



Administrative Action Group Housing Development

City of Raleigh
Development Plans Review Center
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Raleigh, NC 27602
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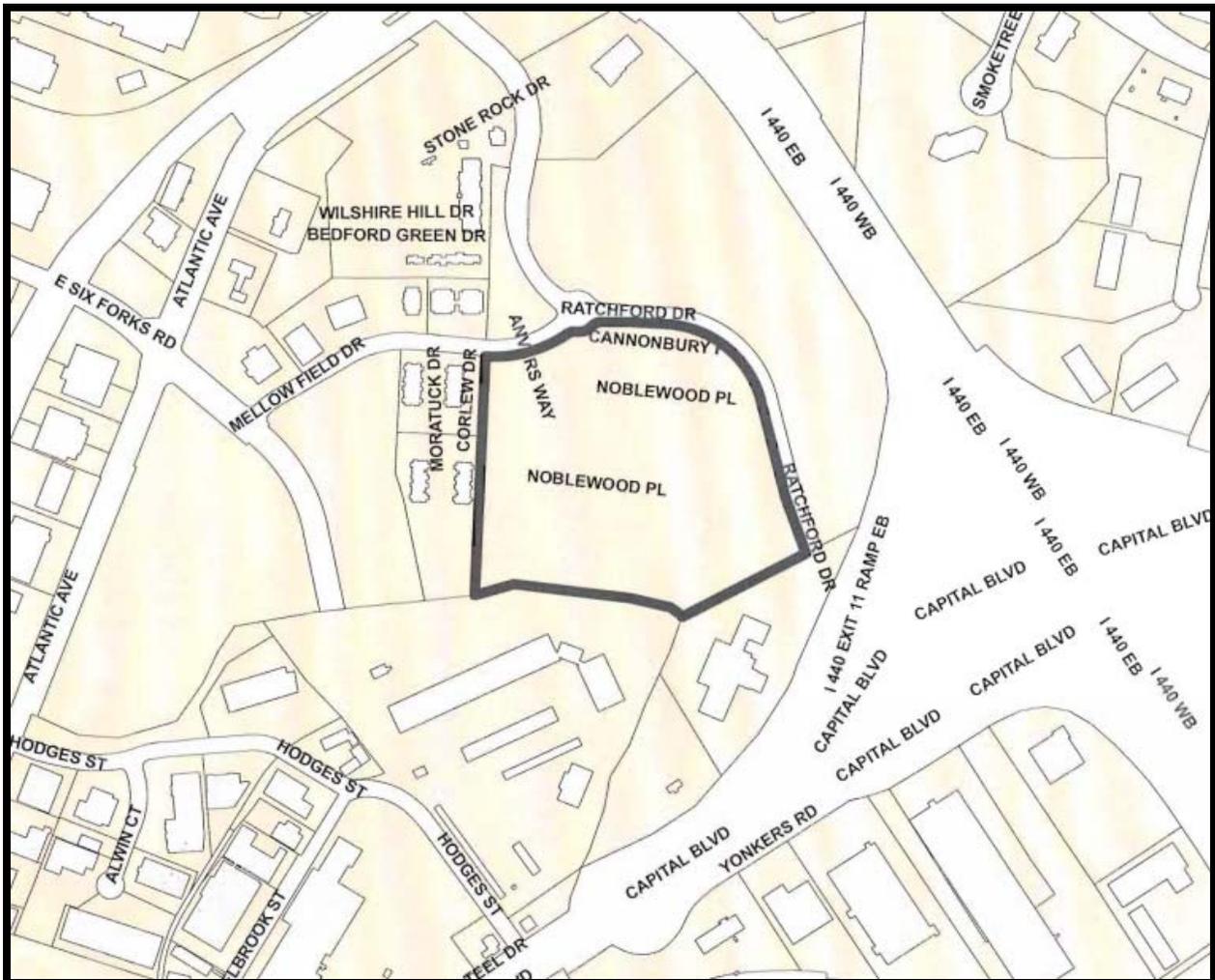
Case File / Name: GH-3-12 / The Avenues

General Location: Located on Mellow Field Drive, east of its intersection with Atlantic Avenue.

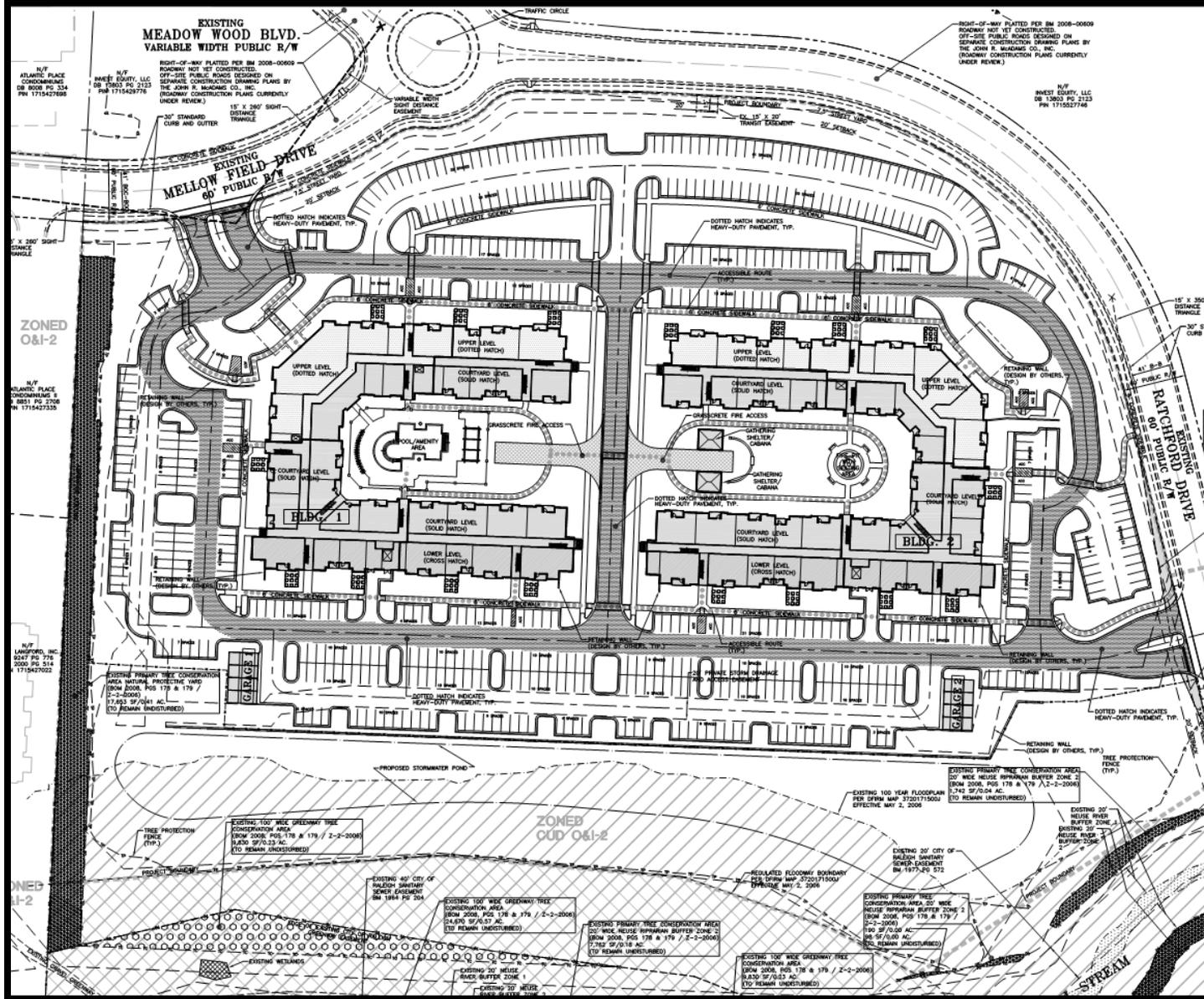
CAC: Atlantic

Nature of Case: The approval of a group housing development consisting of 297 units within 2 buildings on a 22.25 acre tract zoned O&I-2 CUD w/ SHOD-2.

Contact: Andy Padiak, John R. McAdams Company



GH-3-12 The Avenues



GH-3-12 – Site Layout

SUBJECT: GH-3-12 / The Avenues

**CROSS-
REFERENCE:** S-20-07, Z-3-06

LOCATION: This site is located on the south side of Mellow Field Drive, east of its intersection with Atlantic Avenue, inside the City Limits.

REQUEST: This request is to approve a group housing development consisting of 297 units in 2 buildings on a 22.25 acre tract, zoned O&I-2 CUD. The overall residential density is 13.3 units per acre.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a site grading permit or construction drawing approval, whichever occurs first:

- (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;
- (2) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (3) That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;
- (4) That construction drawings for the extensions of Mellow Field Drive, Meadow Wood Boulevard, Ratchford Drive and internal private streets be required to be approved, by the Public Works Department.

Prior to issuance of building permits:

- (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 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).”

- (6) 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;
- (7) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (8) That existing wetlands are on this site and shall be shown on all maps for recording;
- (9) That street names for this development be approved by the Raleigh City Planning Department and by Wake County
- (10) 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;

Prior to issuance of an occupancy permit:

- (11) That the applicant submit as built drawings for approval by the Public Works Department for all stormwater facilities;
- (12) For residential developments with multiple buildings, a letter of credit equal to 1.5 time the cost of public or private improvements will be paid to the Public works Department for the uncompleted portions and in this case the creek crossing upon issuance of permits for 75% of the residential units;
- (13) That upon completion of the road way improvements, that the Public Works Department accepts the public improvements for maintenance;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Blum (SB) Date: 8-20-12

Staff Coordinator: Meade Bradshaw

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 7/10/12, owned by Carolina Multi-Family, submitted by The John R. McAdams Company.

ZONING:

ZONING

DISTRICTS: Office & Institutional-2 CUD. Ordinance (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.

The proposed use is multifamily apartments

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').

The parcel is not adjacent to the I-440 and the exit ramp to Capital Boulevard.

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.

The transit easement was recorded in BM2008 PG609.

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.

Lighting will be reviewed at building permit issuance.

- 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').

An average 25' natural protective yard has been recorded in BM2008 PG609 adjacent to pin number 1715427022 and pin number 1715427335.

- 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').

The proposed height is 56'.

- 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.

The proposed number of dwelling units is 297. This is the first development as part of Z-3-06.

DEVELOPMENT

DENSITY: The number of units allowed in this zoning district is 40 units per acre. The proposed plan contains 297 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 125'. 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 1 phase in this development. A final phasing plan for infrastructure shall be approved with the submittal of infrastructure drawings.

OPEN SPACE: Open space conforms to minimum requirements. 10 % or 2.25 acres required, 45% or 9.94 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 589 spaces required, based on 1.5 parking spaces per 1-bedroom, 2 spaces per 2-bedroom, and 2.5 spaces per 3-bedroom. 583 spaces are provided. A reduction of 58 off-street parking spaces for landscape planting area is being utilized. 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 high residential density impact use under Section 10-2082.9. Transitional protective yards are not required as the adjacent property to the west is a high density residential use and the properties to the south are nonresidential uses.

TREE CONSERVATION: Tree conservation was recorded in Book of Maps 2008 Pages 178 and 179.

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 100' greenway easement has been recorded on this site. The easement was recorded Book of Maps 2008, Page 178 & 179.

THOROUGHFARE / COLLECTOR PLAN:

Sufficient right-of-way of way and road construction exists on-site. A horizontal and vertical centerline alignment for the full extension of Ratchford Drive shall be provided with these construction drawings to show the design for Ratchford Drive will provide a feasible extension across the stream; Ultimately, the creek crossing will be required to be constructed by the applicant;

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: This site is located in the Atlantic Citizen Advisory Council.

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 conform to normal City construction standards.

PEDESTRIAN: Existing public sidewalk locations conform to City regulations.

FLOOD HAZARD: Flood hazard areas are on this site and shall be shown on all maps for recording.

STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 Stormwater regulations for runoff and water quality (nitrogen). Site is claiming an exemption from runoff requirements through 10-9023(b)(4) of Raleigh City Code. Site will comply with water quality (nitrogen) regulations by utilizing an onsite BMP, dedication of Permanently Preserved Undisturbed Open Space, and offset fees. Neuse River Buffers and wetlands exist on the site and NC DWQ approval for all buffer impacts will be required. FEMA floodway and floodplain exist on site. Site will comply with Part 10, Chapter 4 floodplain regulations including Bulk Lot Coverage requirements.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Wetland areas and riparian buffers are required on this site. Disturbance is allowed within the buffers for proposed construction of a stream crossing for Ratchford Drive and discharge pipes from the stormwater BMP.

STREET NAMES: No 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: 8/20/15

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: 8/20/17

Complete construction of entire development.

**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.