



Administrative Action

Preliminary Group Housing

Cluster Unit Development/Life Care Community

AA-3036

City of Raleigh
Development Plans Review Center
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Case File / Name: GH-1-09 The Cypress of Raleigh -Revision

General Location: Located south off Strickland Road in the quadrant of Forum Drive, Leadmine Road and west of the extension of Harvest Oaks Drive inside the city

Planning District / CAC: North / North

Nature of Case: This request is to approve an addition of 12 dwelling units to the existing Life Care Community approved by staff GH-1-05 The Cypress of Raleigh. The site currently consists of 37 Cottage/Low Rise group housing units. The Health Care facility has 15 dwelling units/60 beds. The Villa units will be 150 dwelling units/300 units. The development has provided in a separate building a clubhouse and dining facility on site. The development will provide an internal on-call shuttle service that will provide transportation for all residents to the Clubhouse and Dining facility.

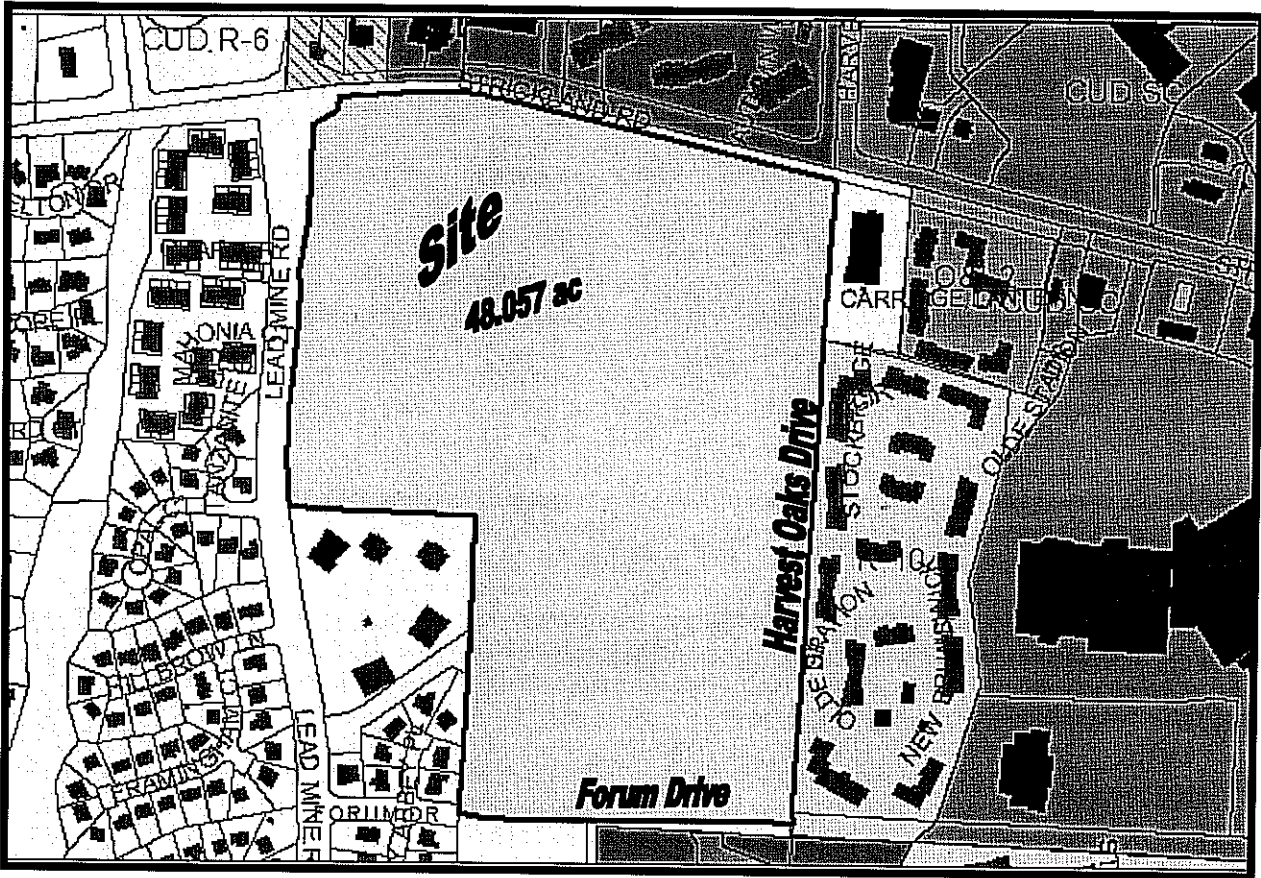
The additional units that will be added are internal to the site and are located in: The Villa units and the Cottage/Lot Rise group housing units. There will be 33 additional parking added and the development exceeds the parking requirements.

- Building D originally approved 56 units – revised 74 units
- Building E originally approved 55 units – revised 58 units
- Cottage originally approved 37 cottages – revised 39 single family dwellings

The total number of units to be constructed is 204; a density of 4.24 units an acre. The site is zoned Residential-6-CUD. The property was zoned Residential-4. The property was rezoned and approved by City Council on April 17, 2008 to Residential-6 CUD.

All internal streets are private. The Board of Adjustment approved a variance from Code section 10-2101(3) to allow private streets within the site and to allow the attached cottages to become detached single family dwellings. The Board of Adjustment A-98-05 granted the variance on 10/10/05.

Contact: Jones & Crossen Engineering, PLLC



GH-1-09 The Cypress of Raleigh Site Location

SUBJECT: S-1-09 The Cypress of Raleigh - Revision

**CROSS-
REFERENCE:** S-85-04, GH-1-05 & Z-6-07

LOCATION: Located south off Strickland Road in the quadrant of Forum Drive, Lead Mine Road and west of the extension of Harvest Oaks Drive inside the city

REQUEST: The development was approved as a cluster development on 48.057 acres and subdivision of one lot into two lots. Lot 1 is 44.04 acres to be developed as a Life Care Community and lot 2 is 1.04 acres to remain as common area to be preserved for landscape easement. A density transfer of 4 units was transferred from the 1.04 acres located on the east side of Harvest Oaks Drive into the development. Included in this request was the dedication of right of way for the extension of Harvest Oaks Drive and Forum Drive with right of way density transfer, in accordance with Code Section 10-2074(b)&(e) and the subdivision of one lot into two. A total of 12 dwelling units have been transferred from the 2.40 acres of newly dedicated right of way of Harvest Oaks Drive, and .607 acres of newly dedicated right of way from Forum Drive, into the development. The site currently consists of 37 Cottage/Low Rise group housing units. The Health Care facility has 15 dwelling units/60 beds. The Villa units currently have 139 dwelling units/278 units. The development has provided a separate building a clubhouse and dining facility on site. The development will provide an internal on-call shuttle service that will provide transportation for all residents to the Clubhouse and Dining facility. The total number of units to be constructed was 192; a density of 3.99 units an acre. The site was zoned Residential-4.

The Health Care Facility is 2-stories with a maximum building height of 30 feet and has skilled nursing care, and emergency health care services with 60 beds; 49 parking spaces provided. Located in the Health Care Facility there is 12,000 square feet of administrative and employee area. This is an in patient care facility as required under code section 10-2104.

The Clubhouse facility is 2-stories with a maximum building height of 40 feet and a total area including the dining facility and administrative/employee area of approximately 45,000 square feet; 47 parking spaces provided. Located within the club house facility there is 15,000 square feet of administrative and employee area this requires 1 parking space per 300 square feet as required by code section 10-2081/congregate care structure or congregate living structure The Clubhouse facility is part of the overall development as required by code section 10-2104.

The Villa units are located in 5 separate buildings labeled A, B, C, D and E on the preliminary plan. Buildings A is 5-stories, 1 story of below grade parking, with approximately 26 parking spaces with a maximum building height of 75 feet and a maximum of 55 rooming units. Building B is 5-stories a maximum building height of 75-feet and with a maximum of 58 rooming units. Buildings C & D will be 5-stories, 1 story of below grade parking with approximately 26 parking spaces each building, a maximum building height of 75 feet and with a maximum of 74 rooming units. Building A will have approximately 82 parking spaces, Building B will have approximately 78 parking spaces, Building C will have approximately 75 parking spaces Building D will have approximately 87 parking spaces, and Building E will have approximately 87 parking spaces.

There will be 39 detached single family units see A-98-05 Board of Adjustment variance. The units will be 1-story with a maximum height of 25 feet with 2-

bedrooms per unit and have 2 car garages. The total parking provided is 78 (2 car garages) plus 8 guest spaces.

The additional units approved are internal to the site and are located in: The Villa units and two detached single family units. There will be no additional parking added but building E will have above ground parking. The development exceeds the parking requirements, parking will be provided for the detached single family units (2 car garage space).

- Building D originally approved 56 units – revised 74 units
- Building E originally approved 55 units – revised 58 units
- Cottage originally approved 37 cottages – revised 39 cottages

The total number of units to be constructed is 204; a density of 4.24 units an acre. The site is zoned Residential-6-CUD.

OFFICIAL ACTION: **Approval with conditions and all conditions below have been satisfied under GH-1-05 and S-85-04.**

CONDITIONS OF APPROVAL:

Prior to issuance of a grading 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 Conservation Engineer;
- (2) That the Conservation Engineering the Public Works Department approves a stormwater management control plan, including a stormwater operations and maintenance manual, and budget, that conforms to Part 10 Chapter 9 of the City Code for stormwater nitrogen reduction and stormwater runoff control;

Prior to issuance of building permits in the Inspections Department:

- (3) That a unity of development shall be submitted and approved by the Planning Director prior to issuance of a building permit;
- (4) That a final landscape plan showing street yards in accordance with 10-2082 et seq., be submitted/stamped and approved by the Site Reviewed Specialist in the Inspection Department and a copy placed on file in the Planning Department
- (5) That a street name application has not yet been approved. All proposed street names must be approved by the City of Raleigh and by Wake County before lots may be recorded or building permits may be issued.
- (6) That continues maintenance for the on -call transportation/shuttle service for the residents residing at the life care community shall be maintained by the owners of the community unless an alternate transportation service is

provided by the City of Raleigh and this alternate transportation service shall be submitted and approved by the Planning Director and Public Works Director prior to the private on- call transportation/shuttle service being discontinued by The Cypress of Raleigh;

- (7) That all conditions of S-85-04, GH-1-05 and Z-6-07 have been met.
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I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Lih (C. Day) Date: 6.2.09

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 of approval being met, conforms to Chapter 2, Part 10, Sections 10-2017, 10-2101, 10-2102 Chapter 3, Part 10, Sections 10-3001-3059 and 10-3071 & 10-3081 approval is based on a preliminary plan dated April 1, 2009, owned by Cypress of Raleigh, LLC, submitted by Jones & Cossen Engineering, PLLC.

CLUSTER STANDARDS:

ZONING

DISTRICTS: Residential-6-CUD Ordinance (2007) 2007ZC602 Adopted/Effective: 4/17/07

As used herein the "Property" shall mean and refer to all of that certain tract or parcel of land containing approximately 46.84 acres located at the southeast quadrant of the intersection of Lead Mine Road and Strickland Road in the City of Raleigh, Wake County; North Carolina, having Wake County Parcel Identification Number 1708.13-02-5503 and as more particularly described in that deed recorded at Book 7825, Page 201 of the Wake County Registry.

- a) Reimbursement values for future right-of-way dedication for the Property shall be at Residential-4 values.
- b) Development of the Property shall not exceed a maximum of 204 dwelling units or 4.25 dwelling units per acre whichever is more.
- c) Stormwater controls shall be designed and installed such that the peak flow leaving the Property after development shall not exceed the predevelopment peak flow for the 2-year, 10-year, 25-year and 100-year design storms.
- d) The Property shall be developed with a Life Care Community as that term is defined in the Raleigh Code.

STATEMENT OF

FACTS: Per code section 10-2104.

Life Care Community:

The Cypress of Raleigh Consist of several structures located on one (1) lot providing housing in conjunction with full-time health and nursing care, shared food preparation and dining areas, related service facilities, recreational facilities as well as significant social facilities to meet the needs for the elderly, their spouses and surviving spouses that reside in the life care community.

- It contains a total of two hundred and four (204) dwelling units in congregate care and congregate living structures limited to and occupied by persons sixty-two (62) years of age and older, their

spouses or surviving spouses. It does contain rooms or units occupied by personnel performing on-site duties directly related to the operation of the life care community as required by code section 10-2104(a).

- It contains a health service facility, twenty-hour (24) skilled nursing care, and emergency services for exclusive use of all people in the life care community, and does contain a rest home component for the exclusive use of the residents as required by code section 10-2104(b).
- It contains shared food preparation service, a common dining hall, and common spaces for recreation all of which are conveniently located indoors for the exclusive use of all residents and their guests. Together these facilities total approximately sixty 60 square feet per constructed rooming units, exclusive of circulation space (300 villa units, 39 detached single family, 15 health care dwelling units 20,000 square feet of common areas), which is well above the area of thirty (30) square feet per rooming unit required by code section 10-2104(c). Common indoor spaces for social and residential related service facilities are also a part of this life care community
- It encompasses a comprehensive pedestrian circulation plan, including internal accessible walkways with provisions for on-call shuttle transportation services for all the residents of the community per code section 10-2104(d)(2).
- The rooming units within the congregate living structures identified as "Villa" units qualify for the special density provisions provided by code section 10-2102(g) and the congregate living structure parking standards provided by code section 10-2081, because all rooming units in these buildings are access by means of a central interior circulation system through at least one (1) main controlled entrance as required by code section 10-2104.
- Outdoor open space or park areas, excluding private drives and off-street parking area are provided in total as 6.4 acres which is greater than :
 1. Ten(10) per cent of land area of the development or 4.81 acres and;
 2. Two-hundred eighteen (218) square feet per rooming unit in the congregate living structures (278 rooming units x 218 sf=1.39 acres), and four-hundred thirty five and six tenths (435.6) sf per dwelling unit for all other types of units (38=15=53other dwelling units x 435.6 sf=0.53acres). This totals to 1.92 acres as required by code section 10-2104(e)
- The loading/service area is screened in accordance with code section 10-2082.8.

- Unity of development guidelines in accordance with code section 10-2090 will be submitted to the Planning Director for this life care community as required by code section 10-2104(h).

DEVELOPMENT

DENSITY: The number of units allowed in this zoning district is 288 but Z-6-07 limited the units to 204. The proposed plan contains 204 units. Under S-85-04 a total of 15.5 dwelling units will be transferred into the Life Care Community.

**BUILDINGS AND:
SETBACK:**

Setbacks from public streets and private streets to the property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 30 feet to 214.9 feet. 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 are 3 phases in this development and Phase 1 has been constructed. All phases were approved under GH-1-05. The sunset date will apply only to the revisions approved now. The overall density and open space for existing phases approved to date collectively conform to the zoning district.

LOTS - SETBACK: There is no minimum lot size in this development.

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 Handbook. No dead end street in this development exceeds 800 feet in length.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or 4.81 acres required, 13% or 6.40 acres provided. There are two open space areas on lot 1. Within the first open space area the quotient required = 75, provided = 314. The second open space area located on lot 1 open space quotient required = 75, provided = 148. The subdivision is not divided by a thoroughfare. A majority of open space or park area is located no further than three hundred (300) feet from the controlled entranceway of the congregate living structures as required by code section 10-2104(e).

PARKING: Off-street parking conforms to minimum requirements:

Detached single family housing units: 78 spaces are provided/garage spaces, based on 2 parking spaces per 2 bedroom detached single family housing units.

Health care facility; 8,000 square feet of administrative & employee area required parking is 1 space per 300 square feet or 27 parking spaces. 60 beds require 1 space per 3 beds or 20 spaces required, 58 spaces provided.

Clubhouse facility: 15,000 square total administrative & employee area, required parking is 1 space per 300 square feet floor or 45 spaces required 47 spaces provided.

Buildings A & B/Villa Units; 58 dwelling units maximum each building, 1 parking space per 3 dwelling units, 23 spaces per building; parking spaces provided; Bldg A or 82 spaces provided, Bldg B or 78 parking spaces provided.

Buildings C,D, & E/Villa Units; 74 rooming units maximum each building, 1 parking space per 3 dwelling units, 25 spaces per building; parking spaces provided; Bldg C or 75 spaces provided, Bldg D or 87 spaces provided and Bldg E or 87 spaces provided.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

All required right-of-way and construction of the following streets have been completed as required by the Thoroughfare and Collector Street Plan see GH-1-05 construction drawings:

Street	ROW	Construct	Slope Esmt.
Harvest Oaks Dr	55'	36' b/b with 5 sidewalk	n/a
Forum Dr	60'	41 b/b with 5' sidewalk	n/a
Strickland Road	90' existing	65' b/b with 5' sidewalk	existing
Leadmine Road	60' existing	55' b/b with 5' sidewalk	existing

TRANSIT: The following transit-oriented features of this site have been incorporated into the proposed plan and recorded: A 15'x20' transit easement on Strickland Road and Leadmine Road is required. The development is within 0.6 miles or current CAT routes 2c and 8c and within one mile of current CAT route 6c. According to the Five-year plan, route 2c west of Falls of Neuse Road is slated for removal, thus opening the Strickland Road corridor up for service from route 6c and/or route 8c extensions. This development provides transit ridership potential and should be considered in future transit route planning.

URBAN FORM: This site is located in the City Focus Area in the North Planning District, with specific recommendations made in the Six Forks-Strickland Small Area Plan. In that plan, the majority of the site is recommended for a mix residential, office, and retail uses. An area adjacent to Lead Mind Road from Forum to Strickland is recommended for just residential as a transition to existing residential uses. The City Focus Area is recommended not to exceed 900,000 square feet of retail uses.

SUBDIVISION STANDARDS:

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. All lines serving more than one lot and located outside public street r/w or City of Raleigh water or sewer easement shall be owned and maintained by the non-profit owner's association.

SOLID WASTE: Solid waste collection for this project shall be administered by on-site employees. All trash shall be collected at buildings by employees and delivered to the trash compactor. Public collection of solid waste is to be provided at the trash compactor based on the standards in the Solid Waste Manual.

- CIRCULATION:** Existing street improvements conform to City construction standards.
- PEDESTRIAN:** Existing sidewalk locations conform to City regulations. Intensive sidewalks have been provided internally including a private on call shuttle system per code section 10-2104(d)(2).
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management. Stormwater nitrogen reduction and stormwater runoff are required for this subdivision by City Code Part 10 Chapter 9. Two wet ponds are proposed to control the stormwater runoff. Stormwater ponds 2 & 3 shall be designed to reduce the peak runoff and to filter contaminants prior to discharging runoff into the drainage basin. Pond 1 may be used for runoff reduction and/or water quality improvement is necessary. All stormwater ponds are located in phase 1. The final pond designs has been approved and incorporate nitrogen reduction to lower the nitrogen export to 3.6 lbs/ac/yr and buy down nitrogen export over 3.6 lbs/ac/yr.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES: OTHER REGULATIONS:** All street names for this development have been approved under GH-1-05. 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: 6/2/2011**
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: 6/2/2014**
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.