



# Administrative Action Group Housing Development

City of Raleigh  
Development Plans Review Center  
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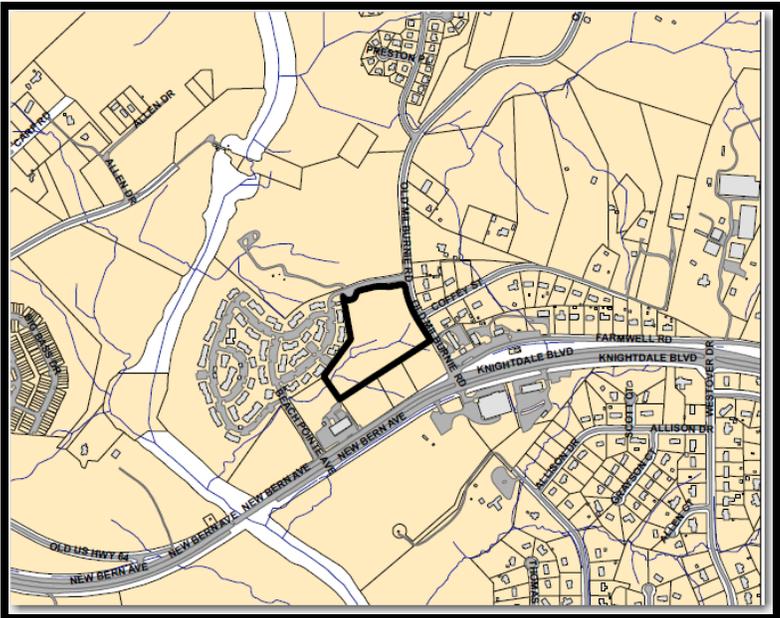
**Case File / Name:** GH-2-10 Beachwood Apartment Phase III

**General Location:** This site is located on the northwest corner of Old Milburnie Road and Loch Raven Parkway, inside the City Limits.

**CAC:** Southeast

**Nature of Case:** Approval of a 72 unit apartment complex into ten 2 story buildings on 7.20 acre site zoned Neighborhood Business

**Contact:** Bass, Nixon & Kennedy, Inc



GH-2-10 Beachwood Apartments Phase III - site location



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**SUBJECT:** GH-2-10 / Beachwood Apartment Phase III

**CROSS-REFERENCE:** GH-2-96 & GH-3-09, Z-35-01

**LOCATION:** This site is located on the northwest corner of Old Milburnie Road and Loch Raven Parkway, inside the City Limits.

**REQUEST:** This request is to approve a group housing development consisting of 72 units in ten 2 story buildings on a 7.20 acre tract, zoned Neighborhood Business. The overall residential density on this site is 10 units per acre.

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**OFFICIAL ACTION:** **Approval with conditions**

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**CONDITIONS OF APPROVAL:**

**Prior to approval of construction drawings for public improvements:**

- (1) That the plan as proposed shows improvements on adjacent properties which required temporary construction easements from the adjacent property owners the off site easement shall be shown on a map for recording along with all property owners signatures prior to issuance of a grading permit;
- (2) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected by the Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

**Prior to issuance of building permits in the Inspections Department:**

- (3) That construction plans for public improvements (½ of a 41' b/b with 5' sidewalk along Old Milburnie Road) be approved by the Public Works Department;
- (4) That construction plans for the 20' City of Raleigh sewer line shall be approved by the Public Utilities Department and the Public Works Department;
- (5) That a final detailed 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 stamped approved copy is placed on file in the Planning Department;
- (6) 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;

- (7) That all permanently preserved undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 shall be labeled on recording plats. These plats shall include a note stating: Within permanently preserved undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment;
- (8) 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. The private drainage easement is to tie to a public right of way;
- (9) That an upfront contribution of twenty-four percent (24%) of initial construction cost for stormwater devices to be paid to the City of Raleigh Stormwater Engineer in accordance with code section 10-9027(b);
- (10) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)

*Mitchell Silm (C. Kap)*

Date:

*1-31-11*

**Staff Coordinator:**

Jacque Baker

**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2042, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 9/2/10, owned by Beachwood II Associates, LLC, submitted by Bass, Nixon & Kennedy, Inc.

**ZONING:**

**ZONING DISTRICTS:** Neighborhood Business, Z-35-01 annexation with no conditions.

**DEVELOPMENT**

**DENSITY:** The number of units allowed in this zoning district is 10 units per acre. The proposed plan contains 72 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 30' from Old Milburnie Road. 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:** The preliminary shows one phase in this development.

**OPEN SPACE:** Open space conforms to minimum requirements. 10 % or .720 acres required, 10.77% or .775 acres provided, based on the open space standards of 10-2103(d).

**PARKING:** Off-street parking conforms to minimum requirements: 154 spaces required, 154 spaces are provided.

**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 residential use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Southern property line	Type "D" – 10"	10"

**TREE CONSERVATION:** Tree conservation is required on site. The plan proposes 10.77% or .77 acres.

**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:** There is no greenway on this site.

**THOROUGHFARE  
/ COLLECTOR  
PLAN:**

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

<b>Street</b>	<b>ROW</b>	<b>Construct</b>	<b>Slope Esmt.</b>
Old Milburnie Road	60'	½ of a 41 b/b with 5' sidewalk	N/A

**TRANSIT:** No transit-oriented features are incorporated into the proposed plan. The City's Transit Technician determined there was not a need for any improvements at this location.

**URBAN FORM:** This site is located in the Southeast Planning District, in an area designated a residential area.

**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. The service will be by private contractor.

**CIRCULATION:** Existing and proposed street improvements conforms to normal City construction standards.

**PEDESTRIAN:** Proposed public sidewalk locations conform to City regulations.

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

**STORMWATER  
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

**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:**

No wetland areas or Neuse River riparian buffers are required on this site.

**STREET NAMES:**

3 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:**

**The sunset provisions of City Code Section 10-2132.2 (j), including the ability to request extensions in the sunset date, apply to this site plan.** 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 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:** 1/31/2014

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:** 1/31/16

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.