



Administrative Action Group Housing Development

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

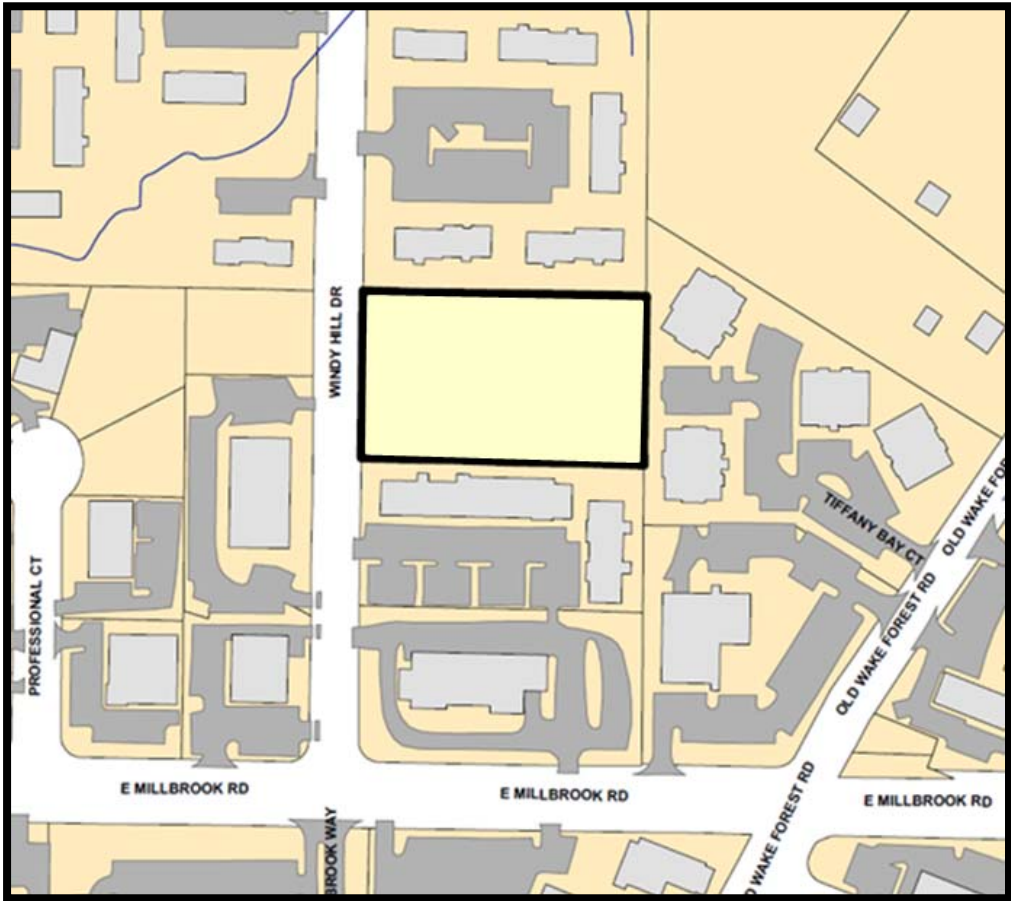
Case File / Name: GH-4-13 / Windy Hill Apartments

General Location: East side of Windy Hill Drive, north of Millbrook Road.

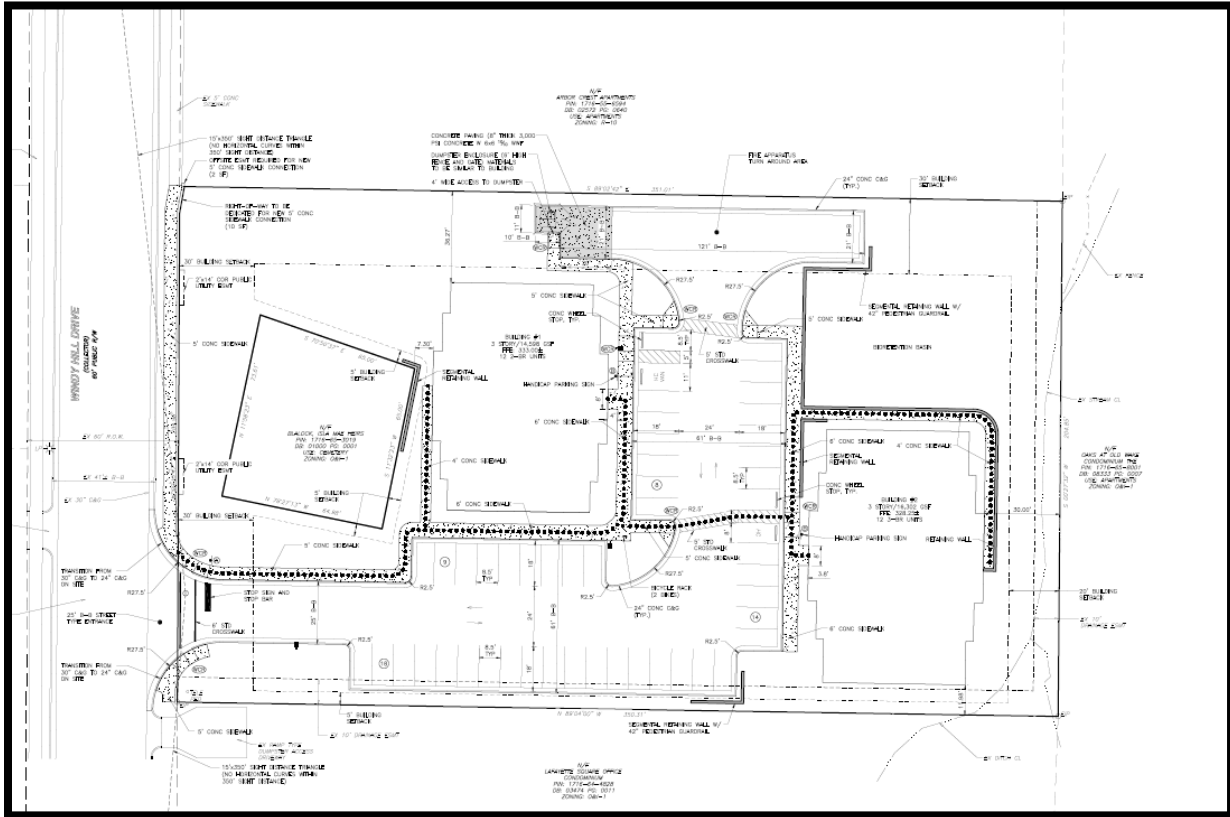
CAC: North

Nature of Case: The construction of 2 apartment buildings comprised of 24 dwelling units on a 1.6 acre parcel zoned Office & Institutional-1, located inside the city limits.

Contact: Gary Walston



Site Location Map



GH-4-13 / Site layout

SUBJECT: GH-4-13 / Windy Hill Apartments

**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the east side of Windy Hill Drive, north of Millbrook Road, within the City Limits.

REQUEST: The construction of 2 apartment buildings comprised of 24 dwelling units on a 1.6 acre parcel zoned Office & Institutional-1, within the city limits.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a site review permit:

- (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 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 owner/owner's association;"
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank

Prior to issuance of building permits:

- (4) That prior to issuance of building permits the developer will make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027;
- (5) That infrastructure drawings are approved by the Public Works and Public Utilities Departments;
- (6) That street names for this development be approved by the Raleigh GIS Division and by Wake County;

- (7) That when 75% of the permits have been issued for residential developments, that the proposed private or public improvements are required to be accepted by the City for maintenance. If this does not occur, then a financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for the uncompleted portions and roadway extensions;

Prior to issuance of an occupancy permit:

- (8) That prior to Issuance of a Certificate of Occupancy an 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.
- (9) That the private streets are inspected by the City and accepted that they meet city standards;
- (10) For residential subdivisions, where a security has been posted for public or private improvements equal to 1.5 times the cost, then the last certificate of occupancy shall be withheld until such time the improvements are accepted by the City of Raleigh;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Mitchell Selin (C. Selin)

Date: 7-30-13

Staff Coordinator:

Meade Bradshaw

FINDINGS:

City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2035, 2017 Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 5/23/13, owned by Dan C. Austin & Associates, LLC, submitted by Bass, Nixon, & Kennedy, Inc.

ZONING:

ZONING DISTRICTS:

Z-45-93

DEVELOPMENT

DENSITY:

24 dwelling units on 1.63 acres is equivalent to 14.7 units an 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 110'. 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. The proposed building height is 38'

- PHASING:** This will be constructed in 1 phase.
- OPEN SPACE:** Open space conforms to minimum requirements. 10 % or .16 acres required, .23% or .67 acres provided, based on the open space standards of 10-2103(d).
- PARKING:** Off-street parking conforms to minimum requirements: 54 spaces required, based on 2 parking spaces per 2-bedroom units and 2.5 parking spaces per 3-bedroom units. 49 parking spaces are provided. A reduction of 6 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 medium residential density impact use under Section 10-2082.9. The proposed use is a medium residential density adjacent to medium residential densities and a low impact use, transitional protective yards are not required.
- TREE CONSERVATION:** The developing parcel is less than 2 acres in size. A residential (Group Housing) development is planned. Tree conservation is not required.
- 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:

Street	ROW	Construct	Slope Esmt.
Windy Hill Road	+/- 2'	5' Sidewalk	N/A

* Right-of-way and sidewalk construction is reimbursable

- TRANSIT:** This site is presently not served by the existing transit system.
- URBAN FORM:** The site is located within the North CAC area, and is designated Office and Residential Mixed Use on the future land use map. That category encourages a mix of residential and office use, with heights generally limited to 4 stories near neighborhoods.

The site is also within an area denoted as a Transit Oriented District by the Urban Form map. TODs are intended to exhibit a pedestrian-friendly urban form. Additionally, Windy Hill Drive is envisioned by the map to become an Urban Thoroughfare, fostering multi-modal travel.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies:

- Policy LU 8.9 Open Space in New Development
- Policy LU 8.10 Infill Development
- Policy LU 8.11 Development of Vacant Sites
- Policy EP 2.3 Open Space Preservation
- Policy UD 5.1 Contextual Design

**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: Service to be provided by a private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN: The construction of a 5' sidewalk is required along Windy Hill Road. Private sidewalks connect building entrances to the public sidewalks along Windy Hill Road.

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. The project is proposing to utilize a bioretention basin to both attenuate the 2-year and 10-year peak flow rates to pre-development conditions and to reduce nitrogen loading rates below 10 lbs/ac/yr in order to utilize the nutrient offset payment option.

**WETLANDS
/ RIPARIAN
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: 1 new street name is required for this development. The 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: 7/30/16

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: 7/30/18

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.