



Certified Recommendation

Raleigh Planning Commission

CR# 11382

Case Information Z-12-10

<i>Location</i>	Cameron Village neighborhood, north of Smallwood Drive, south of Wade Avenue, west of Nichols Drive and east of Daniels Street
<i>Size</i>	35.43 acres
<i>Request</i>	Rezone property from R-6 and R-10 to Special R-6 and R-30

Comprehensive Plan Consistency

<i>Future Land Use Designation</i>	Low Density Residential
<i>Applicable Policy Statements</i>	LU 8.5 Conservation of Single-Family Neighborhoods AP-WO 11- Oberlin Village Land Uses

☒ Consistent

☐ Inconsistent

Summary of Conditions

<i>Submitted Conditions</i>	None
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Issues and Impacts

<i>Outstanding Issues</i>	None
<i>Impacts Identified</i>	<ol style="list-style-type: none">1. Eliminates ability to redevelop property with multi-family uses2. Eliminates ability for some property owners to subdivide

Suggested Conditions and Proposed Mitigation

<i>Suggested Conditions</i>	N/A – general use case
<i>Proposed Mitigation</i>	N/A

Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>		<i>Planning Commission</i>	
6-17-10	7-20-10	Date	Action	7-2710	Recommended approval – removed one parcel from request

☐ **Valid Statutory Protest Petition**

Attachments

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

Planning Commission Recommendation

<i>Recommendation</i>	The request is consistent with the Comprehensive Plan and recommends that this case be approved, with the removal of parcel pin # 1704131577.
<i>Findings & Reasons</i>	<ol style="list-style-type: none">1. The case is consistent with Comprehensive Plan.2. The neighborhood is currently built as single family residential, with the exception of 2 duplexes. The rezoning would prevent the construction of multifamily residential in this intact single family neighborhood.
<i>Motion and Vote</i>	<p>Motion: Mullins Second: Anderson</p> <p>In Favor: Anderson, Bartholomew, Batchelor, Butler, Fleming Harris Edmisten, Haq, Mattox, Mullins, Smith, Sterling</p>

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

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	<u>7/27/10</u> Date
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Staff Coordinator: Elizabeth Alley elizabeth.alley@raleighnc.gov



Zoning Staff Report – Case Z-12-10

General Use District

Request

<i>Location</i>	Cameron Village neighborhood, north of Smallwood Drive, south of Wade Avenue, west of Nichols Drive and east of Daniels Street
<i>Request</i>	Rezone property from R-6 and R-10 to Special R-6 and R-30
<i>Area of Request</i>	35.43 acres
<i>Property Owner</i>	Multiple owners
<i>PC Recommendation Deadline</i>	120 days from public hearing referral

Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	R-6 and R-10	Special R-6 and R-30
<i>Additional Overlay</i>	None	None
<i>Land Use</i>	Single family residential and duplex	Single family residential (with existing duplexes grandfathered)
<i>Residential Density</i>	257.74 dwelling units	213.36 dwelling units

Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	O&I-1 with PDD, O&I-1	R-30	R-15, R-30	R-20
<i>Future Land Use</i>	Institutional, High Density Residential	Medium Density Residential	Moderate Density Residential	Medium Density Residential
<i>Current Land Use</i>	Office, Multi-family	Multi-family	Multi-family	Multi-family

Comprehensive Plan Guidance

<i>Future Land Use</i>	Low-Density Residential
<i>Area Plan</i>	Oberlin Village
<i>Applicable Policies</i>	LU 8.5 – Conservation of Single-Family Neighborhoods AP-WO 11 – Oberlin Village Land Uses

Contact Information

<i>Staff</i>	Elizabeth Alley 807-8477 elizabeth.alley@raleighnc.gov
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<i>Applicant</i>	City of Raleigh
<i>Citizens Advisory Council</i>	Hillsborough; Ana Duncan Pardo

Overview

The request is a city-initiated rezoning for the Cameron Village neighborhood. The request would rezone a vast majority of the neighborhood from R-6 and R-10 to Special R-6. A small parcel currently utilized as an access point to the Cameron Village apartments would be rezoned to R-30. The City Council authorized the rezoning in response to a citizen's petition.

Exhibit C & D Analysis

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

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

1.1 Future Land Use

The subject site is designated Low Density Residential on the Future Land Use Map. The proposed zoning, Special R-6, is consistent with this designation. It should be noted that the existing R-6 zoning is also consistent with the Low Density Residential designation; while the R-10 properties are not. The small parcel proposed to be zoned R-30 is shown on the Future Land Use Map as Medium Density Residential. R-30 zoning is consistent with the Medium Density Residential designation based on site size and adjacent built character.

1.2 Policy Guidance

The following policy guidance is applicable with this request

Policy LU 8.5 - Conservation of Single-Family Neighborhoods

Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.

The proposed rezoning more closely reflects the existing built character of the neighborhood, and ensures that new development and infill will be more compatible in lot size and use with the existing neighborhood. The existing R-10 zoning would allow a modest assemblage to construct multi-family structures internal to the neighborhood; such use would be out of character to the built environment.

1.3 Area Plan Guidance

Policy AP-WO 11 – Oberlin Village Land Uses

The Oberlin Village neighborhood should be preserved with its current residential uses: single-family houses and apartment units.

The Wade Oberlin Small Area Plan calls for lower intensity uses on the sites proposed to be rezoned to Special R-6, and medium intensity uses on the site proposed to be rezoned R-30. The proposed rezoning would be consistent with this policy guidance in the area plan.

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

The proposed rezoning is generally compatible with surrounding land uses, which are predominately single family homes with a small number of duplex structures. The proposed rezoning would limit the ability to develop duplex or multi-family residential within the predominately single family neighborhood.

3. Public benefits of the proposed rezoning

The proposed rezoning protects the intact single family residential character of the neighborhood by removing the ability to create new duplex and multifamily residential structures. The preservation of this existing single family neighborhood close to the City's core advances several policies related to neighborhood conservation and protection.

4. Detriments of the proposed rezoning

The proposed rezoning removes the current ability to develop duplexes and multi-family residential structures. There are two existing duplexes in the neighborhood; one currently zoned R-6 and one currently zoned R-10. One of these duplexes is non-conforming under existing zoning; the other would be made non-conforming as a result of this rezoning. The current non-conforming regulations permit general upkeep and reconstruction to a certain threshold without Board of Adjustment approval.

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

5.1 Transportation

Daniels Street is classified as a collector street and exists as a two-lane curb and gutter section roadway within a 60-foot right-of-way. City standards call for Daniels Street to be constructed with sidewalks on a minimum of one side within the existing right-of-way. Wade Avenue is classified as a major thoroughfare (2007 ADT 27,000 vpd) and exists as 4-lane undivided roadway with curb and gutter and sidewalk on one side within a 75-foot right-of-way. City standards call for Wade Avenue to be constructed with sidewalks on both sides within a minimum 90-foot right-of-way.

Graham Street, Woodburn Road and Sutton Drive are all classified as residential streets and exist as 2-lane roadways with curb and gutter cross-sections within 50 to 60 feet of right-of-way. City standards call for these streets to be constructed with sidewalk on a minimum of one side within the existing right-of-way.

Bryan Street, James Place and Smedes Place are classified as minor residential streets and exist as two-lane roadways with curb and gutter sections. James Place and Smedes Place are constructed within a 40-foot right-of-way. City standards call for these streets to be constructed with sidewalk on a minimum of one side with a 45-foot right-of-way. Bryan Street is constructed within 50-foot right-of-way. City standards call for Bryan Street to be constructed with sidewalk on a minimum of one side within the existing right-of-way.

The proposed zoning is not anticipated to have an adverse impact on traffic. Neither NCDOT nor the City have any projects currently scheduled in the vicinity of this case.

Impact Identified: There is no impact identified related to transportation as a result of this request.

5.2 Transit

The request would not impact the transit system.

Impact Identified: There is no impact identified related to transit as a result of this request.

5.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	

Impact Identified: There is no impact identified related to stormwater as a result of this request.

5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	145,600 gpd	130,165 gpd
<i>Waste Water</i>	145, 600 gpd	130,165 gpd

Impact Identified: The proposed rezoning would not add to the existing wastewater collection or water distribution systems of the City. There are existing sanitary sewer and water mains throughout the proposed rezoning properties.

5.5 Parks and Recreation

The site is not located adjacent to any greenway corridors, has No impact on level of service, and is not located in a parks search area.

Impact Identified: No impacts.

5.6 Urban Forestry

For the parcels larger than two acres in size, tree conservation would be required at time of redevelopment.

Impact Identified: No impacts pertaining to tree conservation.

5.7 Wake County Public Schools

School name	Current Enrollment	Current Capacity	Future Enrollment	Future Capacity
Wiley	386	100.3%	386	100.3%
Daniels	1,162	101.5%	1,162	101.5%
Broughton	2,174	106.3%	2,174	106.3%

Impact Identified: There is no impact related to schools as a result of this request.

5.8 Designated Historic Resources

Impact Identified: The site is not located within or adjacent to a National Register Historic District or a Raleigh Historic Overlay District.

5.9 Impacts Summary

No impacts have been identified related to municipal services. It should be noted that this rezoning would create a non-conformity. There is an existing non-conforming duplex in the neighborhood.

5.10 Mitigation of Impacts

Not applicable, as there are no identified impacts.

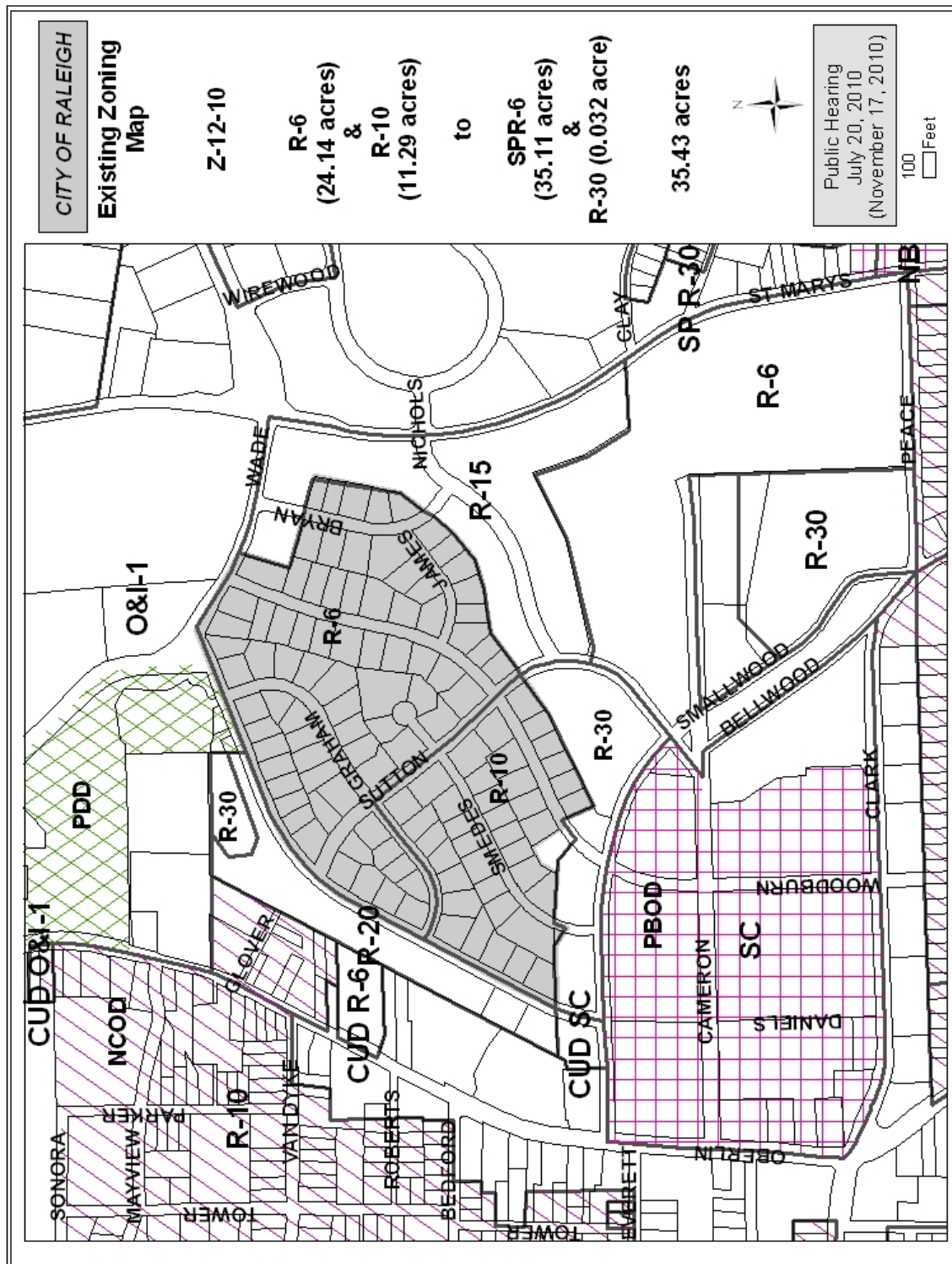
6. Appearance Commission

This case is not subject to Appearance Commission review.

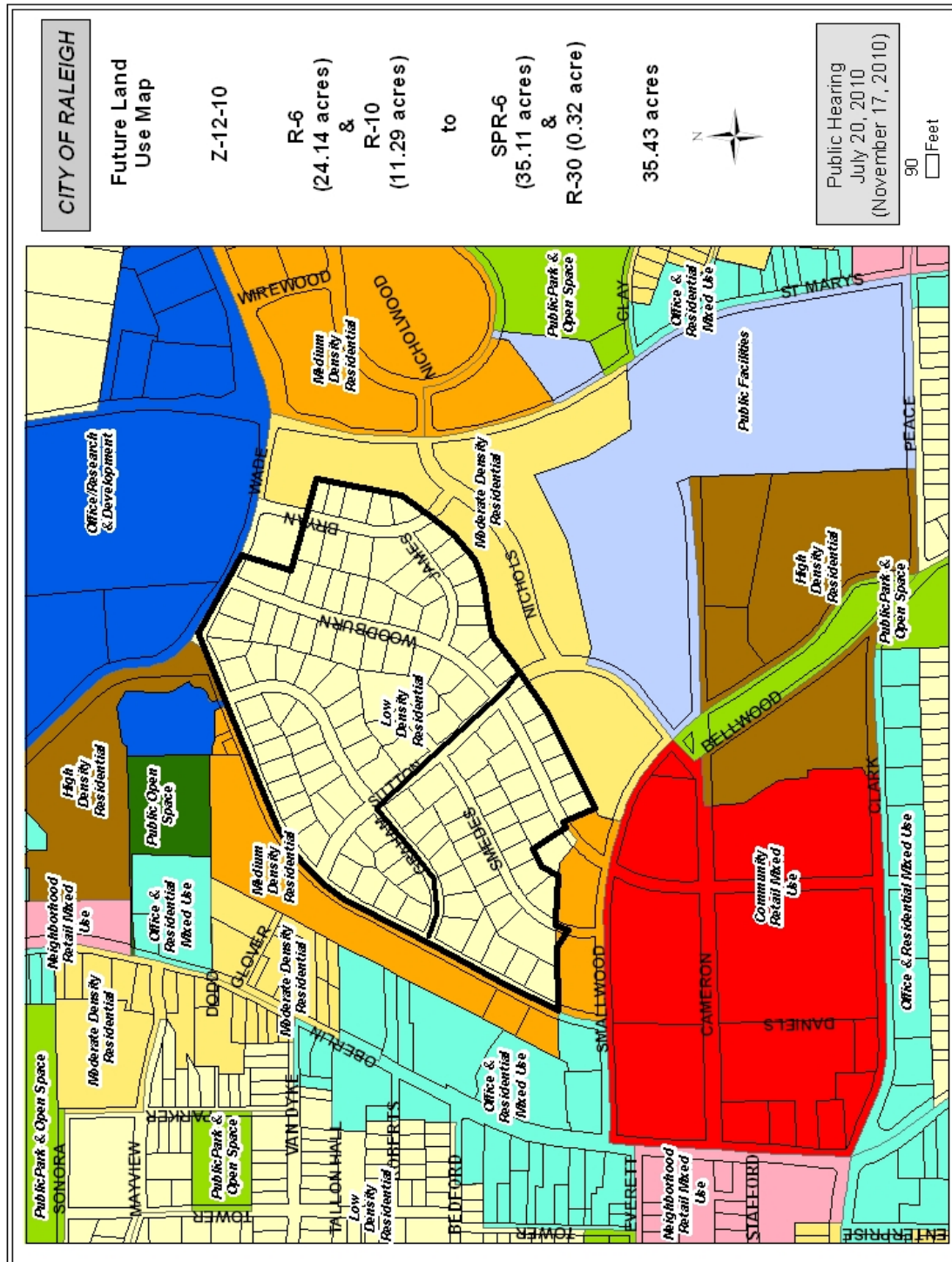
7. Conclusions

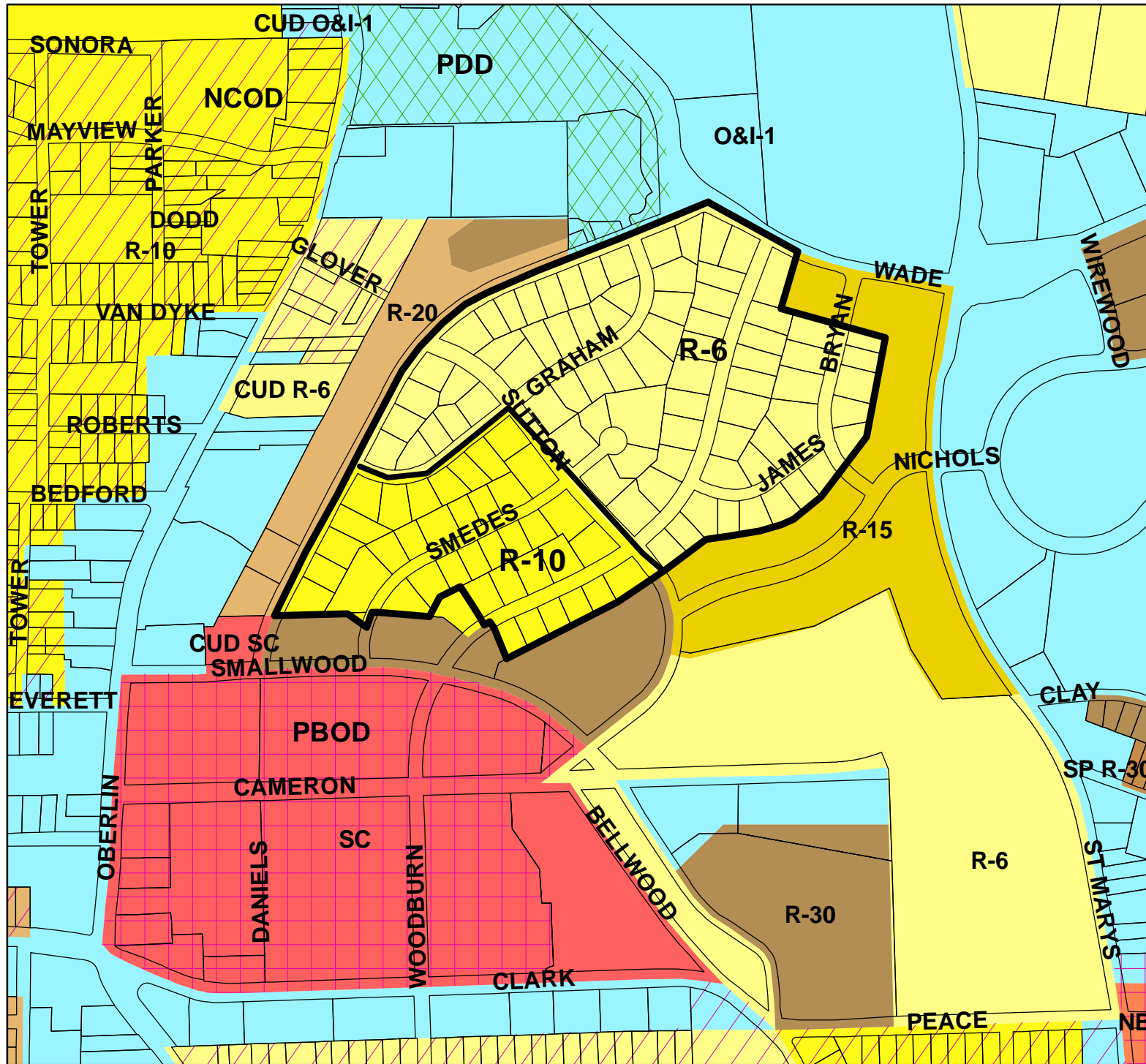
The proposed rezoning is consistent with the future land use map, area plan guidance and policy guidance in the comprehensive plan. The proposed rezoning has no identified impacts. However, there are two existing duplexes in the neighborhood; one currently zoned R-6 and the other zoned R-10. One of these duplexes is non-conforming under existing zoning; the other would be made non-conforming as a result of this rezoning.

Existing Zoning Map



Future Land Use Map





CITY OF RALEIGH

**Existing Zoning
Map**

Z-12-10

**R-6
(24.14 acres)
&
R-10
(11.29 acres)**

to

**SPR-6
(35.11 acres)
&
R-30 (0.32 acre)**

35.43 acres



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

90
□ 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 consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - 1) to lessen congestion in the streets;
 - 2) to provide adequate light and air;
 - 3) to prevent the overcrowding of land;
 - 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - 5) to regulate in accordance with a comprehensive plan;
 - 6) to avoid spot zoning; and
 - 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

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)

Date:

Please type or print name(s) clearly:

Mitchell Silver (Director of Department of City Planning)

April 2010

EXHIBIT B. Request for Zoning Change

Office Use Only

Petition No. _____

Date Filed: _____

Filing Fee: _____

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

See instructions, page 9

	Name(s)	Address	Telephone / E-Mail		
1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	<u>CITY OF RALEIGH</u>	<u>P.O.Box 590</u>	<u>919-996-3070</u>		
	_____	<u>Raleigh, NC 27602</u>	_____		
	_____	_____	_____		
2) Property Owner(s):	<u>Please See Attached</u>	_____	_____		
	<u>Property Owner List</u>	_____	_____		
	_____	_____	_____		
	_____	_____	_____		
	_____	_____	_____		
3) Contact Person(s):	<u>Travis Crane, Department</u>	<u>2410, P.O.Box 590</u>	<u>919-516-2656</u>		
	<u>of City Planning</u>	<u>Raleigh, NC 27602</u>	_____		
	_____	_____	_____		
4) Property Description: Please provide surveys if proposed zoning boundary lines do not follow property lines.	<u>Wake County Property Identification Number(s) (PIN):</u> _____				
	<u>Please See Attached Property Owner List</u>				

	<u>General Street Location (nearest street intersections): Southwest quadrant of St.</u>				
	<u>Mary's and Wade intersection; generally bounded by Daniels Street (west),</u>				
	<u>Smallwood Drive (south), Wade Avenue(north) and Bryan/James Street (east)</u>				

5) Area of Subject Property (acres):	<u>35.78 acres</u>	_____			
6) Current Zoning District(s) Classification: Include Overlay District(s), if Applicable	<u>Residential-6 (24.14 acres) and Residential-10 (11.64 acres)</u>				

7) Proposed Zoning District Classification: Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.	<u>Special Residential-6 (35.75 acres) and Residential-30 (0.032 acre)</u>				

pg 1 of 3

PIN_NUM	OWNER
1704140492	ROBERTSON, WILLIAM C
1704038838	MORAN, EDWARD W POU
1704142690	THOMAS, KAY Z
1704148446	CHAUDHURI, JAY J
1704245496	GREENE, WILLIAM M
1704244515	BROWNING, MARY G
1704240548	BOOTH, JOHN LATHAM SR &PATRICIA D
1704136655	PRESNELL, GARY L &MARINA C
1704133458	BLAKE, DELIA S
1704243070	BERDIANSKY, HAROLD A
1704131577	YORK, PHILIP S YORK, LOUISE B
1704149159	WARWICK, JOHN C WARWICK, MICHAEL E
1704131761	COFFEY, JOHN W II &ANN P ROTH
1704147296	POYNER, JAMES M III POYNER, FLORENCE C
1704230912	CLARKE, MARTYN J &AMY L
1704144390	JENKINS, EDWIN B
1704137994	DEAN, PERRY ENGLISH &SUSAN T
1704049135	SMITH, ZIGRIDA RITA
1704146359	PHELPS, LUCILLE A
1704144403	JENKINS, ANNE O
1704146537	HAYES, HELEN H HEIRS
1704130601	DUCLOS, LINDA C
1704131991	BOWDEN, MAURICE KEVIN & PAMELA H
1704240400	YALE, MARY G
1704135726	ANDREWS, JUNIUS J TRUSTEE ETAL GOOCH, JACKLYN A TRUSTEE
1704241398	USANIS, RICHARD A &ANNE E DOSTER
1704142525	JERNIGAN, EVELYN S
1704144635	HILL, EDITH B
1704147451	TAYLOR, ZACHARY A III &HEATHER M
1704243254	THOMPSON, FRANK D
1704240677	PLYLER, JOHN AUSTIN JR
1704244036	PAVLOVSKY, LAURA K
1704134856	BROCK, KATHRYN GAIL
1704145165	WILLIAMS, JOHN T WILLIAMS, SUSAN E
1704135516	CAMERON WADE VENTURES LLC
1704148894	BRANCH BANKING & TRUST CO
1704036662	GREEN HAVEN 56 LLC
1704147749	NERY, RAYMOND J NERY, MARY ELIZABETH
1704145555	HUNTER, RICHARD S JR & JANE M
1704039953	Portin, Jean Weeks Trustee

ADDR1
2015 SUTTON DR
626 DANIELS ST
810 DANIELS ST
820 GRAHAM ST
824 BRYAN ST
829 BRYAN ST
825 WOODBURN RD
630 WOODBURN RD
616 WOODBURN RD
1018 JAMES PL
3219 SUSSEX RD
809 WOODBURN RD
622 SMEDES PL
710 SMEDES PL
1002 JAMES PL
1908 SUTTON DR
1804 SUTTON DR
702 DANIELS ST
812 GRAHAM ST
805 GRAHAM ST
8604 MORGANS WAY
PO BOX 21037
631 SMEDES PL
817 WOODBURN RD
207 E DREWRY LN
818 WOODBURN RD
800 DANIELS ST
818 DANIELS ST
816 GRAHAM ST
817 BRYAN ST
829 WOODBURN RD
1022 JAMES PL
638 SMEDES PL
703 SMEDES PL
975 WALNUT ST STE 354
PO BOX 1847
612 DANIELS ST
836 DANIELS ST
813 GRAHAM ST
706 Graham St

ADDR2
RALEIGH NC 27605-1150
RALEIGH NC 27605-1115
RALEIGH NC 27605-1119
RALEIGH NC 27605-1125
RALEIGH NC 27605-1104
RALEIGH NC 27605-1103
RALEIGH NC 27605-1162
RALEIGH NC 27605-1112
RALEIGH NC 27605-1112
RALEIGH NC 27605-1106
RALEIGH NC 27607-6638
RALEIGH NC 27605-1162
RALEIGH NC 27605-1139
RALEIGH NC 27605-1141
RALEIGH NC 27605-1106
RALEIGH NC 27605-1149
RALEIGH NC 27605-1147
RALEIGH NC 27605-1117
RALEIGH NC 27605-1125
RALEIGH NC 27605-1124
RALEIGH NC 27613-4371
RALEIGH NC 27619-1037
RALEIGH NC 27605-1138
RALEIGH NC 27605-1162
RALEIGH NC 27609-7729
RALEIGH NC 27605-1163
RALEIGH NC 27605-1119
RALEIGH NC 27605-1119
RALEIGH NC 27605-1125
RALEIGH NC 27605-1103
RALEIGH NC 27605-1162
RALEIGH NC 27605-1106
RALEIGH NC 27605-1139
RALEIGH NC 27605-1140
CARY NC 27511-4216
WILSON NC 27894-1847
RALEIGH NC 27605-1115
RALEIGH NC 27605-1119
RALEIGH NC 27605-1124
Raleigh NC 27605

ADDR3

Property Owners
2-12-10

1704140290 MACKO, LISA ANN
 1704147611 CALLOWAY, GINGER C
 1704245257 CLARKE, LAURA S
 1704246503 UPCHURCH, PENDER E III
 1704245158 WEAVER, LAWRENCE A & SARAH H
 1704233905 BAKER, BONNIE LEE
 1704139876 GAINES, ALMA M
 1704134741 YORK, JAMES W & SARAH W
 1704242533 BURGESS, GLENN INOUE
 1704139800 HOLLOWAY, MYRON E HOLLOWAY, KATHRYN M
 1704147180 CHAPPELL, J DONALD & CORNELL W
 1704148092 BALLENGER, CYNTHIA A
 1704130821 WHATLEY, WILLIAM B & JINGDA
 1704133959 BERNHARD, RICHARD & CYNTHIA P
 1704133709 CLIFTON, BENJAMIN F III
 1704133882 COLGAN, TIMOTHY J & TRACIE D
 1704140323 CREECH, KATHRYN LEANNE CREECH, CLAYBOURNE HENRY
 1704143663 DUNN, WILLIAM BRUCE DAVIS, ELLEN ROBERTA
 1704149899 POND, ALLAN T NEIS, JENNIFER STEWART POND
 1704240876 HORTON, GRACE B HEIRS
 1704038959 SCARBORO, JESSE LEE
 1704141273 HODGES, MARTHA RUTH LASSITER
 1704142340 MCDONALD, VIRGINIA A
 1704144571 SECOSKY, JASON R & ELIZABETH FARRIS
 1704241279 DAVIS, A BRIAN TRUSTEE DAVIS, BARBARA TRUSTEE
 1704149039 ALLEN, WILLIAM A III & RUTH E HEUER
 1704242426 WHITLEY, RUTH DICKENS WHITE
 1704038526 SMALLWOOD PROPERTIES LLC SOUTH CROSSING LLC
 1704144037 GIBBON, LOIS H
 1704143148 TRAN, LU BAT & CUC THI DINH
 1704143429 JOHNSON, DEBBIE JOYNER
 1704145608 SMITH, MARILYN C
 1704037870 TAYLOR, BENJAMIN B & LIANDA K
 1704147678 LEE, JAMES FRANKLIN TRUSTEE JAMES FRANKLIN LEE REVOCABLE TRUST
 1704145374 BIRCKHEAD, SANDRA & ROBERT
 1704245377 VAUGHAN, JOHN S & KAREN C
 1704132735 BROOKS, VIRGINIA M
 1704131817 MOORE, ROBIN C & NILDA G COSCO
 1704241006 LYTTON, JOHN LANE JR & GAY G
 1704241853 TAYLOR, LILLA MARIA

715 GRAHAM ST
 823 GRAHAM ST
 812 BRYAN ST
 3836 GLEN IRIS LN
 806 BRYAN ST
 1014 JAMES PL
 706 WOODBURN RD
 625 WOODBURN RD
 826 WOODBURN RD
 700 WOODBURN RD
 706 SMEDES PL
 709 WOODBURN RD
 19 PURPLE MARTIN PL
 639 SMEDES PL
 630 SMEDES PL
 2608 COOLEEMEE DR
 712 DANIELS ST
 814 DANIELS ST
 2909 CANDLEHURST LN
 JOHN M. HORTON
 702 GRAHAM ST
 719 GRAHAM ST
 727 GRAHAM ST
 809 GRAHAM ST
 10161A BRIER LN
 803 WOODBURN RD
 822 WOODBURN RD
 PO BOX 10007
 PO BOX 10353
 1905 SUTTON DR
 2008 SUTTON DR
 112 SPRING COVE DR
 622 DANIELS ST
 1050 CRESCENT GRN # 318
 806 GRAHAM ST
 818 BRYAN ST
 626 SMEDES PL
 625 SMEDES PL
 1003 JAMES PL
 837 WOODBURN RD

RALEIGH NC 27605-1122
 RALEIGH NC 27605-1124
 RALEIGH NC 27605-1104
 RALEIGH NC 27612-4278
 RALEIGH NC 27605-1104
 RALEIGH NC 27605-1106
 RALEIGH NC 27605-1113
 RALEIGH NC 27605-1111
 RALEIGH NC 27605-1163
 RALEIGH NC 27605-1113
 RALEIGH NC 27605-1141
 RALEIGH NC 27605-1164
 THE WOODLANDS TX 77381-6429
 RALEIGH NC 27605-1138
 RALEIGH NC 27605-1139
 RALEIGH NC 27608-1514
 RALEIGH NC 27605-1117
 RALEIGH NC 27605-1119
 RALEIGH NC 27616-6250
 156 TUNA DR
 RALEIGH NC 27605-1123
 RALEIGH NC 27605-1122
 RALEIGH NC 27605-1122
 RALEIGH NC 27605-1124
 SANTA ANA CA 92705-1547
 RALEIGH NC 27605-1162
 RALEIGH NC 27605-1163
 RALEIGH NC 27605-0007
 RALEIGH NC 27605-0353
 RALEIGH NC 27605-1148
 RALEIGH NC 27605-1151
 CARY NC 27511-7231
 RALEIGH NC 27605-1115
 CARY NC 27518-8100
 RALEIGH NC 27605-1125
 RALEIGH NC 27605-1104
 RALEIGH NC 27605-1139
 RALEIGH NC 27605-1138
 RALEIGH NC 27605-1105
 RALEIGH NC 27605-1162

HOLDEN BEACH NC 28462-1828

1704135680 JOHNSON, JAMES H JR JOHNSON, LILLIAN BAILEY
 1704149289 PYUN, IRV & DIANE
 1704134543 WILLIAMS, MARY CAMERON
 1704242660 BENDER, MICHAEL B BENDER, CLIFF
 1704242186 KOONCE, JOHN A &SUZANNE S
 1704241137 PETTYJOHN, JAMES D &ALICE
 1704141375 MADDRY, ETHERLENE S
 1704137649 JAMES, IVAN LYNN
 1704146083 UNDERHILL, ALICE GRAHAM TRUSTEE
 1704037731 WILSON, JEAN WHITE &BARRETT D WHITE, MARY H
 1704049294 HENDRICK, DORIS H
 1704149625 DECOMARMOND, LAURENT VAUGHT, MELISSA
 1704141041 SILVERNAIL, WILLIAM B &NICOLE M
 1704148595 ABERNETHY, WILLIAM RODNEY ABERNETHY, SUZANNE RACHEL
 1704149734 BATTAGLIA, JONATHAN B
 1704243377 THOMPSON, FRANK D
 1704242783 ABERNETHY, BARBARA P
 1704130678 HIGGINS, RICHARD E JR &KELLY M
 1704132965 MCDONALD, ALTON L JR
 1704146264 WHITLEY, E CARTER JR
 1704231920 WHATLEY, JAMES E &FLORENCE H
 1704240794 HENSEY, CHARLES G HENSEY, LAURA L B
 1704132674 SUITER, THOMAS A
 1704133657 BURRIS, MELISSA P
 1704135932 HOGAN, JOSEPH S &BLAIR WEBB
 1704145781 LASATER, SHANNON L &JENNIFER C
 1704146755 SEAGRAVES, JOAN M
 1704130948 LEWIS, MARGARET CAMERON
 1704142007 DAVIS, ELLEN
 1704140133 AIKEN, JOEL W &PATRICIA D
 1704142171 HUBBLE, MARCUS A &JODI B
 1704243497 JORDAN, JACQUELINE S
 1704136860 DEAN, PERRY ENGLISH &SUSAN TART
 1704038626 RILEY, NETA TOWNSEND FOELIX, VERNESSE RILEY
 1704242028 HARDENBROOK, DALLAS &AMANDA
 1704232911 TOBIN, JAY PATRICK
 1704240520 PHELPS, LOU ANN
 1704039748 PETTY, NANCY & VICKIE LEIGH

628 WOODBURN RD RALEIGH NC 27605-1112
 813 WOODBURN RD RALEIGH NC 27605-1162
 622 WOODBURN RD RALEIGH NC 27605-1112
 828 WOODBURN RD RALEIGH NC 27605-1163
 1017 JAMES PL RALEIGH NC 27605-1105
 808 WOODBURN RD RALEIGH NC 27605-1163
 2007 SUTTON DR RALEIGH NC 27605-1150
 1707 SUTTON DR RALEIGH NC 27605-1144
 3910 COUNTRY CLUB RD NEW BERN NC 28562-7718
 618 DANIELS ST RALEIGH NC 27605-1115
 PO BOX 12052 RALEIGH NC 27605-2052
 902 DANIELS ST RALEIGH NC 27605-1121
 714 GRAHAM ST RALEIGH NC 27605-1123
 824 GRAHAM ST RALEIGH NC 27605-1125
 510 GLENWOOD AVE APT 512 RALEIGH NC 27603-1263
 817 BRYAN ST RALEIGH NC 27605-1103
 838 WOODBURN RD RALEIGH NC 27605-1163
 618 SMEDES PL RALEIGH NC 27605-1139
 635 SMEDES PL RALEIGH NC 27605-1138
 707 SMEDES PL RALEIGH NC 27605-1140
 1006 JAMES PL RALEIGH NC 27605-1106
 833 WOODBURN RD RALEIGH NC 27605-1162
 615 WOODBURN RD RALEIGH NC 27605-1111
 623 WOODBURN RD RALEIGH NC 27605-1111
 2221 COLEY FOREST PL RALEIGH NC 27607-3123
 826 DANIELS ST RALEIGH NC 27605-1119
 702 MAGNOLIA ST GREENSBORO NC 27401-2009
 710 GRAHAM ST RALEIGH NC 27605-1123
 718 GRAHAM ST RALEIGH NC 27605-1123
 7200 GRAY GABLES WILMINGTON NC 28403-3796
 722 GRAHAM ST RALEIGH NC 27605-1123
 823 BRYAN ST RALEIGH NC 27605-1103
 635 WOODBURN RD RALEIGH NC 27605-1111
 611 SMEDES PL RALEIGH NC 27605-1138
 1007 JAMES PL RALEIGH NC 27605-1105
 1010 JAMES PL RALEIGH NC 27605-1106
 821 WOODBURN RD RALEIGH NC 27605-1162
 613 SMEDES PL RALEIGH NC 27605-1138

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.

Name(s):

City/State/Zip:

**Please See Attached
Adjacent Property Owner
List**

[illegible]

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PIN_NUM	OWNER	ADDR1	ADDR2	ADDR3
1704157114	OBERLIN CAPITAL ACQUISITION LLC	221 GLENWOOD AVE	RALEIGH NC 27603-1404	
1704049530	CAMERON VILLAGE CONDOMINIUMS II	PO BOX 10007	RALEIGH NC 27605-0007	
1704145898	MARLOWE & MOYE LLC	314 W MILLBROOK RD	RALEIGH NC 27609-4380	
1704136471	CAMERON VILLAGE TOWNHOUSES YORK, J W	SMALLWOOD DR	RALEIGH NC 27605	
1704033118	COLUMBIA CAMERON VILLAGE LLC	PROPERTY TAX DEPT	PO BOX 790830	SAN ANTONIO TX 78279-0830
1704032618	OBERLIN INVESTORS LLC	ANTHONY & CO	PO BOX 10810	RALEIGH NC 27605-0810
1704132462	SMALLWOOD PROPERTIES LLC SOUTH CROSSING LLC	PO BOX 10007	RALEIGH NC 27605-0007	
1704250291	STATE EMPLOYEES CREDIT UNION	PO BOX 26807	RALEIGH NC 27611-6807	
1704037124	COLUMBIA CAMERON VILLAGE LLC	PROPERTY TAX DEPT	PO BOX 790830	SAN ANTONIO TX 78279-0830
1704044293	FIELDS, JEANETTE S HEIRS	C/O MARY F HAYWOOD EXEC	3201 HAYDEN CT	RALEIGH NC 27612-2127
1704031496	FIDELITY BANK THE	PO BOX 8	FUQUAY VARINA NC 27526-0008	
1704044157	JONES, F MICHAEL JR & GAYE G	1619 CANTERBURY RD	RALEIGH NC 27608-1107	
1704247512	CAMERON VILLAGE TOWNHOUSES	SMALLWOOD DR	RALEIGH NC 27605	
1704253378	NORTH CAROLINA STATE OF	STATE PROPERTY OFFICE	116 W JONES ST	RALEIGH NC 27603-1300
1704146992	MARLOWE & MOYE LLC	314 W MILLBROOK RD	RALEIGH NC 27609-4380	
1704146913	MARLOWE & MOYE LLC	314 W MILLBROOK RD	RALEIGH NC 27609-4380	
1704153164	OBERLIN CEMETARY	OBERLIN RD	RALEIGH NC 27605	
1704035727	ST MARYS ASSOC LLC	1900 CAMERON ST	RALEIGH NC 27605-1307	
1704341512	RESERVE AT BISHOPS PARK CONDO THE	C/O BURCAM CAPITAL ADVISORS	603 SAINT MARYS ST	RALEIGH NC 27605-1703
1704044002	OBERLIN INVESTORS LLC	C/O ANTHONY & CO	PO BOX 10810	RALEIGH NC 27605-0810
1704132177	COLUMBIA CAMERON VILLAGE LLC	PROPERTY TAX DEPT	PO BOX 790830	SAN ANTONIO TX 78279-0830
1704039499	SMALLWOOD PROPERTIES LLC SOUTH CROSSING LLC	PO BOX 10007	RALEIGH NC 27605-0007	
1704036488	SMALLWOOD PROPERTIES LLC SOUTH CROSSING LLC	PO BOX 10007	RALEIGH NC 27605-0007	
1704033488	SMALLWOOD DANIELS PROPERTIES LLC	1021 HARVEY ST	RALEIGH NC 27608-2331	
1704034664	METTREY, MICHAEL T & IRIS RITA B	611 DANIELS ST	RALEIGH NC 27605-1114	
1704152488	NORTHWESTERN MUTUAL LIFE INS CO THE	720 E WISCONSIN AVE # N16WC	MILWAUKEE WI 53202-4703	

Adj property owner

EXHIBIT C. Request for Zoning Change

Office Use Only

Petition No. _____

Original Date Filed: _____

Amended Date: _____

Please use this form only – form may be photocopied – please type or print. See instruction, page 8.

1) Conditional Use Zone Requested: **Not Applicable**

2) Narrative of conditions being requested:

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

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

Printed Name: _____

Signature: _____ **Date:** _____

Printed Name: _____

Signature: _____ **Date:** _____

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

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

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

Required items of discussion:

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

Recommended items of discussion (where applicable):

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

PETITIONER'S STATEMENT:

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

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

The majority of the area to be rezoned (approximately 35.75 acres) is designated for low density residential on the Future Land Use Map. This category envisions a range of density between one and six dwelling units per acre, corresponding roughly to the R-2, R-4, and R-6 zoning districts (but excluding parks within these districts).

One parcel, approximately 0.032 acres in size, is designated medium density residential. The medium density residential category envisions a density range between 14 and 28 dwelling units per acre.

The proposed Special Residential-6 is consistent with the low density residential category. The existing R-6 zoning is consistent with the low density residential category, while the properties currently zoned R-10 are not. Rezoning the R-10 properties to Special R-6 will bring the properties into conformance with the future land use map. The singular property currently zoned R-10 is not consistent with the Medium Density Residential designation. A rezoning to Residential-30 will bring the property closer to consistency with the future land use designation.

- 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 properties are located within the Wade/Oberlin Area Plan, which designates a majority (35.75 acres) of this rezoning area for lower intensity uses. The single parcel proposed for Residential-30 zoning is designated for medium intensity uses in the Wade/Oberlin plan. The Area Plan states: *“All policies specified in the Wade-Oberlin Plan pertaining to permitted uses, building bulk and height, and other aspects of development typically regulated by zoning are intended to be implemented through appropriate rezoning of properties.”* The proposed rezoning request is consistent with the guidance provided in the Wade/Oberlin Area Plan.

- 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”).**

The proposed zoning map amendment is consistent with future land use designation on the future land use map and in the Wade/Oberlin Area Plan in the 2030 Comprehensive Plan. One of the 6 overall themes of the 2030 Raleigh Comprehensive Plan states the goal of ***Growing Successful Neighborhoods and Communities***. *“Growth and new development will be accommodated within Raleigh through creative solutions that conserve our unique neighborhoods while allowing for growth and expanding our local businesses. The City will have healthy and safe older neighborhoods that are conserved and enhanced through careful infill development that complements existing character and responds to natural features.”*

Policy ***LU 8.5 - Conservation of Single-Family Neighborhoods*** in the Comprehensive Plan seeks to *“Protect and conserve the City’s single-family neighborhoods and ensure that their zoning reflects their established low density character.”* Additionally, Policy ***AP- WO 11 - Oberlin Village Land Uses*** in the 2030 Comprehensive Plan states that *“The Oberlin Village neighborhood should be preserved with its current residential uses: single-family houses and apartment units.”* The proposed zoning map amendment to Special R-6 for the Cameron Village neighborhood, which falls within the Oberlin plan area, is in keeping with the intent of the above noted Comprehensive Plan policies. The rezoning would help achieve consistency with the recommended low intensities, help preserve the existing single-family neighborhood, and match zoning with its built character, thus implementing the policy direction in the 2030 Comprehensive Plan.

The single R-10 parcel proposed for R-30 classification is an odd, triangular shaped lot located on the southern edge of the area to be rezoned. It is adjacent to high density residential development, and serves as driveway access to the apartments. This parcel is approximately 0.032 acres in size. The parcel’s odd shape and small size, coupled with the required setbacks make it unbuildable. It would not be appropriate to leave the parcel as an isolated island of R-10, and rezoning to Special R-6 would create an inconsistency between two parcels used for the same purpose and owned by the same entity. Given its current use and physical constraints, it is appropriate to rezone this small parcel to R-30 to provide continuity with the adjacent parcel.

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 properties to be rezoned are surrounded by multi-family residential zoning and uses on the east, south, and west. Commercial uses and office uses are located to the north across Wade Avenue. The Cameron Village Shopping Center is located to the south across Smallwood Drive.

There are no parking lots or transit facilities within the immediate area of the subject properties. Broughton High School is two blocks southeast of the subject property. Wade Avenue, which is a designated secondary arterial, forms the narrow northern border of the subject property touching only 4 of the 117 single-family parcels. Wade is accessible to the subject area via Woodburn, Bryan, and Daniels. St. Mary's Street, designated a minor thoroughfare is one block east of the subject area. Daniels Street forms the western boundary of the subject property and is designated a collector. Oberlin Road is one block west of Daniels but not accessible to the subject area.

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

The subject property consists of a total of 118 lots comprising of 117 built lots ranging in size from 0.17 acre to 0.79 acre totaling 35.75 acres, and one vacant odd shaped R-10 lot (0.032 acre). The average lot size is 0.30 acre. There are 115 detached single-family homes and 2 duplexes within the subject property and none are more than 2 stories in height. There are no multi-family units within the subject property. The proposed rezoning area contains substantial tree cover.

Out of the total 118 lots, 40 parcels are zoned R-10 (about 34% of total); while the remaining 78 parcels (66% of total) are zoned R-6. The minimum lot size requirements for R-6 and Special R-6 are 7,260 square feet. The R-10 district has a minimum lot size of 5,000 square feet. The range in size of the 39 R-10 lots (excluding odd shaped small R-10 lot) is between 9,147 square feet and 28,749 square feet. Thus, all the 39 R-10 lots meet and exceed the minimum lot requirements of the proposed Special R-6 zoning district.

The small R-10 parcel proposed for R-30 zoning currently serves as a driveway access to a larger multi-family development zoned R-30 and is owned by the same property owner. This property does not contain any structures. Additionally, the setback requirements for R-6, Special R-6 and R-10 districts are identical. Thus, current densities and built character are identical for all properties within the subject area of the proposed zoning map amendment. Therefore, all the parcels are currently built in conformance with the requested zoning district standards.

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 subject property has maintained its single-family home built character for 60 continuous years since Cameron Village construction began in 1949. The 117 single family homes remain an intact neighborhood with no multi-family encroachment. Zoning records indicate 39 of the single family properties within the 117 single-family subject property neighborhood, or 33% of the total, are currently zoned R-10 while the remaining 67% are currently zoned R-6, even

though the R-10 properties are built and conform to the R-6 zoning standards. The proposed amendment would zone all 117 single-family parcels within the subject area as Special R-6, make the zoning of the subject properties conform more closely to the existing uses, density, lot sizes, and setbacks as it currently exists.

Rezoning the small parcel that currently serves as driveway access to a larger multi-family development to R-30 will bring the property closer to compliance with the Comprehensive Plan land use recommendation.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The proposed zoning map amendment would benefit the landowners by maintaining and preserving the neighborhood's prevailing style and character. By maintaining these standards, the proposed map amendment would help maintain the desirability of the neighborhood as an established, low density neighborhood, just as built, and just as designated by the 2030 Comprehensive Plan for low density residential uses (1-6 DU per acre). Preserving the integrity of the 117 residential lots within the subject property, building upon 60 years of continuity as a single-family neighborhood, will enhance the present and future value of these properties.

Of the 118 parcels under consideration, 78 are currently zoned R-6. The R-6 and Special R-6 zoning districts have identical development standards. The list of allowed uses for these two districts is similar as well; the exception being that multi-family, townhouses or condo units on parcels less than 10 acres in size are not allowed in Special R-6.

The range of density is lower in Special R-6 than in R-10. The R-10 zoning district allows single-, two- and multi-family dwellings up to ten units per acre.

A potential detriment to the landowners would be the reduced ability to build multi-family, townhouses, or condo units on property less than 10 acres in size. The minimum lot size is higher in the Special R-6 zoning district. The minimum size for a property zoned R-10 is 5,000 square feet. The minimum size of a Special R-6 property is 7,260 square feet. This could hinder the ability to subdivide. Approximately sixteen lots currently zoned R-10 would not have the ability to subdivide were Special R-6 rezoning applied to their properties. The properties currently zoned R-6 would not have a reduction in the ability to subdivide were a rezoning to Special R-6 approved.

B. For the immediate neighbors:

The benefits to the immediate neighbors of the subject rezoning are the same as those listed below for the surrounding community. There would be no known detriments to the immediate neighbors of the subject properties.

C. For the surrounding community:

The proposed zoning map amendment would ensure that any redevelopment in the area is consistent with the existing density and lot layout of the single-family neighborhood. The proposed zoning map amendment would establish uniform minimum lot size, setback, and density requirements that will help the neighborhood resist the pressures to redevelop into higher density housing permitted under the existing R-6 and R-10 zoning. By protecting the

subject properties from high density residential redevelopment, the proposed map amendment would protect and preserve single-family neighborhoods as envisioned by the 2030 Comprehensive Plan. This would benefit the surrounding community by preventing increased growth that could overburden city infrastructures such as roads and sewers. It could also render environmental benefits such as protection of tree growth in the area and reduce increase of impervious surfaces.

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

The surrounding properties to the east, south, and west are completely built out as apartments and condos with current zoning ranging from R-15 to R-30 and designated on the Future Land Use map as moderate density residential (6-14 DU/acre) and medium density residential (14-28 DU/acre). The proposed map amendment to rezone the subject properties to Special R-6 is an attempt to keep zoning consistent and in keeping with the prevailing development pattern of the area. Therefore, the proposed rezoning does not provide any significant benefit to the property owners, which is not available to the surrounding properties. The rezoning eliminates any potential for redevelopment to higher density uses and helps preserve the much desirable existing neighborhood character and density.

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

Given the location of the subject area encircled by higher density uses, the Cameron Village neighborhood is at higher risk to be permeated by redevelopment at higher densities. The subject area is fully developed and built in conformity with the proposed Special R-6 zoning. Rezoning to Special R-6 would prevent higher density development in the neighborhood, which is permitted under the existing zoning. The proposed map amendment is consistent with the Comprehensive Plan's intent of tailoring the zoning of the properties to match the prevailing pattern of development as built prior to the adoption of the zoning code and in preserving existing single-family neighborhoods. Since the subject rezoning supports the key goals of the Comprehensive Plan, it can be viewed as both reasonable and in the public interest.

V. Recommended items of discussion (where applicable).

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

The subject properties are zoned R-10 and R-6 despite a predominant developed pattern of single-family homes built in conformity with the Special R-6 zoning standards. There is no mapping error present on the subject properties.

- 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 use of the subject properties has not changed since it was first zoned. However, the current R-6 & R-10 zoning designations leave them vulnerable to the increasing pressures

of redevelopment that is not within the character of the established sixty year old single-family home neighborhood.

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

Over 90% of the landowners in the subject neighborhood have signed the petition requesting the Special R-6 zoning, thus indicating the broad base of support and need for the proposed zoning amendment. Further, the rezoning would implement the land use guidance contained within the Comprehensive Plan.

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 immediate impact on any of the services, facilities, infrastructure, fire and safety, parks and recreation, topography, or access to light and air. If approved, this zoning request would keep the parcels in the subject area from being further subdivided or redeveloped, which would alleviate further demands on the City of Raleigh's support facilities, infrastructure, and related services.

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

The fundamental purposes of zoning as put forth in the North Carolina enabling legislation are best served by changing the classification from R-10 and R-6 to Special Residential-6. First, more intense zoning categories such as R-10 could place a strain on City infrastructure. Second, it will have no negative impact on providing light and air to residents of the subject area and surrounding community. Third, the rezoning request will be in accordance with the 2030 Comprehensive Plan policies and land use designation. Finally, the request applies evenly to all 117 single-family parcels within the area. Changing the classification of the subject area from R-10 and R-6 to Special R-6 will serve to regulate the character of the subject area with reasonable consideration for current and future landowners.

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

NA