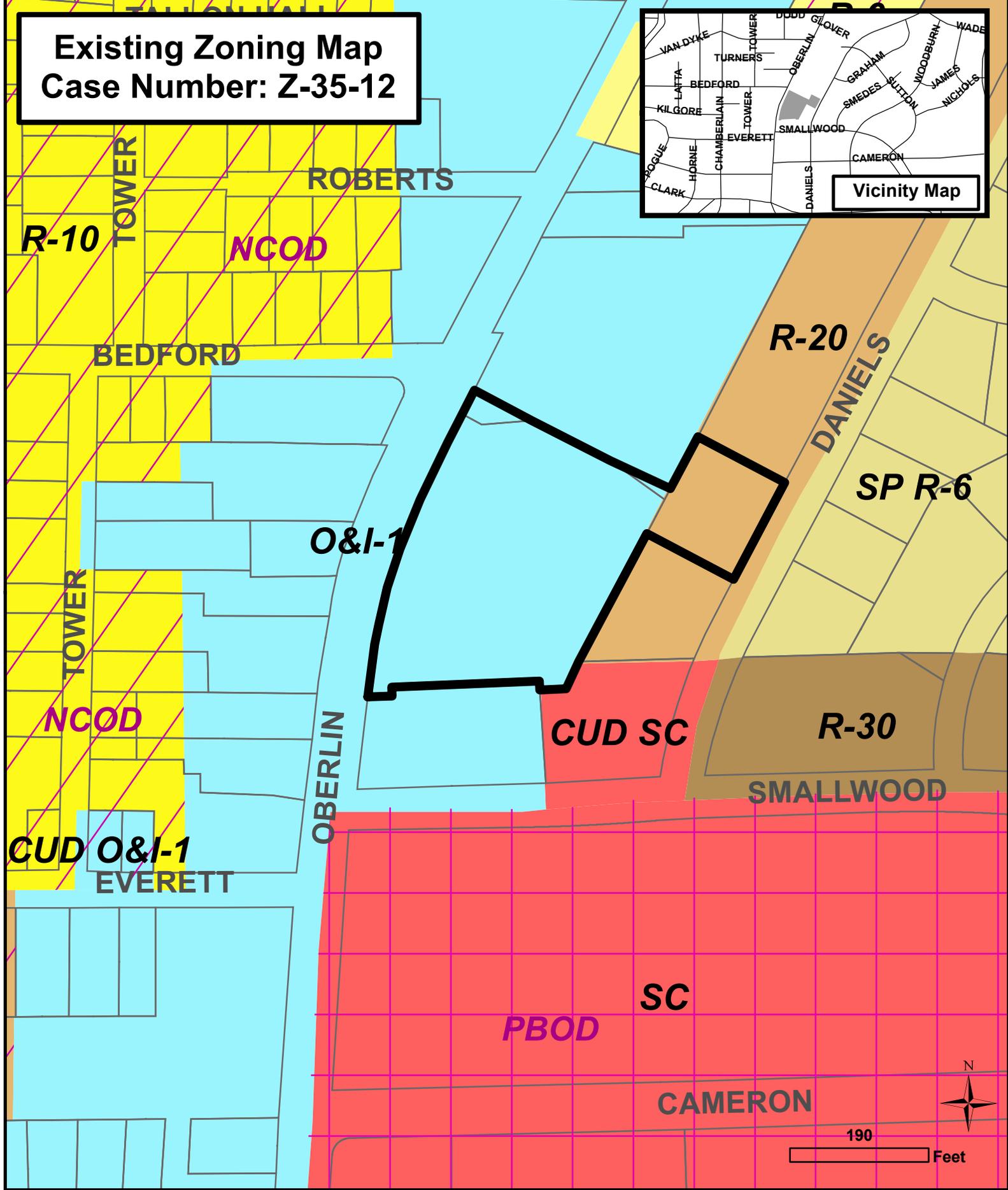
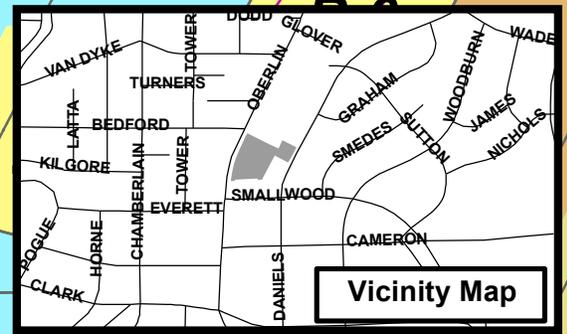
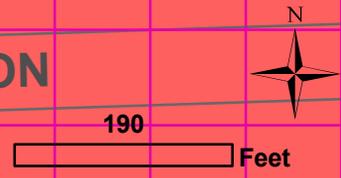


**Existing Zoning Map  
Case Number: Z-35-12**



**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)





	14. Sewer capacity at time of building permit
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### Issues and Impacts

<i>Outstanding Issues</i>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Planning Commission approval needed for alternative sidewalk designs on Daniels Street.</li> </ol>	<i>Suggested Conditions</i>	<ol style="list-style-type: none"> <li>1.</li> </ol>
<i>Impacts Identified</i>	<ol style="list-style-type: none"> <li>1. Increased traffic</li> <li>2. Increased demand on water and wastewater systems</li> <li>3. High intensity development adjacent to single family housing</li> </ol>	<i>Proposed Mitigation</i>	<ol style="list-style-type: none"> <li>1. Clarify wording regarding trip generation per requirements of the City's Transportation Planning office</li> </ol>

### Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
June 13, 2012	October 16, 2012	Date:	Date: 12/11/12

**Valid Statutory Protest Petition**

#### Attachments

1. Staff report
2. Existing Zoning/Location Map
3. Future Land Use

### Planning Commission Recommendation

<i>Recommendation</i>	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.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>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.</li> <li>2. The request is reasonable and in the public interest. The</li> </ol>





# Zoning Staff Report – Case Z-35-12

## Conditional Use District

### Request

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

### Subject Property

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

### Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	O&I-1	O&I-1	R-20	O&I-1
<i>Future Land Use</i>	Office and Residential Mixed Use	Office and Residential Mixed Use	Office and Residential Mixed Use	Medium density residential
<i>Current Land Use</i>	Office building	Office building, retail	Single and multifamily residential	Office buildings

### Comprehensive Plan Guidance

<i>Future Land Use</i>	Office and Residential Mixed Use
<i>Area Plan</i>	Wade Oberlin Area Plan
<i>Applicable Policies</i>	Policy LU 1.3 Conditional Use District Consistency Policy LU 2.6 Zoning and Infrastructure Impacts Policy LU 5.4 Density Transitions Policy LU 5.6 Buffering Requirements Policy LU 6.4 Bus Stop Dedication Policy LU 10.6 Retail Nodes Policy UD 2.4 Transitions in Building Density Policy UD 5.1 Contextual Design

	Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 7.3 Design Guidelines (1-26 policies) Policy AP-WO 1 Wade-Oberlin Vision Policy AP-WO 2 Wade-Oberlin Land Use Compatibility 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
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## Contact Information

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

## 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:

Policy LU 1.3  
Conditional Use District Consistency  
All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan

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

Policy LU 2.6  
Zoning and Infrastructure Impacts  
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.

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

Policy LU 5.4  
Density Transitions  
Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

Policy LU 5.6  
Buffering Requirements  
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.

Policy UD 2.4  
Transitions in Building Density  
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.

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.

Policy AP-WO 2  
Wade-Oberlin Land Use Compatibility  
While intensification of uses in the Wade-Oberlin area is anticipated, such intensification should not have significant adverse impacts on surrounding low-density neighborhoods or cause significant traffic congestion.

Policy AP-WO 6  
Wade-Oberlin Transition  
Buildings at the edges of Wade-Oberlin's non-residential area should step down in development intensity to the surrounding residential area, and not be more than two or three stories in height if adjacent to single-family housing.

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

Policy AP-WO 7  
Oberlin Road Main Street  
Oberlin Road should evolve as the "main street" of the area, with improved

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

Policy AP-WO 8  
Wade-Oberlin Auto-Oriented Retail  
Automobile drive-throughs, front-of-lot parking areas, and excessive number of curb cuts associated with retail uses are discouraged throughout the Wade-Oberlin plan area.

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

Policy AP-WO 13  
Oberlin Road Corridor  
Office properties located on Oberlin Road between Clark Avenue and Everett-Smallwood may be redeveloped or converted to vertically mixed-use office, residential, and convenience/personal services retail sales in conjunction with the redevelopment of the Shopping Center. Oberlin Road north of Everett-Smallwood (except the northeast corner of Oberlin and Smallwood) should remain office and institutional, with only accessory retail as permitted in the Office and Institutional zoning district.

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**

<u>Primary Streets</u>	<u>Classification</u>	<u>2011 NCDOT Traffic Volume (ADT)</u>	<u>2035 Traffic Volume Forecast (CAMPO)</u>			
Oberlin Road	Minor Thoroughfare	3,700	6,470			
Daniels Street	Collector Street	N/A	N/A			
<b>Street Conditions</b>						
<u>Oberlin Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	5	56'	Back-to-back curb and gutter section	75'	5' sidewalks on both sides	None
City Standard	3	53'	Back-to-back curb and gutter section	80'	minimum 5' sidewalks on both sides	sharrows on both sides
<b>Meets City Standard?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	<b>NO</b>
<u>Daniels Street</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	41'	Back-to-back curb and gutter section	60'	5' sidewalks on west side of the street	None
City Standard	2	41'	Back-to-back curb and gutter section	60'	minimum 5' sidewalks on one side	N/A
<b>Meets City Standard?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>N/A</b>
<u>Expected Traffic Generation [vph]</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	78	272	<b>194</b>			
PM PEAK	118	263	<b>145</b>			
<b>Suggested Conditions/ Impact Mitigation:</b>		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.
<b>Additional Information:</b>	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**

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Pigeon House
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	None

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**

n/a

#### **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.

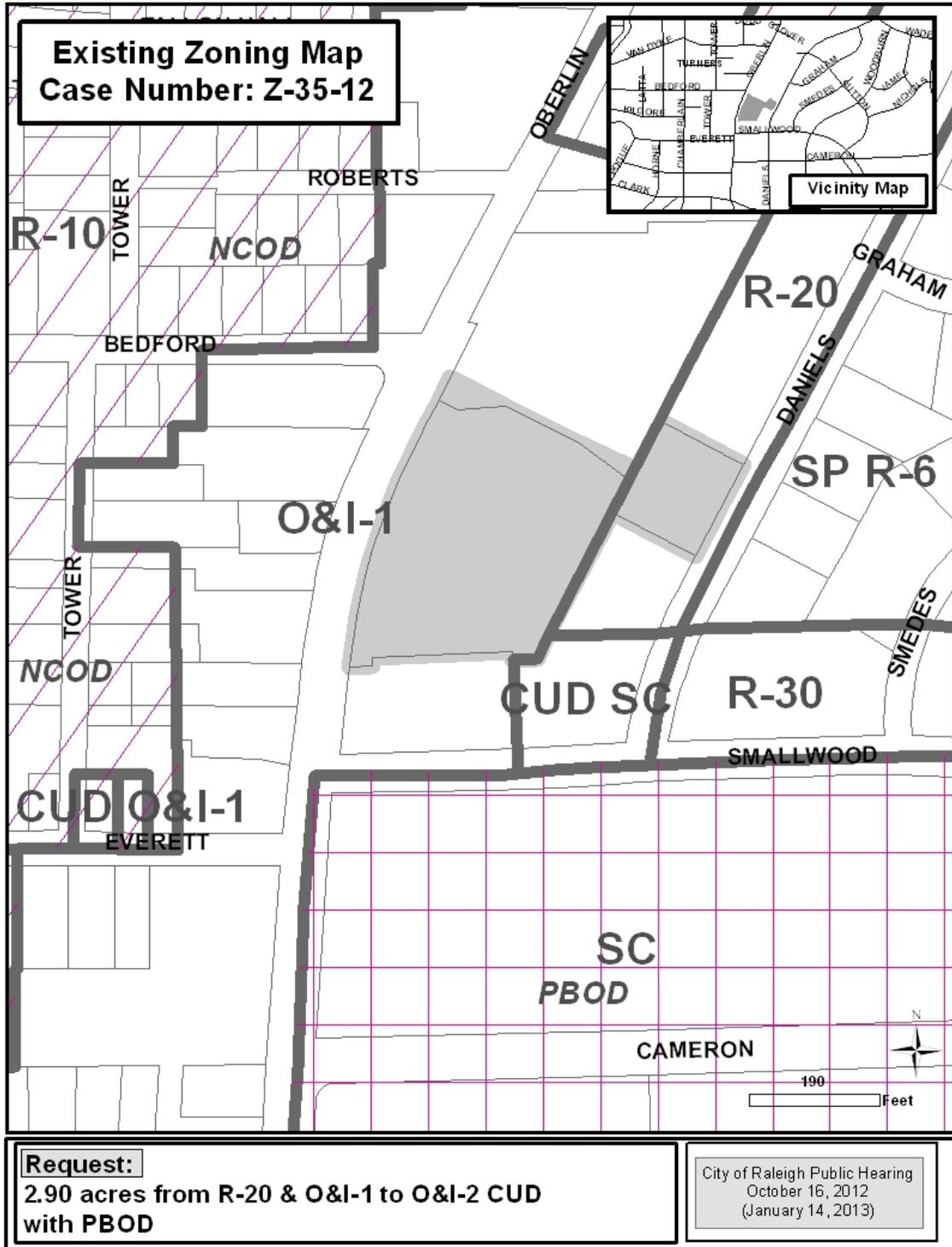
The applicant has addressed these issues.

### **7. Conclusions**

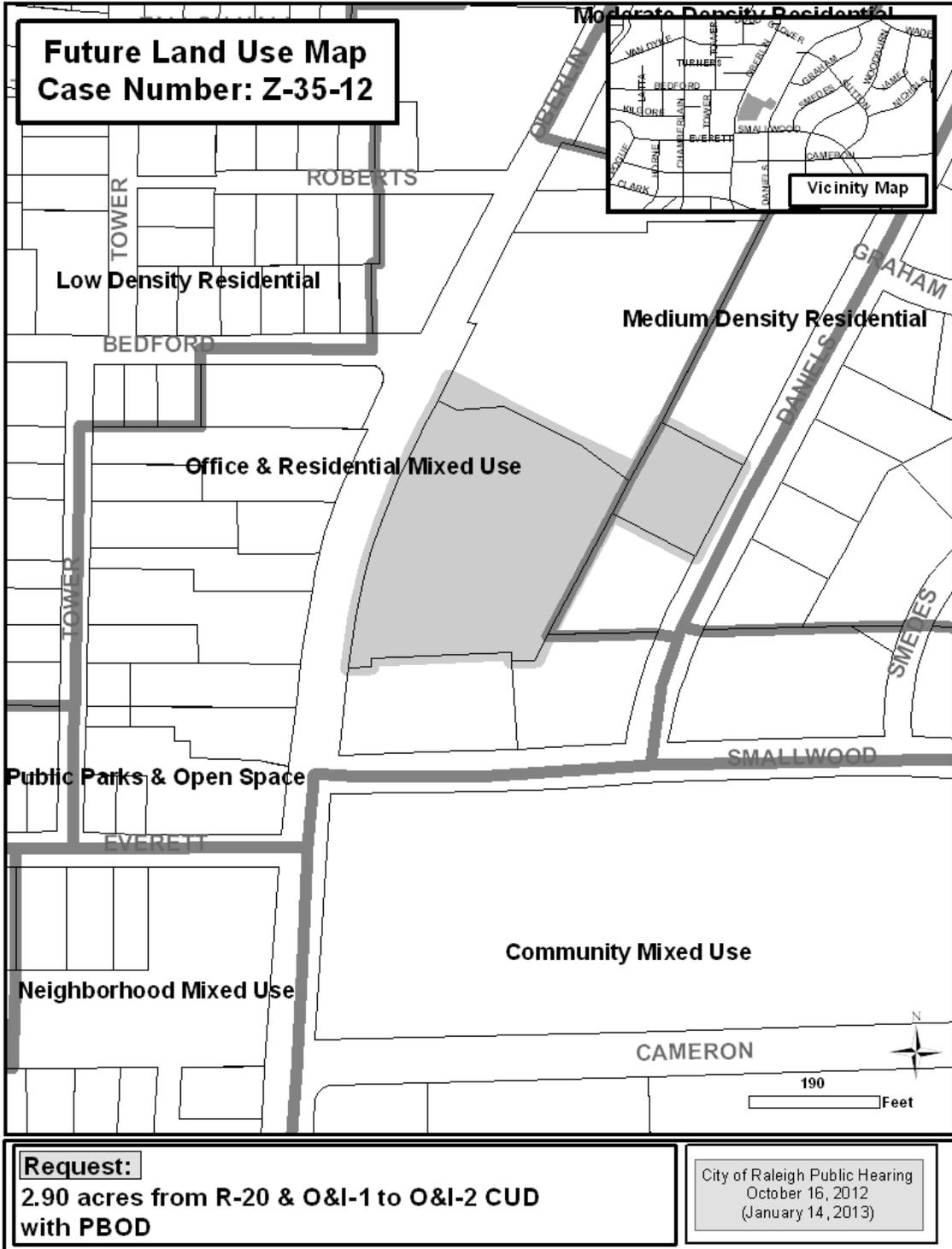
The proposal does not meet some of the locational guidelines for Pedestrian Oriented Overlay District; particularly there is no retail component and the site is not contiguous with the nearby Cameron Village PBOD and streetscape plan area. The proposed zoning would allow considerably more intense development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

The proposal will locate relatively intense development in an area where 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.

# Existing Zoning Map



# Future Land Use Map





# Petition to Amend the Official Zoning Map

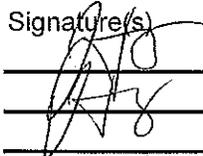
Before the City Council of the City of Raleigh, North Carolina

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**

Signature(s)	Print Name	Date
	James Anthony; 616 PARTNERS, LLC (Manager/Member)	6/14/12
	James Anthony; Oberlin Investors, LLC (Manager/Member)	6/14/12

Z-35-12  
SSP 7-12

# 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

	Name(s)	Address	Telephone/Email
Petitioner(s)	616 PARTNERS, LLC Oberlin Investors, LLC	702 Oberlin Road; #400 Raleigh, NC / 27605	919.582.3100 janthony@aacre.com
(for conditional use requests, petitioners must own petitioned property)			
Property Owner(s)	616 PARTNERS, LLC Oberlin Investors, LLC	702 Oberlin Road; #400 Raleigh, NC / 27605	919.582.3100 janthony@aacre.com
Contact Person(s)	James Anthony, Owner AACRE	702 Oberlin Road; #400 Raleigh, NC / 27605	919.582.3100 janthony@aacre.com
	David Brown/Planner JDAVIS Architects	510 Glenwood Av; #201 Raleigh, NC 27603	919-835-1500 davidb@jdavisarchitects.com
	Michael Birch/Attorney Morningstar Law Group	630 Davis Drive; #200 Morrisville, NC 27560	919-590-0388 mbirch@morningstarlawgroup.com

## 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



EXHIBIT <sup>11 B 11</sup> ~~A~~ Z-35-12  
ADDENDUM <sup>SSP 11-12</sup> 2012-06-14

0794939743  
BWB OBERLIN LLC  
3055 GRANVILLE DR  
RALEIGH NC 27609-6917

0794938891  
OBERLIN VENTURES LLC  
4020 YANCEY RD  
CHARLOTTE NC 28217-1736

1704049530 00  
CAMERON VILLAGE CONDOMINIUMS II  
PO BOX 10007  
RALEIGH NC 27605-0007

1704049530 01  
DANIEL, ANN S  
6404 LAKEREST CT  
RALEIGH NC 27612-6525

1704049530 02  
DIXON, WILLIAM N SR  
DIXON, ELIZABETH PATTERSON  
500 MARLOWE RD  
RALEIGH NC 27609-7020

1704049530 03  
MARTIN, PAULETTE H  
1301 BINLEY PL  
RALEIGH NC 27615-7737

1704049530 04  
MARTIN, PAULETTE H  
1301 BINLEY PL  
RALEIGH NC 27615-7737

1704049530 05  
RUFFNER, ROBERT F JR & DORIS H  
PO BOX 4189  
WILMINGTON NC 28406-1189

1704049530 06  
GEYELIN, CLAIRE MEYERHOFF  
8631 NORTHBEND CIR  
EASTON MD 21601-7327

1704049530 07  
WHITEHEAD, ELIZABETH H  
000 HIGHWAY 125  
SCOTLAND NECK NC 27874

1704049530 08  
MADRY, RANDALL JR  
627 DANIELS ST APT C  
RALEIGH NC 27605-1179

1704049530 09  
JONES, CLARK A & GALEN M  
5004 REMBERT DR  
RALEIGH NC 27612-6240

1704049530 10  
SUTTON, MEREDITH ANNE  
627 DANIELS ST APT D  
RALEIGH NC 27605-1179

1704049530 11  
LEIPPE, CHARLES W JR  
401 FOXHALL ST  
RALEIGH NC 27609-5605

1704049530 12  
ROUSSEAU, REBECCA A  
629 DANIELS ST APT C  
RALEIGH NC 27605-1180

1704049530 13  
BROOKS, JASON T  
629 DANIELS ST # 13  
RALEIGH NC 27605-1180

1704049530 14  
DICK, NANCY J  
4010 CHERRY BLOSSOM CIR  
DURHAM NC 27713-6595

1704049530 15  
DENNING, LARRY E & MARION G  
1101 CLIFTON RD  
JACKSONVILLE NC 28540-6812

1704049530 16  
KING, JOY BATCHELOR & JAMES A II  
631 DANIELS ST APT C  
RALEIGH NC 27605-1181

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HUFFMAN, NICOLAS DANIEL  
631 DANIELS ST APT B  
RALEIGH NC 27605-1181

1704049530 18  
KNIGHT, DENISE ANN  
631 DANIELS ST APT D  
RALEIGH NC 27605-1181

1704049530 19  
HUNTER, ANNE A HEIRS  
C/O JAMES B PIERCE  
2501 ATRIUM DR STE 500  
RALEIGH NC 27607-6492

1704049530 20  
HOLDEN, SEVANNE E PERSON  
HOLDEN, GEORGE THOMAS III  
1812 LORIMER RD  
RALEIGH NC 27606-2629

1704049530 21  
BOWMAN, JERRY B JR & SUZANNE G  
1208 BRIAR PATCH LN  
RALEIGH NC 27615-6901

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HARDIN, JEFFREY GLENN  
33 DANIELS ST APT D  
RALEIGH NC 27605-3301

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MITCHELL, BRENDA G TRUST  
829 SLOOP POINTE LN  
KURE BEACH NC 28449-4911

1704049530 24  
SPATHIS, ARISTOTELIS D & DOROTHY C  
2117 BANKS SCHOOL RD  
KINSTON NC 28504-9177

1704049530 25  
PELLETIER, COLIN LEE  
35 DANIELS ST APT B  
RALEIGH NC 27605-1182

1704049530 26  
LANEY, FRANK CALDWELL  
409 ACCOLADE DR  
CARY NC 27513-1618

1704049530 27  
FLEMING, PATTIE STEEN  
4912 HERMITAGE DR  
RALEIGH NC 27612-2712

Z-35.12  
SSP. 7.12

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  
833 DANIELS ST APT B  
RALEIGH NC 27605-3108

1704049530 33  
CORBETT, JAMES E JR  
833 DANIELS ST APT D  
RALEIGH NC 27605-3108

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

1704049530 35  
STYONS, WILLIAM RAY  
827 MERRIE RD  
RALEIGH NC 27606-2703

1704049530 36  
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  
CONETOE NC 27819-0252

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

1704049530 39  
LEWIS, WILBURN L & PATRICIA P  
MCCANN, JANE L  
1405 QUAIL DR  
GREENSBORO NC 27408-5326

1704049530 40  
BROUGH, LINDA E  
707 DANIELS ST APT C  
RALEIGH NC 27605-1186

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

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TART, SUSAN RUTH  
TART, ROY STEPHENS  
1804 SUTTON DR  
RALEIGH NC 27605-1147

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

1704049530 44  
SUGGS, ALLEN W  
4512 TOUCHSTONE FOREST RD  
RALEIGH NC 27612-4133

1704049530 45  
GOURLEY, JOYCE P  
75 RIVERCHASE BLVD APT 318  
BEAUFORT SC 29906-9086

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

1704049530 47  
HOBGOOD, HENRY FRANK III  
4412 TETBURY PL  
RALEIGH NC 27613-4059

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

1704049530 49  
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

1704049530 52  
STONE, LARRY R & BETTY L  
2206 PINEY PLAINS RD  
CARY NC 27518-6864

1704049530 53  
CATO, ROBERT T TRUSTEE  
F/B/O 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 MARYS ST  
RALEIGH NC 27608-2217

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

1704049530 57  
BRIDGER, JAMES ALBERT JR  
2100 SUTTON DR APT B  
RALEIGH NC 27605-3111

B.

1704049530 58 MUNFORD, R DONAVON JR TRUSTEE MUNFORD FAMILY TRUST DD 2/28/91 PO BOX 2611 RALEIGH NC 27602-2611	1704049530 59 MIDDLETON, GORDON K JR TRUSTEE MIDDLETON, MARY B TRUSTEE 2213 POOLE CT WINSTON SALEM NC 27106-3337	1704049530 60 SEYMOUR, GLENN DOUGLAS 801 DANIELS ST APT A RALEIGH NC 27605-1189
1704049530 61 JOHNSON, WES R 801 DANIELS ST APT C RALEIGH NC 27605-1189	1704049530 62 MUNFORD, R DONAVON JR PO BOX 2611 RALEIGH NC 27602-2611	1704049530 63 KING, JOY BATCHELOR 801 DANIELS ST APT D RALEIGH NC 27605-1189
1704049530 64 CREECH HOLDINGS LLC 1514 SAINT MARYS ST RALEIGH NC 27608-2217	1704049530 65 NOWASKI, PRESTON S 862 AUTUMN RAIN LN CHARLOTTE NC 28209-4794	1704049530 66 BRINLEY, ROBERT PRITCHETT BRINLEY, AMY PRITCHETT 803 DANIELS ST APT B RALEIGH NC 27605-1190
1704049530 67 BABCOCK, LINDA N 2501 VAN DYKE AVE RALEIGH NC 27607-6937	1704049530 68 ANDINGHAM, LAURA B 805 DANIELS ST APT C RALEIGH NC 27605-1191	1704049530 69 BUNCH, KAREN ELAINE 805 DANIELS ST APT B RALEIGH NC 27605-1191
1704049530 70 CH, KAREN ELAINE 805 DANIELS ST APT B RALEIGH NC 27605-1191	1704049530 71 GATES, ROSALIE PRINCE 230 CRESTWOOD DR ROXBORO NC 27573-4919	1704049530 72 SHELLEY, GLEN S 807 DANIELS ST APT C RALEIGH NC 27605-1192
1704049530 73 BRINSON, DOUGLAS WADDELL Owner's Mailing Address 807 DANIELS ST APT B RALEIGH NC 27605-1192	1704049530 74 HUNTER, ANNE A HEIRS C/O JAMES B PIERCE 2501 ATRIUM DR STE 500 RALEIGH NC 27607-6492	1704049530 75 STYONS, TOMMIE A 1400 S JOYCE ST APT 116 ARLINGTON VA 22202-1803
1704049530 76 WARREN, TAYLOR CAROLINE 809 DANIELS ST APT C RALEIGH NC 27605-1193	1704049530 77 MCCASLIN, JEFFREY WILLIAM 1113 DAWN VIEW TER MOUNT PLEASANT SC 29464-4697	1704049530 78 GIBBONS, WILLIAM W 809 DANIELS ST APT D RALEIGH NC 27605-1193
1704049530 79 MEEKS, HAROLD GENE JR Owner's Mailing Address 811 DANIELS ST APT A RALEIGH NC 27605-119	1704049530 80 KICKLIGHTER, STEPHEN D MADISON, WILLIAM A 2611 CHURCHILL RD RALEIGH NC 27608-1905	1704049530 81 DICKENS, WILLA M & WILLIAM F JR 129 N CHURCH ST ENFIELD NC 27823-1305
1704049530 82 MOORE, JOSEPH GILBERT LONDON RIDDLE MOORE SUPPLEMENTAL NE 3712 LUBBOCK DR RALEIGH NC 27612-5020	1704049530 83 MILLER, OSCAR PATRICK JR MILLER, PATRICIA O 411 GREENRIDGE RD SNOW HILL NC 28580-1512	1704049530 84 YOUNG, GRAHAM S 1538 DELLWOOD DR RALEIGH NC 27607-6719
1704049530 85 ODLIEF, MEREDITH D & JOHN W 145 SHADY BROOK LN PATRICK SPRINGS VA 24133-3680	1704049530 86 WILLIAMS, EDITH BARCLAY 813 DANIELS ST APT D RALEIGH NC 27605-1195	1704049530 87 YARBOROUGH, CHARLES H JR PO BOX 565 LOUISBURG NC 27549-0565

1704049530 88  
RILEY, PAULA ANNE  
815 DANIELS ST APT C  
RALEIGH NC 27605-1196

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MEEKS, HAL & ROBERT WARD MCKEEL  
815 DANIELS ST APT B  
RALEIGH NC 27605-1196

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CROSS, MICHAEL  
730 PACKHEM LANE  
RALEIGH NC 27603

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BROOKSHIRE, PHYLLIS YORK  
1007 NICHOLS DR  
RALEIGH NC 27605-1107

1704049530 92  
BROOKSHIRE, PHYLLIS YORK  
1007 NICHOLS DR  
RALEIGH NC 27605-1107

1704049530 93  
BROOKSHIRE, PHYLLIS YORK  
1007 NICHOLS DR  
RALEIGH NC 27605-1107

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SOUTH CROSSING LLC  
653 OWENS CT  
WILMINGTON NC 28412-0953

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KILGORE, JON WILLIAM  
819 DANIELS ST APT A  
RALEIGH NC 27605-3101

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GASKILL PROPERTIES LLC  
1021 HARVEY ST  
RALEIGH NC 27608-2331

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LINDSLEY, BRADLEY CHARLES  
911 WASHINGTON ST APT 204  
RALEIGH NC 27605-3206

1704049530 98  
WARLICK, RYANN FINLEY  
819 DANIELS ST APT D  
RALEIGH NC 27605-3101

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STANLEY, MICHAEL BENJAMIN  
821 DANIELS ST APT A  
RALEIGH NC 27605-3102

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SOUTH CROSSING LLC  
4221 CROCKETTE RD  
WILMINGTON NC 28409-3114

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SMITH, WESLEY MURRAY & ANNA F  
821 DANIELS ST APT B  
RALEIGH NC 27605-3102

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SLADE, IRVIN ALLISON  
LORE, PENNY S  
2575 BEVERLY DR  
WASHINGTON PA 15301-1407

1704049530 103  
DAVIS, MILES C JR  
823 DANIELS ST APT A  
RALEIGH NC 27605-3103

1704049530 104  
823C DANIELS STREET LLC  
2114 MYRTLE AVE  
RALEIGH NC 27608-2245

1704049530 105  
VEORSE, JUDITH M & JAMES W III  
PO BOX 2594  
BLOWING ROCK NC 28605-2594

1704049530 106  
WILSON, KERRICK R  
5624 PICNIC ROCK LN  
RALEIGH NC 27613-2063

1704049530 107  
YORK, PHILIP S  
3219 SUSSEX RD  
RALEIGH NC 27607-6638

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YORK, PHILIP S  
3219 SUSSEX RD  
RALEIGH NC 27607-6638

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YORK, PHILIP S  
3219 SUSSEX RD  
RALEIGH NC 27607-6638

1704049530 110  
YORK, PHILIP S  
3219 SUSSEX RD  
RALEIGH NC 27607-6638

1704049530 111  
BROOKSHIRE, PHYLLIS YORK  
1007 NICHOLS DR  
RALEIGH NC 27605-1107

1704049530 112  
WINSTEAD, BARDEN  
1601 WESTERFIELD RD  
VIRGINIA BEACH VA 23455-4341

1704049530 113  
BROOKSHIRE, PHYLLIS YORK  
1007 NICHOLS DR  
RALEIGH NC 27605-1107

1704049530 114  
GIERSCH, MARY J  
6433 CHAPMAN CT  
RALEIGH NC 27612-6609

1704049530 115  
BUMGARDNER, REBECCA C  
829 DANIELS ST APT A  
RALEIGH NC 27605-3106

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FOX, MARY E  
FOX, AMOS FOLGER  
904 CHATFIELD DR  
GREENSBORO NC 27410-3806

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DOLBY, EDWARD C  
6921 OUT OF BOUNDS DR  
CHARLOTTE NC 28210-7319

1704049530 118  
823C DANIELS STREET LLC  
D/B/A DANIELS STREET CONDO RENTALS  
2114 MYRTLE AVE  
RALEIGH NC 27608-2245

1704049530 119  
YORK, PHILIP S  
3219 SUSSEX RD  
RALEIGH NC 27607-6638

1704049530 120  
COATES, NELL REID  
835 DANIELS ST APT D  
RALEIGH NC 27605-3109

1704049530 121  
MILLER, ROBERT A & VIRGINIA R  
7523 SOUND DR  
EMERALD ISLE NC 28594-2954

1704049530 122  
DEAN, PERRY E & SUSAN T  
HOUSTON, MICHAEL L & VANESSA Y  
1033 BELLEWOOD FARMS RD  
RALEIGH NC 27603-7957

1704049530 123  
DEAN, PERRY E & SUSAN TART  
HOUSTON, MICHAEL L & VANESSA Y  
1033 BELLEWOOD FARMS RD  
RALEIGH NC 27603-7957

1704049530 124  
ROBERTS, BENNETT W C & SNOW L  
3015 HARRIMAN RD  
DURHAM NC 27705-5425

1704049530 125  
ISA, JALIL NALLIP  
8101 CALIBER WOODS DR  
RALEIGH NC 27616-8665

1704049530 126  
HESS, TIMOTHY S & LYNN M  
703 DANIELS ST APT C  
RALEIGH NC 27605-1184

1704049530 127  
MURRAY, V G JR  
PO BOX 1487  
RALEIGH NC 27602-1487

1704049530 128  
TIERNEY, LORETTA W  
3413 LASSITER FALLS CIR  
RALEIGH NC 27609-6973

1704049530 129  
SPATHIS, ARISTOTELIS D & DOROTHY C  
2117 BANKS SCHOOL RD  
KINSTON NC 28504-9177

1704049530 130  
YARBOROUGH, CHARLES H JR  
PO BOX 565  
LOUISBURG NC 27549-0565

0794938491  
OBERLIN GARDENS & OBERLIN ROAD LAND  
C/O BB&T  
PROPERTY TAX DEPT  
PO BOX 167  
WINSTON SALEM NC 27102-0167

1704040026  
MORGAN, JOYCE CELESTINE  
2206 BEDFORD AVE  
RALEIGH NC 27607-7302

1704032618  
616 PTNR LLC  
702 OBERLIN RD STE 400  
RALEIGH NC 27605-1357

1704044002  
OBERLIN INVESTORS LLC  
C/O ANTHONY & CO  
PO BOX 10810  
RALEIGH NC 27605-0810

0794938323  
OBERLIN GARDENS & OBERLIN ROAD LAND  
C/O WACHOVIA CORP  
REAL ESTATE NC 5568  
PO BOX 36246  
CHARLOTTE NC 28236-6246

1704035727  
616 PTNR LLC  
702 OBERLIN RD  
RALEIGH NC 27605-1102

0794939962  
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

1704040065  
BURTON, JEFFREY R SCHWETZ, ROSELLE  
W  
415 N BOUNDARY ST  
RALEIGH NC 27604-1245

1704034664  
METTREY, MICHAEL T & IRIS RITA B  
611 DANIELS ST  
RALEIGH NC 27605-1114

0794938449  
OBERLIN GARDENS & OBERLIN ROAD LAND  
C/O BB&T  
PROPERTY TAX DEPT  
PO BOX 167  
WINSTON SALEM NC 27102-0167

0794938568  
REEDY CREEK PROPERTIES LLC  
6000 REEDY CREEK RD  
RALEIGH NC 27607-6302

0794938657  
617 OBERLIN LLC  
615 OBERLIN RD STE 102  
RALEIGH NC 27605-3129

1704033488  
SMALLWOOD DANIELS PROPERTIES LLC  
1021 HARVEY ST  
RALEIGH NC 27608-2331

1704038838  
MORAN, EDWARD W POU  
626 DANIELS ST  
RALEIGH NC 27605-1115

1704037870  
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

1704036662  
FARKAS, DANIEL FREDERICK FARKAS,  
ALICE BRIDGETTA  
612 DANIELS ST  
RALEIGH NC 27605-1115

1704036488  
CAMERON VILLAGE APARTMENTS LLC  
2016 CAMERON ST STE 214  
RALEIGH NC 27605-1361

1704035117  
COLUMBIA CAMERON VILLAGE LLC  
PROPERTY TAX DEPT  
PO BOX 790830  
SAN ANTONIO TX 78279-0830

0794936040  
505 ASSOCIATES  
PO BOX 10007  
RALEIGH NC 27605-0007

# 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

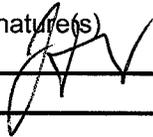
Narrative of conditions being requested:

- 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

# EXHIBIT C. Request for Zoning Change

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

- 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 recombined, 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 recombined, 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 oriented 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 recombined, 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 oriented 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 recombined, 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.

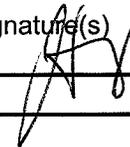
I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners**.

**ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS**

Signature(s)

Print Name

Date

 \_\_\_\_\_  
James I 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.

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**ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS**

Signature(s)	Print Name	Date
	James F. Anthony, Jr.	1-17-2013
_____	_____	_____
_____	_____	_____
_____	_____	_____

# EXHIBIT C. Request for Zoning Change

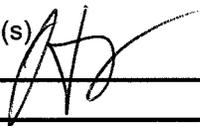
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- t. Any access for the 616 Oberlin Parcel (1704-03-2618; DB 14577, PG 1521), as may be recombined, on to Daniels Street shall be limited to a right in/right out movement, and the developer shall bear the cost of installing the infrastructure necessary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

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**ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS**

Signature(s)



Print Name

James I. Anthony, Jr.

Date

1-17-2013

2.35.12  
SSP.7.12

# EXHIBIT D. Petitioner's Statement on Behalf of Zoning Change

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

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](http://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

# EXHIBIT D. Petitioner's Statement on Behalf of Zoning Change

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

- 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 a 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

**FILING ADDENDUM:** Instructions for filing a petition to amend the official Zoning Map of the City of Raleigh, North Carolina

**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 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.

<b>Z-35-12 (616 OBERLIN)</b>	<b>Applicant's Response:</b>
<b>Raleigh Urban Design Guidelines: (DRAFT: 2012-08-31)</b>	
<b><u>Elements of Mixed-use Areas</u></b>	
<p>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.</p>	<p><b>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.</b></p>
<b><u>Mixed-use Areas/Transition to Surrounding Neighborhoods</u></b>	
<p>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.</p>	<p><b>Transition elements (building height, building setback, HVAC location, open space) are provided in either the zoning conditions or the streetscape plan.</b></p>
<b><u>Mixed-use Areas/The Block, The Street, and The Corridor</u></b>	
<p>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.</p>	<p><b>There is an existing network of grid-style streets adjacent to the subject property - no changes are proposed.</b></p>
<p>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.</p>	<p><b>There are no street extensions proposed by this project, and the subject property is immediately adjacent to a grid of existing streets.</b></p>
<p>5 Block faces should have a length generally not exceeding 660 feet.</p>	<p><b>Block faces are existing, and no changes are proposed.</b></p>
<b><u>Site Design/Building Placement</u></b>	

<p>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.</p>	<p><b>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.</b></p>
<p>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.</p>	<p><b>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).</b></p>
<p>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.</p>	<p><b>The subject properties are not located at a street intersection.</b></p>
<p><b><u>Site Design/Urban Open Space</u></b></p>	
<p>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.</p>	<p><b>The <u>616 Oberlin Streetscape &amp; Parking Plan</u> 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.</b></p>
<p>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.</p>	<p><b>The building(s) shall provide pedestrian entrances directly onto public sidewalks, especially along Oberlin Road.</b></p>
<p>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.</p>	<p><b>The proposed uses include all of the categories stated in the criteria, and they shall be located on the perimeter (street frontage)</b></p>
<p>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.</p>	<p><b>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.</b></p>

**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.
- 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 addresses location of parking, and type of driveway (ramp-type, not street-type).**

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

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

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**Wide sidewalks, including pedestrian furnishings, are specified in the 616 OBERLIN Streetscape & Parking Plan.**

**OPEN SPACE NOTES:**

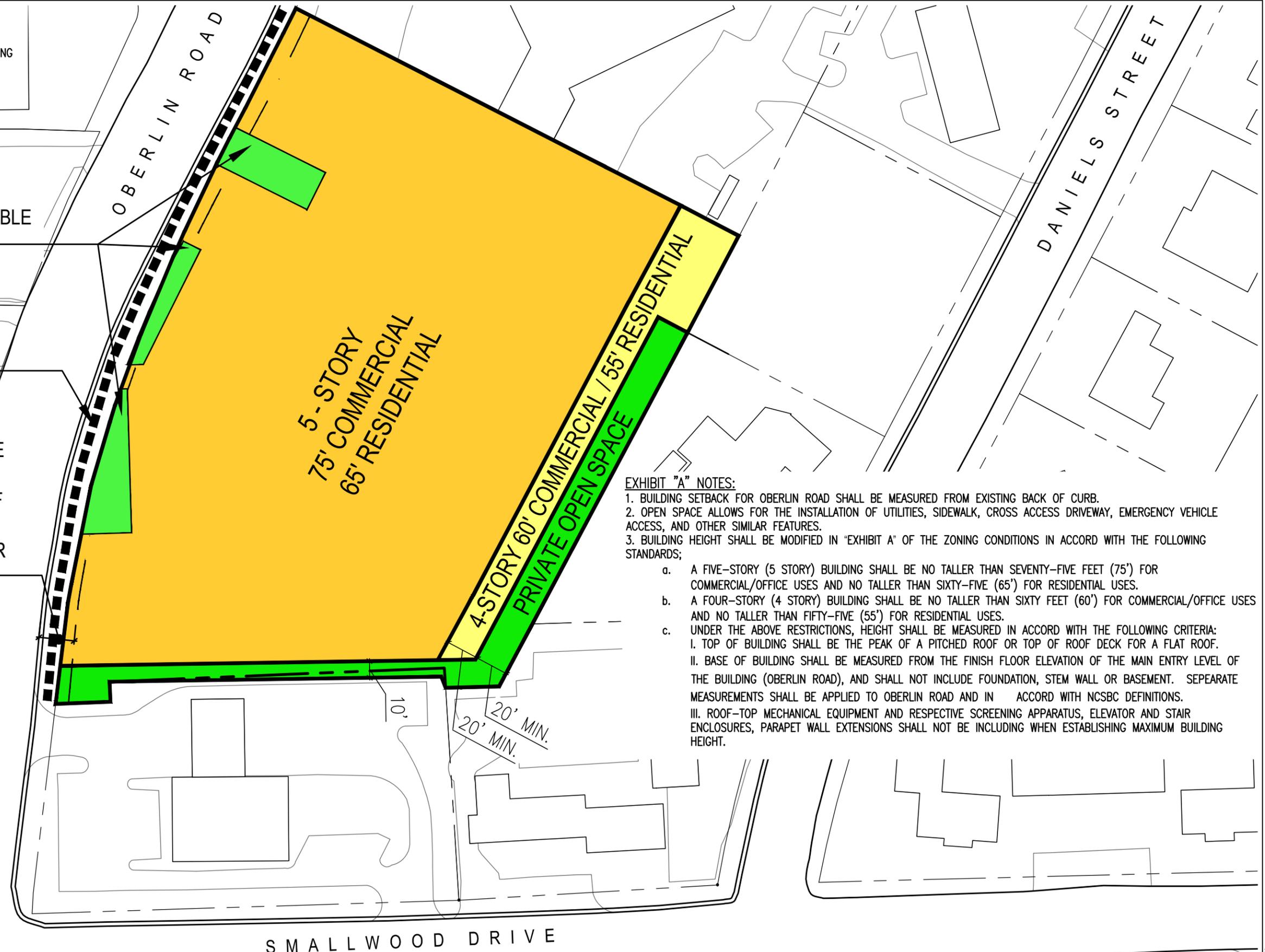
1. THE EXACT LOCATION, SHAPE, DIMENSION, AND ARRANGEMENT OF OBERLIN ROAD OPEN SPACE SHALL BE DETERMINED AT TIME OF REQUEST FOR EITHER PRELIMINARY SITE PLAN APPROVAL OR BUILDING PERMIT.

OBERLIN OPEN SPACE; VARIABLE WIDTH & LOCATION (TYP)

THOROUGHFARE SIDEWALK (14' TYP)

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.



**EXHIBIT "A" NOTES:**

1. BUILDING SETBACK FOR OBERLIN ROAD SHALL BE MEASURED FROM EXISTING BACK OF CURB.
2. OPEN SPACE ALLOWS FOR THE INSTALLATION OF UTILITIES, SIDEWALK, CROSS ACCESS DRIVEWAY, EMERGENCY VEHICLE ACCESS, AND OTHER SIMILAR FEATURES.
3. BUILDING HEIGHT SHALL BE MODIFIED IN "EXHIBIT A" OF THE ZONING CONDITIONS IN ACCORD WITH THE FOLLOWING STANDARDS;
  - a. 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.
  - b. 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.
  - c. UNDER THE ABOVE RESTRICTIONS, HEIGHT SHALL BE MEASURED IN ACCORD WITH THE FOLLOWING CRITERIA:
    - I. TOP OF BUILDING SHALL BE THE PEAK OF 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 (OBERLIN ROAD), AND SHALL NOT INCLUDE FOUNDATION, STEM WALL OR BASEMENT. SEPEARATE MEASUREMENTS SHALL BE APPLIED TO OBERLIN ROAD AND IN ACCORD WITH NCSBC DEFINITIONS.
    - III. ROOF-TOP MECHANICAL EQUIPMENT AND RESPECTIVE SCREENING APPARATUS, ELEVATOR AND STAIR ENCLOSURES, PARAPET WALL EXTENSIONS SHALL NOT BE INCLUDING WHEN ESTABLISHING MAXIMUM BUILDING HEIGHT.

P:\Land12\12039-616\_Oberlin.dwg - Exhibit\_A - Bldg\_H - Setback10.dwg

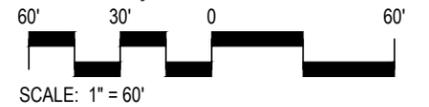
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510 Glenwood Ave., Suite 201 | Raleigh, NC 27603 | Tel 919.835.1500 | Fax 919.835.1510

**616 Oberlin Z-35-12**  
 EXHIBIT "A" - 616 OBERLIN STREETSCAPE AND PARKING PLAN  
 OPEN SPACE; BUILDING HEIGHT; BUILDING SETBACK

Date: January 17, 2013



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# 616 OBERLIN

## STREETSCAPE & PARKING PLAN

JUNE 14, 2012

REVISED: JANUARY 17, 2013



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# 616 OBERLIN STREETScape & PARKING PLAN

## **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 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)*

# 616 OBERLIN STREETScape & PARKING PLAN

*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.*

# 616 OBERLIN STREETSCAPE & PARKING PLAN

## *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.*

### 13. Building Facades and Materials:

#### *Building Facades:*

*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.*

# 616 OBERLIN STREETScape & PARKING PLAN

## *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 the 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.*

## 616 OBERLIN STREETScape & PARKING PLAN

### 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 utilized 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 Mettre 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 Mettre 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 Mettre 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", "Cruptomeria, 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

*o. Open Space:*

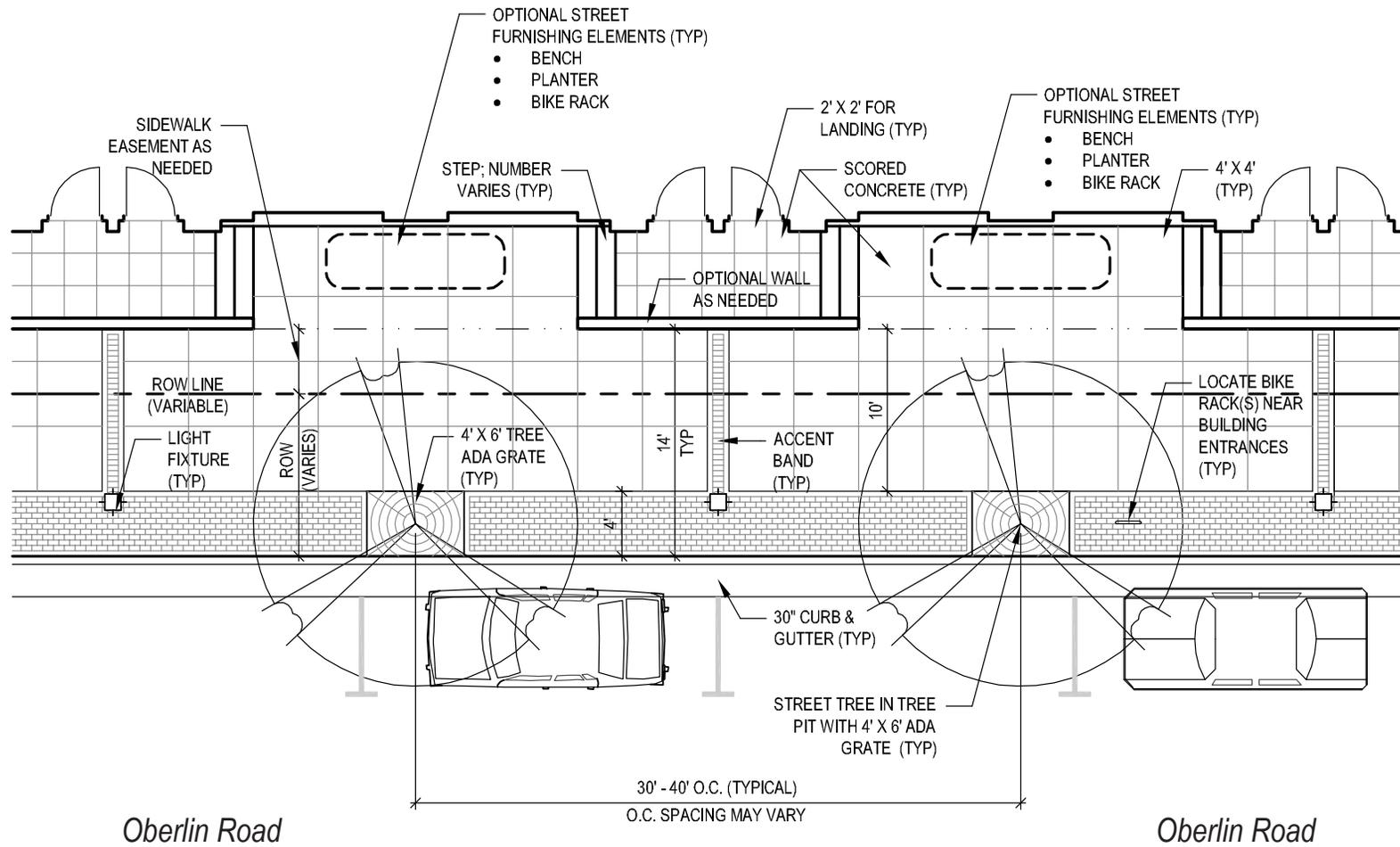
*A portion of the required Open Space for this PBOD shall be provided adjacent to Oberlin Road, and the “Oberlin Road Open Space” shall adhere to the following criteria:*

- 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.*

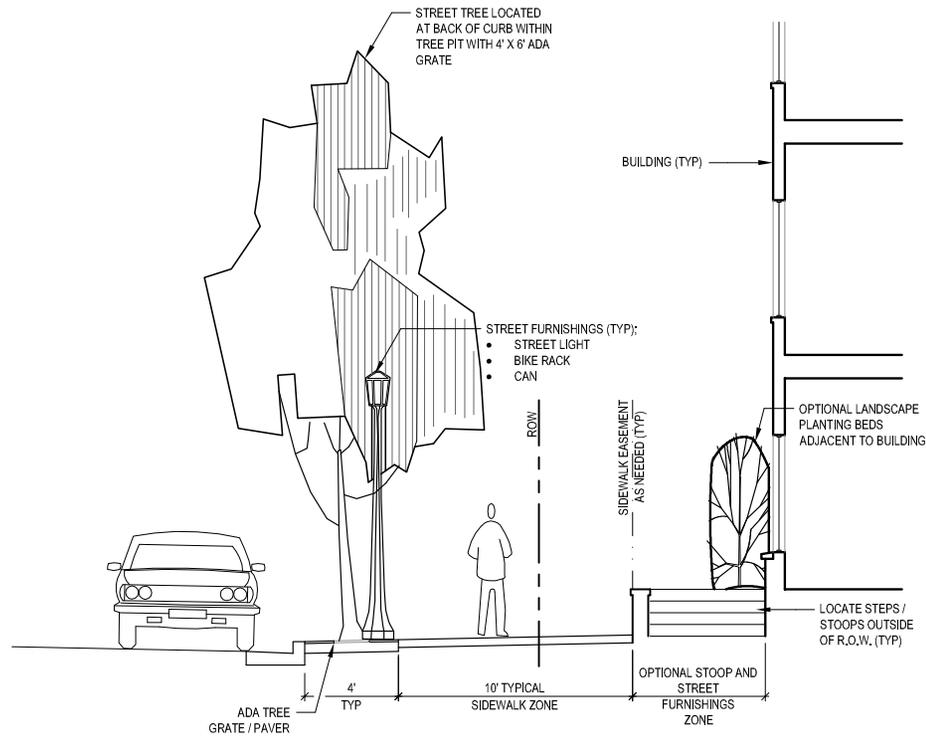
- p. The 10' wide private open space located along the side yard of [the Mettre parcel] shall be measured from the property line. However, in the event that certain easement recorded at Book 1187, Page 381, Wake County Registry impacts that area measuring approximately 10 feet from the common property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

# 616 OBERLIN STREETSCAPE & PARKING PLAN



URBAN FORM  
N . T . S .

# 616 OBERLIN STREETScape & PARKING PLAN

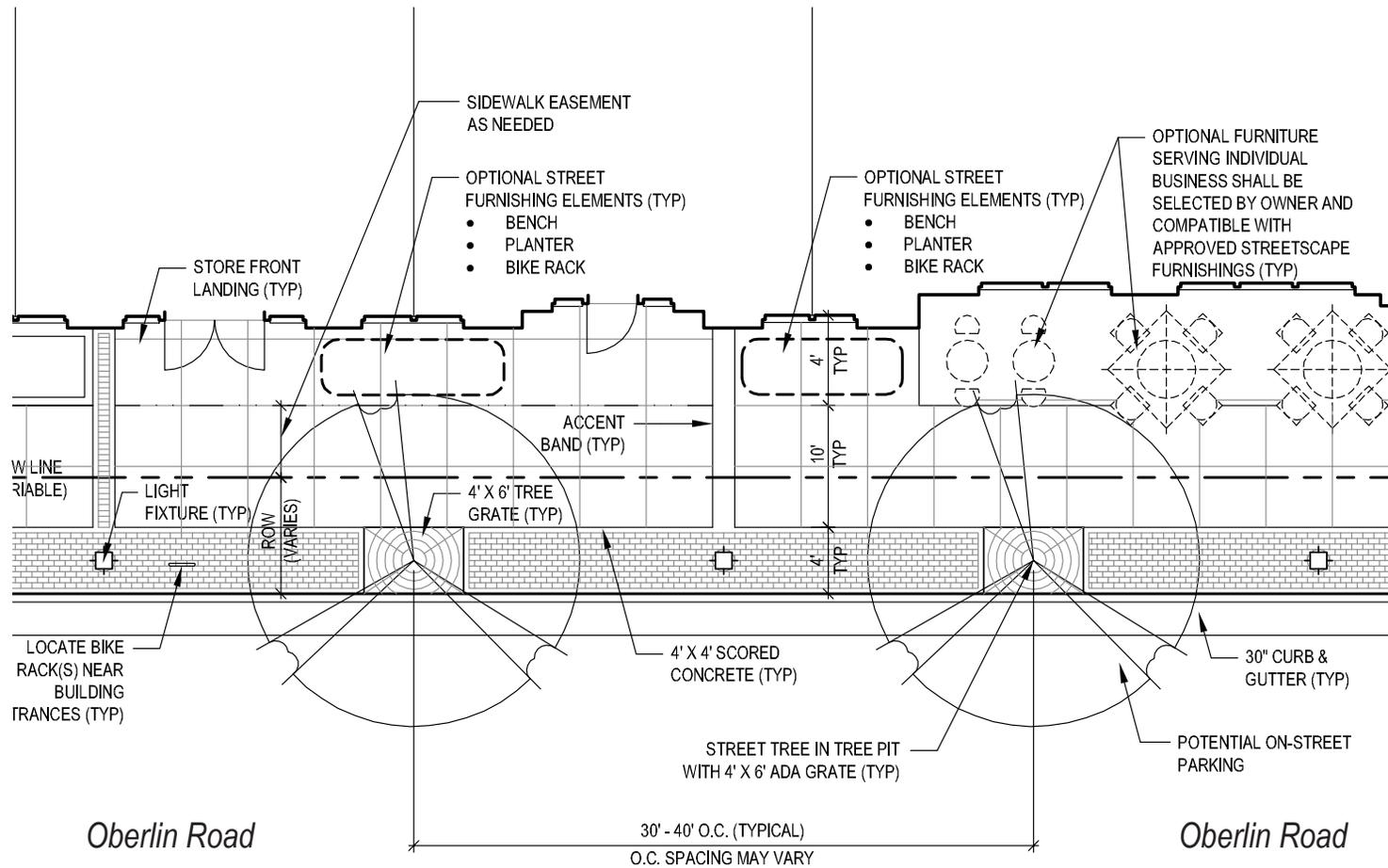


URBAN FORM

N. T. S.

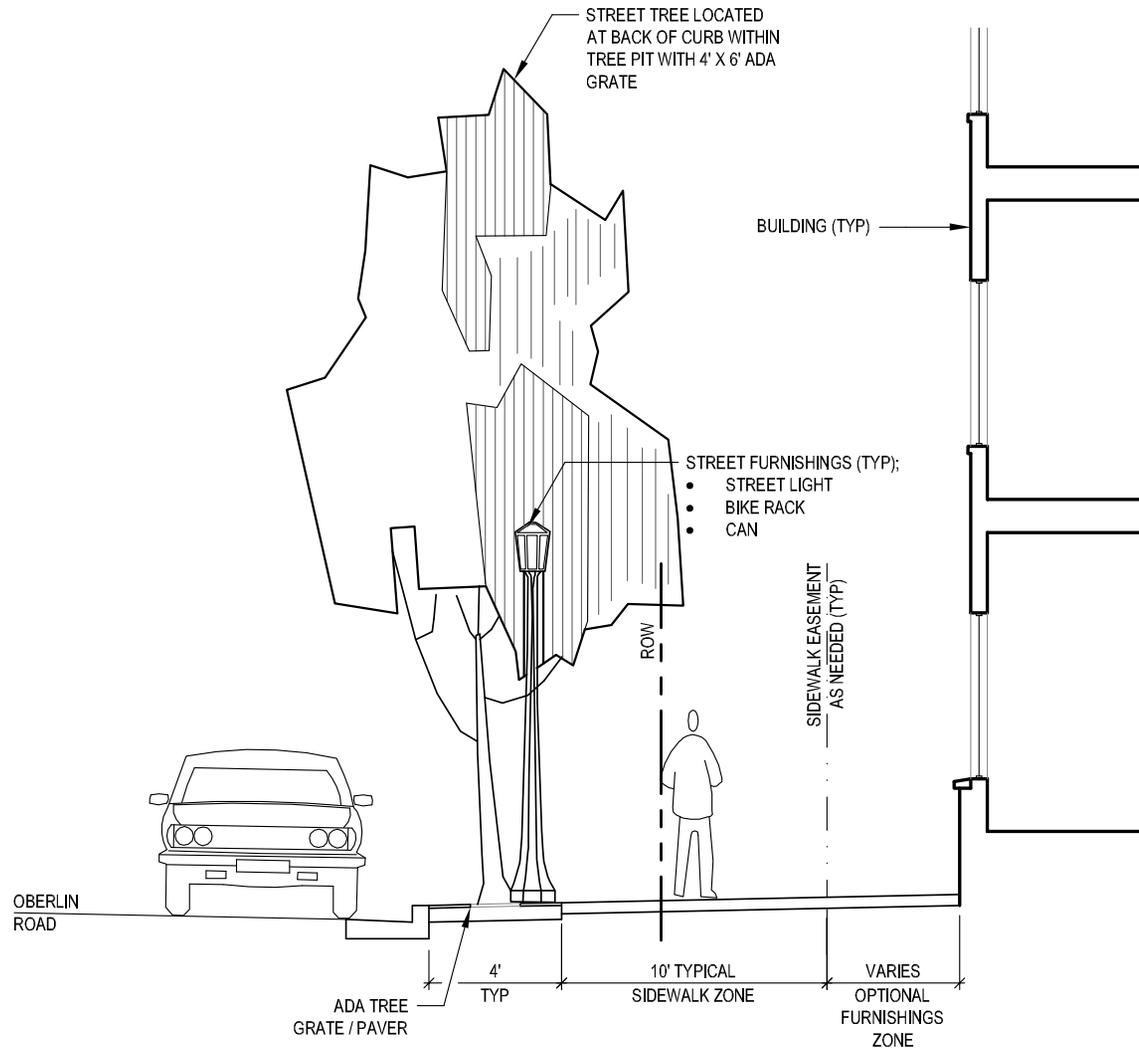
*Oberlin Road*

# 616 OBERLIN STREETSCAPE & PARKING PLAN



URBAN FORM  
N . T . S .

# 616 OBERLIN STREETScape & PARKING PLAN



TYPICAL OBERLIN ROAD STREETScape SECTION

URBAN FORM

N. T. S.

# 616 OBERLIN STREETScape & PARKING PLAN DETAILS



"IRONSITES SERIES: SD-42" (VICTOR STANLEY CO.)



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.

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5 LOOP HEAVY DUTY CHALLENGER (MADRAX)  
(NOT TO BE LOCATED WITHIN STREET RIGHT-OF-WAY)

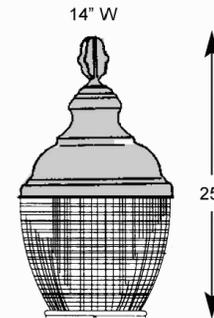
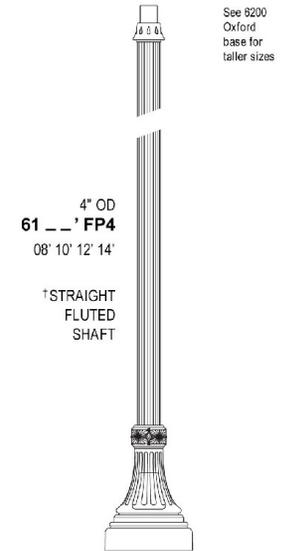


"U" 2-SPACE RACK U-158-SF-G (MADRAX)  
(LOCATE WITHIN STREET RIGHT-OF-WAY)



"CLASSIC SERIES VC-12"  
(VICTOR STANLEY CO.)

15" Diameter Base x 21" High



G743SR  
G745SR  
Solid Roof

"DOVER 6100-T4" (STERNBERG  
VINTAGE LIGHTING)

"HOME TOWN G-743"  
(STERNBERG VINTAGE LIGHTING)

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PROJECT TEAM

OWNERS:

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

DEVELOPMENT ADVISOR: AACRE

JIM ANTHONY; MARCUS JACKSON; JAMES RICH

ARCHITECT/LANDSCAPE ARCHITECT: J DAVIS ARCHITECTS, PLLC

NEIL GRAY, AIA; DAVID BROWN, RLA

CIVIL ENGINEER / SURVEYOR: PRIST, CRAVEN & ASSOCIATES, INC.

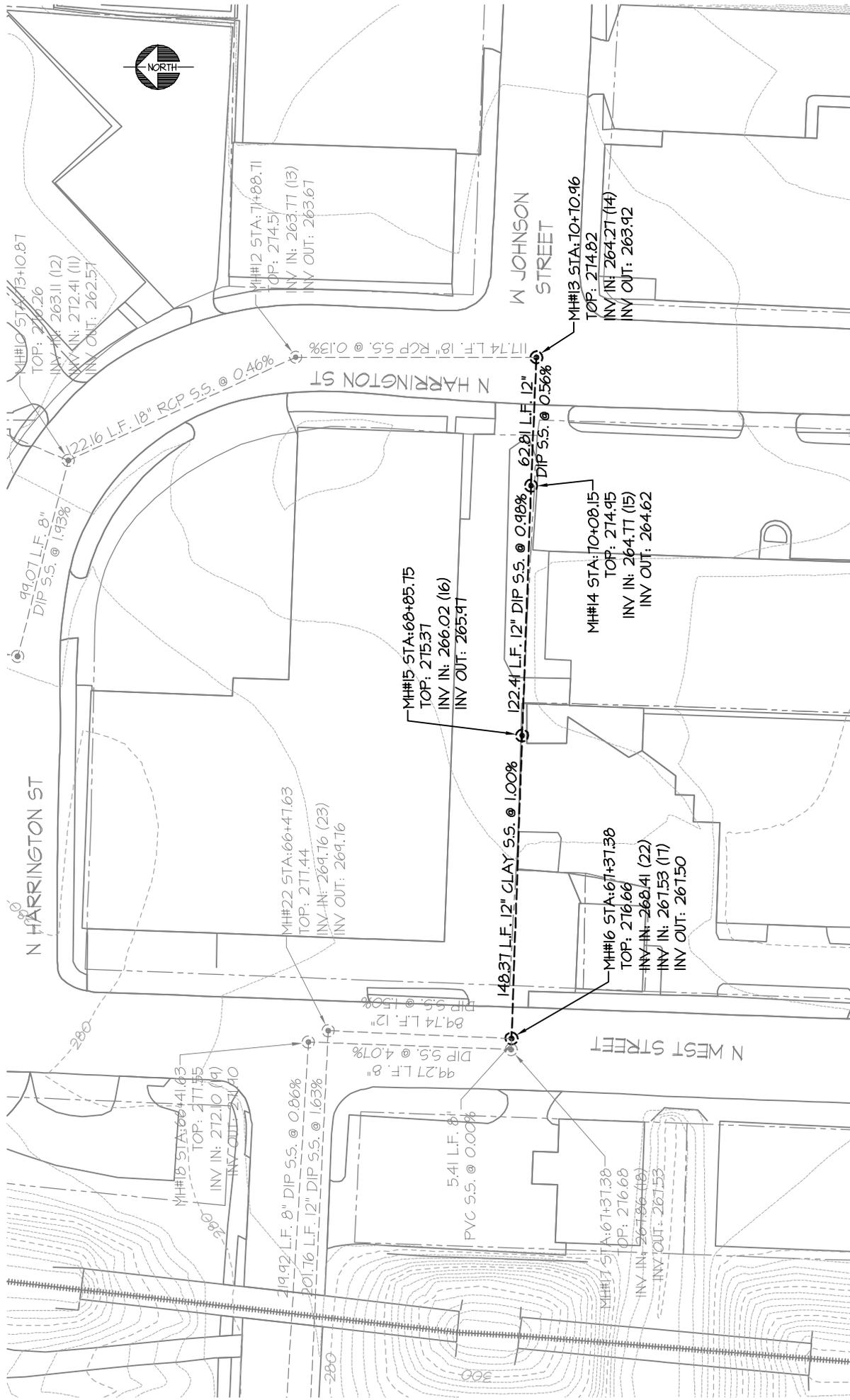
TOMMY CRAVEN, PE; BRADLEY BOWLING, PE; GREG JONES, RLS

TRAFFIC ENGINEER: STANTEC

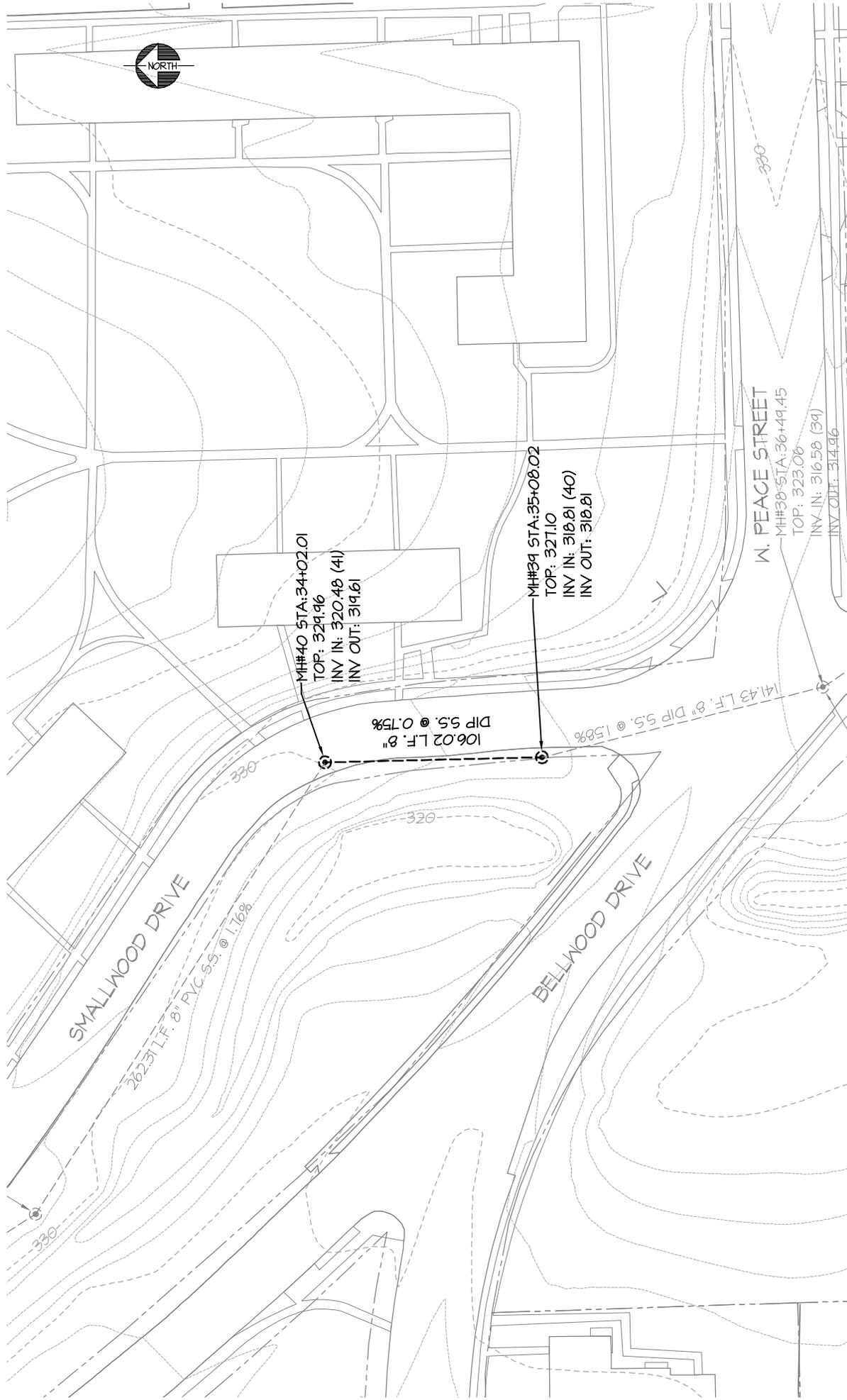
CHRISTA GREENE, PE

ATTORNEY: MORNINGSTAR LAW GROUP

MACK A. PAUL, IV; R. MICHAEL BIRCH, JR.



CITY OF RALEIGH SANITARY SEWER DESIGN SURVEY PLAN OF EXISTING SEWER RALEIGH NORTH CAROLINA SPONSORED BY: AACEE PROJECT:	SCALE: 1"=50' DATE: OCTOBER 30, 2012 PROJECT: TBD	<b>SANITARY SEWER PLAN EXHIBIT</b> MH# 16 TO MH#15 TO MH #14 TO MH #13	<b>PRIEST, CRAVEN &amp; ASSOCIATES, INC.</b> ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS, AND SURVEYORS 1000 WEST GARDEN STREET, SUITE 200, RALEIGH, NORTH CAROLINA 27601 PHONE: 919.973.8800 FAX: 919.973.8801 WWW.PRIESTCRAVEN.COM	<b>01</b>
	PRELIMINARY NOT RELEASABLE FOR CONSTRUCTION			



<p><b>CITY OF RALEIGH SANITARY SEWER DESIGN SURVEY</b>  <b>PLAN OF EXISTING SEWER</b>          SPONSORED BY: AAJCFE          RALEIGH, NORTH CAROLINA</p>	<p>SCALE: I=50'          DATE: OCTOBER 30, 2012          PROJECT: TBD</p>	<p><b>SANITARY SEWER PLAN EXHIBIT</b>          MH# 40 TO MH #39</p>	<p><b>02</b></p>
<p><b>PRIEST, CRAVEN &amp; ASSOCIATES, INC.</b>          LAND SURVEYORS, ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS, AND DESIGNERS          3801 N. GUYTON ROAD, SUITE 100, RALEIGH, NC 27609          TEL: 919.873.1100 FAX: 919.873.1101          WWW.PRIESTCRAVEN.COM          PRELIMINARY - NOT BE USED FOR CONSTRUCTION</p>			

Z-35-12  
SSP-712



510 Glenwood Avenue, Suite 201 | Raleigh, NC 27603 | tel 919-835-1500 | fax 919-835-1510

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,

A handwritten signature in cursive script, appearing to read 'David F. Brown'.

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

Cc: Jim Anthony; Michael Birch

attachments: Sign-In Sheet; Meeting Invitation

