



# Administrative Action Group Housing Development

City of Raleigh  
Development Plans Review Center  
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Raleigh, NC 27602  
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www.raleighnc.gov

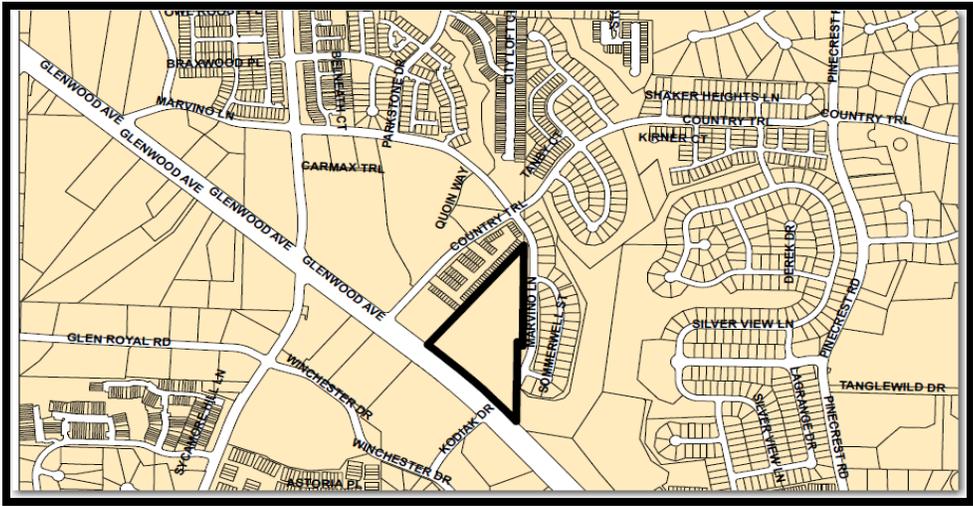
**Case File / Name:** GH-2-11 / Water Garden Village

**General Location:** On the northeast corner of Glenwood Avenue and the future extension of Marvino Lane, inside the City limits.

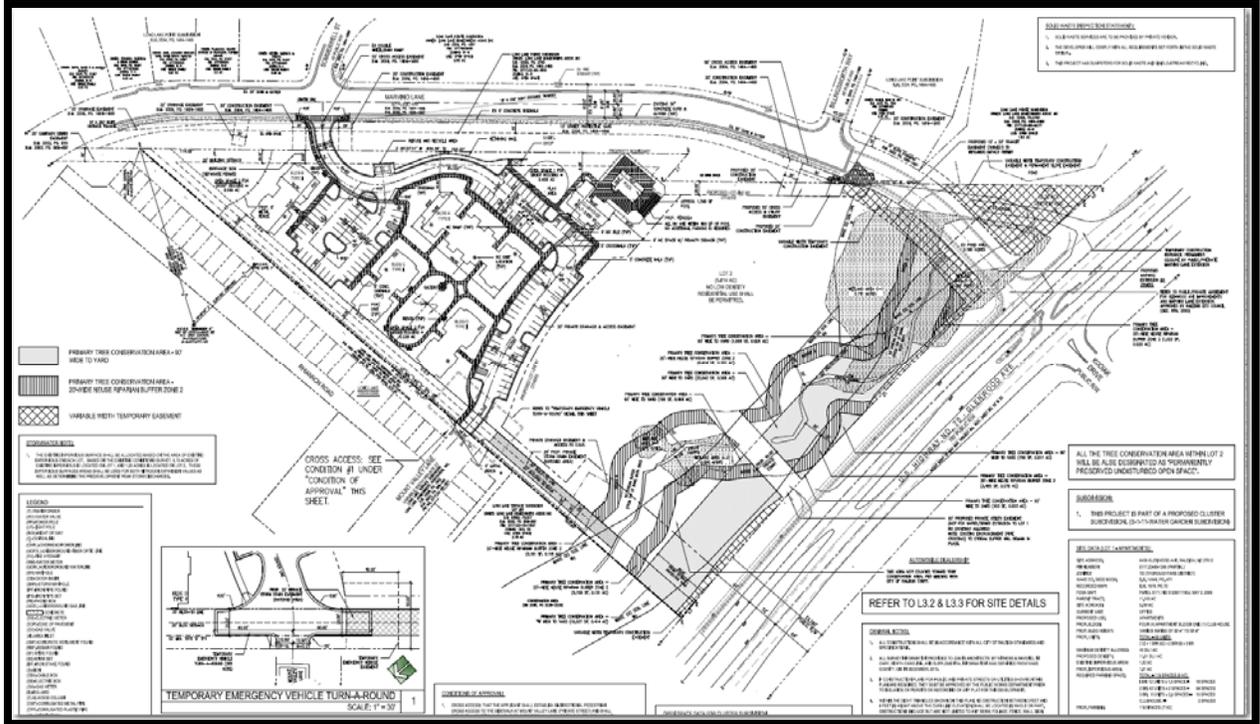
**CAC:** Northwest

**Nature of Case:** Approval of an apartment complex consisting of 4 buildings with 60 units (1, 2 & 3 bedrooms) and 1 club house with pool on 5.081 acres.

**Contact:** JDavis Architects



GH-2-11 Water Garden Village – site location



GH-2-11 Water Garden Village – site plan

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**SUBJECT:** GH-2-11 Water Garden Village

**CROSS-  
REFERENCE:** S-1-11

**LOCATION:** On the northeast corner of Glenwood Avenue and the future extension of Marvino Lane, inside the City limits.

**REQUEST:** This request is to approve a group housing development consisting of 60 units in 4 buildings on a 5.081 acre tract, zoned Thoroughfare District. The overall residential density is 11.81 units per acre.

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**OFFICIAL ACTION:** Approval with conditions

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**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) The following condition applies if not already met through the subdivision, S-1-11. 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) All conditions of S-1-11 have been satisfied,
- (4) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (5) 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;
- (6) 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 claiming under it;

- (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 a stormwater control plan with a stormwater operations and maintenance manual 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;
- (9) That construction plans for "Emergency Vehicular" turn around as shown on the preliminary plan be submitted and approved by the Public Works Department and Fire Department;

***Prior to issuance of an occupancy permit in the Inspections Department:***

- (10) All conditions of S-1-11 have been satisfied;
- (11) That as-built certification for all stormwater control devices as required under Code Section 10-9025(c) shall be provided to the Public Works Department, all stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028 shall be provided.
- (12) That the "Emergency Vehicular" turn around as shown on the preliminary plan is constructed and functional for the use of emergency vehicles,
- (13) That the sidewalk along the cross-access to Long Lake be tied/constructed into the existing sidewalk on the south side of Mount Valley Lane as shown on the preliminary plan.

I hereby certify this administrative decision.

Signed:

(Planning Dir.) Mitchell Silver (C. Hays) Date: 7-19-11

Staff Coordinator: Jacque Baker

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2045, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/24/11, owned by DHIC, submitted by JDavis Architects.

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**ZONING:**

**ZONING DISTRICTS:** Thoroughfare District.

**DEVELOPMENT**

**DENSITY:** The proposed plan contains 60 units / 11.81 dwelling 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 40'. 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).

**PHASING:** There are no phases proposed in this development.

**OPEN SPACE:** Open space conforms to minimum requirements. 10 % or .508 acres required, 16% or .83 acres provided, based on the open space standards of 10-2103(d). Open space quotient required = 75, provided = 93. Open space meets the standards for topography (a maximum average slope of 8% for the lesser of 1/3 or two acres of the required open space).

**PARKING:** Off-street parking conforms to minimum requirements: 119 spaces required, 119 spaces are provided based on 12 (1 bedroom units) 42 (3 bedrooms units) and 6 (4 bedroom units). The clubhouse is required 2 parking spaces all units are within 400' of the pool/clubhouse. 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 low impact use under Section 10-2082.9. Transitional protective yards are not required, but the applicant is offering a tpy in the following locations:

<u>Location</u>	<u>Yard type offered</u>	<u>Width proposed</u>
Northern property line	"D"	10'

**TREE CONSERVATION:** Tree conservation required and recorded under S-1-11.

**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 required under S-1-11 and in accordance with the agreement with the City for Marvino Lane extension.

**TRANSIT:** Transit easement required and dedicated under S-1-11

**URBAN FORM:** This site is located in the Northwest CAC District.

- **Policy LU 4.5—Connectivity**

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

New residential development should be developed with common and usable open space that preserves the natural landscape.

- **Policy T 5.5—Sidewalk Requirements**

New subdivisions and developments should provide sidewalks on both sides of the street.

- **Policy T 5.9—Pedestrian Networks**

New subdivisions and large-scale developments should include safe pedestrian walkways or multi-use paths that provide direct links between roadways and major destinations such as transit stops, schools, parks, and shopping centers.

- **Policy EP 2.5—Protection of Water Features**

Lakes, ponds, rivers, streams, and wetlands should be protected and preserved. These water bodies provide valuable stormwater management, ecological, visual, and recreational benefits.

- **Policy UD 2.5—Greenway Access**

Safe and clearly marked access points to the City’s greenway system should be provided in new and existing mixed-use centers where feasible.

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

**PEDESTRIAN:** Existing 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 Part 10, Chapter 9, Stormwater Quantity and Quality requirements. Site will satisfy stormwater quantity regulations by detaining the 2 and 10 year storm to pre-development rates within oversized underground pipes. Site will satisfy nitrogen loading regulations through the use of a level spreader-vegetated filter strip, dedicated permanently preserved undisturbed open space and a buydown. There are Neuse River buffers and wetland located on the site

**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:** Wetlands and Neuse River riparian buffers are on this site.

**STREET NAMES:** 2 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:** 7/19/2014

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:** 7/19/2016

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.