



Administrative Action

Preliminary Subdivision

Cluster Unit Development

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

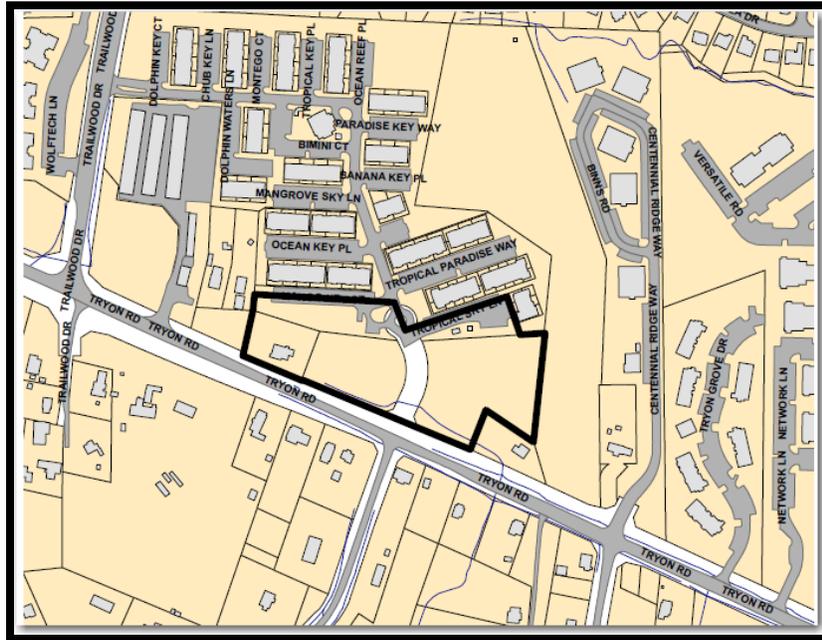
Case File / Name: GH-4-10 / University Suites at NCSU

General Location: On the north side of Tryon Road east of Centennial Ridge Way and west of Trailwood Drive, inside the city limits.

CAC: Southwest

Nature of Case: This request is to approve a cluster unit development consisting of 38 multi-family units in 5 buildings on 4.77 acres. This is an addition to an existing townhouse development S-158-00 & S-30-01 University Suites at NCSU that was approved by staff and currently consists of 136 townhomes and 1 club house with pool. This development will remain on a separate lot, but be part of the Home Owner's Association. The total units will be 174 on 18.38 acres tract, zoned Thoroughfare District, O&I-1, Residential- 15 CUD and Reservoir Protection Area Overlay District. The overall residential density will be 9.4 units per acre.

Contact: John A. Edwards & Company



GH-4-10 University Suites at NCSU – site location

SUBJECT: GH-4-10 / University Suites at NCSU

CROSS-REFERENCE: S-158-00, S-30-01, Z-7-10 & STC-6-10

LOCATION: This site is located on the north side of Tryon Road east of Centennial Ridge Way and west of Trailwood Drive, inside the city limits.

REQUEST: This request is to approve a cluster unit development consisting of 38 multi-family units in 5 buildings on 4.77 acres. This is an addition to an existing townhouse development S-158-00 & S-30-01 University Suites at NCSU that was approved by staff and currently consists of 136 townhomes and 1 club house with pool. This development will remain on a separate lot, but be part of the Home Owner's Association. The total units will be 174 on 18.38 acres tract, zoned Thoroughfare District, O&I-1, Residential- 15 CUD and Reservoir Protection Area Overlay District. The overall residential density will be 9.4 units per acre.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL:

Prior to issuance of a land disturbing permit for the site:

- (1) 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:

- (2) That street names for this development be approved by the Raleigh City Planning Department and by Wake County;
- (3) That the three existing lots totaling 4.77 acres be submitted as a recombination map and also reflect the conditions and additional land area from STC-6-10, be recorded;
- (4) That a 15x20 foot transit easement located on Tryon Road be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

- (5) That shared parking agreements between the townhouse and group housing are recorded in accordance with Raleigh City Code and are returned to the Planning Department within 14- days of recording. If a copy of the recorded documents are not returned within 14-days, further plat recording will be withheld and no building permits will be issued on any lot;
- (6) That 1/2'-110' in width of right of way and a 20' permanent slope easement along Tryon Road be dedicated to the City of Raleigh;
- (7) That all conditions of Z-7-10 are met;
- (8) That all conditions of STC-6-10 are met;
- (9) 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;
- (10) That a map be recorded showing 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." and
- (11) Prior to the recording of any new lot served by a shared stormwater control facility or prior to the issuance of any new development permit for any existing lot to be served by a shared stormwater control facility (except for improvements made pursuant to Part 10, Chapter 3 of the Raleigh City Code of Ordinances), the developer shall prepare, on a City-approved form, a Declaration of Maintenance Covenant and Protection Easements to encumber all lots served by stormwater control facilities located within the subject property (and all stormwater control facilities if not located within the property). This Declaration of Maintenance Covenant and Protection Easements must meet all applicable requirements of Section 10-9027(b) of the Raleigh City Code of Ordinances.

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

- (12) That an impervious survey quantifying the acreage/square footage on site be provided and approved by the Stormwater Engineer.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Cole (C. Waage) Date: 4-6-11

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, and Sections 10-2045, 10-2035, 10-2022 & 10-2064 Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 2/2/11, owned by Smith Family Charitable Trust, submitted by John A Edwards & Company.

ADDITIONAL NOTES: Rannette Street was closed by City Council on February 1, 2011 Resolution (2011) 316.

CLUSTER STANDARDS:

ZONING DISTRICTS: Thoroughfare District, O&I-1 R-15 CUD & WPOD.
Ordinance 731ZC645 Effective 5-4-10.

Z-7-10 Conditional Use – Tryon Road - located on the North side of Tryon Road, East of its intersection with Trailwood Drive, being Wake County PINs 0792 06 8630, 0792 16 0547, and 0792 16 3571. Approximately 3.4 acres rezoned to Residential-15 Conditional Use with Secondary Reservoir Watershed Protection Area Overlay District.

Conditions Dated: 04/28/10

Narrative of conditions being requested:

A. Residential density shall be limited to 14 dwelling units per acre or a maximum of forty-seven (47) dwelling units.

B. Direct vehicular access to Tryon Road from the Property shall be limited to a single point of access. Such access will be provided by one of the following two means:

1) via, Rannette Street; or

2) if Rannette Street is closed, via the extension of the private road, Ocean Reef Place, along the same general location as the current Rannette Streets right-of-way.

C. If requested to do so by the city, prior to lot recordation or issuance of any building permit, whichever shall first occur, the owner shall deed to the City a transit easement measuring 20'

long by 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.

D. The site plan for the re-development of the subject property shall provide for parking as set forth in Code Section 10-2081 (as the same exist at the time of approval of this conditional use zoning district) without allowance for the code provided landscape related reduction. This condition may be accomplished by new parking spaces provided on land not included in this conditional use zoning district.

DEVELOPMENT

DENSITY: The proposed plan contains 38 units in 5 buildings.

PHASING: There are no phases purposed in the group housing portion of this development.

LOTS / SETBACK: There is no minimum lot size for group housing or existing townhouse development.

SETBACK / HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 100'. 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. All new buildings will be approximately 38' in height.

BLOCK LAYOUT: The proposed and existing 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.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or .048 acres required, 1.18 provided. Open space quotient is not required as the project does not exceed the zoning density allowed on the lot per code section 10-3071(5)b2. 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: 91 spaces required, 142 provided. 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. This is a medium residential impact 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>
Western Property line	Type C	20'

TREE CONSERVATION: The overall site is 4.77 acres and 10% tree conservation area is required. The plan proposes to use part of the existing townhouse property to meet tree conservation. This is permitted as the property will be under one Home Owner's Association. Total provided 10.17% or 1.87 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:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Tryon Road	½ of 110'	existing	20' permanent

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: A 15x20 easement along Tryon Road as of Jan 2, 2011 CAT Route 11 Avent Ferry will be serving this section of Tryon Rd.

URBAN FORM: This site is located in Southwest CAC.

Plan as shown is consistent with applicable Comprehensive Plan policies for this site.

- LU 4.5 Connectivity
- LU 7.6 Pedestrian Friendly Development
- T 5.5 Sidewalk Requirements

**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: 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 street improvements shall conform to City construction standards.

PEDESTRIAN: Existing sidewalk locations conform to City regulations.

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

STORMWATER MANAGEMENT: Site complies with Stormwater and Watershed regulations through the construction of a wet pond. The wet pond will be utilized for nitrogen treatment, along with a buy down payment. Detention requirements are met by routing runoff through the wet pond. All new impervious which drains into the Swift Creek Watershed is routed through the wet pond for compliance with 10-5006. This site is located in the area of the Comprehensive Plan designated for impervious surfaces in excess of 30% and there forth Code section 10-5006f is not required as the site is located in the area of the Comprehensive Plan designated for impervious surfaces in excess of 30%: code section 10-5006f4.

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)].

Cluster - This development is a cluster unit development and contains shared stormwater control measures to be owned by a property owners' association. City approved form, Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be prepared in accordance with Raleigh City Code sections 10-3071 to 10-3073. In addition, a Declaration of Maintenance Covenant and Protection Easement shall be prepared.

WETLANDS / RIPARIAN BUFFERS:

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

STREET NAMES: 3 new private street names are required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.

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 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: 4/6/2014

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: 4/6/2016

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.