Administrative Action
Group Housing Development

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 516-2626
www.raleighnc.gov

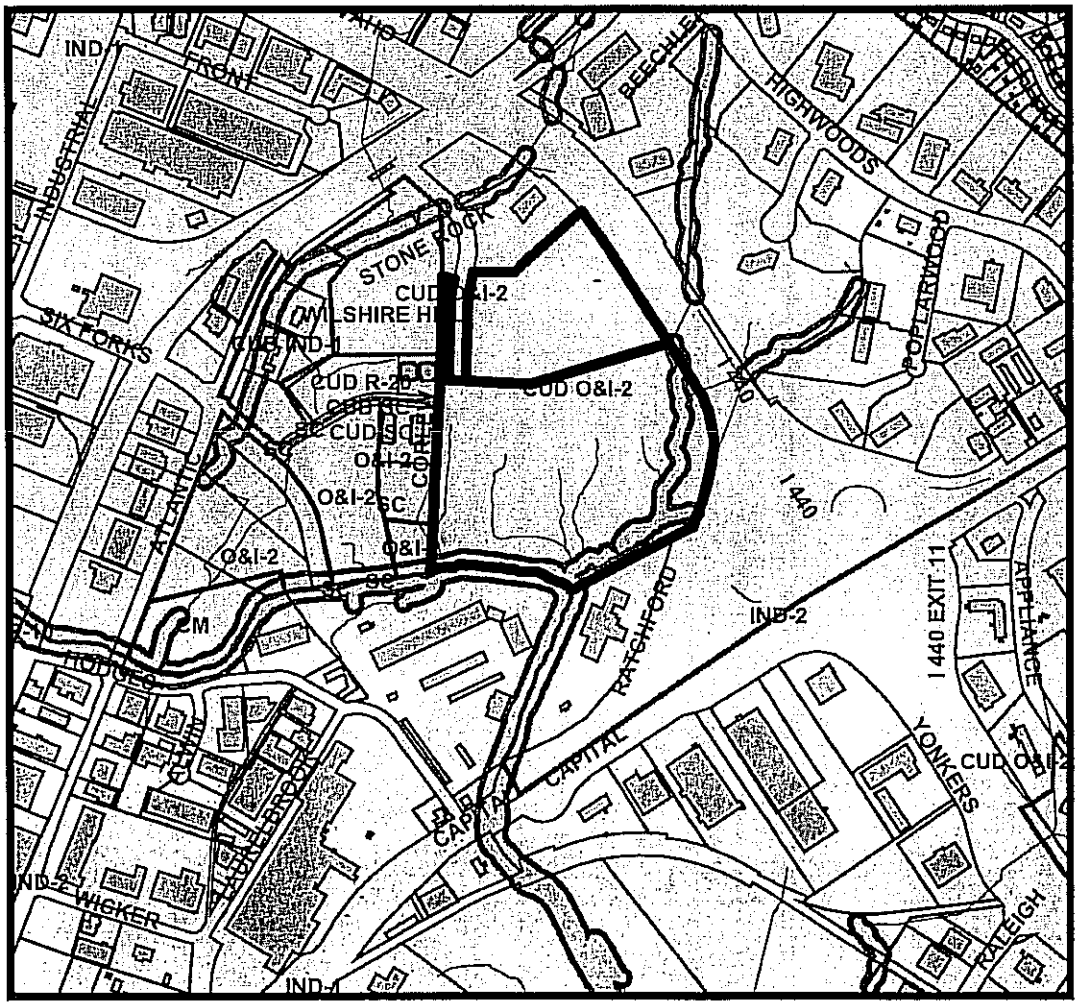
Case File / Name: GH-2-07 / BSP Atlantic

General Location: South of the intersection of Mellow Field Drive, Meadow Wood Boulevard and Ratchford Drive.

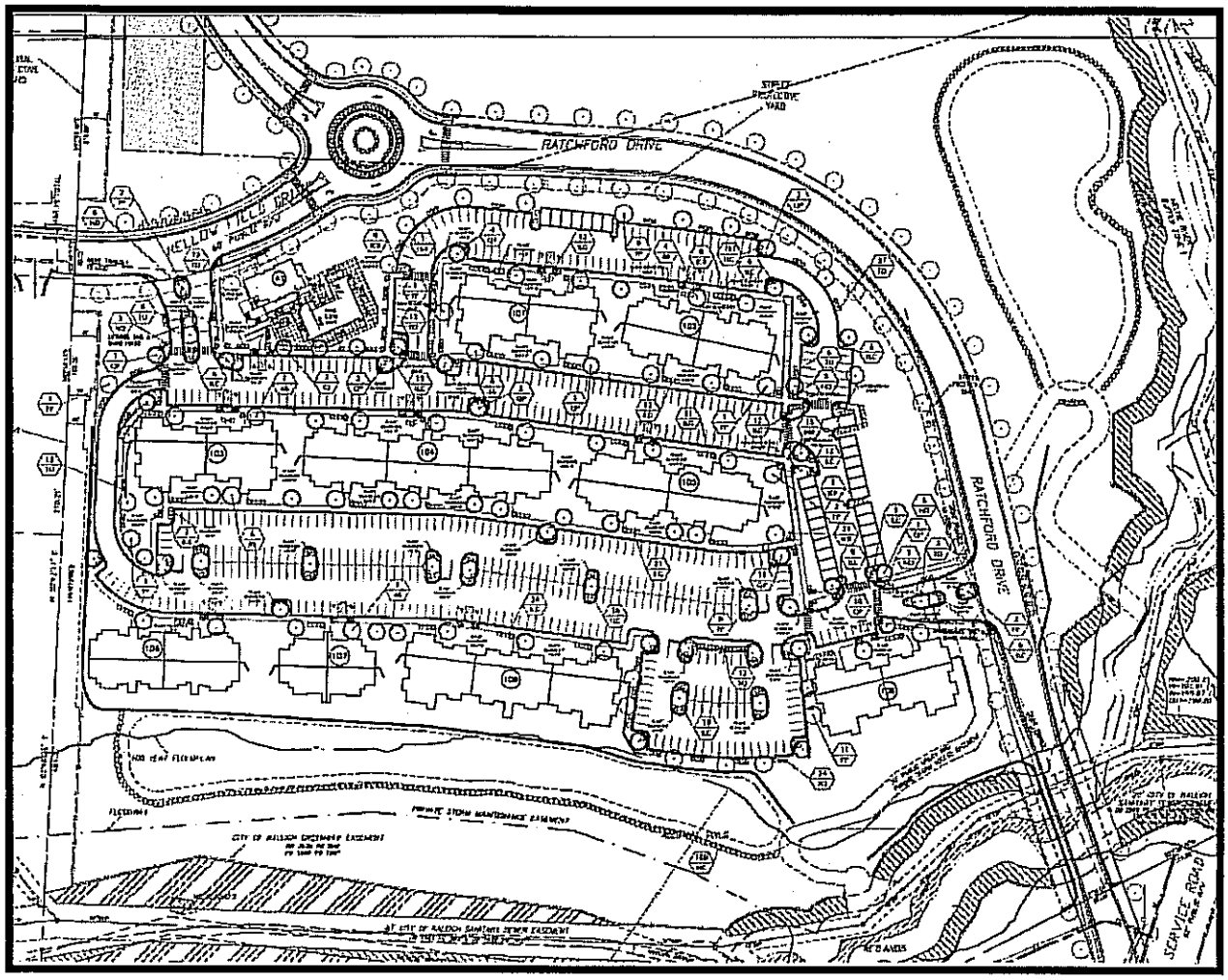
Planning District / CAC: North Hills / Northeast

Nature of Case: A group housing development comprised of 298 dwelling units within 9 buildings on a 22.25 acre site zoned Office and Institutional-2 - Conditional Use District. The residential density of this proposed development is 13.3 dwelling units per acre. This plan also includes a clubhouse and pool amenity.

Contact: Withers & Ravenel



GH-2-07 / BSP Atlantic – Location Map



GH-2-07 / BSP Atlantic – Site Plan

SUBJECT: GH-2-07 / BSP Atlantic

CROSS-REFERENCE: S-20-07

LOCATION: This site is located on the south side of Ratchford Drive, south and east of its intersections with Meadow Wood Boulevard and Mellow Field Drive, inside the City Limits.

REQUEST: This request is to approve a group housing development consisting of 298 units in nine buildings on a 22.25 acre tract, zoned Office and Institutional – 2 Conditional Use District. The overall residential density is 13.3 units per acre.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL: ***Prior to issuance of a land disturbing permit for the site:***

(1) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;

(2) That documentation be submitted to the Stormwater Engineer in the Public Works Department that shows the maximum impervious surface coverage of the development, including any existing impervious surfaces, is no more than fifteen (15%) and the remaining pervious portions of the lot are utilized to convey and control the stormwater runoff of the lot to the maximum extent practical, in accordance with the allocation of impervious surface limits among multiple lots shown on the preliminary plan;

(3) That as the developer purposes to disturb a designated riparian buffer for the purpose of 1 street crossing, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work (per code section 10-9044(a);

(4) That as the developer purposes to disturb a designated riparian buffer for the purpose of a street crossing, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work (per code section 10-9044(a);

(5) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association."

(6) That a final tree conservation plan be approved by the Forestry Specialist in the Inspections Department. The final tree conservation plan shall include a metes and bounds description of the tree conservation areas conforming to code requirements. Tree protection measures shall be in place on site prior to any grading;

(7) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings, whichever event comes first;

Prior to issuance of building permits in the Inspections Department:

(8) That a 15x20 foot transit easement located on Ratchford Drive be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(9) That street names for this development be submitted and approved by the Planning Department and by Wake County;

(10) That the lot is recorded as conditioned in S-52-07;

(11) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;

(12) That all of the conditions associated with Z-3-06 and S-52-07 have been satisfied.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Wayne) Date: 8-28-07

Staff Coordinator: Eric Hodge

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2036, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated June 14, 2007, owned by Tradition Atlantic, LTD., submitted by Withers & Ravenel.

ZONING:

ZONING DISTRICTS: Office and Institutional-2 Conditional Use District. Ordinance No. (2006) 19 ZC 587 Effective 5/2/06.

Z-3-06 – Capital Boulevard and I-440, northwest side of Capital Boulevard, northwest of its intersection with I-440, being Wake County PINs 1715-53-5076; 1715-52-5191; and 1715-42-9946. Approximately 47.01 acres from Industrial-1 with Special Highway Overlay District-2 to Office and Institution-2 Conditional Use with Special Highway Overlay District-2.

Conditions dated: March 9, 2006

A. The following uses shall be prohibited on the subject property:

(i) General uses:
- (a) Cemetery
- (b) Hospital
- (c) Funeral home

(ii) Conditional uses:
- (a) Emergency shelter
- (b) Special Care facility
- (c) Telecommunication towers

(iii) Special uses:
- (a) All special uses required to be approved by the Board of Adjustment as specified in Code Section 10-2144 are prohibited, save and except for yard encroachments and yard reductions which are permitted with Board of Adjustment approval and save and except other professional offices not otherwise listed as allowed in the Office and Institution District by Code Section 10-2071.
- (b) All special uses required to be approved by the Raleigh City Council as specified in Code Section 10-2145 are prohibited.

B. A SHOD-2 Natural Protective Yard shall be provided along the frontage of I-440 and the exit ramp to Capital Boulevard, which Yard shall have an average width dimension of fifty feet (50') and a minimum width dimension of twenty-five feet (25').

C. Prior to subdivision approval 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.

D. Within fifty feet (50') of adjoining residential parcels, site lighting fixtures for parking areas shall not exceed sixteen feet (16') in height, unless located in a protective yard, where height of lighting fixtures shall not exceed twelve feet (12') in height. (All measurements shall be from finished grade.) Additionally, all such fixtures shall be of "Full Cut-Off" (shielded) design.

E. Natural Protective Yards shall be provided (1) along the common line of the Property and the property now known as the Atlantic Place Condominium (PIN 1715427698; Deed Book 8008, page 334) and Atlantic Place II Condominium (PIN 1715427335; Deed Book 8851, page 2708 and PIN 1715427022; Deed Book 9247, page 776) and (2) along the common line of the Property and the parcel now owned by NC Eastern Municipal Power Agency and NC Municipal Power Agency Number 1 (PIN 1715532496; Deed Book 3502, page 544), which Natural Protective Yards shall have an average width dimension of twenty-five feet (25') and a minimum width dimension of twenty feet (20').

F. Reimbursement for any required right-of-way dedication shall retain the current Industrial-1 value.

G. The maximum height of any building or buildings upon the Property shall be limited to no more than one hundred twenty feet (120'); provided however, the building or buildings located within one hundred feet (100') of the common line of the Property and the properties now known as Atlantic Place Condominium (PIN 1715427698; Deed Book 8008, page 334) and Atlantic Place II Condominium (PIN 1715427335; Deed Book 8851, page 2708 and PIN 1715427022; Deed Book 9247, page 776) and the common line of the Property and the property now owned by NC Eastern Municipal Power Agency and NC Municipal Power Agency Number 1 (PIN 1715532496; Deed Book 3502, page 544) shall have a maximum height of sixty feet (60').

H. Residential density upon the Property shall not exceed 1,200 dwelling units and office development upon the Property shall not exceed 350,000 square feet.

DEVELOPMENT

DENSITY: The number of units allowed in this zoning district is 25 units per acre or 556 units total for this site. The proposed plan contains 298 units.

SETBACKS / HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 23' (corner side yard). Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Building-to-building setbacks are shown in accordance with Sec. 10-2103(b). Buildings greater than 28' in height meet min. 30' setback from perimeter property lines.

PHASING: There is one phase in this development.

OPEN SPACE: Open space conforms to minimum requirements. 10 % or 2.25 acres required, 62 % or 13.99 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 578 spaces required, based on 1.5sp/1 BR; 2sp/2 BR, 2.5sp/3 BR and 1sp/100SF of pool area. 579 spaces are provided. Parking spaces meet minimum standards for size and aisle width.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Landscape areas for tree planting are a minimum of 350 square feet per tree in area, and have a minimum dimension of 7 feet. This is a medium density use under Section 10-2082.9. Transitional protective yards are not required as the adjacent property is a also a medium density residential use. However, in keeping with the zoning conditions there is a Natural Protective Yard with an average width dimension of twenty-five feet (25') and a minimum width dimension of twenty feet (20') provided along the western property line.

TREE CONSERVATION: A preliminary tree conservation plan in accordance with code section 10-2082.14 is included with this proposal and has been approved by the Forestry Specialist in the Inspections Department. 10% or 2.225 acres of tree conservation area is required, 11.9% or 2.65 acres is provided. A final tree conservation plan with a metes and bounds description of all tree conservation areas shall be shown and labeled on any plat for recording.

OTHER GROUP HOUSING STANDARDS: Private dead-end streets exceeding 150 feet provide turnarounds with a minimum interior curb radius of 30 feet. Fire hydrants, loop water system and fire truck access meet the standards of 10-2103(g). The main circulation route through this site meets private street standards. Sidewalks are shown to be provided from the main entrance of each dwelling unit and from all recreation facilities to the public sidewalk system.

COMPREHENSIVE PLAN:

GREENWAY: A 165' wide greenway is shown along the southern side of this site and has been dedicated (DB 3630 PG 500 & DB 1989 PG 1187).

THOROUGHFARE / COLLECTOR PLAN: Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Ratchford	60'	31'-41'	N/A
Mellow Field	60'	31'-41'	N/A

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: a 15' x 20' Transit Easement ~40' to the North of the eastern entrance to the property. This site is presently not served by the existing transit system.

URBAN FORM: The site is located in the North Hills Planning District. The Urban Form map designates this site as an employment area, as such the height limit guideline is 70 feet. In addition, Six Forks Road is designated as a primarily non-residential thoroughfare. The Atlantic Ave –Litchford Rd Corridor Plan designates this area as an employment area. Employment Areas allow for some medium to high density residential development.

SUBDIVISION STANDARDS:

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

PUBLIC UTILITIES: City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: The location and design of refuse collection facilities is shown in accordance with the Solid Waste Collection Design Manual.

CIRCULATION: Proposed street improvements conforms to normal City construction standards.

PEDESTRIAN: Proposed public sidewalk locations conform to City regulations and are shown along the entirety of the property's public street frontage. Internal connections to the public sidewalk system are shown on the plan as well.

FLOOD HAZARD: There are flood hazard areas on this site (100 year flood plain) and are shown on the preliminary plans.

STORMWATER MANAGEMENT: The preliminary site plan meets the provisions of Part 10, Chapter 9 of the Raleigh City Code. Stormwater quality control will be met through the use of a constructed wetland to reduce the total Nitrogen load of the site and offset fees paid to the NCEEP. The site will comply with stormwater quantity control provisions under 10-9023(b). Because the site discharges directly into the FEMA floodway of Crabtree Creek, detention will not be required per 10-9023(b)(4). There is FEMA floodway, floodplain, and Neuse River Buffer along the Southern portion of the property.

PAYMENT TO NCDENR

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are required on this site and are shown on the preliminary site plan

STREET NAMES: New street names are required for this development. All internal streets are private.

OTHER REGULATIONS: Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.

SUNSET DATES: If significant construction has not taken place on a project after preliminary site plan approval, that approval may "sunset" and be declared void, requiring re-approval by City Council before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

2-Year Sunset Date: 8/28/2009
Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: 8/28/2012
Complete construction of entire development.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.

- COMPLETE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.

- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.

- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

FACILITY FEES REIMBURSEMENT: If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.