



Certified Action

of the City of Raleigh Planning Commission

Group Housing Development

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

Case File / Name: GH-5-12 / Crabtree Commons

General Location: Located on Edwards Mill Road southwest of the intersection with Crabtree Valley Avenue

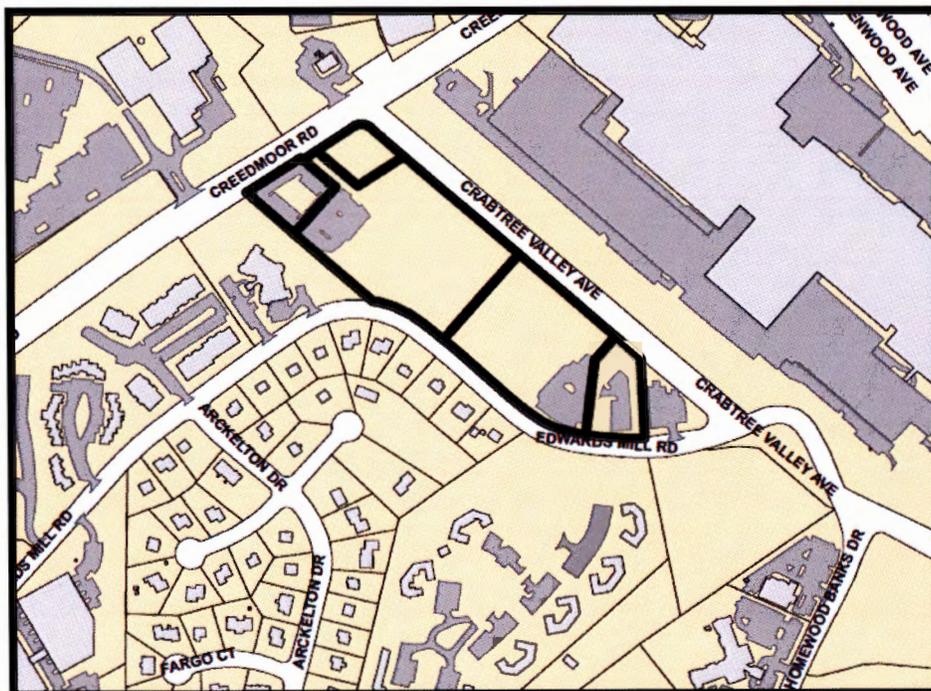
CAC: Northwest

Nature of Case: This request is to approve 335 units within a 6 building group housing development on 7.11 acres (2 parcels) zoned Shopping Center CUD with Pedestrian Business Overlay District (PBOD).

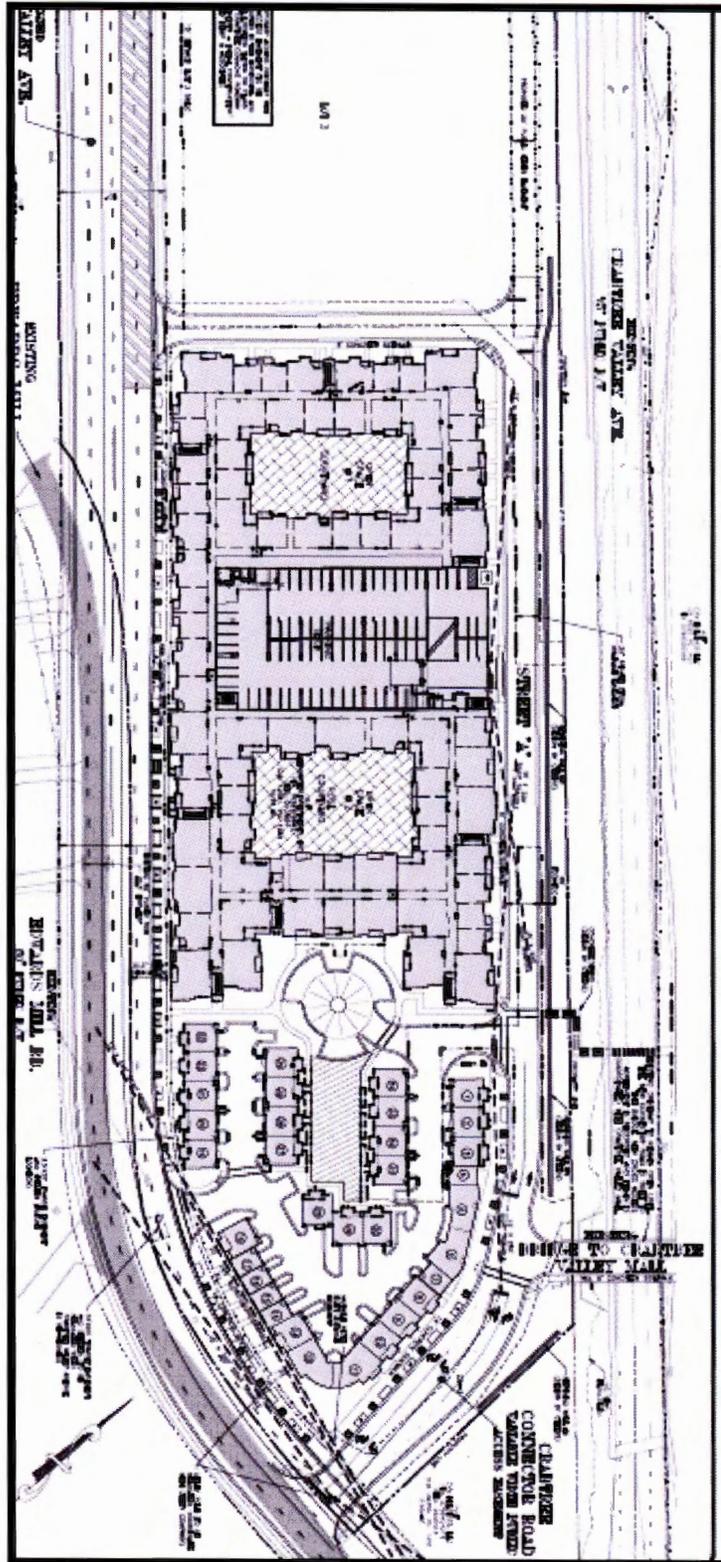
This proposal contains a request to allow residential dwelling units in the Shopping Center and PBOD zoning districts with a residential density of 47.1 units per acre.

Key Issues: The Planning Commission must find that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre density located in the Pedestrian Business Overlay District in accordance with Code Sections 10-2055(d)(1) and 10-2051-(d)(1)c tier 2, providing parking in a deck which meets the standards of 10-2051-(d)(1)c 3.

Contact: Andy Padiak, John R. McAdams Company, Inc.



GH-5-12 Crabtree Commons – Site Location Map



GH-5-12 Crabtree Commons - Site Plan

SUBJECT: GH-5-12 / Crabtree Commons

**CROSS-
REFERENCE:** S-16-11

LOCATION: This site is located on the north side of Edwards Mill Road, southwest of its intersection with Crabtree Valley Avenue, inside the City Limits.

REQUEST: This request is to approve a group housing development consisting of 335 units in 6 buildings on a 7.11 acre tract, zoned Shopping Center CUD with Pedestrian Business Overlay District. This proposal contains a request to allow residential dwelling units in the Shopping Center and PBOD zoning districts with a residential density of 47.1 units per acre. Planning Commission approval is required due to the proposal being a residential development exceeding 15 units an acre within the Shopping Center Zoning District.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:** **As noted on the Staff Report, attached**

FINDINGS: The Planning Commission finds that this request, with the conditions of approval below being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2041, 10-2055, 10-2103, 10-2132.2 and Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 1/17/13, owned by Weingarten Investments, Inc, submitted by The John R. McAdams Company, Inc.

**ADDITIONAL
NOTES:** There are no additional notes for this plan.

**VARIANCES /
ALTERNATES:** N/A

To PC: February 12, 2013

Case History: N/A
To CC: N/A

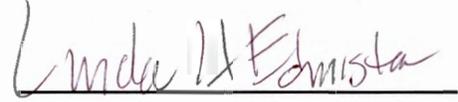
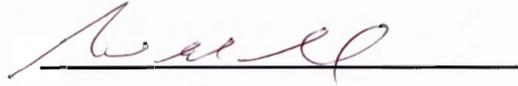
Staff Coordinator: Meade Bradshaw

Motion: Sterling Lewis
Second: Haq
In Favor: Buxton, Fluhrer, Haq, Harris Edmisten, Schuster, Sterling Lewis and Terando
Opposed: Mattox and Butler

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)

(PC Chair)



date: 2/13/13

date: 2/12/13



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:** Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards of Code Section 10-2132.2(d);
- (2) That the Planning Commission finds that this site plan meets the standards for approval of a residential development in a Industrial-2 with Pedestrian Business Overlay District in accordance with Code Section 10-2051(d)(1)b providing sufficient parking, minimum net lot area, and minimum yard setbacks and open space required by 10-2055(d)(4);
- (3) That the Planning Commission finds that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre density located in the Pedestrian Business Overlay District in accordance with Code Section 10-2051-(d)(1)c tier 2, providing parking in a deck which meets the standards of 10-2051-(d)(1)c 3;

Administrative Actions:

Prior to issuance of a site review permit:

- (4) 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 come first;
- (5) That nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to issuance of building permits:

- (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 the City Attorney approve a public sidewalk easement for any portion of the public sidewalk along Edwards Mill Road within private property;
- (8) That a recombination map be recorded, recombining lots 1 and 2 of S-16-11 into a single tract;
- (9) That construction drawings be approved by the Public Works and Public Utilities Department;

- (10) That an encroachment agreement for the landscaping, trash receptacles, benches, stairs, bicycle racks and tree grates located in the public right of way be approved by a separate action of the City Council. Encroachment agreement prepared per 12-1001 and 12-1021(a) file with the Public Works Department;
- (11) That cross access agreements are recorded for the private drive between lots 1 and 2 of S-16-11;
- (12) That a 10x20 foot and a 3.5x20 foot transit easement located on Edwards mill 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 deed approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement deed be provided to the Planning Department within 14 days of lot recording. If a recorded copy of this easement is not provided to the Planning Department;
- (13) That the 5 street names be approved by the City of Raleigh and Wake County;
- (14) That S-16-11 is recorded; and
- (15) That all conditions of Z-9-11 are satisfied;

ZONING:

**ZONING
DISTRICTS:**

Shopping Center CUD with Pedestrian Business Overlay District. Ordinance N0 (2011) 940ZC662; effective 9/6/11.

Z-9-11 Conditional Use – Creedmoor Road - located on the east side, southeast of its intersection with Crabtree Valley, being Wake County PINs 0796302996, 0796308642, and 0796314150. Approximately 11.74 acres to be rezoned from Shopping Center (0.81 acre) and SC with (PDD) Planned Development District and (PBOD) Pedestrian Business Overlay District (10.93 acres) to SC CUD with PBOD (8.126 acres), and SC CUD (3.613 acres).

Conditions Dated: 8/15/11

Narrative or conditions being requested:

For the purposes of the following conditions, Property” shall refer to tax parcels (PINs) 0796-30-2996, 0796-30-8642, and 0796-31-4150.

(a) The following uses shall be prohibited upon the Property: automotive service and repair facility; utility service and substation; emergency shelter Type A or Type B; landfill; manufacturing-custom; manufacturing-specialized; adult establishment; kennel/cattery; riding stable; correctional/penal facility; and outdoor stadium, outdoor theater or outdoor racetrack.

Proposed use is apartments

(b) With the exception of Hotel/Motel, an allowed use upon the Property, all uses developed upon the Property that are categorized as "Commercial" in the Schedule of Permitted Land Uses attached hereto as Exhibit C-1 shall not exceed 200,000 square feet floor area gross.

Proposed use is categorized as residential

(c) All uses developed upon the Property that are characterized as Institution/Civic/Services or Office in the Schedule of Permitted Land Uses attached hereto as Exhibit C-1 shall not exceed 100,000 square feet floor area gross.

Proposed use is categorized as residential

(d) Uses developed upon the Property that are characterized as Residential in the Schedule of Permitted Land Uses attached hereto as Exhibit C-1 shall not exceed 575 dwelling units.

335 dwelling units are proposed

(e) Within fifteen (15) days following the approval of the form and substance of the restrictive covenant hereinafter mentioned by the City Attorney or his or her deputy, the owner of the Property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable development upon the Property as provided in the foregoing conditions (b), (c), and (d) among all existing lots of record comprising the Property. Such restrictive covenant shall be submitted to the City Attorney within thirty (30) days following approval of this zoning case by the City Council and shall be approved by the City Attorney or his or her deputy prior to recordation. Such restrictive covenant shall provide that it shall become null and void and of no effect whatsoever in the event that a court enters a final judgment (not subject to appeal) declaring the rezoning resulting from the approval of this case invalid. The restrictive covenant and the allocation of development set forth therein may be amended from time to time following recordation. Any such amendment shall require the written concurrence of the owner(s) of all portions of the Property affected by the amendment and shall be at the sole discretion of such owner(s). Following recordation a copy of each amendment shall be mailed to the Planning Director at P.O. Box 590, Raleigh, NC. 27602.

Recorded in DB 14526 PG 2423

(f) The land use or uses developed upon the Property shall be limited to a use or uses which when analyzed using the Trip Generation Manual published by the Institute of Transportation Engineers will generate no more than 12,947 daily vehicle trips with no more than 705 vehicle trips in the AM peak hour and no more than 934 vehicle trips in the PM peak hour.

AM Trips (500 units) – 325 trips
PM Trips (500 units) – 576 trips

(g) Upon development of Section 1 of the Property as shown on Exhibit B-1 of the Petition in this case, a means shall be provided for pedestrian connectivity from the then existing grade of Section 1 to the grade of Crabtree Valley Avenue as it is now located between the Property and Crabtree Valley Mall (PIN 0796-50-2569).

A pedestrian connection has been provided on the group housing plan for a connection from the development to Crabtree Valley Avenue.

(h) The actual location of the "Crabtree Valley Mall Connector Road" shown on pages 4 and 16 of the Streetscape and Parking Plan in this case will be established at the time of site plan approval.

The plans conform to the approved streetscape.

(i) Along the Creedmoor Road frontage of the Property, parking between the street right-of-way and the building(s) shall not exceed two rows of parking.

This development does not front on Creedmoor Road.

(j) Upon approval of a site plan or plans for the development of all or a portion of the Property, if requested by the City's Transit Division, the owner shall dedicate a transit easement approved by the Raleigh City Attorney upon the respective site or sites of a size, nature and location acceptable to such Division and provide any improvements, such as a bench and/or shelter, specified by such Division that shall be in accordance with its standard policies. The owner shall dedicate up to three (3) transit easements upon the Property.

2 transit easements will be recorded along Edwards Mill Road.

(k) Upon development of Section 3 of the Property as shown on Exhibit B-1 of the Petition in this case, pedestrian connectivity shall be provided between such Section and the adjoining Section 2. With regard to sidewalks along public rights of way, the design of sidewalk sections and curb and sidewalk details for Section 3 shall be coordinated with such design for Sections 1 and 2, although to the extent allowed by the City's Ordinances, sidewalk widths may be reduced for Section 3. Plants planted along public rights of way in Section 3 shall be consistent with those utilized for such purpose in Sections 1 and 2.

Only section 1 & 2 are in review. The sections will be recombined into 1 tract.

**DEVELOPMENT
DENSITY:**

The proposed plan contains 335 units equivalent to 47.116736 units an acre. The number of units allowed in this zoning district is 40 units an acre with the ability to increase the density by meeting the tiers of Code Section 10-2051(d)(1)(c).

For each standard articulated in the Pedestrian Business Overlay District the Planning Commission finds the plan compliant with, an increase in density of 60 units per acre is allowed. At the proposed density of 47 units per acre, the plan would have to meet 1 standard to achieve the desired density. The applicants denote that their plan meets one of these standards.

Parking Deck: At least eighty (80) percent of the off-street parking spaces provided are contained in a multilevel parking structure. Parking decks shall be visually integrated into the principle building. Parking decks shall be designed to be compatible with other buildings on the site by using compatible building materials and architectural designs, as reflected in scale, color, texture, fenestration, width, height, roof lines, and other similar architectural gauges. However, parking decks located within the interior of the property and not visible from any public street, private street, common open space area or adjacent property shall be exempt from this provision. No more than seventy-five (75) feet total of the ground level of the sides of the building or parking deck (measured twenty (20) feet deep from the facade of the building) located on the sides of the lot fronting a public street, private street or common open space area shall be devoted to parking, driveways and/or loading areas. The proposed parking deck has been evaluated by staff and was found to be compliant with these standards.

OPEN SPACE:

The Pedestrian Business Overlay District requires that a minimum of 5% of the total land area of the development to be set aside as open space. "Open space" is defined to include: greenways; any common outdoor landscaped and recreation spaces; outdoor decks; roof gardens and other similar outdoor community space accessible to and available for use by visitors of the development." The Code calls for open space first to be met by widening the sidewalks to a minimum of 14' in width. After that is achieved, any deficit in open space can be met with courtyards, roof gardens, outside dining and recreation space so long as 1/2 of the required open space shall be in one continuous part with a minimum length and width dimension of 20 feet.

The open space provided on site is 8.4%. Edwards Mill Road 14' sidewalk (13,720 square feet), the pool /courtyard area (Courtyard 1 - 9,104 sq. ft. & Courtyard 2 - 12,107 sq. ft.), and a common area within the apartment/group housing portion of the site (1,543 square feet) for a total of 34,931 square feet.

**SETBACKS /
HEIGHT:**

Setbacks from public streets and property lines conform to Section 10-2055. The minimum setback from public streets is shown to be 4'. 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). Code Section 10-2055 allows a 0' setback when adjacent to a right-of-way. The Streetscape Plan allows building heights up to 120'. Proposed building height is 62'8".

PHASING: There are 3 phases in this development. Phasing will be based on the number of dwelling units, which requires an additional access point. Code Section 10-2103(c)(2) requires one access point for every 150 dwelling units. 335 dwelling units require 3 access points to the site.

PARKING: Off-street parking conforms to minimum requirements: 622 spaces required, based on no more than 2 parking spaces per unit within the PBOD. 577 spaces are provided. A reduction of 61 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 and the Crabtree Place Streetscape and Parking Plan 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 density residential impact use under Section 10-2082.9. The development is adjacent to public right-of-way on all sides of the property; no transitional protective yards are required

TREE CONSERVATION: An alternate compliance payment of \$172,007 was paid to the City of Raleigh on 10/16/07.

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:

All improvements are tied to the approval of S-16-11. Access points will be determined as units are permitted. An access point is required for every 150 residential units. As permits are pulled, staff will review the requirement for additional access points. Upon the issuance of 301 units, a total of 3 access points will be required.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: 3.5' x 20' transit easement with shelter construction when the Crabtree Valley Avenue right-of-way is dedicated. The remaining 11.5' will be within the 14' sidewalk along Crabtree Valley Avenue. A 15' x 20' along the existing Edwards Mill Road. If a third easement is requested, it will be at the time lot 3 is submitted for development.

**COMPREHENSIVE
PLAN:**

This site is located in the Northwest Citizens Advisory Council, in an area designated as regional mixed use. The following Comprehensive Plan Policies Apply:

Policy LU 4.4 Reducing VMT through Mixed Use
Policy LU 4.5 Connectivity
Policy LU 5.1 Reinforcing the Urban Pattern
Policy LU 5.2 Managing Commercial Development Impacts
Policy LU 5.4 Density Transitions
Policy LU 5.5 Transitional and Buffer Zone Districts
Policy LU 5.6 Buffering Requirements
Policy LU 6.4 Bus Stop Dedication
Policy LU 7.1 Encouraging Nodal Development
Policy LU 7.4 Scale and Design of New Commercial Uses
Policy LU 7.6 Pedestrian Friendly Development
Policy LU 8.9 Open Space in New Development
Policy LU 8.10 Infill Development
Policy LU 8.11 Development of Vacant Sites
Policy LU 10.6 Retail Nodes
Policy LU 7.5 High Impact Commercial Uses
Policy ED 5.3 Creating Attractive Development Sites
Policy UD 3.5 Visually Cohesive Streetscapes
Policy UD 4.3 Improving Streetscape Design
Policy UD 6.1 Encouraging Pedestrian-Oriented Uses
Policy UD 7.3 Design Guidelines (1-26 policies)
Policy AP-C2 Crabtree Area Hillside
Policy AP-C4 Crabtree Mall Connections
Policy AP-C5 Design Unity in the Crabtree Area

**APPEARANCE
COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
Reducing the retaining wall to 6-7 feet and planting trailing plants at the top of the wall	Retaining wall is reduced to 7 feet with Trumpet Vine installed at the top of the wall
Adding vegetation and green space to the "condo" side of the project. Add trees in the alley area of project. A lack of open space for everyday activities	The condominium side of the project has been revised to create a large expanse of open space has been created. River Birches have been added on the alley side of the condominiums
Move the paving detail to the alley intersection to indicate that the alleys are pedestrian space or removing it all-together	The site has been revised so that the intersection described in the comment no longer exists
The parking deck is insufficiently screened. Because it's monolithic it is reading as "too important." The deck needs to be broken down into smaller vertical modules to be integrated into the remainder of the project. Because of the lack of screening, it does not appear that the deck meets code section 10-2051(d)(1)(c)(3) regarding parking screening in PBODs to meeto their density requirement	The elevation of the garage has been redesigned to provide a façade consistent with the apartment buildings.
Don't use lagustrum as it is considered semi -invasive. Consider evergreens such as camellias instead.	Lagustrum has been removed from the plant list and replaced with camellias.

**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:** Proposed street improvements shall conform to normal City construction standards. The private drives and street network will be constructed on the number of dwelling units, which requires an additional access point. Code Section 10-2103(c)(2) requires one access point for every 150 dwelling units. 335 dwelling units require 3 access points to the site. The 24' temporary access driveway from Creedmoor Road to a private drive will be constructed as an access point to meet Code Section 10-2103(c)(2). This temporary driveway is located in the dedicated right-of-way of Crabtree Valley Avenue per S-16-11.
- PEDESTRIAN:** The proposed sidewalks widths are consistent with the Crabtree Place Streetscape Plan. The portions along Edwards Mill Road there will be 4'8"x6' ADA compliant tree grates with landscaping planted 40' on center and an 8' sidewalk with a 6' planter adjacent to the right-of-way. This streetscape will continue down Mall Connector road as well. Portions of the sidewalks will be located on private property and will be subject to a public sidewalk easement. Sidewalks not adjacent to public right-of-way but adjacent to private drives will have a 5' sidewalk constructed.
- 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. Site is exempt from stormwater runoff control requirements under 10-9023(b)(3) as detention of runoff on this site would increase discharge for the 100 yr storm event within Crabtree Creek in the vicinity of Crabtree Valley Mall. Water Quality (nitrogen loading) will be addressed with an on-site underground sand filter and a buydown.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** The number of required private streets will be determined at the item the buildings and units are addressed.
- 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.