

**CITY OF RALEIGH**

**Z-40-08**

**SC  
w/PBOD**

**to**

**SC  
w/PBOD  
(Amended PBOD)**

**2.67 acres**

**Public Hearing  
July 15, 2008  
(Nov 12, 2008)**

320 Feet



# Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

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

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

☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.

☐ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

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

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

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

Please check boxes  
where appropriate

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.

Signature(s)

Crescent Resources, LLC

By: Lacy H. Reaves  
Lacy H. Reaves, Attorney

May 21, 2008  
Date

# EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print  
See instructions, page 6

Office Use Only	<b>2-40-08</b>
Petition No.	
Date Filed:	<b>5-21-08</b>
Filing Fee:	<b>500.00</b> <i>CASH</i>
<i>pd. by check</i>	

1007565

Name(s)	Address	Telephone / E-Mail
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## 1) Petitioner(s) and

<b>Property Owner(s):</b> Crescent Resources, LLC	400 South Tryon Street Suite 1300 Charlotte, NC 28285	(980) 321-6234 <a href="mailto:binatwick@crescent-resources.com">binatwick@crescent-resources.com</a>
Attn: Mr. Brian Natwick		
Columbia Cameron Village, LLC	P.O. Box 790830 San Antonio, TX 78279-0830	(919) 831-4901 <a href="mailto:dsmith@regencycenters.com">dsmith@regencycenters.com</a>

## 2) Contact Person(s): Lacy H. Reaves

Smith Anderson	2500 Wachovia Capitol Center 150 Fayetteville Street Raleigh, NC 27602	(919) 821-6704 <a href="mailto:lreaves@smithlaw.com">lreaves@smithlaw.com</a>
Cindy Szwarczkop	Stewart Engineering 421 Fayetteville Street Suite 400 Raleigh, NC 27601	(919) 866-4823 <a href="mailto:cszwarczkop@stewart-eng.com">cszwarczkop@stewart-eng.com</a>

## 3) Property Description:

Please provide surveys if proposed zoning boundary lines do not follow property lines.

Wake County Property Identification Number(s) (PIN):  
1704-02-0696, 1704-02-0486, 1704-02-2318, and portion of 1704-02-3636

General Street Location (nearest street intersections):  
Northeast quadrant of the intersection of Clark Avenue and Oberlin Road

## 4) Area of Subject Property (acres):

Approximately 2.67 acres – Please see the Exhibit Map attached hereto. The property proposed for rezoning is referred to hereafter as the "Property."

## 5) Current Zoning District(s) Classification:

Include Overlay District(s), if Applicable

Shopping Center General Use District with Pedestrian Business Overlay District (with associated Streetscape and Parking Plan)

## 6) Proposed Zoning District Classification:

Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.

Shopping Center General Use District with Pedestrian Business Overlay District (the sole purpose of this zoning case is to amend the Streetscape Plan applicable to the Property; an amendment to the current Streetscape Plan is submitted with this petition)

**8) Adjacent Property Owners**Office Use Only  
Petition No.**2-40-08**

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

**(Important: Include PIN Numbers with names, addresses and zip codes.)** Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
<u>401 Oberlin Road LLC</u>	<u>P.O. Box 566</u>	<u>Greenville, NC 27835-0566</u>	<u>0794927656</u>
<u>Prefco III Realty LLC</u>	<u>c/o American Fin Realty Trust</u> <u>P.O. Box 167129</u>	<u>Irving, TX 75016-7129</u>	<u>0794928214</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704020486</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704020696</u>
<u>Capital Bank Corporation</u>	<u>333 Fayetteville Street</u> <u>Suite 700</u>	<u>Raleigh, NC 27601-2950</u>	<u>1704021290</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704021717</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704022318</u>
<u>Smallwood Properties LLC</u>	<u>South Crossing LLC</u>	<u>Raleigh, NC 27605-0007</u>	<u>1704023124</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704023636</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704024314</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704026689</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704033118</u>
<u>Columbia Cameron Village LLC</u>	<u>Property Tax Dept.</u> <u>P.O. Box 790830</u>	<u>San Antonio, TX 78279-0830</u>	<u>1704037124</u>
<u>First Citizens Bank &amp; Trust Co.</u>	<u>Central Accounting – DAC 50</u> <u>P.O. Box 27131</u>	<u>Raleigh, NC 27611-7131</u>	<u>1704025175</u>
<u>505 Associates</u>	<u>P.O. Box 10007</u>	<u>Raleigh, NC 27605-0007</u>	<u>0794936040</u>
<u>503 Associates</u>	<u>503 Oberlin Road, Suite 300</u> <u>Raleigh, NC 27605-1381</u>	<u>Raleigh, NC 27605-1381</u>	<u>0794928879</u>

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

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

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

### **Required items of discussion:**

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

### **Recommended items of discussion (where applicable):**

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

### **PETITIONER'S STATEMENT:**

#### **I. Consistency of the proposed map amendment with the Comprehensive Plan ([www.raleighnc.gov](http://www.raleighnc.gov)).**

- A. Please state which District Plan area the subject property is located within and the recommended land use for this property:**

The Property is located in the University Planning District. It is proposed for retail, office, and residential uses.

- B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.**

The Property is located in the area of the Wade/Oberlin Small Area Plan and is also within the Central Area Regional Center. The Wade/Oberlin Small Area Plan designates the Property for higher intensity development and suggested uses include retail, office and residential. Under the Comprehensive Plan, Regional Centers are designated as areas of the most intense development in the City. The property is also within the area of the Cameron Village Streetscape and Parking Plan (the "Streetscape Plan" or "Plan"), but is not dealt with

specifically by the Plan. The Plan does not address maximum building height upon the property.

**C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?**

The proposed rezoning and modification of the Streetscape Plan is entirely consistent with the Comprehensive Plan and other City Council-adopted plans and policies.

**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):**

The Property comprises part of the western portion of the area designated as "Block 2" in the Cameron Village Streetscape and Parking Plan. The Property is within the original Cameron Village Shopping Center and surrounding uses include retail and office development.

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

Areas to the north and east of the Property within the Cameron Village Shopping Center are zoned Shopping Center General Use District with the Pedestrian Business Overlay District. Areas to the west and south are zoned Office and Institution-1 General Use District. Immediately surrounding areas are currently developed for office and retail uses.

**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**

This case does not modify the underlying zoning and overlay districts applicable to the Property. Modifications of the Cameron Village Streetscape and Parking Plan are proposed to more specifically address this portion of Block 2 and establish a maximum building height for the Property. The proposed maximum building height is appropriate for the intensity of the development suggested for this area by the Comprehensive Plan.

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

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

Modification of the Streetscape Plan as proposed will facilitate the redevelopment of the Property and enable its use for the densities proposed by the Comprehensive Plan.

**B. For the immediate neighbors:**

The proposed mixed use redevelopment of the Property will include a significant residential element which will bring a number of new residents to the Cameron Village Area. The new residents will be within walking distance of the offices and retail and service businesses that are the immediate neighbors of the Property.

**C. For the surrounding community:**

The redevelopment of the Property as proposed will enhance the viability of the businesses within the Cameron Village Shopping Center and the immediately surrounding area, thereby positively affecting the surrounding community. The surrounding community will also be served by additional retail uses to be provided upon the Property.

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

No. With the exception of the portion of Block 2 dealt with in this zoning case, substantially all of the Cameron Village Shopping Center has experienced renovation in recent years. Modification of the Streetscape Plan as proposed in this zoning case will facilitate a redevelopment of the Property.

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

The Property is centrally located at the intersection of the two thoroughfares serving Cameron Village and is within the quadrant of that intersection included within the Shopping Center. The grade of the Property falls substantially from west to east away from Oberlin Road. The topography of the Property thus facilitates a building incorporating the maximum height proposed for this area in the revised Streetscape Plan.

**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

- 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.**

The 2003 amendment of the Streetscape Plan did not address the Property, because there were no plans for its redevelopment. A proposal for the redevelopment of the Property has now evolved.

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

The proposed revision of the Streetscape Plan would facilitate the redevelopment of the Property with a residential density justified by the demand for additional residential dwelling units in the area.

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

There would be no adverse impact.

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

The modifications of the Streetscape Plan requested by this rezoning would enable a density of residential development supporting the City's goals of increasing pedestrian activity and creating a built environment supporting mass transit.



CURVE TABLE				
CURVE	RADIUS	LENGTH	CENTER	C-CORD DIRECTION
C7	466.59	66.54	48.44	95.57
C8	466.59	112.07	56.71	112.59

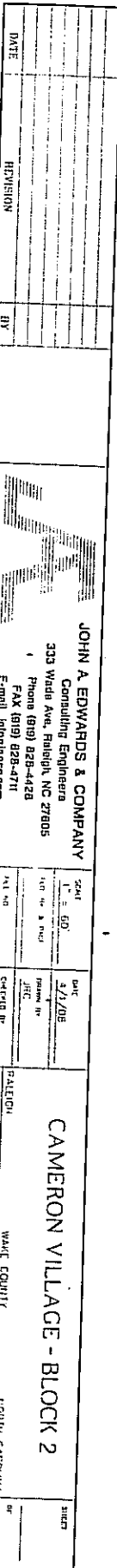


EXHIBIT MAP



## Certified Recommendation of the City of Raleigh Planning Commission

**Case File:** Z-40-08 (SSP-3-08); Oberlin Rd. & Clark Ave.

**General Location:** Northeast quadrant of the intersection of Oberlin Road and Clark Avenue.

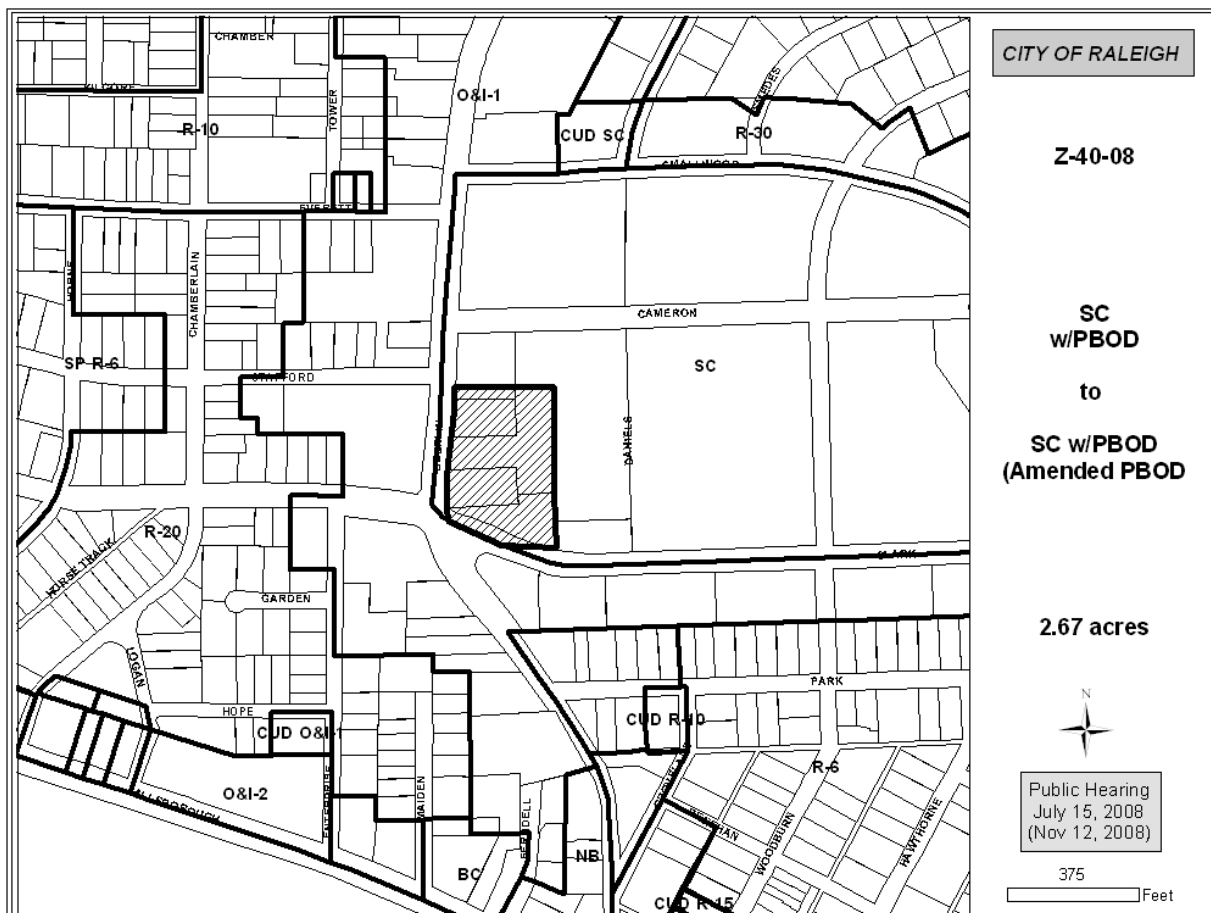
**Planning District  
/ CAC:** University/ Hillsborough

**Request:** Petition for Rezoning from **Shopping Center with Pedestrian Business Overlay District to Shopping Center with Pedestrian Business Overlay District (amending Streetscape and Parking Plan).**

**Comprehensive Plan  
Consistency:** The proposal is consistent with the Comprehensive Plan.

**Valid Protest  
Petition (VSPP):** No.

**Recommendation:** The Planning Commission finds that the proposed Streetscape and Parking Plan amendment is consistent with the Comprehensive Plan, and recommends that this request be approved in accordance with the amendments and supplements dated September 3, 2008.



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**CASE FILE:**     **Z-40-08 (SSP-3-08) General Use**

**LOCATION:**       This site is located at northeast quadrant of the intersection of Oberlin Road and Clark Avenue.

**REQUEST:**       This request is to rezone approximately 2.67 acres, currently zoned Shopping Center with Pedestrian Business Overlay District. The proposal is to rezone the property to Shopping Center with Pedestrian Business Overlay District, amending the Streetscape and Parking Plan.

**COMPREHENSIVE  
PLAN CONSISTENCY:**     **The proposal is consistent with the Comprehensive Plan.**

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**RECOMMENDATION:**     **The Planning Commission finds that the proposed Streetscape and Parking Plan amendment is consistent with the Comprehensive Plan, and recommends that this request be approved in accordance with the amendments and supplements dated September 3, 2008.**

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**FINDINGS  
AND REASONS:**

- (1) The proposal is consistent with the recommendations of the Comprehensive Plan. The Wade/ Oberlin Small Area Plan locates the property within a City Focus Area, and specifically prescribes it for "higher intensity" mixed retail/ office/ residential uses.
- (2) Adjacent properties to the north and east of the subject property within the Cameron Village Shopping Center are likewise designated for higher intensity development. For buildings on properties immediately west and south, across Oberlin Road and Clark Avenue respectively, a three story height cap is recommended by the Small Area Plan as a transition from the neighborhoods beyond. Building height on the subject property is limited to 80 feet above the grade of Oberlin Road, and an average of 90 feet average above Clark Avenue.
- (3) Additional Streetscape and Parking Plan details required of the site under §10-2055 (f) (2) of the Code of Ordinances are to be provided upon submittal of a Preliminary Site Plan.
- (4) The Site Plan will be subject to the provisions of the *Urban Design Guidelines for Mixed Use Neighborhood and Village Centers*.

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**To PC:**           8/26/08—referred to Committee of the Whole  
**Case History:**   9/2/08—reviewed by Committee of the Whole; committee recommended approval based on amendments provided at the meeting

**To CC:**           9/16/08                           **City Council Status:** \_\_\_\_\_

**Staff Coordinator:**     Doug Hill

**Motion:** Bartholomew  
**Second:** Smith  
**In Favor:** Anderson, Bartholomew, Butler, Chambliss, Davis, Gaylord, Haq, Harris Edmisten, Holt, Mullins, Smith  
**Opposed:**  
**Excused:**

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

**Signatures:** (Planning Dir.) (PC Chair)

\_\_\_\_\_  
date: \_\_\_\_\_ date: 9/11/08



## Zoning Staff Report: Z-40-08 (SSP-3-08) General Use

**LOCATION:** This site is located at northeast quadrant of the intersection of Oberlin Road and Clark Avenue.

**AREA OF REQUEST:** 2.67 acres

**PROPERTY OWNER:** Crescent Resources LLC, Columbia Cameron Village LLC

**CONTACT PERSON:** Lacy H. Reaves, Cindy Szwarczkop

**PLANNING COMMISSION RECOMMENDATION DEADLINE:** November 12, 2008

<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Shopping Center	Shopping Center
	<b><u>Current Overlay District</u></b>	<b><u>Proposed Overlay District</u></b>
	Pedestrian Business	Pedestrian Business
<b>ALLOWABLE DWELLING UNITS:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	SC: w / Staff approval: 40 w / PC approval: 80	SC: w / Staff approval: 40 w / PC approval: 80
	PBOD permits densities up to 320 units per acre subject to compliance with performance standards	PBOD permits densities up to 320 units per acre subject to compliance with performance standards
<b>ALLOWABLE OFFICE SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	No limitation	No limitation
<b>ALLOWABLE RETAIL SQUARE FOOTAGE:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	No limitation	No limitation
<b>ALLOWABLE GROUND SIGNS:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Low profile (as per Streetscape & Parking Plan sheet SG 4.05)	Low profile (as per Streetscape & Parking Plan sheet SG 4.05)

**ALLOWABLE  
BUILDING HEIGHT:**

**Existing:**

**Oberlin Road:** 50' at the r-o-w (may be increased one foot of height for every one foot of additional setback)

**Clark Avenue:** 50' at the r-o-w (may be increased one foot of height for every one foot of additional setback)

**Proposed:**

**Oberlin Road:** 6 stories/ 80 feet as determined from the Oberlin Road right-of-way, with an average building setback from the Oberlin Road right-of-way of 22 feet, and a minimum setback of 10 feet.

**Clark Avenue:** 6 stories (excluding parking deck levels)/ 90 feet as determined from the Clark Avenue right-of-way, with an average building setback from the Clark Avenue right-of-way of 45 feet (excluding any terrace structure), and a minimum setback of 10 feet.

**ZONING HISTORY:** This property was been zoned Shopping Center since 1962 (Z-12-62, Z-30-62) and Pedestrian Business Overlay District since 1990 (SSP-1-90), amended 2003.

**SURROUNDING  
ZONING:**

NORTH: Shopping Center w/ Cameron Village PBOD  
SOUTH: Office and Institution-1  
EAST: Shopping Center w/ Cameron Village PBOD  
WEST: Office and Institution-1

**LAND USE:** Mixed uses (office and retail)

**SURROUNDING  
LAND USE:**

NORTH: Restaurant  
SOUTH: Banks  
EAST: Retail shops  
WEST: Offices; bank (to southwest)

**DESIGNATED  
HISTORIC  
RESOURCES:**

The site is located within 210 feet of the Cameron Park National Register Historic District, 400 feet of the Maiden Lane National Register Historic District, and within 450 feet of the West Raleigh National Register Historic District and the Isabelle Bowen Henderson House & Garden National Register Historic District. The latter is also designated a Raleigh Historic Landmark.

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**EXHIBIT C AND D ANALYSIS:**

**COMPREHENSIVE  
PLAN SUMMARY  
TABLE:**

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City's adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	University
Urban Form	City Focus Area
Specific Area Plan	Wade/ Oberlin Small Area Plan
Guidelines	Height Guidelines for Urban Form Elements

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

This proposal is consistent with the Comprehensive Plan. The University District Plan and Wade/ Oberlin Small Area Plan designate the site as being within a City Focus Area. In defining City Focus Areas, the Comprehensive Plan states that “higher intensity land uses are located here, with regional shopping centers and significant concentrations of jobs. Large office buildings, hotels and entertainment centers are appropriate...” Examples of city focus areas in Raleigh are Crabtree Valley, North Hills, Six Forks Station, Cameron Village and Mini City.” Further, the Wade/ Oberlin Small Area Plan declares Cameron Village to be “the center of the City Focus Area,” adding “therefore the tallest buildings should be located in the Shopping Center.”

Building height is a primary characteristic of intensity. The Comprehensive Plan, in its Height Guidelines for Urban Form Elements, does not specify height maximums for City Focus Areas, but rather defers to those prescribed under existing site zoning—in this case, Shopping Center with Pedestrian Business Overlay District. The latter provides that “buildings and structures may be built to any height established in the Streetscape Plan or Streetscape and Parking Plan. If the height regulations of the underlying district conflict with the height regulations of the Streetscape Plan or Streetscape and Parking Plan, the plan shall control.”

The Wade/ Oberlin Plan does contemplate building massing near residential uses, noting that “buildings at the edges of the nonresidential area should provide transitions to the surrounding residential area, and not be more than two or three stories in height if adjacent to single family housing.” The properties directly across Clark Avenue and Oberlin Road from the subject site fall into this category (2- to 3-story buildings at the edge of the nonresidential area), and are prescribed under the Land Use Intensity map for “Medium Intensity”. As the subject site is prescribed for “Higher Intensity,” by inference building height on the site may transition upward from three stories. The proposed building heights are consistent with this concept.

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

The proposal will not alter currently-permitted uses. The amendment to the existing Streetscape Plan is intended to address the maximum height allowed for this property, as currently no height guidelines exist. Compatibility in this instance rests not with a change in allowed use, but rather with matters of building scale, and existing streetscape provisions.

Few existing buildings within ¼ mile of the subject site are taller than four stories. The Parking Plan locates a parking deck at the northeast corner of the subject site, away from the street intersection and behind the multi-story, active-use spaces fronting the streets.

Future development of the Block 2A site is subject to the broader provisions of the Streetscape and Parking Plan, including the existing Unity of Development statement, toward establishing an identifiable internal consistency of design and detail across the PBOD.

**3. Public benefits of the proposed rezoning**

The proposal will permit intensification of development, making better use of existing infrastructure while promoting design cohesiveness and compatibility.

#### 4. Detriments of the proposed rezoning

The proposal does not address all streetscape plan elements which could be affect future site redevelopment (see "Outstanding Issues," below). These elements each carry potential impacts on district character and cohesiveness. Intensification of use will also mean increases in traffic volume.

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

**TRANSPORTATION:** Oberlin Road is currently classified as a major thoroughfare (2005 ADT - 8,600 vpd). The Raleigh City Council has approved the reclassification of Oberlin Road to a minor thoroughfare, which is awaiting final action by the Capital Area MPO. Oberlin Road is constructed to City standards as a five-lane street with a 55-foot back-to-back curb and gutter section within a 78-foot right-of-way with sidewalks on both sides. Clark Avenue is also classified as a major thoroughfare and exists as a three lane street with a 41-foot back-to-back curb and gutter cross section with sidewalks on both sides within a varying 65 -75-foot right of way. City standards call for Clark Avenue to provide a 65-foot back-to-back curb and gutter section on 90 feet of right-of-way with sidewalks on both sides. Neither NCDOT nor the City have any projects scheduled in the vicinity of this case.

**TRANSIT:** Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry. In the event that the Transit Division elects to place the transit easement in use for municipal transit services, it shall notify the owner of the property thereof in writing, and within thirty (30) days after receipt of such notice the owner shall pay the cost to be incurred by the City for its purchase of a bench or shelter to be installed within such transit easement.

**HYDROLOGY:** FLOODPLAIN: N/A  
DRAINAGE BASIN: Pigeon House  
STORMWATER MANAGEMENT: Site is subject to Part 10 Chapter of Raleigh Development Regulations. No recorded complaints of downstream flooding were found on file.

#### PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>12,015</u> gpd	Approx. <u>12,015</u> gpd
Waste Water	Approx. <u>12,015</u> gpd	Approx. <u>12,015</u> gpd

The proposed rezoning would not change the amount of wastewater or water to the wastewater collection or water distribution systems of the City's utilities. There are existing sanitary sewer and water mains in the streets rights-of-way which would serve the proposed rezoning area.

#### PARKS AND RECREATION:

This property does not have any impacts on Parks and Recreation services.

#### WAKE COUNTY PUBLIC SCHOOLS:

As the proposed streetscape plan amendment/ supplement would not result in any change to the allowable number of dwelling units, no additional impacts on school enrollment are anticipated.



**IMPACTS SUMMARY:** The current Clark Street pavement and right-of-way widths are narrower than those prescribed under the roadway's classification; no increases in capacity are projected, while the proposed intensification of use could result in increased demand.

## **OPTIONAL ITEMS OF DISCUSSION**

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

N/A

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 be properly applied to it now were it being zoned for the first time.**

The applicant notes that the 2003 Cameron Village Streetscape and Parking Plan did not address the subject site. Staff concurs: Page UD 6.04 of that plan specifically notes that streetscape improvements are intended to be phased, with three portions of the plan not covered in the first phase; the subject site ("the Oberlin Road/ Clark Ave. side of Block II [400 Oberlin, 410 Oberlin, and Village Citgo]") is among those portions.

### **APPEARANCE COMMISSION:**

This request is subject to Appearance Commission review (June 17: Development Review Committee; June 19: full commission).

### **CITIZEN'S ADVISORY COUNCIL:**

DISTRICT: Hillsborough  
CAC CONTACT PERSON: Ana Pardo, 818-5933

---

## **SUMMARY OF ISSUES:**

### **COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:**

#### **1. Outstanding issues**

- The maximum building height should be defined as per §10-2076 (b).
- The amended Parking Plan (SP 1.02 [revised]) omits figures supplied in the existing Plan in compliance with §10-2055 (f)(2)i. indicating the number of spaces in the respective lots. Additionally, it does not indicate the number of new spaces anticipated in Block 2A.
- The proposed streetscape amendments state that, except for the amendments, "in all other aspects, the [existing] Plan is ratified and affirmed." However, the existing plan does not detail tree preservation, site furnishings, or sidewalk sections at the subject site.
- Redevelopment of the subject site as presented on the Illustrative Site Plan (SP 1.01 [revised]) will also require amendment of the Lighting Plan (SP 1.05).
- As per Code §10-2055 (f)(2), items f. (utility line location) and g. (streetscape maintenance plan) must be addressed.

#### **2. Suggested amendments**

- The Parking Plan (SP 1.02 [revised]) will be amended to indicate the number of spaces in each respective deck and lot.
- The Existing Tree Survey (SP 1.03A) will be annotated to confirm whether the existing maple and magnolia trees on Oberlin Road will be conserved and protected, and what and where other trees in Block 2A are to be conserved, removed, or replaced with new trees.

- The Schematic Site Finishing Plan (SP 1.04) will be amended to indicate the location of new site furnishings (benches, planter pots, trash receptacles, and bike racks).
- The Existing Sidewalk Sections (Page SD 2.04) will be amended to include cross-section sketches depicting the streetyards of Block 2A at Oberlin Road, and of Block 2A at Clark Avenue.
- The Lighting Plan (SP 1.05) will be amended to indicate the locations of site lighting fixtures (existing, replacement, and new).
- As per Code §10-2055 (f)(2)f., a plan depicting utility line locations will be provided.
- As per Code §10-2055 (f)(2)g., a plan for streetscape maintenance will be provided.

**TRANSIT:**

- The Streetscape and Parking Plan should be amended to include a 20' x 15' transit easement, with a shelter of design consistent with that depicted on page SD 2.08 of the Streetscape and Parking Plan.

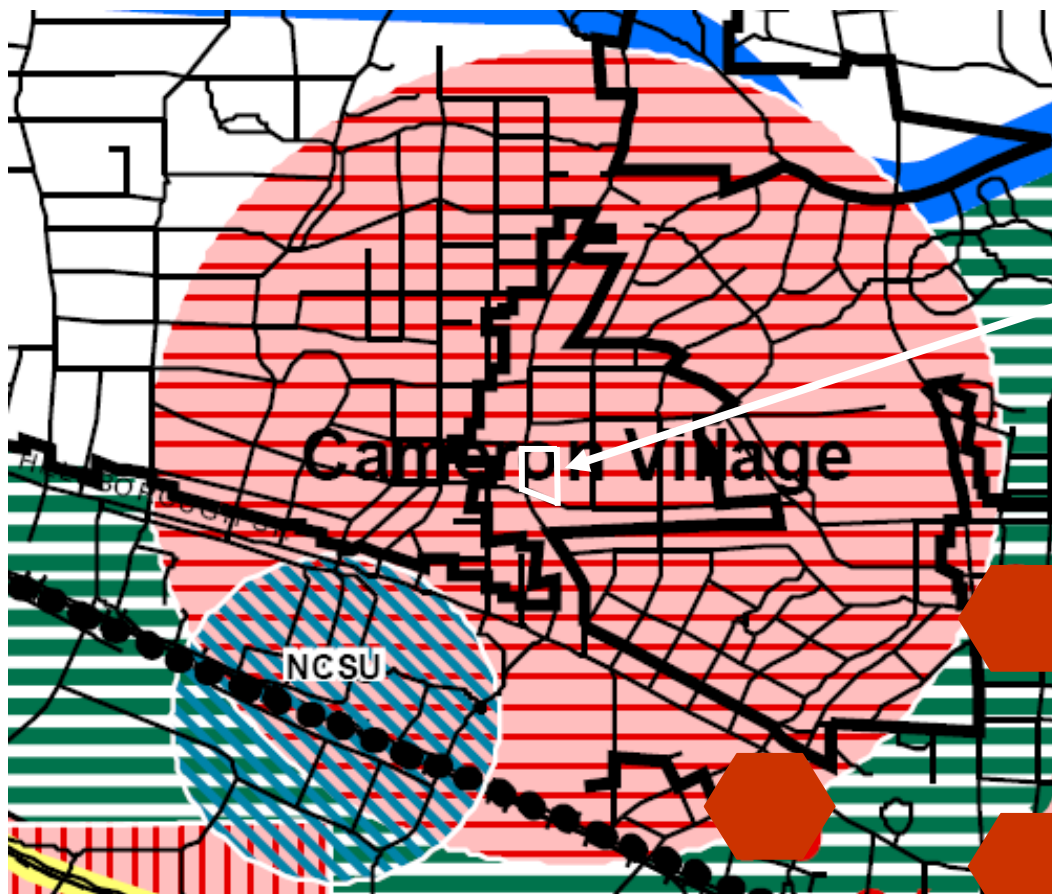
**Additional Note:**

Consistency of the Urban Design Guidelines (UDG) was not applicable for this rezoning case. However, the applicant should be aware that the UDG will be evaluated as part of review process for subsequent site plans and subdivisions. The Wade/ Oberlin Small Area Plan states that:

*"It is recommended that the Urban Design Guidelines (UDGs) be evaluated as part of the review process for applicability to all conditional use zoning cases in the study area. The UDGs will apply to site plans or subdivisions for new construction on the nonresidential/ higher intensity sides of policy boundary lines in the plan area after the Planning Commission determines a process for application. (See Implementation section). The application of the UDGs is solely for the purpose of urban form and should not be applied to increase the practical densities achieved through existing zoning or to minimize the contextual protections afforded by existing zoning to adjacent properties."*

As the subject site is located on the "nonresidential/ higher intensity" side of a policy boundary line, the Urban Design Guidelines will apply at the point of site plan submittal; the elements of the UDGs thus will supercede any less restrictive provisions of the proposed Streetscape and Parking Plan.

# Urban Form— University District Plan

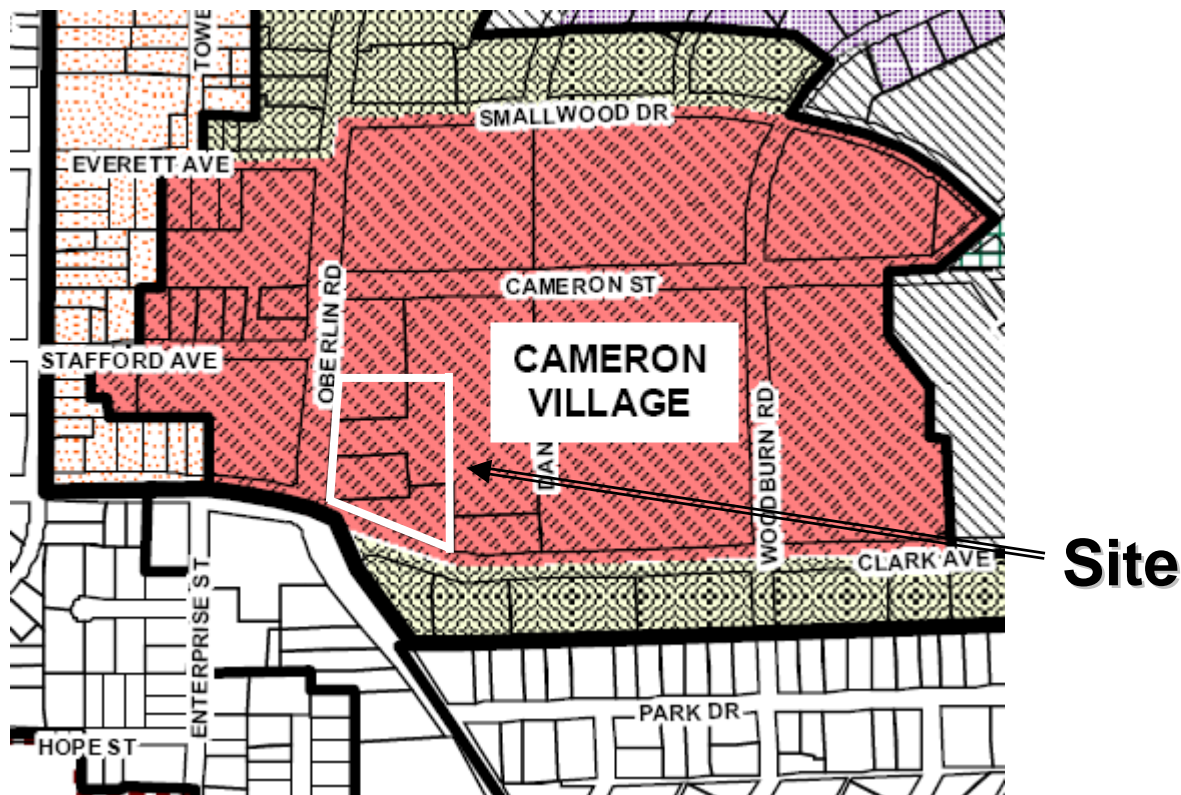


**Site**

## Recommended Urban Form - University District

	NEIGHBORHOOD FOCUS		SPECIAL AREA		PRIMARILY NONRESIDENTIAL THOROUGHFARES
	COMMUNITY FOCUS		RURAL RESIDENTIAL		PRIMARILY RESIDENTIAL THOROUGHFARES
	CITY FOCUS		EMPLOYMENT AREA		RETAIL AREAS
	GATEWAY CORRIDOR		REGIONAL CENTER		RESIDENTIAL RETAIL
	REGIONAL INTENSITY AREA		TRANSIT CORRIDOR		TODS
			POLICY BOUNDARY LINE		RESIDENTIAL (SUBURBAN)

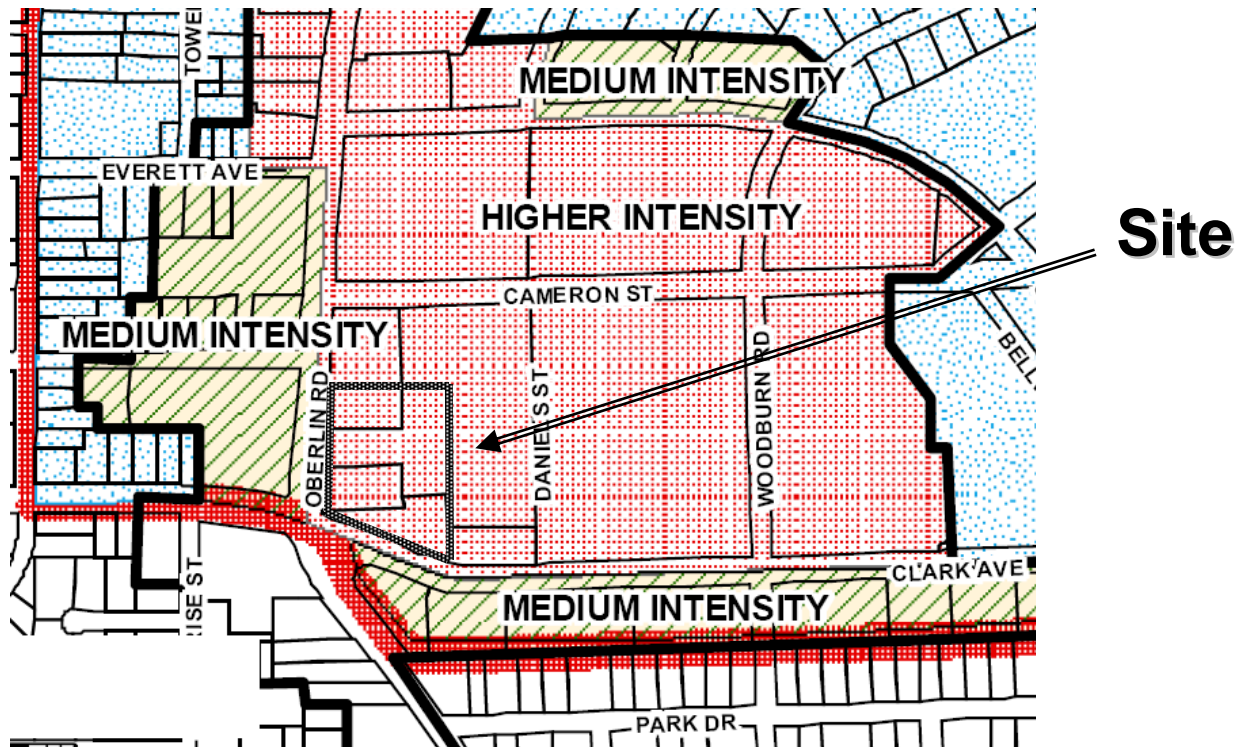
# Urban Form— Wade/ Oberlin Small Area Plan



## Wade/Oberlin Small Area Plan - Land Use

 POLICY BOUNDARY LINE	 NEIGHBORHOOD CONSERVATION	 EDUCATIONAL
 RETAIL/OFFICE/RESIDENTIAL	 OFFICE	 SINGLE FAMILY
 OFFICE AND RESIDENTIAL	 PARKS/OPEN SPACE	 MULTIFAMILY

# Land Use Intensity— Wade/ Oberlin Small Area Plan



## Wade/Oberlin S. A .P. - Land Use Intensity





# CAMERON VILLAGE

RALEIGH, NORTH CAROLINA

CRESCENT RESOURCES, LLC  
DEVELOPER

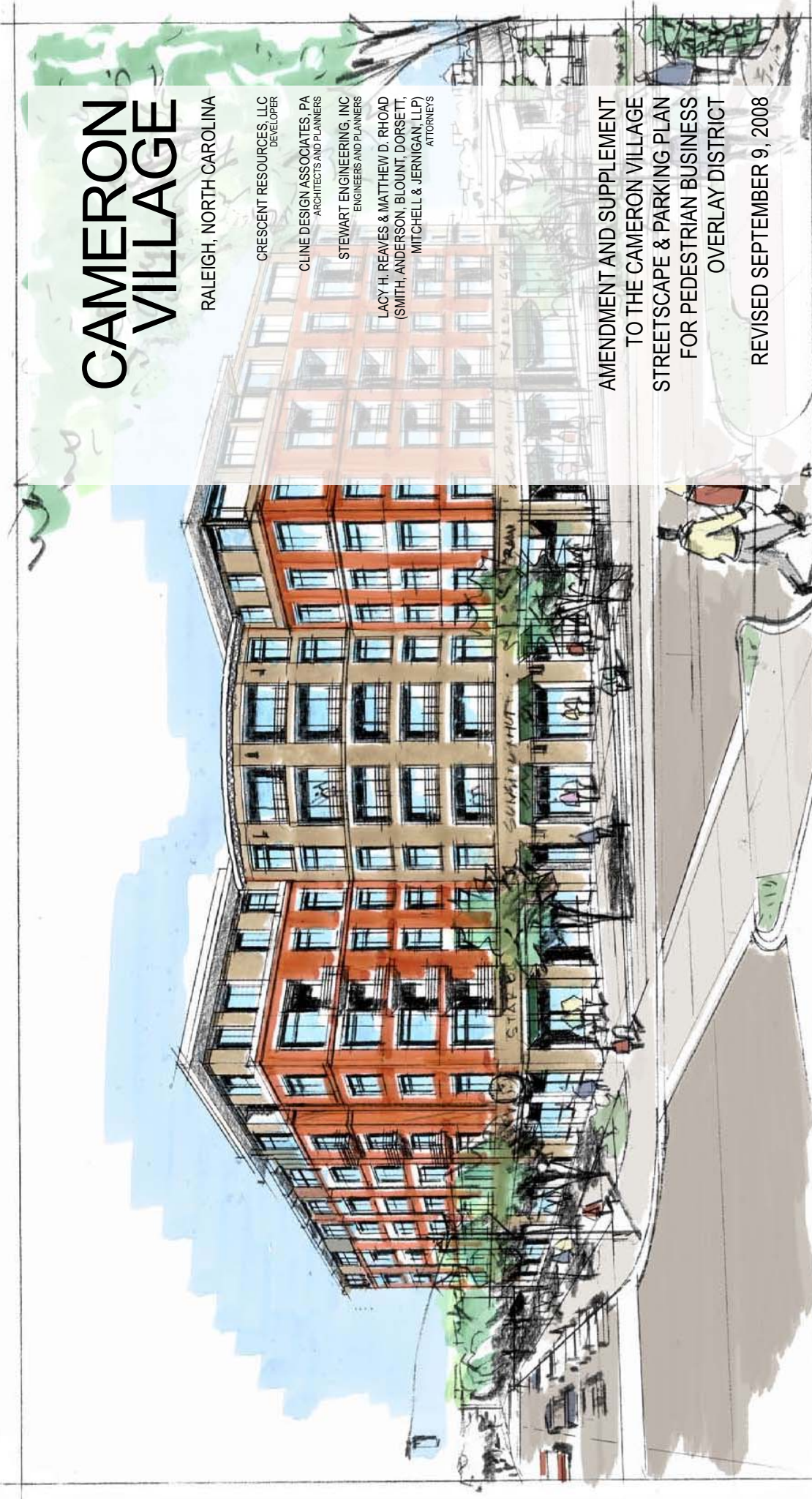
CLINE DESIGN ASSOCIATES, PA  
ARCHITECTS AND PLANNERS

STEWART ENGINEERING, INC  
ENGINEERS AND PLANNERS

LACY H. REAVES & MATTHEW D. RHOD  
(SMITH, ANDERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, LLP)  
ATTORNEYS

AMENDMENT AND SUPPLEMENT  
TO THE CAMERON VILLAGE  
STREETSCAPE & PARKING PLAN  
FOR PEDESTRIAN BUSINESS  
OVERLAY DISTRICT

REVISED SEPTEMBER 9, 2008



AMENDMENT AND SUPPLEMENT TO  
THE CAMERON VILLAGE STREETSCAPE AND PARKING PLAN  
FOR PEDESTRIAN BUSINESS OVERLAY DISTRICT

September 9, 2008

The Cameron Village Streetscape and Parking Plan for Pedestrian Business Overlay District approved by the City Council in 1990 and amended in 2003 (the "Plan") is hereby amended and supplemented as follows:

(1) The first page of the Plan is amended by adding a paragraph 3 under the heading "Features," which shall read as follows:

3. A redevelopment of the Oberlin Road / Clark Avenue side of Block 2 (400 Oberlin Road, 410 Oberlin Road, and the Village Citgo (2120 Clark Avenue)) (referred to hereinafter as "Block 2A") by the removal of the existing buildings and other improvements and the construction of a mixed use building incorporating retail, residential, and office amenity elements and design features consistent with the remaining blocks of Cameron Village.

(2) The Table of Contents of the Plan is amended by adding the following references:

SE 3.02B Conceptual Site Elevation – Block 2A (Oberlin Road)  
SE 3.02C Conceptual Site Elevation – Block 2A (Clark Avenue)  
SE 3.02D Building Envelope – Block 2A

(3) The Table of Contents of the Plan is amended by replacing the references to SP 1.01 and SP 1.02 with SP 1.01 (revised) and SP 1.02 (revised), respectively.

(4) The following sheets, copies of which are attached hereto, are added to the Plan:

SE 3.02B Conceptual Site Elevation – Block 2A (Oberlin Road)  
SE 3.02C Conceptual Site Elevation – Block 2A (Clark Avenue)  
SE 3.02D Building Envelope – Block 2A

(5) Existing sheet SP 1.01, entitled "Illustrative Site Plan," is deleted from the Plan and sheet SP 1.01 (revised), a copy of which is attached hereto, is inserted in lieu thereof.

(6) Existing sheet SP 1.02, entitled "Parking Plan," is deleted from the Plan and sheet SP 1.02 (revised), a copy of which is attached hereto, is inserted in lieu thereof.

(7) Existing sheet UD 6.01, entitled "Unity of Development Application" is amended to include Block 2A among the blocks of Cameron Village Shopping Center listed following the heading "Development Name."

(8) With respect to Block 2A, the New Tree Planting Plan (SP 1.03) and the Sketched Sidewalk Sections (SD 2.05) shall be amended and approved at the time of Site Plan Approval.

(9) Any building constructed upon Block 2A greater fifty (50) feet in height shall be subject to City Council site plan approval.

(10) With respect to any building constructed upon Block 2A, the face of the base of the building, level 1, shall be finished with oversized masonry (tan, natural stone, or gray in color) with a cornice element of cast stone or brick. The face of the mid-portion of the building, levels 2-5, shall be finished with a combination of red-brown and/or gray brick with a transition element of cast stone or brick. Level 6 of the building, shall be finished with a combination of red-brown and/or gray brick and Hardie Panel with a parapet of adequate height to screen the rooftop equipment and other roof elements from adjacent streets. The minimum glazing on the exterior faces of the building shall be 37%. At the base of the building, level 1, all entrances facing Clark Avenue, Oberlin Road or Cameron Street shall be covered with a combination of cloth and metal canopies, of various colors, shapes and forms. Detailed building elevations shall be included with documents submitted for site plan approval.

In all other aspects, the Plan is ratified and affirmed.

# CAMERON VILLAGE

RALEIGH, NORTH CAROLINA

DEVELOPER	ARCHITECT	LANDSCAPE ARCHITECT	ENGINEER	ATTORNEY'S
CRESCENT RESOURCES, LLC 400 SOUTH TRYON STREET SUITE 1300 CHARLOTTE, NORTH CAROLINA 28205 PHONE: 980.321.6224 FAX: 980.321.6240	CLINE DESIGN ASSOCIATES, PA 125 NORTH HARRINGTON ST. RALEIGH, NORTH CAROLINA 27603 PHONE: 919.833.6413 FAX: 919.836.1280	CLINE DESIGN ASSOCIATES, PA 125 NORTH HARRINGTON ST. RALEIGH, NORTH CAROLINA 27603 PHONE: 919.833.6413 FAX: 919.836.1280	STEWART ENGINEERING, INC 421 FAYETTEVILLE STREET SUITE 400 RALEIGH, NORTH CAROLINA 27601 PHONE: 919.380.8750 FAX: 919.380.8752	SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, LLP 2500 WACHOVIA CAPITOL CENTER RALEIGH, NORTH CAROLINA 27602 PHONE: 919.821.6704 FAX: 919.821.6800

STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008

CLINE  
DESIGN





# CAMERON VILLAGE

## ILLUSTRATIVE SITE PLAN

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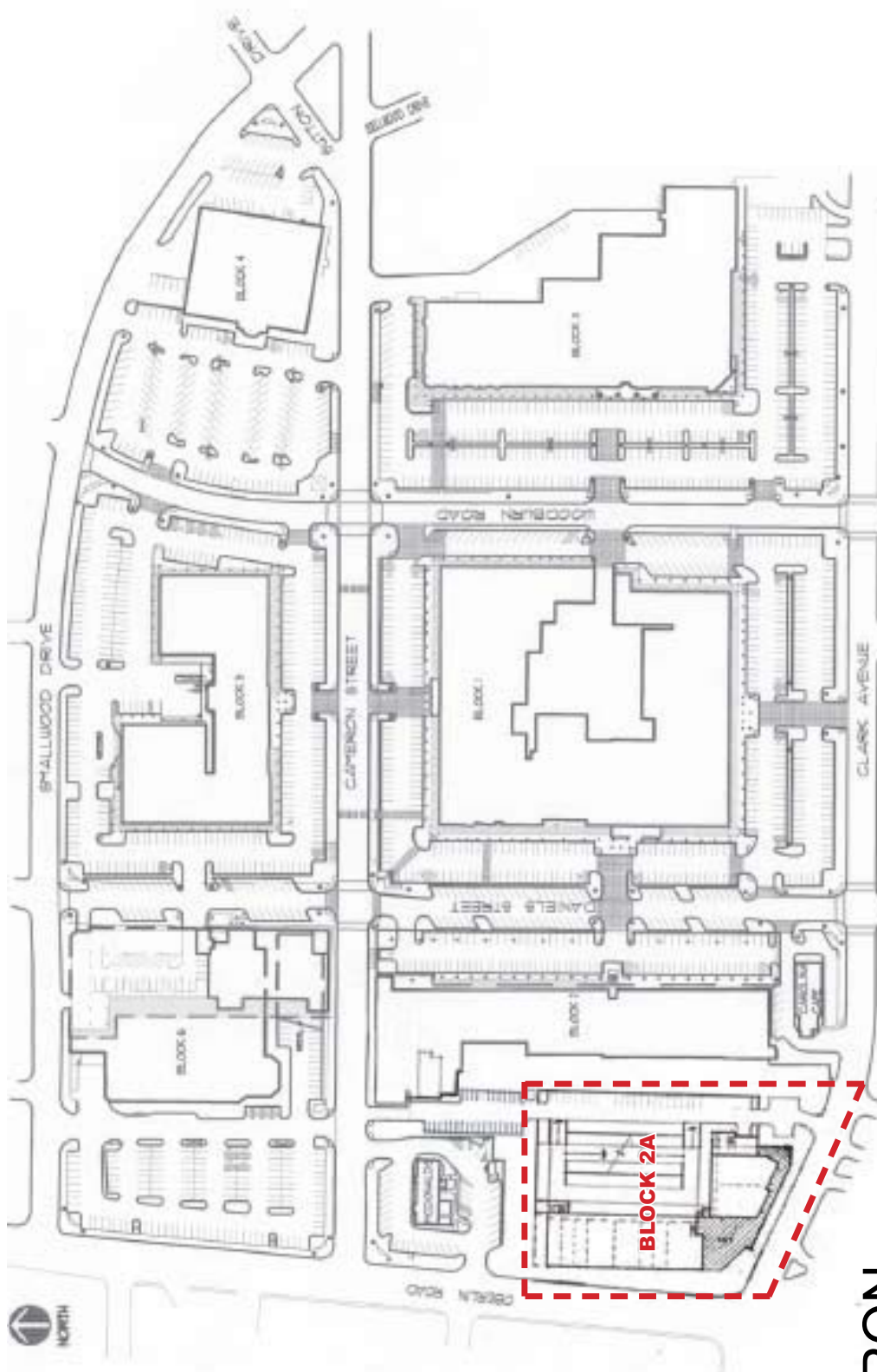
ATTORNEY'S  
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**SP1.01 (revised)**  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008

**CLINE**  
**DESIGN**





# CAMERON VILLAGE

The minimum number of parking spaces provided within Block 2A will be in accordance with the City Code. All parking within Block 2A shall be within a parking structure and shall be below the grade of Oberlin Road. Parking will be screened on the facades of the building facing Clark Avenue, Oberlin Road, and Cameron Street.

## PARKING PLAN

RALEIGH, NORTH CAROLINA

DEVELOPER  
CRESCENT RESOURCES, LLC  
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SP1.02 (revised)  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008





# CAMERON VILLAGE

The average setback of the face of the building along the right-of-way of Oberlin Road shall be a minimum of twenty-two (22) feet from such right-of-way (excluding any terrace structure). The minimum setback of the face of the building along the right-of-way of Oberlin Road shall be fifteen (15) feet from such right-of-way. No building on Block 2A shall exceed six (6) stories (excluding parking deck levels, which shall be below the grade of Oberlin Road) and eighty (80) feet in height as determined from the right-of-way of Oberlin Road. The overall maximum building height shall not exceed ninety (90) feet as determined pursuant to section 10-2076 of the Raleigh City Code, which calculates maximum building height based upon the average natural ground elevation adjoining the building.

## CONCEPTUAL SITE ELEVATION - BLOCK 2A (OBERLIN ROAD)

\*Building Elevations shown are conceptual only and subject to change

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**\*SE3.02B**  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008







# CAMERON VILLAGE

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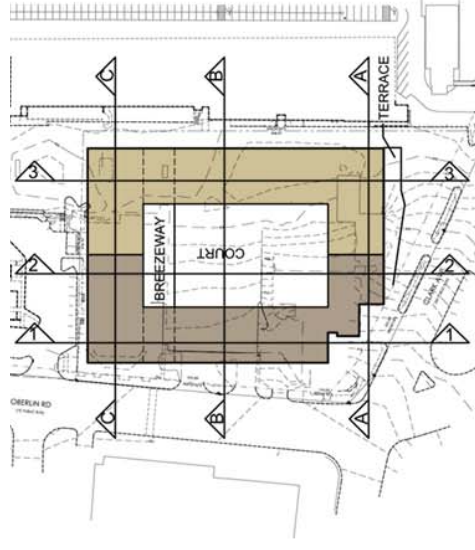
\*Building Elevations shown are conceptual only and subject to change

CONCEPTUAL SITE ELEVATION - BLOCK 2A (CLARK AVENUE)

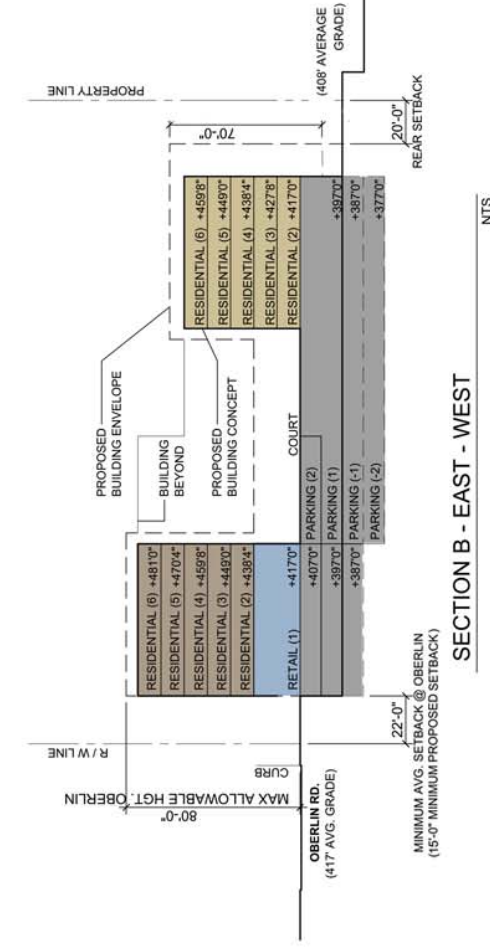
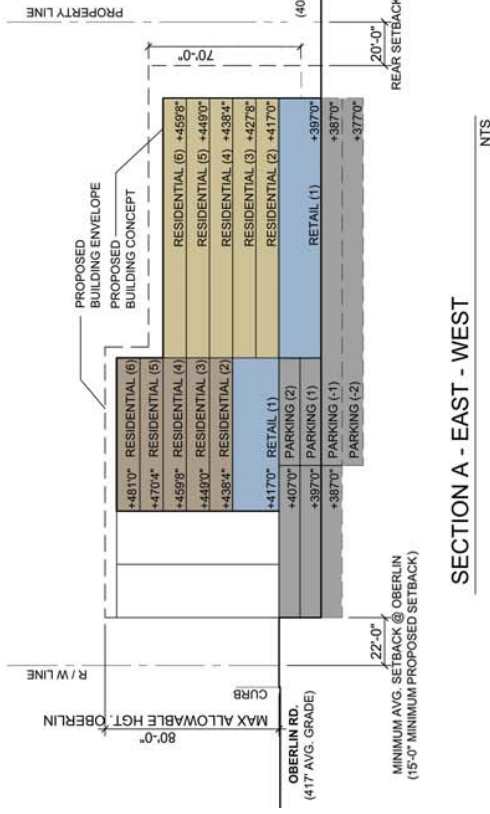
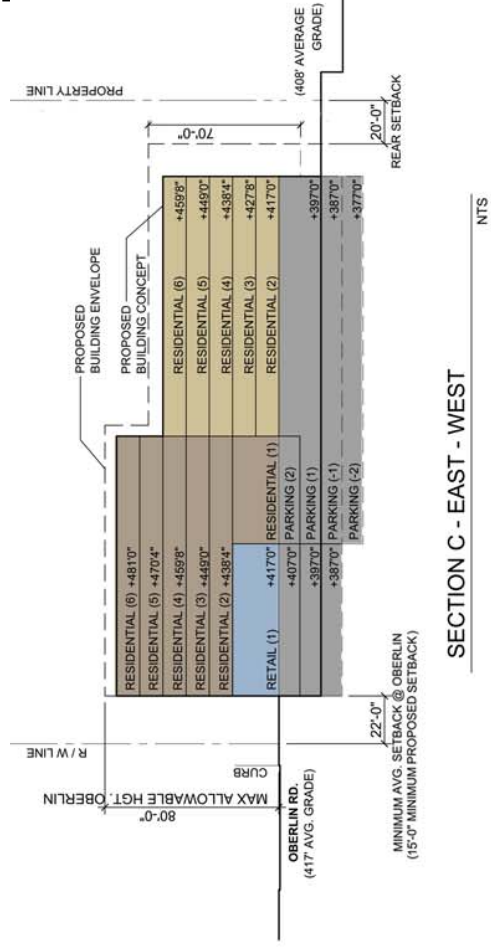
**\*SE3.02C**  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008

The average setback of the face of the building along the right-of-way of Clark Avenue shall be a minimum of forty-five (45) feet from such right-of-way (excluding any terrace structure). The minimum setback of the face of the building along the right-of-way of Clark Avenue shall be fifteen (15) feet from such right-of-way. No building on Block 2A shall exceed six (6) stories (excluding parking deck levels) and ninety (90) feet in height as determined from the average grade of the right-of-way of Clark Avenue. The overall maximum building height shall not exceed ninety (90) feet as determined pursuant to section 10-2076 of the Raleigh City Code, which calculates maximum building height based upon the average natural ground elevation adjoining the building.

**CLINE DESIGN**



PLAN VIEW  
NTS



SECTION A - EAST - WEST

SECTION B - EAST - WEST

NTS

# CAMERON VILLAGE

\*Any building constructed upon Block 2A shall have the general design, layout and massing shown above

The overall maximum building height shall not exceed ninety (90) feet as determined pursuant to section 10-2076 of the Raleigh City Code, which calculates maximum building height based upon the average natural ground elevation adjoining the building.

## BUILDING ENVELOPE - BLOCK 2A

RALEIGH, NORTH CAROLINA

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CRESCENT RESOURCES, LLC  
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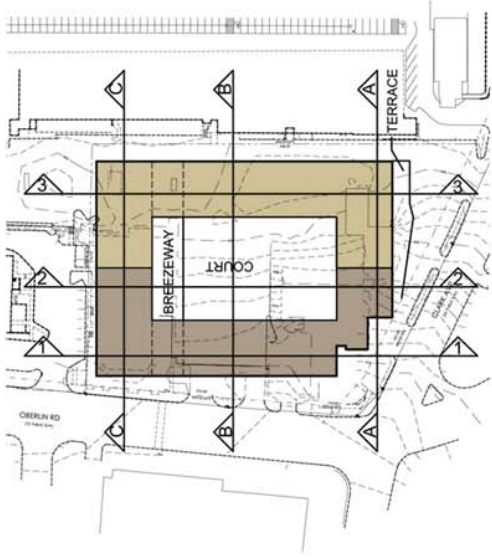
ENGINEER  
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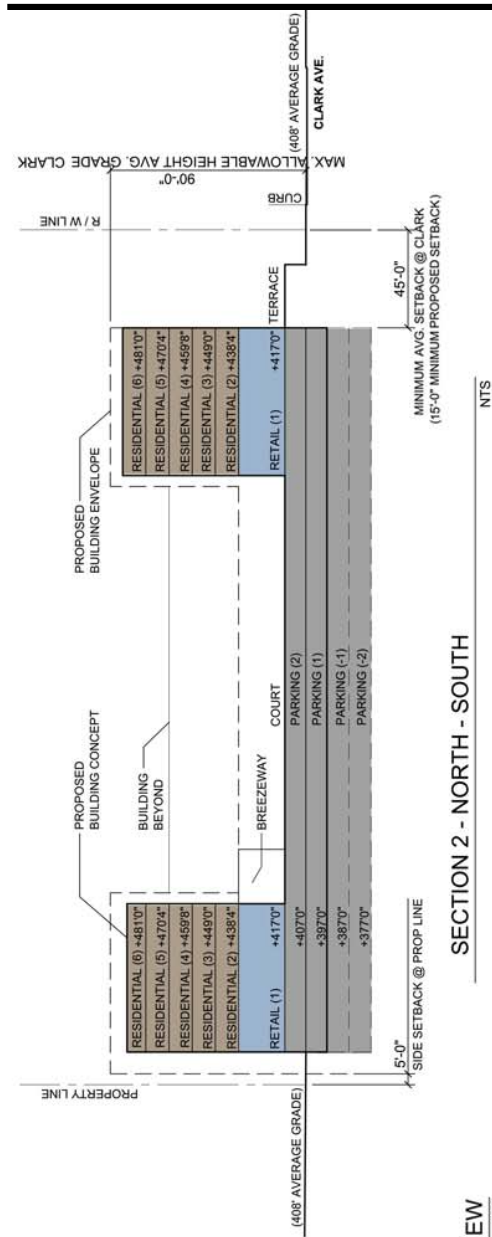
\*SE3.02D - Page 1  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008



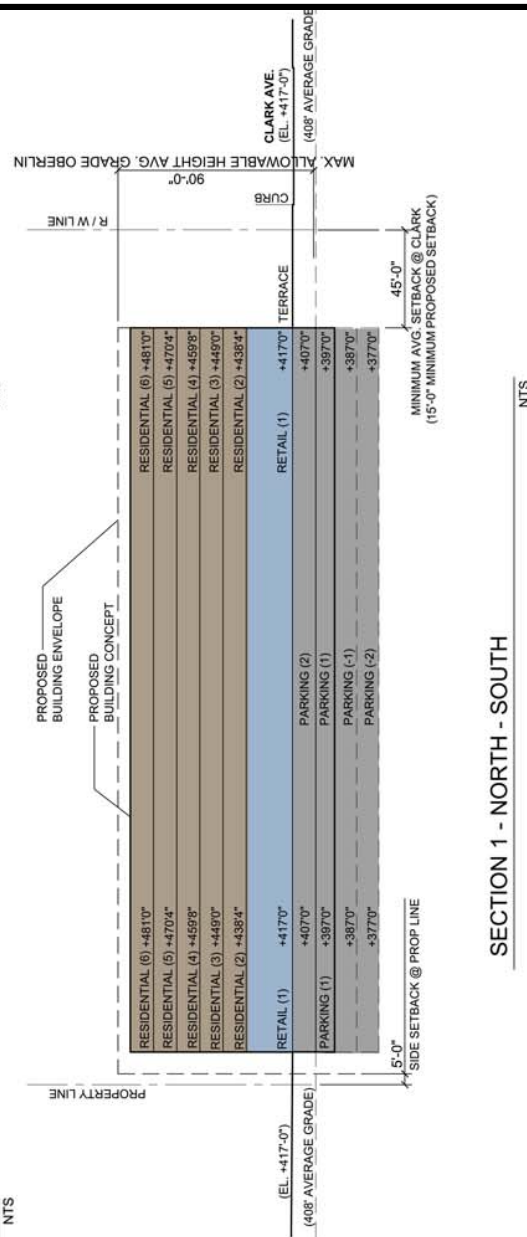




PLAN VIEW  
NTS



SECTION 2 - NORTH - SOUTH  
NTS



SECTION 1 - NORTH - SOUTH  
NTS

\*Any building constructed upon Block 2A shall have the general design, layout and massing shown above

The overall maximum building height shall not exceed ninety (90) feet as determined pursuant to section 10-2076 of the Raleigh City Code, which calculates maximum building height based upon the average natural ground elevation adjoining the building.

# CAMERON VILLAGE

RALEIGH, NORTH CAROLINA

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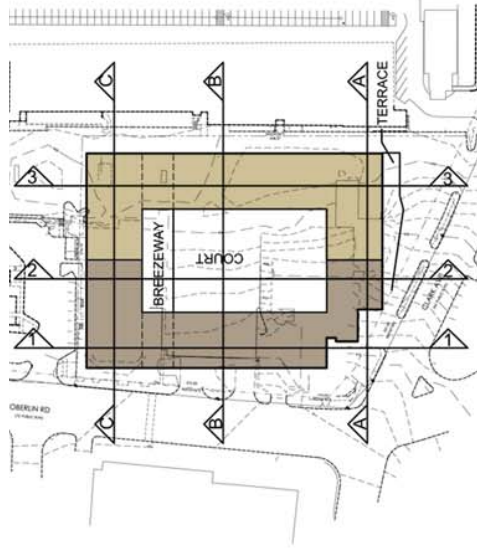
ENGINEER  
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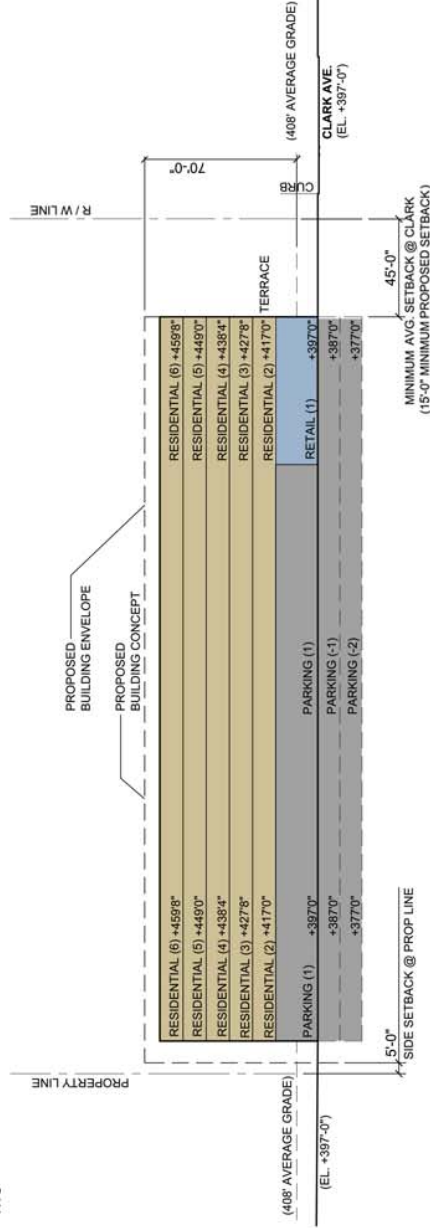
## BUILDING ENVELOPE - BLOCK 2A

\*SE3.02D - Page 2  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008





PLAN VIEW  
NTS



SECTION 3 - NORTH - SOUTH  
NTS

# CAMERON VILLAGE

RALEIGH, NORTH CAROLINA

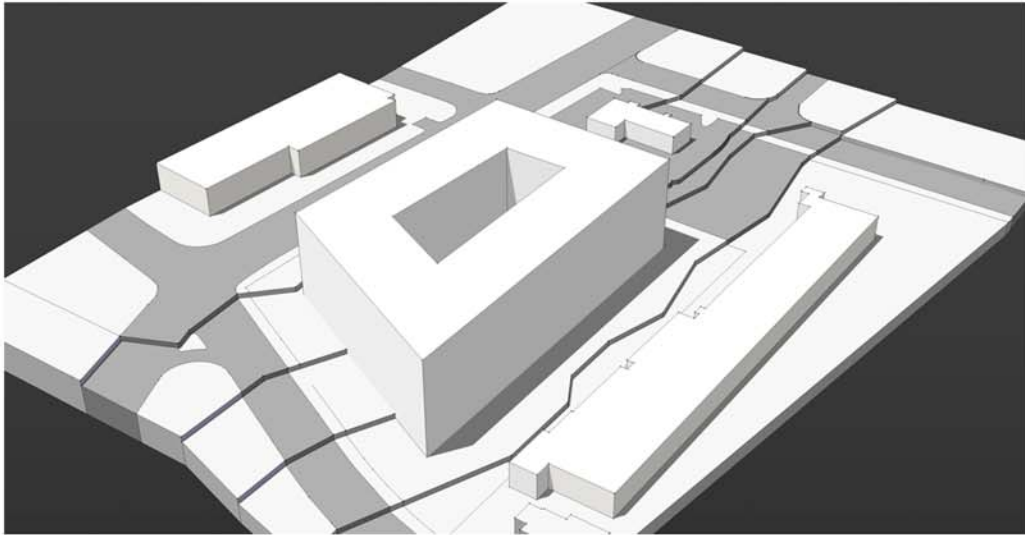
\*Any building constructed upon Block 2A shall have the general design, layout and massing shown above

The overall maximum building height shall not exceed ninety (90) feet as determined pursuant to section 10-2076 of the Raleigh City Code, which calculates maximum building height based upon the average natural ground elevation adjoining the building.

## BUILDING ENVELOPE - BLOCK 2A

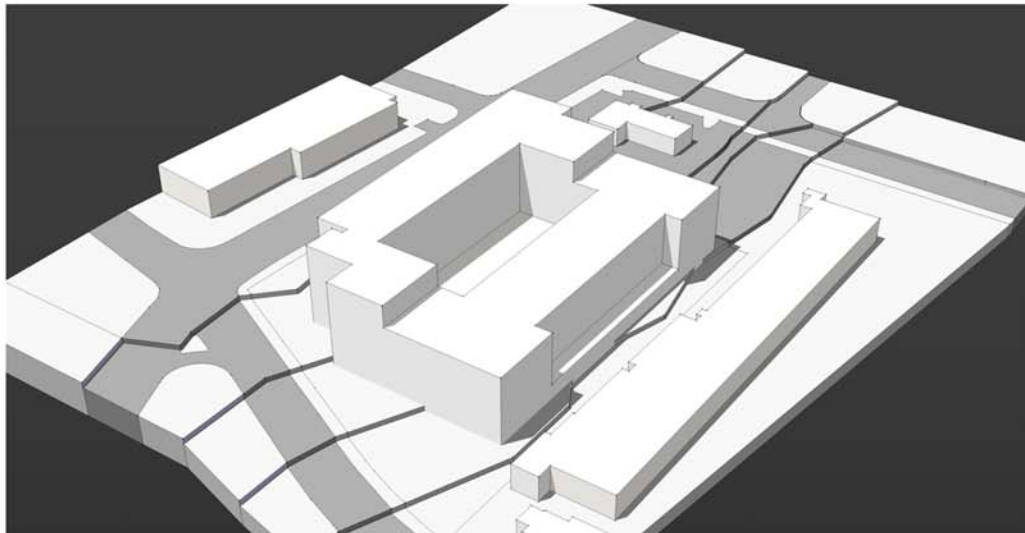
**\*SE3.02D - Page 3**  
STREETSCAPE & PARKING PLAN FOR  
PEDESTRIAN BUSINESS OVERLAY DISTRICT  
REVISED SEPTEMBER 9, 2008

DEVELOPER	ARCHITECT	LANDSCAPE ARCHITECT	ENGINEER	ATTORNEY'S
CRESCENT RESOURCES, LLC 400 SOUTH TRYON STREET SUITE 1300 CHARLOTTE, NORTH CAROLINA 28205	CLINE DESIGN ASSOCIATES, PA 125 NORTH HARRINGTON ST. RALEIGH, NORTH CAROLINA 27603	CLINE DESIGN ASSOCIATES, PA 125 NORTH HARRINGTON ST. RALEIGH, NORTH CAROLINA 27603	STEWART ENGINEERING, INC 427 FAYETTEVILLE STREET SUITE 400 RALEIGH, NORTH CAROLINA 27601	SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, LLP 2500 WACHOVIA CAPITOL CENTER RALEIGH, NORTH CAROLINA 27602
PHONE: 980.321.6224 FAX: 980.321.6240	PHONE: 919.833.6413 FAX: 919.836.1280	PHONE: 919.833.6413 FAX: 919.836.1280	PHONE: 919.380.8750 FAX: 919.380.8752	PHONE: 919.821.6704 FAX: 919.821.6800



By Right Concept - SE Corner

7 Levels - 80'-0" (Avg. Grade @ Oberlin) , 8 Levels - 90'-0" (Avg. Grade @ Clark)



6-6 Concept - SE Corner

6 Levels - 75'-0" (Avg. Grade @ Oberlin) , 6 Levels - 85'-0" (Avg. Grade @ Clark)