Administrative Action
Preliminary Subdivision/Townhouse

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

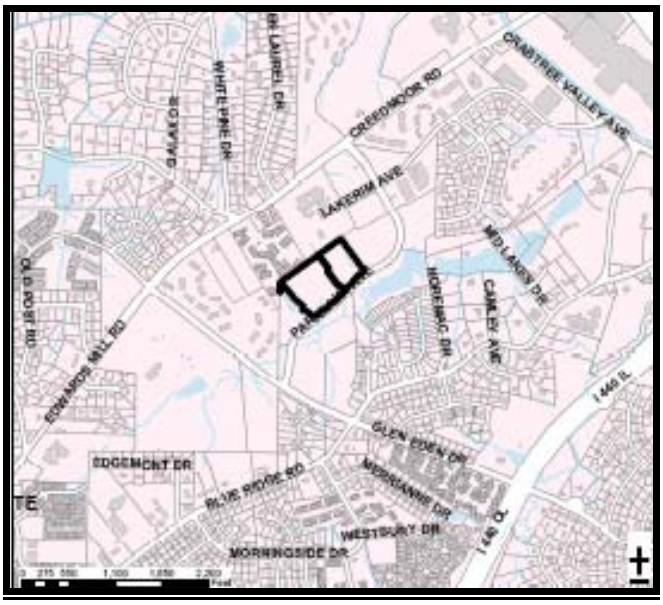
Case File / Name: **S-61-07 Glenlake Gardens**

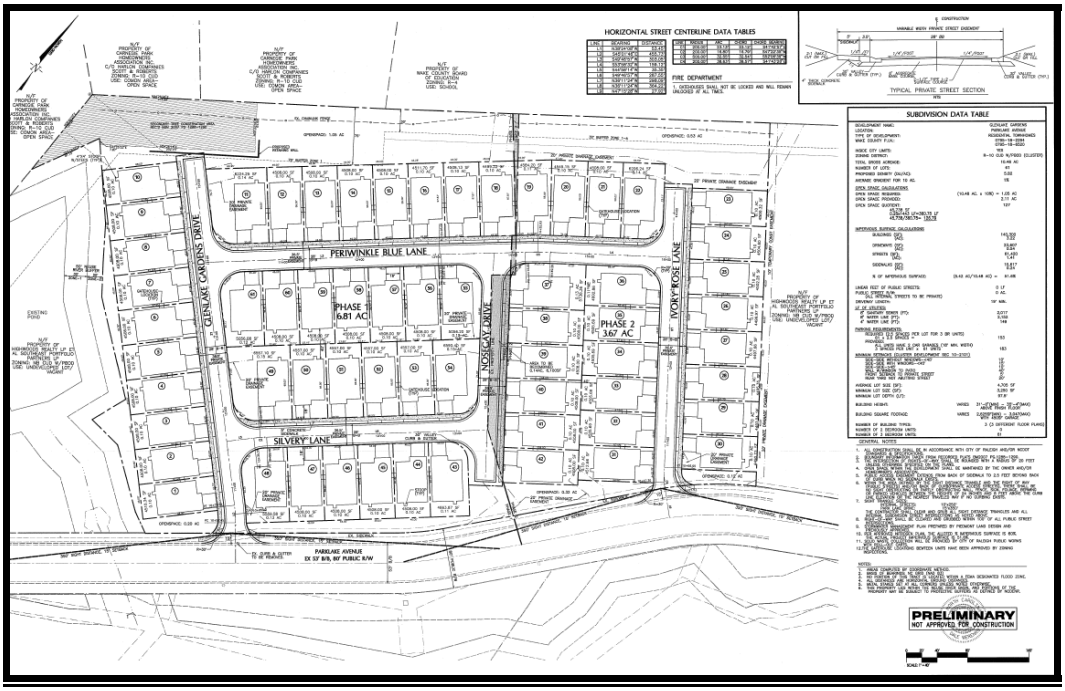
General Location: This site is located on the north side of Parklake Avenue, north of its intersection with Glen Eden Drive, inside the City Limits.

Planning District / CAC: Northwest / Northwest

Nature of Case: Approval of a townhouse development consisting of 61-townhouses on 10.50-acres zoned Residential-10 CUD with Pedestrian Business Overlay District.

Contact: Withers & Ravenel





S-61-07 Glenlake Gardens Townhomes

SUBJECT: S-61-07 Glenlake Gardens

CROSS-REFERENCE: Z-40-06, S-89-06

LOCATION: This site is located on the north side of Parklake Avenue, north of its intersection with Glen Eden Drive, inside the City Limits.

REQUEST: This request is to approve a townhouse development of 61-townhouse, located on lots approved under S-89-06 Glenlake Subdivision 7 & 8 recorded BM 2007 Pg 1290, on 10.48 acres tract, zoned Residential-10 CUD with Pedestrian Business Overlay District.

OFFICIAL ACTION: **Approval with conditions**

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

(1) 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 Planning Department authorization to record lots:

(2) 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.”

(3) That as stormwater control facilities are to be owned and maintained by a property owners’ association, the City’s three party form “Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution” (Installment or Lump Sum payment version) shall be completed and executed by the developer, the property owners’ association and given to the City of Raleigh Attorney for signature of the City Manger. Following the signatures of the City, the developer shall record the Stormwater Agreement with the local county Register of Deeds. A recorded copy of the Stormwater Agreement shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;

(4) That as this subdivision plan creates lots less than one acre in size, stormwater control measures are required to be shared among all lots, and said stormwater control measures shall be owned and maintained by a

homeowners association for which all lot owners shall be a member. The homeowners' legal documents shall be prepared in accordance with Raleigh City Code Section 10-3071 through 10-3074 and 10-9027(b), and the City Attorney shall either actually approve the homeowners' legal documents or a certificate be submitted to the City Attorney from the attorney who prepared the homeowner legal documents state that the declaration of covenants contains all of the provisions of the Raleigh City Code Requirements set forth in City form Article.

The homeowners' declaration shall conform to G.S. 47-F, if applicable, and shall contain the following provisions: (a) a definition of stormwater control measures serving more than one lot and situated outside of the public street rights of way; (b) a statement in the definition of common areas that stormwater control measures are common area; (c) that stormwater control measures shall be maintained by the homeowners' association in strict compliance with the stormwater operations and maintenance manual and budget (approved by the Stormwater Engineer in the Public Works Department as part of condition (1) above) and this manual is attached as an exhibit to the Stormwater Replacement Protection Easement and Access Maintenance agreement required by condition (1) above; (d) that common expenses include: maintenance of stormwater control measures and replacement contribution payments required to be paid by the Association to the City by Stormwater Replacement Protection Easement and Access Maintenance Agreement required by condition (1) above; (e) that within permanently protected undisturbed open space area shown on any plat of the development, no tree-disturbing activity (as defined in Part 10 Chapter 2 of the Raleigh City Code), land-disturbing activity, placement of impervious surface, encroachment, new use or construction of any structure or expansion there of shall occur except in accordance with a watercourse buffer first being issued by the City of Raleigh; (f) that the City of Raleigh is assigned the right to collect stormwater assessments of the Association, file liens against the lots and to foreclose delinquent liens for monies owned to the City. Foreclosure of stormwater assessments liens shall be in accordance with N.C.G.S 47F-3-116 and to foreclose the claim of lien in like manner as a mortgage on real estate under a power of sale under Article 2A of Chapter 45 of the General Statures; (g) a statement that no amendment to the legal documents affecting stormwater control measures or the replacement fund shall be made without the prior written consent of the Raleigh City Attorney as evidenced by signature of the City Attorney or his/her deputy on the recorded original or copy of the amendment; (h) a statement that the stormwater control measures are the joint and several liability of each owner served by the stormwater control measure required to comply with the Raleigh City Code, and the failure to maintain stormwater control measures is a violation potentially subjection each lot owner to significant daily civil penalties and other enforcement action; (i) the homeowners' association shall be empowered to plant, maintain and protect within tree conservation areas shown on recorded plats of the development, and the future owners of lots and their agents shall have the right to enter any of the tree conservation area shown on the recorded plats of the development with the consent of the Association and the City of Raleigh Inspections Department to perform active tree protection as defined in Chapter 2 Part 10 of the Raleigh City Code to remove trees, plat trees and to replant replacement tree; (j) a statement that any tree disturbing activity as defined in Chapter 2 Part 10 of the Raleigh City Code undertaken in any tree conservation area shown on the recorded plats of the development without the prior issuance of a permit

from the City of Raleigh Inspections Department is a violation of the Raleigh City and will result in significant financial consequences. A recorded copy of these deeds must be provided to the Planning Department within 14-day from authorization of lot recording. If recorded copies of the of the deed are not provided to the Planning Department within this 14-day period, further plat recordings and building permit issuance may be withheld;

(5) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in perpetuity in their natural or mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259).". This covenant is to run with the land, and shall be binding on the Owner, and all parties claming under it;

(6) 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."

(7) That as stormwater control facilities are to be owned and maintained by a property owners' association, the City's three party form "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version) shall be completed and executed by the developer, the property owners' association and given to the City of Raleigh Attorney for signature of the City Manger. Following the signatures of the City, the developer shall record the Stormwater Agreement with the local county Register of Deeds. A recorded copy of the Stormwater Agreement shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;

(8) That prior to the issuance of a grading permit or building permit a tree protection plan is approved by the Site Review Specialist in the Inspections Department for trees located within the 50' Neuse Riparian Buffer; and

(9) That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing lot into a single tract;

(10) That a final landscape plan showing street yards in accordance with 10-2082.5 be submitted/stamped and approved by the Site Review Specialist in the Inspection Department and a copy placed on file in the Planning Department;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Hay) Date: 2-6-08

Staff Coordinator: Jacque Baker

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2021 & 10-2055 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 12/19/07, owned by Highwoods Realty, LP, submitted by Withers & Ravenel.

ZONING:

ZONING DISTRICTS: Residential-10 CUD with Neighborhood Business Overlay District Ordinance (2006) 103 ZC 593 Effective 10/03/06.

1. "Property" shall mean and refer to those certain tracts or parcels consisting of approximately 44.04 acres of land and identified by the following Wake County PINs: 0795.05-19-9134; 0795.05-19-7505; 0795.05-29-1760; 0795.05-29-5502; 0795.06-28-5948 and a portion of 0795.05-18-5414 (as shown on the attached Exhibit ZN.1).

2. "Tract A" shall mean and refer to that portion of the Property Identified as "Tract A" on the attached Exhibit ZN.1. Tract A is the area proposed In this case for NB CUD.

3. "Tract B" shall mean and refer to that portion of the Property identified as "Tract B" on the attached Exhibit ZN.1. Tract B is the area proposed in this case for R-10 CUD.

B. Conditions of Zoning

1. Control of Stormwater. Incident to the development of the Property, a stormwater management system will be implemented, and thereafter maintained, which directs no less than ninety percent (90%) of the stormwater upon the Property to the lake near the northern boundary of the Property which will be expanded in size. Incident to the development of the Property, a new dam shall be constructed for the lake which will increase the size of the lake sufficiently to provide retention of stormwater to maintain existing (pre-development) discharge rates from the pond for the two (2) and ten (10) year storms. Stormwater upon the Property which does not flow into the pond will be detained in accordance with Part 10, Chapter 9 of the Raleigh City Code. This condition has been performed. The stormwater management system referenced herein will be hereafter maintained after its installation.

2. Right-of-Way Reimbursement for future right of way dedication affecting the Property shall be based on Residential-4 District values.

3. Landscaped Streetyard. A streetyard a minimum of fifty (50) feet in width and landscaped in accordance with the SHOD-3 standards of the Raleigh City Code shall be maintained along the boundary of the Property with the right-of-way of Edwards Mill Road. Utility lines, curb cuts and signage authorized by the Raleigh City Code may be located within such streetyard.

4. Protective Yards (Buffers) — Martinique, Arckelton and Carnegie Park Neighborhoods Protective yards entirely without buildings or parking structures shall be maintained within those

portions of the Property within seventy-five (75) feet of the boundary of the Property with any tax parcel zoned for residential use (excepting the portion of tax parcel 0795.05-18-5414 [Highwoods Realty Limited Partnership] not proposed for rezoning in this case, tax parcel 0795.05-19-3132 [Stough Elementary School]), and tax parcel 0795.05-07-3889 [Lexington Farms Apartments, Inc.]. The protective yards shall be vegetated and improved with berms as shown in the attached Exhibit C-1. The map submitted herewith as Exhibit C-lA shows the protective yards and designates areas which have existing vegetation and will remain natural and areas to be revegetated. Fallen trees and hurricane debris shall be removed from the protective yards. Such protective yards and the landscaped streetyard referenced in the foregoing condition 3 are referred to hereinafter as "Zone 1." The respective protective yards required by these conditions (other than condition number 6) will be installed as adjacent areas of the Property are developed.

5. Uses Within Tract B. No parking structures shall be allowed within Tract B. Only 7Residential dwelling units allowed within Tract B shall consist only of single family detached dwelling units and or townhomes. Tract B shall be developed at a density not to exceed eight (8) units per acre.

6. Additional Protective Yard — Martinique Neighborhood. The owner of the Property shall continue to maintain the landscaping upon the Property within the former right-of-way of Edwards Mill Road (Street Closing Resolution STC-17-2000; recorded at Book 2002, Page 215 of the Wake County Registry).

7. Protective Yards — Stough Elementary School. Along the boundary of the Property with tax parcel 0795.05-19-3132 (Stough Elementary School), there shall be maintained a protective yard entirely without buildings or parking structures thirty (30) feet in width. This protective yard is referenced to hereafter as "Zone 1-A." The protective yards provided in this condition 7 shall be vegetated as provided in Exhibit C-3.

8. Additional Set-Back Area. Subject to the total prohibition of parking structures within Tract B, parking structures no greater than twenty-five (25) feet in height shall be erected within those portions of the Property within twenty-five (25) feet of Zone 1, within fifty (50) feet of Zone 1-B, within seventy (70) feet of Zone 1-A. The area described in this condition is referred to hereinafter as "Zone 2." Except as hereafter provided, no other buildings may be constructed in Zone 2. Within that portion of Zone 2 contained entirely within Tract B, there may be constructed single family detached dwelling units and townhomes not to exceed forty (40) feet in height.

9. Height Limits. Subject to the foregoing condition 5, which deals with building height within Tract B, buildings no greater than four (4) stories entirely above grade or sixty (60) feet in height shall be constructed within those portions of the Property within one hundred fifty (150) feet of Zone 2 and within that portion of the Property south of an extension into the Property of the boundary line between tax parcels 0795.05-19-3132 (Stough Elementary School) and 0795.05-19-2729 (Carnegie Park Homeowners Association). The area described in this condition is referred to hereinafter as "Zone 3." Within the remaining portions of the Property (other than Zones 1, 1-A, 1-B, 2, and 3), there shall be constructed no building greater than six (6) stories entirely above grade or ninety (90) feet in height. Attached as Exhibit D is a map depicting the Zones provided in these Conditions.

10. Limit Unit on Square Footage of Improvements within Tract A; Limit on Non-Office Uses within Tract A. Buildings (other than parking structures) constructed upon Tract A cumulatively shall not exceed 985,000 square feet floor area gross, of which not more than 30,000 square feet floor area gross shall be developed for non-office uses.

11. Prohibited Uses in Tract A. Tract A shall not be utilized for any of the following uses otherwise authorized in the Neighborhood Business District: automotive service and repair facility; bar(other than incidental to an eating establishment), nightclub or lounge; eating establishment with drive-through service; hotel/motel; indoor movie theater; utility service and substation; Emergency Shelter Type A or Emergency Shelter Type B; landfill; manufacturing; mini-warehouse storage facility; adult establishment veterinarian hospital with kennel/cattery; limited home business; riding stable; correctional/penal facility; and outdoor stadium, outdoor theater, or outdoor racetrack.

12. Limited Commercial Uses within Tract A. Only the first floor of any multi-story office building constructed upon Tract A may contain non-office uses permitted in the Neighborhood Business District. No single non-office use shall exceed 10,000 square feet floor area gross.

13. No Extension of Arckelton Drive. Unless required by the City, Arckelton Drive shall not be extended into the Property.

14. Fence. A vinyl clad chain link fence six (6) feet in height shall be installed (as hereinafter provided) and maintained along the boundary of the Property with any tax parcel zoned for residential use other than the right-of-way of Edwards Mills Road and the portion of tax parcel 0795.05-18-5414 [Highwoods Realty Limited Partnership] not proposed for rezoning in this case. Except with respect to the boundary of the Property with tax parcel 0795.05-19-3132 (Stough Elementary School), such fence shall be set back from such boundary at least twenty (20) feet into the Property. The fence contemplated by this condition has been previously constructed and the owner of the Property shall maintain such fence as provided herein.

15. Prohibition of Telecommunication Towers. No telecommunication tower shall be located upon the Property.

16. Limit on Number of Curbcuts. Incident to the development of the Property, there shall be provided not more than one curbcut on Edwards Mill Road, not more than one curbcut on Glen Eden Drive, and not more than one curbcut on Blue Ridge Road. For purposes of this condition, the intersection of a roadway having a median and a public street shall be considered only a single curbcut.

17. Transit Easements. Prior to any subdivision approval or the issuance of any building permit following the approval of this case, whichever shall first occur, the owner of the Property shall deed to the City two transit easements measuring twenty (20) feet long adjacent to the right-of-way by fifteen (15) feet wide. The locations of the transit easements shall be approved by the Transit Division of the City and the City Attorney shall approve the transit easement deeds prior to recordation. The transit easements provided pursuant to this condition shall not be in addition to any transit easement conveyed to the City pursuant to the Streetscape and Parking Plan (SSP-1-01; approved in association with Zoning Case Z-24-2001) previously approved with respect to the Property.

18. Limitation on Height of Office Building. Notwithstanding condition number 9 above, any office building constructed upon the portion of the Property which is the subject of SP-29-2004 (Building Six, GlenLake, 4130 Parklake Avenue, Raleigh, North Carolina; PIN 0795-28-5948) shall be limited in height to five (5) floors and seventy-five (75) feet. Any parking deck constructed on said property which is the subject of SP-29-2004 shall be limited in height to four (4) levels and thirty-five (35) feet (excluding any stair enclosure).

Z·40·06
EXHIBIT C-1

EXHIBIT C-1

ILLUSTRATIVE PLAN & SECTION
75' REVEGETATED BUFFER / ARCKELTON

DAY TRACT
RALEIGH, NORTH CAROLINA

JT LANDSCAPE ARCHITECT
JERRY TURNER & ASSOCIATES

NUMBER OF TREES PROVIDED:

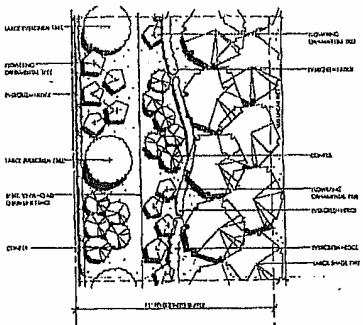
8 SHADE TREES, 13 EVERGREEN TREES &
11 FLOWERING ORNAMENTAL TREES
PER 100 LINEAR FEET OF BUFFER.

SHADE & EVERGREEN TREES WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.d OF THE CITY OF RALEIGH PLANNING AND DEVELOPMENT CODES. IN ADDITION, FLOWERING ORNAMENTAL TREES WILL MEET THE HEIGHT REQUIREMENTS SPECIFIED FOR EVERGREEN TREES IN THE SAME SECTION.

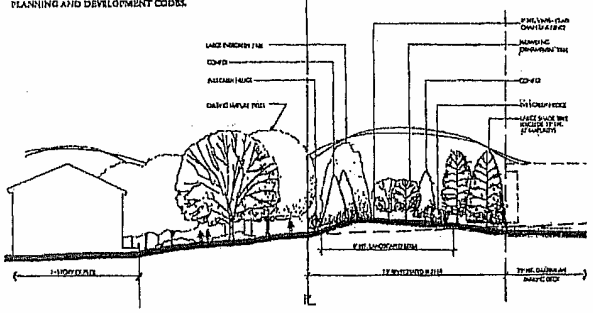
NUMBER OF SHRUBS PROVIDED:

52 EVERGREEN SHRUBS PER 100
LINEAR FEET OF BUFFER

EVERGREEN SHRUBS WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.d OF THE PLANNING AND DEVELOPMENT CODES.



75' BUFFER / PLAN



75' BUFFER / SECTION

163064.01
LIB: RALEIGH

2·20·06
EXHIBIT C-1

EXHIBIT C-1

ILLUSTRATIVE PLAN & SECTION

75' BUFFER WITH PRESERVATION AREA / ARCKELTON & CARNEGIE PARK

DAY TRACT

RALEIGH, NORTH CAROLINA

LANDSCAPE ARCHITECT
JERRY TURNER & ASSOCIATES

NUMBER OF TREES PROVIDED:

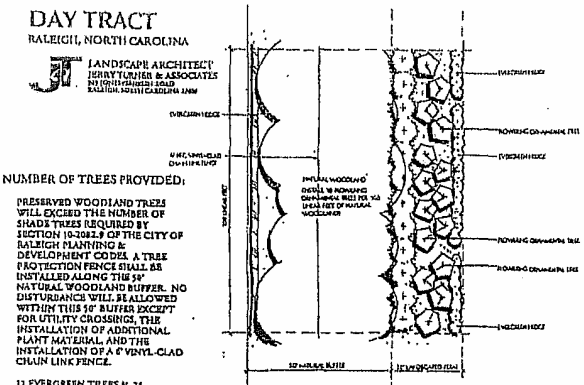
PRESERVED WOODLAND TREES WILL EXCEED THE NUMBER OF SHADE TREES REQUIRED BY SECTION 10-2082.5 OF THE CITY OF RALEIGH PLANNING & DEVELOPMENT CODES. A TREE PROTECTION FENCE SHALL BE INSTALLED ALONG THE 50' NATURAL WOODLAND BUFFER. NO DISTURBANCE WILL BE ALLOWED WITHIN THIS 50' BUFFER EXCEPT FOR UTILITY CROSSINGS, THE INSTALLATION OF ADDITIONAL PLANT MATERIAL, AND THE INSTALLATION OF A 6' VINYL-CLAD CHAIN LINK FENCE.

12 EVERGREEN TREES & 25 FLOWERING ORNAMENTAL TREES WILL BE INSTALLED PER 100 LINEAR FEET OF BUFFER. BOTH EVERGREEN & FLOWERING ORNAMENTAL TREES WILL MEET THE HEIGHT REQUIREMENTS SPECIFIED FOR EVERGREEN TREES IN SECTION 10-2082.5.4 OF THE CITY OF RALEIGH PLANNING & DEVELOPMENT CODES.

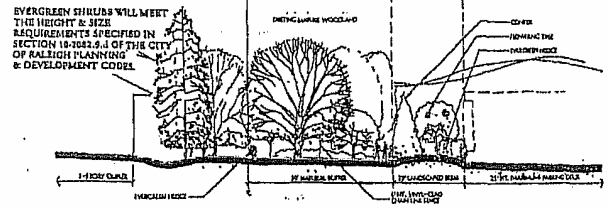
NUMBER OF SHRUBS PROVIDED:

32 EVERGREEN SHRUBS PER 100 LINEAR FEET OF BUFFER.

EVERGREEN SHRUBS WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.5.4 OF THE CITY OF RALEIGH PLANNING & DEVELOPMENT CODES.



75' BUFFER / PLAN



75' BUFFER / SECTION

2

163064.01
LIB: RALEIGH

Z-40-06
EXHIBIT C-1

EXHIBIT C-1

ILLUSTRATIVE PLAN & SECTION

75' REVEGETATED BUFFER / MARTINIQUE

DAY TRACT

RALEIGH, NORTH CAROLINA

LANDSCAPE ARCHITECT
JERRY TURNER & ASSOCIATES
[illegible]

NUMBER OF TREES PROVIDED:

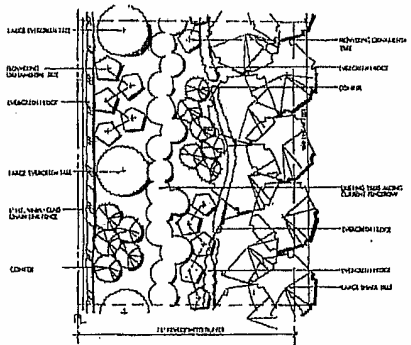
8 SHADE TREES, 13 EVERGREEN TREES & 11 FLOWERING ORNAMENTAL TREES PER 100 LINEAR FEET OF BUFFER.

SHADE & EVERGREEN TREES WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.4 OF THE CITY OF RALEIGH PLANNING AND DEVELOPMENT CODES. IN ADDITION, FLOWERING ORNAMENTAL TREES WILL MEET THE HEIGHT REQUIREMENTS SPECIFIED FOR EVERGREEN TREES IN THE SAME SECTION.

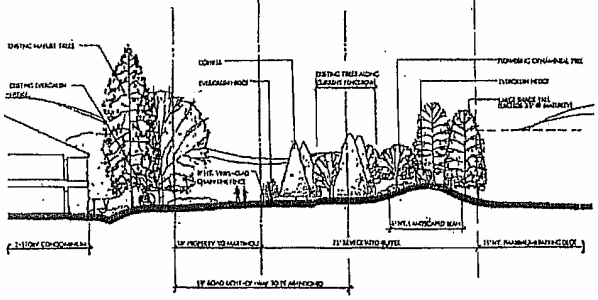
NUMBER OF SHRUBS PROVIDED:

52 EVERGREEN SHRUBS PER 100 LINEAR FEET OF BUFFER

EVERGREEN SHRUBS WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.4 OF THE PLANNING AND DEVELOPMENT CODES.



75' BUFFER / PLAN



75' BUFFER / SECTION

3

163064.01
LIB: RALEIGH

Z·40·06
EXHIBIT C-2

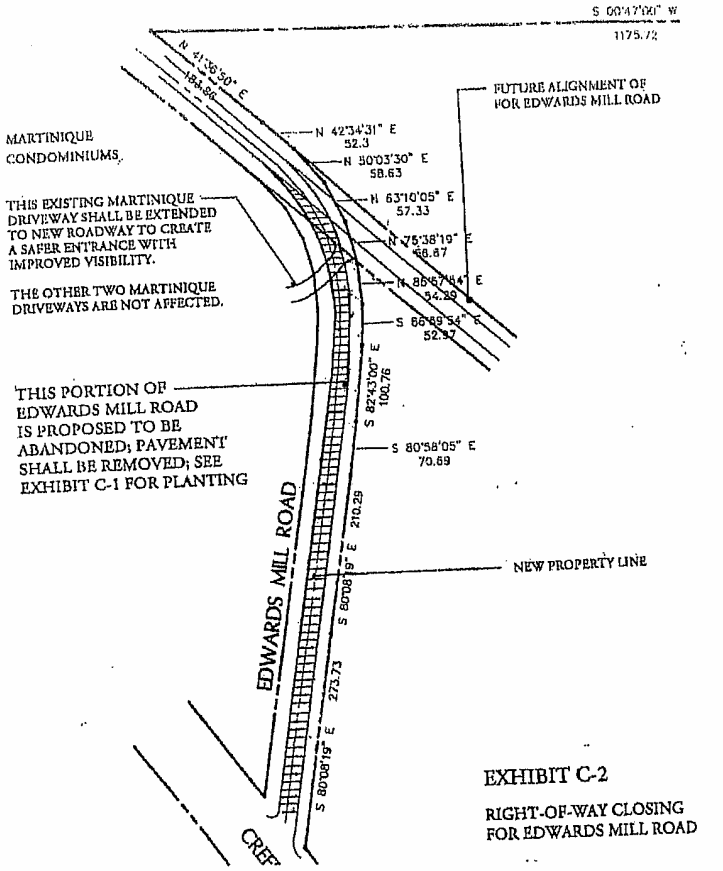


EXHIBIT C-2

RIGHT-OF-WAY CLOSING
FOR EDWARDS MILL ROAD

4

163064.01
LIB: RALEIGH

Z-40-06
EXHIBIT C-1

EXHIBIT C-1

ILLUSTRATIVE PLAN & SECTION

75' REVEGETATED BUFFER / MARTINIQUE

DAY TRACT

RALEIGH, NORTH CAROLINA

LANDSCAPE ARCHITECT
JERRY TURNER & ASSOCIATES
[illegible]

NUMBER OF TREES PROVIDED:

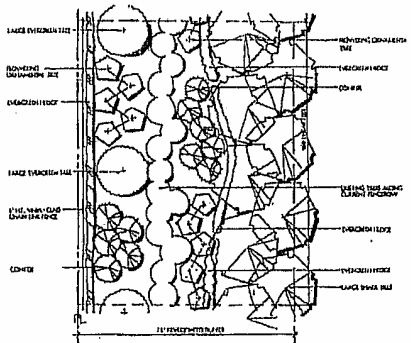
8 SHADE TREES, 13 EVERGREEN TREES & 11 FLOWERING ORNAMENTAL TREES PER 100 LINEAR FEET OF BUFFER.

SHADE & EVERGREEN TREES WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.4 OF THE CITY OF RALEIGH PLANNING AND DEVELOPMENT CODES. IN ADDITION, FLOWERING ORNAMENTAL TREES WILL MEET THE HEIGHT REQUIREMENTS SPECIFIED FOR EVERGREEN TREES IN THE SAME SECTION.

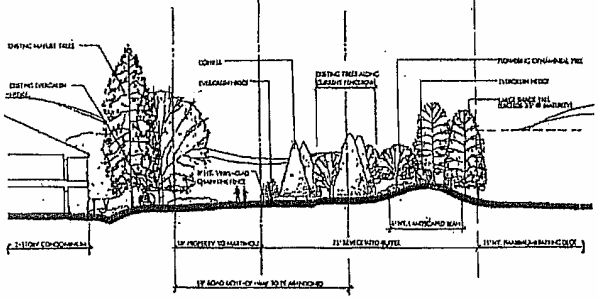
NUMBER OF SHRUBS PROVIDED:

52 EVERGREEN SHRUBS PER 100 LINEAR FEET OF BUFFER

EVERGREEN SHRUBS WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.9.4 OF THE PLANNING AND DEVELOPMENT CODES.



75' BUFFER / PLAN



75' BUFFER / SECTION

3

163064.01
LIB: RALEIGH

Z-40-06
EXHIBIT C-3

EXHIBIT C-3

ILLUSTRATIVE PLAN
30' REVEGETATED BUFFER / STOUGH ELEMENTARY SCHOOL

DAY TRACT
RALEIGH, NORTH CAROLINA

LANDSCAPE ARCHITECT
JERRY TURNER & ASSOCIATES

NUMBER OF TREES PROVIDED:

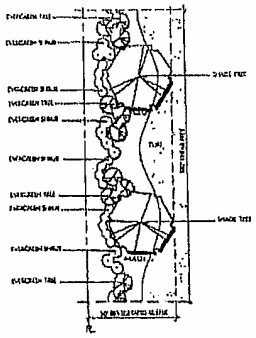
2 SHADE TREES & 11 EVERGREEN TREES PER 100 LINEAR FEET OF BUFFER.

SHADE & EVERGREEN TREES WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.5.3 OF THE CITY OF RALEIGH PLANNING & DEVELOPMENT CODES.

NUMBER OF SHRUBS PROVIDED:

28 EVERGREEN SHRUBS PER 100 LINEAR FEET OF BUFFER.

EVERGREEN SHRUBS WILL MEET THE HEIGHT & SIZE REQUIREMENTS SPECIFIED IN SECTION 10-2082.5.4 OF THE CITY OF RALEIGH PLANNING & DEVELOPMENT CODES.

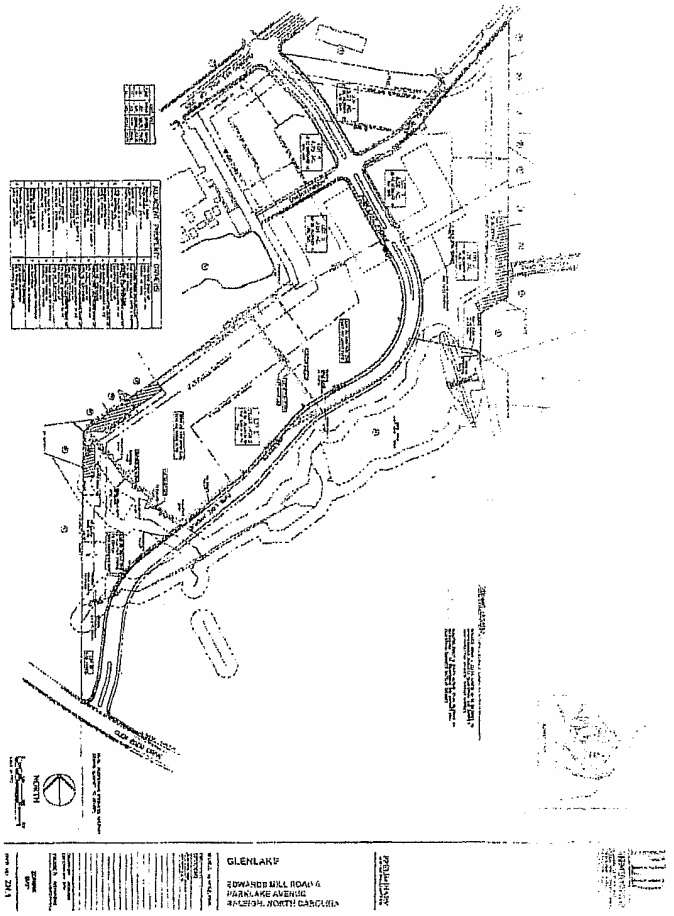


30' BUFFER / PLAN

6

163064.01
LIB: RALEIGH

Z-40-06
EXHIBIT D



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163064.01
LIB: RALEIGH

AA# 2057
Case File: S-61-07

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P9 13&14

EXHIBIT D

DEVELOPMENT DENSITY: The number of units allowed in this zoning district is 100. The proposed plan contains 61 units. The proposed density is 5.82-units per acre.

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 20'. 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.

Comment: What is the building height?

Comment: Are any of the buildings longer than 150' in length. If so, maybe we should add a condition that there will be offsets in fenestrations.

OPEN SPACE: Open space conforms to minimum requirements. 10 % or 1.05 acres required, 20% or 2.11 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 153 spaces required, based on 2.5 parking spaces per 3 bedroom units. 183 spaces are provided. Parking will be provided in 2-car garages and driveway.

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 low impact use under Section 10-2082.9. Transitional protective yards are not required.

TREE CONSERVATION: The required tree conservation was approved under S-89-06 GlenLake Subdivision and recorded BM2007 PG 1288-1290; the recorded secondary tree conservation is shown on this plan is 65' wide (16,270 square feet)

UNITY OF DEVELOPMENT: Unity of development criteria is not required in this subdivision.

PHASING: There are 2 phases in this development. A final phasing plan for infrastructure shall be approved with the submittal of a preliminary subdivision.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site. The existing greenway is located on the south side of Parklake Avenue as recorded in BM 2003 PG 361.

THOROUGHFARE / COLLECTOR PLAN: All required dedication of right-of-way and construction exist along Parklake Avenue.

TRANSIT: Transit easement recorded BM 2007 PG 1288-1290 and is located on lot 9.

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.

URBAN FORM: This site is located in the Northwest Planning District, in an area designated in the Blue Ridge Road small area plan. Office and institutional uses are recommended. The site is also included in the GlenLake Office Park Streetscape and Parking plan.

SUBDIVISION STANDARDS:

LOT LAYOUT: There is no minimum lot size within a townhouse development.

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: City is to be provided accordance with the Solid Waste Collection Design Manual.

CIRCULATION: Existing street improvements along Parklake Avenue conform to normal City construction standards.

PEDESTRIAN: Existing sidewalk locations along Parklake Avenue conform to City regulations. Private sidewalks are to be constructed within the project and a private sidewalk is to be constructed out to the City of Raleigh sidewalk along Parklake Avenue.

FLOOD HAZARD: There are no flood hazard areas on this site.

STORMWATER MANAGEMENT: This site is subject to stormwater management zoning conditions that require that runoff be held to no more than that expected for R-4 development for the 2 and 10-year storms. Stormwater quantity is addressed with the existing off site wet pond. Stormwater quality issues were addressed in an overall Total Nitrogen export analysis for GlenLake (dated 12/7/2006). The overall nitrogen export rate is below the 10lbs/ac/yr threshold within allows for utilization of buydown fees. These buydown fee have been identified for each lot (6-9) on the preliminary plan. Each lot will be required to make payments to NCEEP prior to issuance of building permits.

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)].

REZONING CONDITION

A stormwater control plan and stormwater operations and maintenance manual and budget shall be approved by the Conservation Engineer that limits the stormwater runoff to R-4 development rate expected from the2 & 10 year storm as required by the conditions of Z-58-99, Z-61-00 & Z-40-06.

SHARED FACILITIES / LEGAL DOCUMENTS/ AGREEMENTS

Replacement - A "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version form, as required by Section 10-9027(c), shall be completed between the developer, the property owners' association and the City, recorded, and returned to the Conservation Engineer within 14 days of recording.

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are required on this site and shall be shown on all maps for recording.

STREET NAMES: 5 new street names are required for this development. A street name application has been approved. All streets within this development 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 lot recording has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 2/6/2011
Record at least ½ of the land area approved.

5-Year Sunset Date: 2/6/2013
Record entire subdivision.

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.