-3108

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CORBETT, JAMES E JR
833 DANIELS ST APT D
RALEIGH NC 27605-3108

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FLEMING, ROBERT HOWARD
FLEMING, COLLY HOUSE
7517 WINGFOOT DR
RALEIGH NC 27615-5477

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STUONS, WILLIAM RAY
627 MERRIE RD
RALEIGH NC 27608-2703

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BAUMER, PAULO RICARDO
831 DANIELS ST APT A
RALEIGH NC 27605-3107

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ELLIS, RONALD G JR
ELLIS, EARL LYNN
PO BOX 252
CONETO NC 27819-0252

1704049530 38
KRUK, ALBERT C
705 DANIELS ST APT D
RALEIGH NC 27605-1185

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LEWIS, WILBURN L & PATRICIA P
MCCANN, JANE L
1405 QUAIL DR
GREENSBORO NC 27408-5326

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BROUCH, LINDA E
707 DANIELS ST APT C
RALEIGH NC 27605-1186

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KRUK, JANICE C
707 DANIELS ST APT B
RALEIGH NC 27605-1186

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TART, SUSAN RUTH
TART, ROY STEPHENS
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RALEIGH NC 27605-1147

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GRIGGS, CHARLEY C & AMY W
622 KIMLOCH DR
GARNER NC 27529-5168

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SUGGS, ALLEN W
4512 TOUCHSTONE FOREST RD
RALEIGH NC 27612-4133

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GOURLEY, JOYCE P
75 RIVERCHASE BLVD APT 318
BEAUFORT SC 29906-6086

1704049530 46
ADAMS, JUDY H
5716 LAKE WHEELER RD
RALEIGH NC 27603-3937

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HOBGOOD, HENRY FRANK III
4412 TETBURY PL
RALEIGH NC 27613-4059

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KAPIL, IRIS TRUSTEE
8616 BROOKDALE DR
RALEIGH NC 27613-1316

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WARGIN, RICHARD KURT & LINDA C
5716 CALTON DR
RALEIGH NC 27612-2702

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KRUK, ALBERT C
711 DANIELS ST APT D
RALEIGH NC 27605-1188

1704049530 51
LINDSLEY, BRADLEY C
911 WASHINGTON ST APT 204
RALEIGH NC 27605-3206

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STONE, LARRY R & BETTY L
2206 PINEY PLAINS RD
CARY NC 27518-6864

1704049530 53
CATO, ROBERT T TRUSTEE
FIBO RICHARD J CATO
Owner's Mailing Address
3040 GRANVILLE DR
RALEIGH NC 27609-6918

1704049530 54
AYCOCK, EDMUND D & CORINNE D
1905 STONE ST
RALEIGH NC 27608-2250

1704049530 55
CREECH HOLDINGS LLC
1514 SAINT MARY'S ST
RALEIGH NC 27608-2217

1704049530 56
MERRITT, FELICIA H
1209 ESSEX DR
WILMINGTON NC 28403-2522

1704049530 57
BRIDGE, JAMES ALBERT JR
2106 SUTTON DR APT B
RALEIGH NC 27605-3111
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<td>GASKILL PROPERTIES LLC</td>
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D/B/A DANIELS STREET CONDO RENTALS
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MILLER, ROBERT A & VIRGINIA R
7523 SOUND DR
EMERALD ISLE NC 28594-2954

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ROBERTS, BENNETT W C & SNOW L
3015 HARRIMAN RD
DURHAM NC 27705-5425

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MURRAY, V G JR
PO BOX 1487
RALEIGH NC 27602-1487

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YARBOROUGH, CHARLES H JR
PO BOX 565
LOUISBURG NC 27549-0565

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GARDNER, IVAN A
PO BOX 500
GREENSBORO NC 27402-0000

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MURPHY, FRANCES A
1612 ASHLEY DR
RALEIGH NC 27605-1081

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THEUS, RAYMOND
6910 PINE RIDGE CT
RALEIGH NC 27613-1820

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DEAN, FERRY E & SUSAN T
HOUSTON, MICHAEL L & VANESSA Y
1033 BELLEWOOD FARMS RD
RALEIGH NC 27605-7957

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ISA, JAH NALIP
8101 CALIBER WOODS DR
RALEIGH NC 27616-8665

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TIERNEY, LORETTA W
3413 LASSITER FALLS CIR
RALEIGH NC 27609-6973

079438461
OBERLIN GARDENS & OBERLIN ROAD LAND
C/O BB&T
PROPERTY TAX DEPT
PO BOX 187
WINSTON SALEM NC 27102-0167

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SPATHIS, ARISTOTELIS D & DOROTHY C
2117 BANKS SCHOOL RD
KINSTON NC 28504-9177

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HARRIS, TIMOTHY S & LYNN M
703 DANIELS ST APT C
RALEIGH NC 27605-1184

1704049530 133
REEDY CREEK CONDO ASSOCIATION
PO BOX 72
RALEIGH NC 27602-0072

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MURPHY, FRANCES A
1612 ASHLEY DR
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MORGAN, JOYCE CELESTINE
2206 BEDFORD AVE
RALEIGH NC 27607-7302

079493823
OBERLIN GARDENS & OBERLIN ROAD LAND
C/O WACHOVIA CORP
REAL ESTATE NC 5566
PO BOX 36246
CHARLOTTE NC 28266-6246

170403572
616 PINTN LLC
702 OBERLIN RD
RALEIGH NC 27605-1102

079493962
DANIELS INMAN LLC
HUNTON & WILLIAMS LLP
PO BOX 109
RALEIGH NC 27602-0109

1704031496
FIDELITY BANK THE
PO BOX 8
FUQUAY VARINA NC 27526-0008

0794938449
OBERLIN GARDENS & OBERLIN ROAD LAND
C/O BB&T
PROPERTY TAX DEPT
PO BOX 107
WINSTON SALEM NC 27102-0167

170403348
SMALLWOOD DANIELS PROPERTIES LLC
1021 HARVEY ST
RALEIGH NC 27608-2331

079493806
REEDY CREEK PROPERTIES LLC
6000 REEDY CREEK RD
RALEIGH NC 27607-6302

079493858
MORAN, EDWARD W POU
826 DANIELS ST
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TAYLOR, BENJAMIN B & LIANDA K
622 DANIELS ST
RALEIGH NC 27605-1115

1704037731
WILSON, JEAN WHITE & MARY WHITE
618 DANIELS ST
RALEIGH NC 27605-1115

1704049530 120
COATES, NELL REID
835 DANIELS ST APT D
RALEIGH NC 27605-3109
EXHIBIT C. Request for Zoning Change
Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

Conditional Use District Requested: Office & Institution-2 Conditional Use with Pedestrian Business Overlay District

Narrative of conditions being requested:

a. The following principal uses shall be prohibited on the property:
   1. Stand-alone telecommunication tower
   2. Landfill – all types
   3. Electrical sub-station
   4. Manufacturing – specialized

b. Hours of operation for service of trash/recycle facilities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday.

c. All outdoor pole-mounted lighting fixtures shall be cut-off design and the light source directed away from any adjacent residential use properties.

d. If visible from adjoining properties and/or public right of way, structured parking (parking deck) shall be clad in building materials similar and compatible to the principal building(s) located on the property.

e. With regard to traffic generation, the following shall apply:

   (i) residential development on the properties shall not exceed 250 dwelling units;
   (ii) office development on the “Oberlin Parcels” [“616 Oberlin Parcel”, PIN 1704-03-2618 and Deed Book 14577, Page 1521; “702 Oberlin Parcel”, PIN 1704-04-4011 and DB 6264, PG 463; collectively, the “Oberlin Parcels”] shall not exceed 90,000 square feet floor area gross;
   (iii) in the event that the Oberlin Parcels are developed for a mix of uses, the number of trips associated with the mixed use development shall not exceed 140 AM Peak Primary trips or 170 PM Peak Primary trips; and
   (iv) vehicle trips shall be measured by the most recent version of the ITE Trip Generation Manual, and deductions for internal capture and pass-by trips will be allowed when calculating Primary trip volumes for mixed use.

f. No drive-through window shall be permitted on the properties. This shall not prohibit any porte-cochere, covered drive aisle or other similar feature used for the drop-off or pick-up of passengers.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the Filing Addendum. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)

Print Name  James F. Anthony, Jr.

Date  1/17/2013
g. Prior to recordation of a subdivision plat or issuance of a building permit for new development on the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombed, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of the transit easement, the dimensions (not to exceed 15 feet in depth or 20 feet in width) and location of the easement along Oberlin Road shall be approved by the Public Works Department and the easement document approved by the City Attorney’s Office. This transit easement shall be coordinated with any public sidewalk access easement if such access easement is required. Prior to issuance of a certificate of occupancy for new development on this property, a transit waiting shelter (free-standing or incorporated into a building façade), with construction plans approved by the Public Works Department, shall be constructed by the property owner.

h. In the event the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombed, contains residential uses or is redeveloped for residential uses, there shall be at least two direct, handicapped accessible, pedestrian access points from the building to the sidewalk located in the Oberlin Road right-of-way, and such building entrances shall be orientated toward, and visible from, the Oberlin Road right-of-way, and shall open into a common space, lobby or hallway accessible to all residents and/or tenants.

i. In the event the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombed, contains residential dwelling units or is redeveloped for residential dwelling units on the ground floor elevation fronting along the Oberlin Road right-of-way, such façade shall incorporate at least six building entry stoops, each of which provides access to an individual residential dwelling unit.

j. In the event the 616 Oberlin Parcel is redeveloped such that the ground-floor fronting along Oberlin Road contains a non-residential use (except for residential-related service use), there shall be at least one direct, handicapped accessible, pedestrian access point from the building to the sidewalk located in the Oberlin Road right-of-way, and such building entrance shall be orientated toward, and visible from, the Oberlin Road right-of-way.

k. That building façade fronting along and parallel to the Oberlin Road right-of-way shall incorporate one or more of the following architectural features every 50 feet: projecting bays, footprint setbacks (1'-0" minimum), balconies, building entrances, or changes in building materials (change in paint color is not a change of building material).

l. No more than 30% of the total number of dwelling units located within any single “group housing development” or “multi-family dwelling development” as defined by the Raleigh City Code shall contain more than two bedrooms.

m. Redevelopment of the property shall be in accordance with the 616 Oberlin Streetscape and Parking Plan adopted as part of this rezoning ordinance, as may be amended from time to time.

n. Prior to issuance of a building permit for redevelopment of the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombed, the owner shall record an offer of cross access in favor of the owner of the 702 Oberlin Parcel (1704-04-4002; DB 6264, PG 463) and an offer of cross access in favor of the Daniels Parcel (PIN 1704-03-5727; DB 14741, PG 2597). However, in no event shall the 616 Oberlin Parcel have access to more than one access point on Daniels Street.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the Filing Addendum. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)  Print Name  Date

James T. Anthony, Jr.  1-17-2013
EXHIBIT C. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in Filing Addendum

o. Prior to issuance of a building permit for redevelopment of the property, construction drawings for replacement of those sewer lines identified on the attached Exhibit 1 shall be approved by the City of Raleigh. Prior to issuance of a certificate of occupancy for redevelopment of the property, the replacement of those sewer lines identified on Exhibit 1 shall be installed in accordance with the approved construction drawings and accepted by the City of Raleigh. Also, if so requested by the Public Utilities Department director, that segment of sewer line identified on the attached Exhibit 2 shall be subject to the same requirements of this rezoning condition applicable to the sewer lines identified on Exhibit 1. This condition does not obligate the owner of the property nor the City of Raleigh to design and/or construct those sewer lines identified on Exhibits 1 and 2; this condition only regulates the timing of redevelopment of the property relative to the design and construction of those sewer lines identified on Exhibits 1 and 2. This condition is applicable only when redevelopment of the property (singularly or collectively) results in a use (or uses) that exceeds the total combined existing gallons per day flow associated with the existing 32,101 square feet office building and four multi-family dwelling units.

p. No above-ground parking structure (not including surface parking or area associated with subterranean parking structure) shall be located within 30 feet of the Oberlin Road right-of-way unless there is intervening heated space (located between the above-ground parking structure and the Oberlin Road right-of-way for those portions of the parking structure located within 30 feet of the right-of-way).

q. At each point of vehicular egress from the Property to the public right-of-way, a “Stop” sign and “Watch for Pedestrian” sign shall be installed, directed at vehicles leaving the Property.

r. Redevelopment of the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombined, shall provide the following:

(i) A Traffic Impact Analysis submitted with a Preliminary Site Plan shall demonstrate Level of Service “E” (LOS E) or better for the overall intersection for those signalized intersections along Oberlin Road at Clark Avenue, Cameron Street and Smallwood Drive. In the event Level of Service “E” or better is not maintained by the development of the property, the development will be appropriately scaled down or improvements will be made to failed intersection(s).

(ii) A Level of Service Analysis which shall take into account existing development and projects that have obtained site plan approval fronting along Oberlin Road between Clark Avenue and Wade Avenue. The level of service analysis shall also take into account the streetscape concepts for Oberlin Road based on the Wade Oberlin Area Plan. The analysis shall also address internal capture between proposed development and nearby services, transit, and trip distribution.

s. Upon redevelopment, any traffic accessing the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombined, shall have to drive through a parking structure prior to accessing Daniels Street.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the Filing Addendum. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s) ____________________________ Print Name ____________________________ Date 1-17-2013
t. Any access for the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombined, on to Daniels Street shall be limited to a right in/right out movement, and the developer shall bear the cost of installing the infrastructure necessary to implement the restricted movement.

u. Upon the filing of the first site plan for redevelopment of the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombined, the site plan applicant shall request authorization from the City to install a total of three traffic calming islands in Daniels Street at the intersections with Graham Street (southern leg), Sutton Drive, and Graham Street (northern leg). If the City authorizes this work prior to approval of the construction drawings associated with the above-referenced site plan, then the islands shall be installed by and at the sole cost of the site plan applicant in accordance with the approved construction drawings and accepted by the City of Raleigh prior to the issuance of a certificate of occupancy for the Property.

v. Conditions (b) through (u) of this rezoning ordinance shall only apply upon redevelopment of the property that is initiated by a site plan. The current use of the properties shall be allowed to remain in place and operation until redevelopment of the property commences.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the Filing Addendum. If additional space is needed, this form may be copied. Each page must be signed by all property owners.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)

Print Name  James I. Anthony, Jr.

Date  1-17-2013
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 Future Land Use Map designates this property according to the boundaries of the underlying zoning district. For the R-20 portion of the property the land use designation is "Medium Density Residential", and for the existing O&I-1 property the land use designation is "Office and Residential Mixed Use". The proposed O&I-2/PBOD district would be consistent with those designations, with the exception regarding residential density guidelines for the "Office and Residential Mixed Use" category.

   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 subject property is located within the boundary of the Wade/Oberlin Small Area Plan (SAP), and the first policy states that this area of Raleigh “should evolve into a livelier pedestrian and transit-oriented mixed-use center”. There are many policies within the plan that are pertinent, but the following items are highly applicable to a discussion of the proposed rezoning:
   - Policy AP-WO 2: Land Use Compatibility: Intensification of Use should not have significant adverse impact adjoining properties
   - Policy AP-WO 3: Protecting Neighborhood Character: New development addresses scale, pedestrian activity; streetscapes
   - Policy AP-WO 5: Retail Expansion: Retail expansion should preferably be adjacent to the core of Cameron Village Shopping Center and located in vertical mixed-use buildings
• Policy AP-WO 7: Oberlin Road Main Street: Oberlin Road should evolve as the “main street” of the area.
• Policy AP-WO 8: Auto Oriented Retail: Pedestrian access and walkable form are emphasized. Front of lot parking, excessive curb cuts, and drive-thru are discouraged

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”).

Yes, the proposed amendment is consistent with the Comprehensive Plan, with the exception of maximum residential density. In addition to the SAP items discussed in 1-B above, the following policies are more readily incorporated and addressed under the proposed O&I-2;CUD/PBOD zoning compared to the existing O&I-1 & R-20 zoning:
Policy LU 5.2 Managing Commercial Development Impacts
Policy LU 5.4 Density Transitions
Policy LU 5.5 Transitional and Buffer Zone Districts
Policy LU 5.6 Buffering Requirements
Policy LU 6.2 Complementary Uses and Urban Vitality
Policy LU 7.1 Encouraging Nodal Development
Policy LU 7.5 High-Impact Commercial Uses
Policy LU 10.6 Retail Nodes

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):
Several different land uses adjoin or are in close proximity to the subject properties, and they reflect the diverse character of the Cameron Village district:
East: Single and Multi-Family Use
North: Office Use, Church.
West: Across Oberlin Road: Primarily Office Use
South: Bank, Office, Retail; Across Smallwood Drive: Cameron Village Shopping Center.
The property is in close proximity to the main campus of NCSU.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):
There is also a diversity of zoning categories adjoin and nearby the subject property, which also reflects the built character of the area, and the following categories are identified:
East: R-20; Across Daniels Street: R-6
South: O&I-1, SC-CUD; Across Smallwood Drive: SC, PBOD
West: O&I-1
North: O&I-1
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 rezoning more readily allows for:
   
   1. A range of land uses, a key component of the Wade/Oberlin SAP.
   2. The expansion of office, institutional, and residential uses with urban form located near or adjacent to existing services, employment centers, NCSU, transit.

   The character of the area has a diverse mix of land uses, the proposed zoning would be compatible with existing conditions and allow a more urban form and density that will support the multi-modal transit corridor along Oberlin Road.

III. **Benefits and detriments of the proposed map amendment.**

A. **For the landowner(s):**

   The proposed rezoning will more readily allow the owner to make re-investment in the property, with long-term and sustainable uses. We note that the form of the existing office building does not match up well with the goals of the Wade/Oberlin SAP.

B. **For the immediate neighbors:**

   The proposed rezoning will more readily allow redevelopment that meets the spirit of the Wade/Oberlin Small Area Plan where it states that the “…area should evolve into a livelier pedestrian and transit-oriented mixed use center.” The current zoning with its suburban-form setbacks and limited land uses do not readily support the transition to a pedestrian-oriented district.

C. **For the surrounding community:**

   Refer to III B above; in addition, the proposed rezoning encourages re-investment in the local economy by the creation of jobs and sales tax revenue, while providing long-term benefit to property tax revenue.

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

   The answer is both yes and no as we note that the Comprehensive Plan does not support this type of zoning for all of the adjoining properties, but it does support this change for the subject property.

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

   1. The subject property is strategically located along Oberlin Road, a minor thoroughfare designated as a “Multi-Modal Corridor, and already served by transit.
   2. The property is in proximity to proposed future light rail service at NCSU.
   3. The Comprehensive Plan designates the Cameron Village District as a “Growth Center” and specifies area as a location for redevelopment.
   4. The property is in close proximity to the NCSU and Downtown employment centers.

V. **Recommended items of discussion (where applicable).**

   a. An error by the City Council in establishing the current zoning classification of the property. N/A
FILING ADDENDUM: Instructions for filing a petition to amend the official Zoning Map of the City of Raleigh, North Carolina

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.
Since the subject property was last zoned, Raleigh has grown substantially in both population and land area. Raleigh is also at the forefront of emerging household demographics where there is need for more diverse housing choices.

c. The public need for additional land to be zoned to the classification requested.
We believe there is need for both more housing units and diversity in types of dwellings near Cameron Village. There is also emerging demand for office use inside the beltline.

d. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.
We do not perceive there to be any significant detriment or impact to infrastructure associated with the proposed plan amendment, but existing infrastructure will be evaluated in connection with the proposed redevelopment of these properties. A Traffic Impact Analysis will be provided to the City the during the review of the zoning request.

e. How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.
The fundamental purpose of zoning as set forth in North Carolina’s enabling legislation is the general welfare of the community. The applicant believes that upon approval of their petition and the subsequent redevelopment of their properties, the general welfare of the community is not only protected, but enhanced. Meaningful redevelopment of these properties will support the continued success of the Cameron Village district without compromising such quality of life elements as adequate light and air, and will likely reduce reliance upon automobiles. Additionally, the more compact development will be more sustainable with regard to infrastructure and services provided by the City of Raleigh.

VI. Other arguments on behalf of the map amendment requested.
The very recent approvals of the Site Plan for the 401 OBERLIN and The Residences at Cameron Village down the road from the subject properties have established a high threshold for quality redevelopment in the immediate area. The requested amendment will provide new opportunity for the redevelopment of the subject properties.
<table>
<thead>
<tr>
<th>Elements of Mixed-use Areas</th>
<th>Applicant’s Response:</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>The subject properties are not in the &quot;core&quot; of the Cameron Village with regard to retail area, and the proposed use of the property is generally assumed to be “High Intensity” residential, or office use with accessory retail. These land uses are in accord with the Wade/Oberlin Area Plan that does not encourage significant retail use on this site.</td>
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<thead>
<tr>
<th>Mixed-use Areas/Transition to Surrounding Neighborhoods</th>
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<tbody>
<tr>
<td>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.</td>
<td>Transition elements (building height, building setback, HVAC location, open space) are provided in either the zoning conditions or the streetscape plan.</td>
</tr>
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<thead>
<tr>
<th>Mixed-use Areas/The Block, The Street, and The Corridor</th>
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<tr>
<td>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.</td>
<td>There is an existing network of grid-style streets adjacent to the subject property - no changes are proposed.</td>
</tr>
</tbody>
</table>

| 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. | There are no street extensions proposed by this project, and the subject property is immediately adjacent to a grid of existing streets. |

| Block faces should have a length generally not exceeding 660 feet. | Block faces are existing, and no changes are proposed. |

<table>
<thead>
<tr>
<th>Site Design/Building Placement</th>
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<tr>
<td></td>
<td>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.</td>
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<tr>
<td>7</td>
<td>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.</td>
</tr>
<tr>
<td>8</td>
<td>If the site is located at a street intersection, the main building of a complex, or main part of a single building should be placed at the corner. Parking, loading, or service should not be located at an intersection.</td>
</tr>
<tr>
<td><strong>Site Design/Urban Open Space</strong></td>
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</tr>
<tr>
<td>9</td>
<td>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.</td>
</tr>
<tr>
<td>10</td>
<td>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.</td>
</tr>
<tr>
<td>11</td>
<td>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.</td>
</tr>
<tr>
<td>12</td>
<td>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor “room” that is comfortable to users.</td>
</tr>
</tbody>
</table>
Site Design/Public Seating

13 New public spaces should provide seating opportunities. Seating (benches) is a component of the streetscape plan.

Site Design/Automobile Parking

14 Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments. The 616 OBERLIN Streetscape & Parking Plan addresses location of parking, and type of driveway (ramp-type, not street-type).

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. The 616 OBERLIN Streetscape & Parking Plan directs the location of parking, with exception for courtesy drop-off parking, to be placed behind, within, or to the side of buildings.

16 Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can gave 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. Parking structure(s) are required to provide an architectural skin compatible to the materials utilized on the principal building.

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. The subject property is located on existing transit routes. A transit shelter is included in the zoning conditions.

18 Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network. A contiguous urban-form sidewalk footprint is a zoning condition (see building setback, Exhibit "A"/Zoning Conditions), providing opportunity for direct access from transit stop to the building entrances. See 616 OBERLIN Streetscape & Parking Plan.

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.

<table>
<thead>
<tr>
<th>Street Design/General Street Design Principles</th>
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<tbody>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>22 Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees that complement the face of the buildings and that shade the sidewalk. Residential streets should provide for an appropriate tree 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 ¼ “ caliper and should be consistent with the City’s landscaping, lighting, and street sight distance requirements.</td>
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<tr>
<th>Building Design/Facade Treatment</th>
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<tbody>
<tr>
<td>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.</td>
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<thead>
<tr>
<th>Street Design/Spatial Definition</th>
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<thead>
<tr>
<th>There are no environmentally sensitive areas on the subject property, which was previously developed.</th>
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<tr>
<td>The streets surrounding the property are existing. Footprint for wide sidewalk on Oberlin Road is provided by zoning condition.</td>
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<tr>
<td>See 616 OBERLIN Streetscape &amp; Parking Plan, specified sidewalks are in accord with this criteria: wider sidewalk along Oberlin Road, smaller scale sidewalk along Daniels Street.</td>
</tr>
<tr>
<td>See 616 OBERLIN Streetscape &amp; Parking Plan, where street trees are proposed for urban form pit-type installation along Oberlin Road and tree-lawn style installation for Daniels Street.</td>
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</table>

| The building setbacks established in Exhibit "A" of the zoning conditions and guidance in the streetscape plan conform to these criteria. |

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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.

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.

**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.

Per zoning conditions, all buildings facing a public street shall have at least one (1) pedestrian entrance.

Where commercial uses (office, residential services, retail, etc) adjoin Oberlin Road on the ground level there will be direct adjacency between the sidewalk and the uses inside the building.

Wide sidewalks, including pedestrian furnishings, are specified in the 616 OBERLIN Streetscape & Parking Plan.
OBERLIN ROAD SETBACK SHALL BE THE GREATER OF EITHER:
- FIFTEEN FEET (15') FROM BACK OF EXISTING CURB.
- ZERO FEET (0') FROM EXISTING OR FUTURE RIGHT-OF-WAY.

THOROUGHFARE SIDEWALK (14' TYP)

OBERLIN OPEN SPACE; VARIABLE WIDTH & LOCATION (TYP)
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<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>19</td>
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</table>
LOCATION:
The 616 OBERLIN Streetscape and Parking Plan shall emulate the existing Cameron Village Streetscape Plan (refer to plan dated April 17, 2003, and plan amendment dated September 9, 2008) but this document shall establish specific criteria for an assemblage of properties located at/near the northeast quadrant of the intersection of Smallwood Drive and Oberlin Road. The 616 OBERLIN Streetscape and Parking Plan shall apply to the right-of-way frontage(s) for the following parcels:

616 Oberlin Road; WAKE PIN: 1704-03-2618
702 Oberlin Road; WAKE PIN: 1704-03-2618 (portion of)

GOALS:
The 616 OBERLIN Streetscape and Parking Plan shall incorporate the following goals from the Wade/Oberlin Small Area Plan into the Oberlin Streetscape and Parking Plan:

Policy AP-WO 1
“The Wade-Oberlin area should evolve into a livelier pedestrian and transit-oriented mixed-use center.”

Policy AP-WO 7
“Oberlin Road should evolve as the “main street” of the area, with improved pedestrian amenities and streetscaping.”

Policy LU 5.4
“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.

FEATURES:
1. Sidewalks:
Sidewalks shall primarily be constructed of scored concrete, with broom finish, utilizing either a 4’ x 4’ or 6’ X 6’ grid pattern. Accent red clay brick shall be allowed, and the pavers shall be compatible with the pavers utilized on the adjoining Cameron Village Streetscape. Pavers shall be utilized to direct pedestrian traffic, announce intersections/pedestrian crossings and to reduce visual impact of wide sidewalks. Where driveway(s) enter the subject properties, a raised ramp-style approach shall be utilized with continuous sidewalk paving, and no street-type driveways shall be permitted.

2. Street Furniture:
Street furnishings, shall utilize but not be limited to bench, light pole and bicycle rack, and shall adhere to and be compatible with the furnishings prescribed for the adjoining Cameron Village Streetscape. The City Planning Director, or his/her designee, shall approve streetscape furnishings prior to issuance of building permit or Preliminary Site Plan Approval.

The following components are listed from the approved Cameron Village Streetscape document, and shall be utilized for the 616 OBERLIN Streetscape and Parking Plan:

Bench - “Classic Series VC-12” (Victor Stanley Company)
Light Pole - “Dover 6100-T4” (Sternberg Vintage Lighting) 14’ HT.
Bike Rack - 5-Loop Heavy Duty “Challenger” (Madrax)
In addition to the items listed above, the following streetscape furnishings, specific to the 616 OBERLIN Streetscape and Parking Plan shall be utilized:

- **Light Fixture**: “Hometown” G743SR Solid Roof (Sternberg Co.)
- **Bike Rack**: “U” 2-Space Rack “U-158-SF-G (Madrax) (within ROW)

In the event that these items are no longer readily available, suitable and reasonable substitutions are allowed, subject to approval by the City Planning Director or his/her designee.

3. **Canopies and Awnings**:
   Multiple awning materials are allowed, including but not limited to fabric and metal canopies, metal and wood trellises. No awning, canopy or trellis located within or adjacent to a public right-of-way shall provide no less than nine feet (9’) of clearance measured from finished grade.

4. **Street Tree Species**:
   The following schedule of public right of way street trees is allowed in the streetscape plan:
   - “Wynstar” Willow Oak Quercus phellos “Wynstar” 3” caliper/12’ ht.
   - ‘Tuskegee’ Crape Myrtle Lagerstroemia x Tuskegee (10 Ft. Height)
   - Multi-Stem and Single Stem are approved

   With the exception of Daniels Street tree lawn, all street tree installations shall incorporate the following features, unless otherwise approved by the City of Raleigh as a “transitional element”:
   - 4’ x 6” Tree Gate; City of Raleigh Standard Specification and Detail and be located behind back of curb. Alternately, Crape Myrtles may also be located within tree lawn where applicable.

   Incorporate tree root soil cells and/or root pathways in accord with City of Raleigh standard specification and detail, where applicable.

5. **Crosswalks**:
   Crosswalks shall be marked with elastomeric reflective paint in accord with City of Raleigh and/or NCDOT standard specification and detail (refer to parking plan for location). Location(s) to be approved by the City of Raleigh.

6. **Utility Lines**:
   Existing overhead utility lines are located in the right-of-way of all streets that adjoin the subject properties. There are no plans to modify these facilities. Proposed service lines from the right of way to new buildings shall be located underground in accord with City of Raleigh code standards.

7. **Maintenance**:
   It shall be the responsibility of the property owner adjoining the streetscape right of way to maintain street tree plantings, furnishings and sidewalks. The maintenance shall include reasonable monitoring and collection of trash and other refuse at least three times per week.

8. **Signs**:
   It is anticipated that there will be no private streets in this development, and therefore all regulated signage shall be in compliance with the City of Raleigh Sign Ordinance.

   Signage: The design and location of sign(s) shall be in keeping with the goals of the Wade/Oberlin Small Area Plan stated above. Signs shall
reflect that this streetscape plan is scaled to the pedestrian, and also be compatible with the architectural character of the building(s).

The following signage types are encouraged and allowed in this district:

- Awning Signs
- Window Stencil Signs
- Wall Signs *
- Paddle Signs**

Permanent ground signs shall not be allowed, however temporary ground signs and ground-mounted directional/directory signs shall be allowed in accord with City of Raleigh code standards.

* Wall signs that are internally illuminated shall light only text and graphics, with the remainder of the sign face to be an opaque background.

**Paddle signs shall maintain a minimum clear height of 9'-0" above finish grade.

9. Parking:
Parking shall be located in accord with the following policies:

If visible from adjoining properties and/or public right of way, structured parking (parking deck) shall be clad in building materials similar and compatible (in terms of texture, quality, materials, and color) to the principal building(s) located on the property.

Vertical openings in the parking structure visible from public right of way shall have a translucent screen (to include, but not limited to: evergreen vine; metal grill/screen; translucent glass/plexiglass; and other architectural treatments) or other screening device so that no less than 50% of the opening is covered, while still allowing reasonable air and light to reach the interior of the structure. Vehicular entrances, pedestrian entrances and the top level of the deck shall not be screened.

Existing surface parking in use on the subject properties (approximately 171 spaces) at time of adoption of this plan shall be allowed to remain in use.

10. Parking Reduction:
Parking reduction from code standards shall only be allowed upon:
Submittal of a parking reduction report prepared by a Professional Traffic Engineer.
Approval of the report’s findings and recommendations by the City of Raleigh.

11. Sidewalk Width:
Unless approved otherwise by the City of Raleigh Planning Commission, the following sidewalk widths shall be provided:

Oberlin Road: Fourteen feet (14’) for the entire frontage in the streetscape plan. The travel width of the sidewalk can be reduced to accommodate encroachment by street trees and street furnishings subject to City of Raleigh approvals at time of site plan approval.
12. **Maximum Building Height:**

Maximum building height shall comply with the regulations set forth in this 616 Oberlin Streetscape and Parking Plan, including the attached Exhibit A.

As shown on Exhibit A, and as measured per this 616 Oberlin Streetscape and Parking Plan, the following building height standards apply:

1. A five-story (5 story) building shall be no taller than seventy-five feet (75’) for commercial/office uses and no taller than sixty-five (65’) for residential uses.

2. A four-story (4 story) building shall be no taller than sixty feet (60’) for commercial/office uses and no taller than fifty-five (55’) for residential uses.

3. Under the above restrictions, height shall be measured in accord with the following criteria:

   i. Top of building shall be the peak for a pitched roof or top of roof deck for a flat roof.

   ii. Base of building shall be measured from the finish floor elevation of the main entry level of the building and shall not include foundation, stem wall or basement. Measurements shall be in accord with NCSBC definitions.

   iii. Roof-top mechanical equipment and respective screening apparatus, elevator and stair enclosures, parapet wall extensions and other decorative elements shall not be included when establishing maximum building height.

4. For any building containing a residential use, the building height where it fronts Oberlin Road shall be limited to four (4) stories, when measured from the lowest floor elevation at the northernmost point of the site. Where the site grade allows, a basement or additional floor may be permitted, however, in no case shall this five story condition (where directly facing Oberlin Road), exceed more than 33% of the length of the elevation as measured along the property line. Basement conditions are unlimited where they do not face Oberlin Road. Stem wall of foundation wall conditions along Oberlin Road are unlimited.
Building Facades:

Building Facades visible from a public right of way or adjoining properties shall reinforce the goals for the project being a pedestrian-oriented and creating a main street character for Oberlin Road. A mixture of the following elements shall be utilized:

- Building entrances principally oriented toward the public rights of way.
- Building facades facing the right-of-way shall be broken up visually such that there is a vertical element or facade detail at least every 25 linear feet along the building elevation.
- However, limited exceptions to this requirement for required life-safety standards shall be allowed upon approval by the Chief Planning and Development Officer Director of the Department of City Planning and Economic Development.
- Building fenestration shall provide for reasonable views both from within and into the building and where appropriate to the building use.

If the property is developed as non-residential use (i.e. – office), the first floor (as defined by the North Carolina State Building Code) elevation facing Oberlin Road shall include visual transparency, where the ground floor elevation provides no less than 50% transparent glazing (including door glazing). The area of measurement shall not include set aside areas for uses that typically do not provide transparency (including but not limited to: sprinkler riser room, utility room, transit shelter, fire-rated exit corridors). Non-transparent uses shall comprise no greater than 20% of the ground floor elevation along Oberlin Road.

Building Elevation:

With regard to describing a building elevation associated with a specific street or streetscape, the term elevation shall include the major plane of the building wall(s) parallel to the road and any section of wall up to no twenty feet (20’) in length where the building footprint steps forward or backward from the principal wall of the building. The shorter sections of wall elevation shall be subject to any architectural standards established for the major plane of the building; specifically standards for building materials and design required for principal wall of an elevation shall also apply to short sections of wall (i.e. – walls used to “step” the building façade), and are considered to be part of the overall elevation.
Building Materials:
New building facades shall be composed of durable materials to be compatible with the adjacent Cameron Village Streetscape.

The following building siding materials for the 616 OBERLIN Streetscape Plan shall include the following:

- Concrete and/or clay brick (masonry)
- Cementitious Stucco (masonry)
- Native and manufactured stone (masonry)
- Pre-Cast Concrete/Concrete Tile (masonry)
- Cementitious Siding, including lap and panel products
- Metal and composite panel systems

The following building siding materials shall be prohibited:

- Vinyl Siding
- Fiber Board Siding
- Pressure-Treated Wood
- Synthetic Stucco (EIFS); however EIFS shall be allowed for trim applications such as a roof cornice

Incidental building materials and assorted trim elements composed of glass, wood, metal, aluminum storefront, and similar systems shall be allowed.

At minimum, the majority of siding materials (no less than 51%) of all ground floor level(s) of building facades (including parking structures where visible from right-of-way or neighboring properties) shall be clad with masonry and/or traditional cementitious stucco.

For the exterior elevations of the building, the amount of masonry cladding (exclusive of fenestration – doors, windows, vents, etc) shall be no less than 25% of the total elevation area. For both the Oberlin Road elevation and the Daniels Street elevation, the amount of masonry cladding shall be no less than 50% of the wall area for that elevation (exclusive of fenestration – doors, windows, vents, etc). The distribution of masonry cladding is at the discretion of the owner.

Along the Oberlin Road elevation, the vertical plane of a building with ground-floor residential units shall incorporate the following features:

1. 1st/2nd Floor Delineation: In order to delineate the pedestrian realm along Oberlin Road, the building design shall incorporate at least two of the following architectural elements:
   a.) Box Bay Extension: of no less than twelve inches (12”) depth and not to extend beyond the 2nd floor above the main level, no fewer than six (6) Box Bay shall be provided.
   b.) Covered Entry: to include but not limited to porch roof, fabric awning, metal awning, or similar overhead plane feature at either the first and/or the second floor; no less than six (6) covered entries shall be provided.
   c.) Building Footprint Step Forward: The wall surface of the first floor (at a minimum) - and the third floor (at a maximum) - shall project beyond the walls of the floors above. When measured against the overall length of the Oberlin Road elevation, no less than ten percent (10%) of the floor projection shall be provided in order to qualify for this condition.
2. NON RESIDENTIAL USE:

If the property is developed primarily as a residential use, residential support services (leasing office, management office, community room, etc.) shall be located on the main floor, adjacent to the Oberlin Road elevation. The location of this feature shall be discernible from Oberlin Road. Where residential support services are adjacent to the street corridor, that portion of the frontage shall provide no less than thirty percent (30%) visual transparency along that portion of the storefront, or other acceptable and reasonable means approved by the City of Raleigh to meet intent of activating the streetscape. Residential support services shall adhere to this condition for any facility equal to or greater than five hundred square feet (500 SF) in area.
14. Committed Elements:
   a. Trash dumpster/compactor and/or recycle dumpster shall either be enclosed within the building(s) or within a masonry structure, with the siding material to be compatible with the building material(s) used on the principal building(s); opaque doors shall screen the opening; screening shall not apply to trash and recycle facilities located within a building. No door or gate utilized primarily for access to a trash room or trash enclosure shall be located on the properties where directly across the street from existing residential uses located along Daniels Street. This restriction shall apply only to those properties determined to be residential use at time of submittal of these zoning conditions.
   b. Hours of operation for service of trash/recycle facilities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday.
   c. Bicycle parking shall be provided as follows:
      1. At least twelve (12) bike rack spaces shall be provided within or adjacent to the streetscape sidewalk area of the two public rights-of-way adjoining the subject properties, subject to approval by the City of Raleigh for an Encroachment Agreement. The spaces shall be located so as to be convenient for use by visitors to the properties, especially with regard to proximity to building entrances.
      2. At least one (1) bicycle rack space shall for every five (5) dwelling units located on the properties, and shall be in addition to the spaces specified in condition c.1 above.
      3. If the amount of bicycle parking provided (in subparagraphs c.1. and c. 2. above) are less than the requirement for City of Raleigh code, additional bicycle parking shall be provided to meet code standard.
   d. No pole-mounted light fixture shall be located on top level(s) of a parking structure. All outdoor pole-mounted fixtures shall be “full cut-off” type fixture and maximum mounting height shall be no greater than twenty feet (20’) in height.
   e. “Internal illumination of a parking structure shall be accomplished so that the light source (lamp) shall not be directly seen from any residential use located adjacent to the subject property.”
   f. All building mounted light fixtures visible from the Mettrey property (Wake County PIN 1704-03-4664 / Deed Book 5668, Page 774) abutting the subject properties shall be full-cutoff design - or shall have a frosted globe - such that the lamp is not visible.
   g. Light level produced on the subject properties at the perimeter property line adjacent to the Mettrey property (Wake County PIN 1704-03-4664 / Deed Book 5668, Page 774) shall be no more than four-tenths (4/10’s) of a foot candle.
   h. HVAC equipment shall be regulated in accord with the following:
      1. No HVAC units shall be ground-mounted within fifty feet (50’) of the boundary with the Mettrey property (Wake County PIN 1704-03-4664 / Deed Book 5668, Page 774).
      2. Individual exterior HVAC equipment shall be primarily (85%) located on the roof of building(s) or behind buildings. If ground-mounted HVAC equipment is utilized, it shall be located within masonry enclosures. Openings within the enclosures to allow air movement are permitted.
   i. The owner shall provide a “Dog Waste Station” within the western open space shown on Exhibit “A”, and maintain a stock of dog waste collection bags available to the residents of the building and provide and maintain a trash can for disposal of dog waste.
j. In addition to the condition addressing durable siding material for the ground-floor elevation of the building(s), no less than 25% of the cumulative building siding materials (exclusive of fenestration) visible from off-site view shall be clad with masonry. Masonry shall be defined as, but not limited to brick, stone, pre-cast, or cementitious stucco.

k. All required trees located in a Transitional Protective Yard (TPY), adjacent to Wake County PIN 1704-03-4664; DB 5668, page 1521, shall be evergreen species, and the minimum size of these trees at time of installation shall be no less than twelve feet (12') height, and at least 25% of the required trees shall be no less than sixteen foot (16’). In addition to increasing the minimum heights at time of installation, the quantity of buffer trees shall be increased by twenty-five percent (25%). As the City of Raleigh Landscape Ordinance allows “Alternate Means of Compliance”, this streetscape plan encourages and allows a planting solution that meets the intent to provide buffering between adjacent uses, as approved by the City of Raleigh. To provide year-round screening, selected evergreen species including but not limited to “Nellie Stevens Holly”, “Little Gem Magnolia”, Cryptomeria, and “Brody Eastern Red Cedar” shall be selected as suitable tree species for this application.

l. Signage shall be in accord with City of Raleigh Sign Ordinance, and no sign alternates or exceptions are included as part of the 616 OBERLIN Streetscape and Parking Plan. If applicable, any request to the City of Raleigh for Preliminary Subdivision or Preliminary Site Plan Approval shall be accompanied by Unified Sign Criteria Application.

m. The owner of the subject properties provides accommodation for updates in the specification of design features in this streetscape plan. Design features are subject to reasonable modification as the OBERLIN/WADE community is redeveloped as it is anticipated that the City of Raleigh shall implement future streetscape plans for both Daniels Street and Oberlin Road. Reasonable modification shall require demonstrating equal or better to the original specification. Streetscape features including but not limited to sidewalk details, street tree selection, light pole/fixture, bike rack, bench, transit stop and related street furnishing specifications may be updated upon the recommendation and approval of the Chief Planning and Development Officer Director, Department of City Planning and Economic Development.
616 OBERLIN STREETSCAPE & PARKING PLAN

0. Open Space:
A portion of the required Open Space for this PBOD shall be provided adjacent to Oberlin Road, and the “Oberlin Road Open Space” shall adhere to the following criteria:

1. The goals of the open space shall be to provide opportunity for building entry points, outdoor seating and landscape gardening. In addition to accommodating physical improvements, the open space shall contribute to the pedestrian experience by softening the impact of building wall on pedestrians, and stepping portions of the principal building wall away from Oberlin Road.

2. The open space shall be no less than three thousand; two-hundred square feet (3200 SF) in cumulative area, and at least three distinct areas shall be provided. (Note: 5% Open Space for 2.88 Acres = +/-6275 SF; this condition would provide just over half of the OS requirement along Oberlin Road)

3. At least two (2) of the open space areas shall constitute no less than fifty percent (50%) of the required area.

4. The open space shall be located between the front façade of the building along Oberlin Road, and the Thoroughfare Sidewalk.

5. The open space shall have a minimum dimension of five feet (5’) to qualify toward meeting the minimum area calculation.

6. Open stoops, walks, landings, sidewalks and other pedestrian features may be located within these open spaces.

7. Refer to Exhibit ‘A’ of the Zoning Conditions for Z-35-12; the exact location, shape, dimension, and arrangement of Oberlin Road Open Space shall be determined at time of request for either Preliminary Site Plan Approval or Building Permit.

p. The 10’ wide private open space located along the side yard of [the Mettrey parcel] shall be measured from the property line. However, in the event that certain easement recorded at Book 1187, Page 381, Wake County Registry impacts that area measuring approximately 10 feet from the common property line, then such 10’ private open space shall be measured from the easement boundary line on the Property.
Oberlin Road

Sidewalk Easement As Needed

Optional Street Furnishing Elements (TYP)
- Bench
- Planter
- Bike Rack

4' x 6' Tree Grate (TYP)

30'-40' O.C. (Typical)
O.C. spacing may vary

Optional Street Furnishing Elements (TYP)
- Bench
- Planter
- Bike Rack

Street Tree in Tree Pit with 4' x 6' ADA Grate (TYP)

30° Curb & Gutter (TYP)

Potential On-Street Parking

Oberlin Road

Urban Form

N.T.S.
STREET TREE LOCATED AT BACK OF CURB WITHIN TREE PIT WITH 4" X 8" ADA GRATE

STREET FURNISHINGS (TYP):
- STREET LIGHT
- BIKE RACK
- CAN

TYPICAL OBERLIN ROAD STREETSCAPE SECTION

4'

10' TYPICAL SIDEWALK ZONE

VARIES

OPTIONAL FURNISHINGS ZONE

BUILDING (TYP)

SIDewALK EASEMENT AS NEEDED (TYP)

ADA TREE GRATE / PAVER

OBERLIN ROAD
R-8811 BOULEVARD COLLECTION TREE GRATE
BY NEENAH FOUNDRY (PHONE: 800-558-5075)

NOTES (FROM CITY OF RALEIGH):

1. GRATE DESIGN SHALL BE ADA COMPLIANT

2. DUCTILE IRON SHALL COMPLY WITH ASTM A536 DI 80-55-06

3. GENERAL PATTERN DESIGN SHALL BE AS SHOWN. UPON REVIEW AND APPROVAL BY CITY OF RALEIGH, PATTERNS CAN BE MODIFIED TO INCORPORATE CUSTOM LOGOS AND ARTWORK.
5 LOOP HEAVY DUTY CHALLENGER (MADRAX)  
(NOT TO BE LOCATED WITHIN STREET RIGHT-OF-WAY)

“U” 2-SPACE RACK U-158-SF-G (MADRAX)  
(LOCATE WITHIN STREET RIGHT-OF-WAY)

“CLASSIC SERIES VC-12”  
(VICTOR STANLEY CO.)

15” Diameter Base x 21” High

4” OD  
61” 10” 12” 14”  
1” STRAIGHT FLUTED SHAFT

“DOVER 6100-T4” (STERNBERG VINTAGE LIGHTING)

G743SR
G745SR  
Solid Roof

“HOME TOWN G-743”  
(STERNBERG VINTAGE LIGHTING)
PROJECT TEAM

OWNERS:
616 OBERLIN ROAD, LLC; OBERLIN INVESTORS, L.L.C.

DEVELOPMENT ADVISOR: ACRE
JIM ANTHONY; MARCUS JACKSON; JAMES RICH

ARCHITECT/LANDSCAPE ARCHITECT: JDAVIE ARCHITECTS, PLLC
NEIL GRAY, AIA; DAVID BROWN, RLA

CIVIL ENGINEER / SURVEYOR: PRIST, CRAVEN & ASSOCIATES, INC.
TOMMY CRAVEN, PE; BRADLEY BOWLING, PE; GREG JONES, RLS

TRAFFIC ENGINEER: STANTEC
CHRISTA GREENE, PE

ATTORNEY: MORNINGSTAR LAW GROUP
MACK A. PAUL, IV; R. MICHAEL BIRCH, JR.
June 14, 2012

Mr. Travis Crane, Senior Planner
Department of City Planning Department and Economic Development
City of Raleigh
P. O. Box 590
Raleigh, North Carolina 27602

Re: 616 OBERLIN; Neighbor Notice Meeting (Z-35-12)

Travis:

This letter serves as a summary of the Neighbor Notice Meeting conducted June 13, 2012 for the above-referenced rezoning petition to be filed later this week.

The meeting commenced at 6:00 PM, per the invitation letter (attached) that was prepared by the petitioner and mailed by the City Planning Department. A sign-in sheet was offered to the attendees, and a copy is attached for your file.

We discussed the scope of the rezoning and reviewed map exhibits for Existing Conditions, Current Zoning, Future Land Use Map, and the Wade/Oberlin Area Plan. After reviewing the maps, a question/answer session followed where we discussed the zoning process and proposed schedule, and the following items specific to the case:

1. Buffer to the adjacent residential properties
2. Expected maximum density and height of the proposed development
3. Anticipated land uses
4. Traffic, both existing conditions and any future increase to traffic
5. Why Fidelity Bank parcel was initially intended to be included
6. Difference in character for traffic and access between Oberlin and Daniels
7. Number and location of access drives
8. How construction access might be handled during a re-development
9. Inquiry as to whether developer intends to acquire more parcels or expand scope of rezoning
10. Streetscape and landscaping, tree preservation
11. Expected rent levels for new development

The meeting was adjourned about 7:15 PM.

Please call me if you have any questions, or require additional information.

Sincerely,

[Signature]

David F. Brown, RLA, LEED AP
Associate, JDAVIS ARCHITECTS, PLLC

Cc: Jim Anthony; Michael Birch

attachments: Sign-In Sheet; Meeting Invitation
<table>
<thead>
<tr>
<th>NAME</th>
<th>STREET ADDRESS AND/OR EMAIL ADDRESS</th>
<th>PHONE NUMBER (OPTIONAL)</th>
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<td>Larry Jenkins</td>
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<td>John Anthony</td>
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<td>Chris Matthew</td>
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<td>Edith Williams</td>
<td>813 Daniels St, Raleigh, NC 27605</td>
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