



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-7-12 / Bacarra

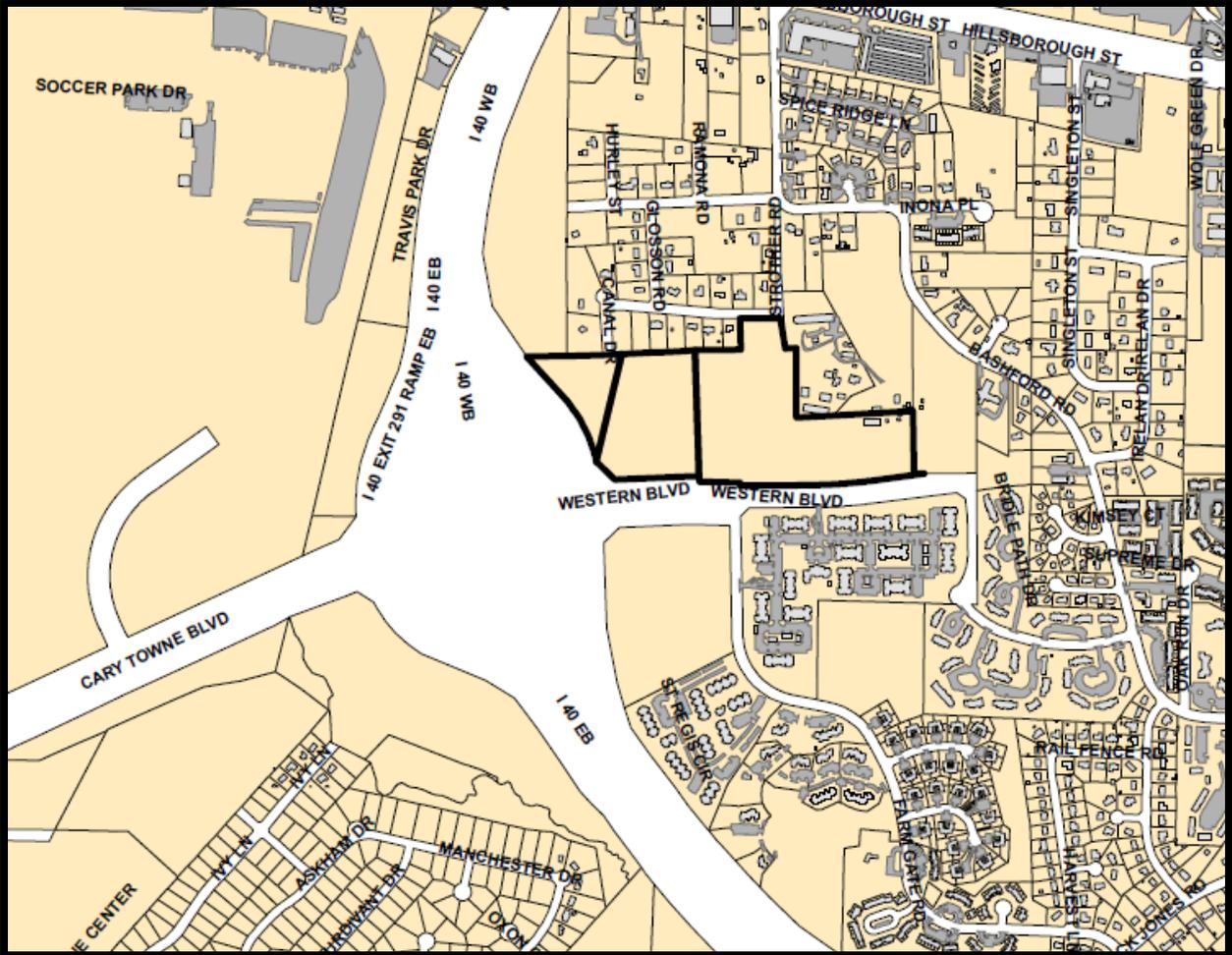
General Location: The northeast quadrant of the intersection of Western Boulevard and I-40

CAC: West

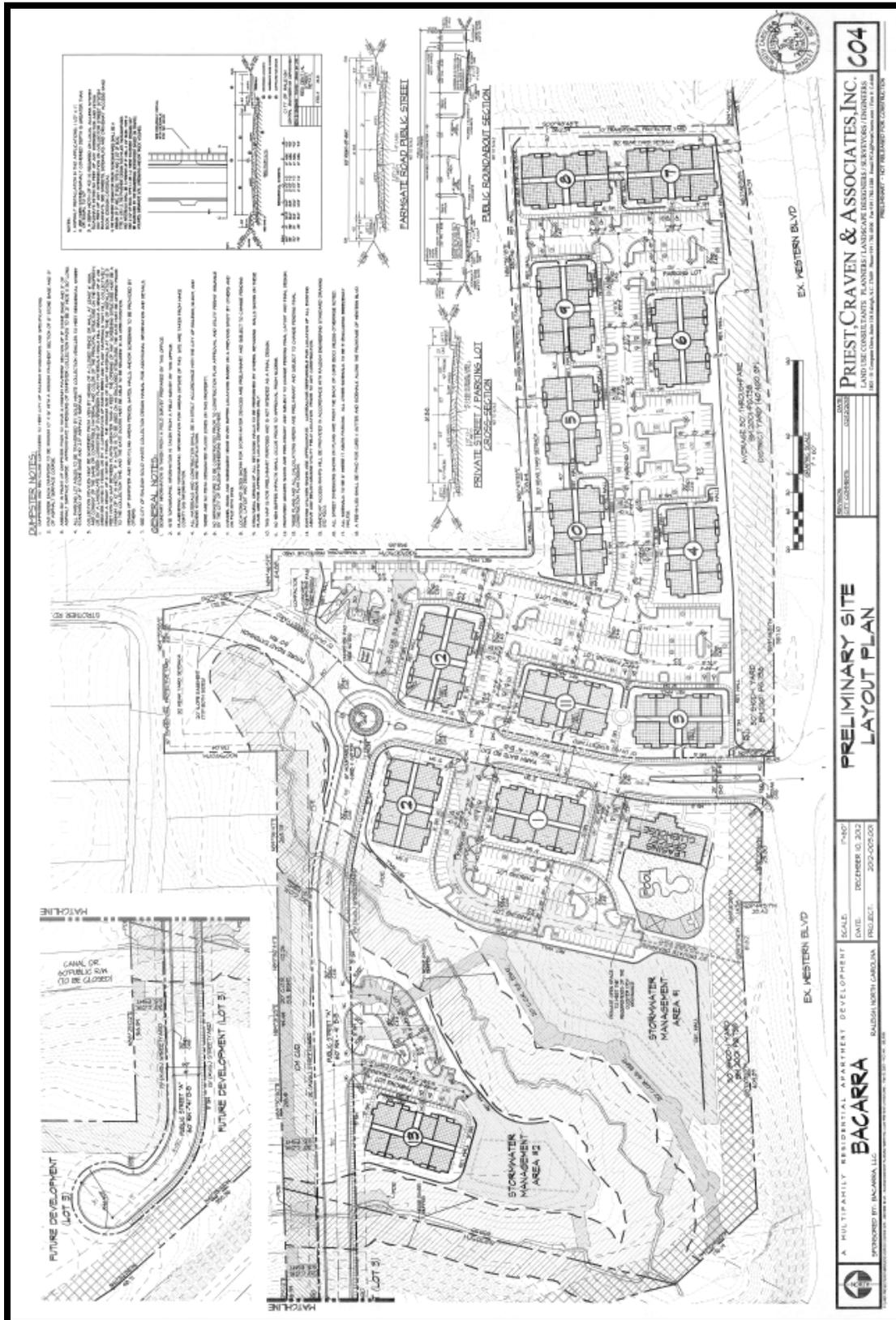
Nature of Case: A 312 dwelling unit Group Housing development comprised of 13 multi-family buildings and a recreation/leasing office building on a 21.55 acre tract that is zoned Thoroughfare District Conditional Use District, Residential-4 and Special Highway Overlay District 1. This development is occurring on two of the 4 lots associated with the Center 205 Subdivision, S-18-12 which was a Cluster Subdivision, for lots 1, 2 and 4.

Contact: Bradley Bowling – Priest, Craven & Associates

Vicinity Map



GH-7-12 / Bacarra - Site Location Map



GH-7-12 / Bacarra – Preliminary Site Plan

SUBJECT: GH-7-12 Bacarra

CROSS-REFERENCE: S -18-12 Center 205 Subdivision

LOCATION: This site is located on northeast quadrant of the intersection of Western Boulevard and I-40

REQUEST: A 312 dwelling unit Group Housing development comprised of 13 multi-family buildings and a recreation/leasing office building on a 21.55 acre tract that is zoned Thoroughfare District Conditional Use District, Residential-4 and Special Highway Overlay District-1. This development is occurring on two of the 4 lots associated with the Center 205 Subdivision, S-18-12 which was a Cluster Subdivision.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

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

- (1) 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 homeowner association."
- (2) 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 approval of construction drawings or site review, whichever comes first:

- (3) That construction plans with a phasing plan for public improvements, private streets and approach to stormwater be approved by the Public Works Department in accordance with S-18-12;
- (4) That the nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) 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;

- (6) That lots are recorded in accordance with S-18-12;
- (7) 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;
- (8) That as the developer purposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work (per code section 10-9044(a).”

Prior to issuance of building permits or issuance of certificates of occupancy in the Inspections Department:

- (9) That all zoning conditions associated with Z-35-87 and Z-35-96 are met;
- (10) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (11) That street names for this development be approved by the City of Raleigh Geographical Information Services Division and by Wake County;
- (12) For any lots developed as residential, a letter of credit shall be provided when 75% of the residential units have been issued and the existing and proposed infrastructure does not meet city standards.
- (13) That if not paid at the time of lot recordation, 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;
- (14) 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 property owner’s association;
- (15) That Flood Storage Easements shall be shown on all plats for recording;
- (16) That Neuse River Buffers shall be shown on all plats for recording;
- (17) That an encroachment agreement for any stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City’s Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment

agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;

- (18) That if not paid at the time of lot recordation, a fee-in-lieu for curb and gutter and ½ 5' sidewalk be paid for the frontage along Western Blvd. prior to map recordation or building permit which ever first occurs;
- (19) That all driveway permits and encroachment agreements be approved through NCDOT prior to construction drawing approval;
- (20) That backflow prevention device required to be RPDA from city approved list for fire line devices;
- (21) That private water line if supplied with a RP device in hot box could have DCDA backflow devices on sprinkler system. This may be preferable with the 2 backflow devices inline and the combined pressure loss;

Prior to Inspections Department Issuance of a certificate of occupancy;

- (22) 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;
- (23) That the applicant submits as built drawings for approval by the Public Works Department for all stormwater facilities;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Mitchell Silu (C. Hodge)

Date:

4-9-13

Staff Coordinator:

Eric Hodge, AICP

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2017, 10-2045, 10-2058, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 2/12/13, owned by Bacarra LLC, submitted by Priest, Craven & Associates, Inc..

ZONING:

ZONING DISTRICTS: The properties are comprised of Residential-4 and Thoroughfare District Conditional Use District and Special Highway Overlay District-1. Ordinance No. 7 ZC 399 Effective 11/9/96 (Z-35-96) and Ordinance No. 980 ZC 212 (Z-35-87).

Z-35-87 Interstate-40, east side, at the interchange with future Western Boulevard, being portions of Parcels 3, 4, 7, 757, and 759, Tax Map 547, rezoned to Thoroughfare Conditional Use, according to map on file in the Planning Department.

CONDITIONS:

1) The subject property shall not be used for the following purposes, which are otherwise authorized in the Thoroughfare District: outdoor theaters; public utilities plants; storage terminals; industrial uses involving the processing of materials, fabricating, mixing, assembling, cutting or repairing of articles and products; above ground bulk storage of flammable and combustible liquids; indoor operation of solid waste reclamation; outdoor storage as an accessory use to the operation of an industrial or manufacturing use including the storage of coal, ores, minerals, stone, sand, gravel, or earth; emergency shelters; and any outside recreational activity involving motorized vehicles.

2) Upon development of the subject property, the petitioner will dedicate the right of way, two hundred (200) feet in width, for that portion of the extension of Western Boulevard adjacent thereto. Such two hundred (200) feet shall include all slope and planting easements related to the roadway, and the dedication thereof shall be subject to the condition that the City will use its best efforts to locate all utilities and rights of way associated therewith entirely within the aforesaid two hundred (200) feet.

DEVELOPMENT

DENSITY: The number of units allowed in this development would be 389 units based on the Thoroughfare District (17.85 AC x 20 DU/AC (Administratively)) and Residential-4 zoning districts (7.94 x 4 DU/AC). The proposed plan contains 312 units, which equates to 11.73 units per acre. The maximum # of dwelling units allowed in the 47 units per acre as the Cluster allows dwelling units to be transferred into the Residential-4 section so long as it doesn't exceed the density of the next-highest zoning district which in this case is Residential-6.

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 15'. 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 is only one phase shown in this development. If the developer proposes to phase the development, a phasing plan must be submitted and approved with Infrastructure Construction Drawings.

OPEN SPACE: Open space conforms to minimum requirements. 10% or 2.66 acres required for the Cluster Subdivision, 3.07 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 624 spaces required, based on 1.5 parking spaces per one-bedroom unit (of which there are 78), 2 spaces per two-bedroom unit (of which there are 156) and 2.5 spaces per three-bedroom unit (of which there are 78). An additional 49 spaces would be required for the clubhouse and pool area. 608 spaces are provided. A reduction of 62 off-street parking spaces for landscape planting area is being utilized and a reduction of 3 parking spaces is being utilized based on the ratio of units that are within 400' of the pool and clubhouse. After taking the allowed reductions, the required parking requirement is reduced to 608 parking spaces which is what is being 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. 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 density residential use impact use under Section 10-2082.9. 10' Type D transitional protective yards are required along portions of the north and western edges of the development where adjacent to a single-family residential use.

TREE CONSERVATION: The preliminary plan shows a total of 1.7 acres of Tree Conservation Areas on the site that were set aside as part of S-18-12 Center 205 Subdivision. 10.6% of the overall subdivision, or 4.74 acres, was established with S-18-12.

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 for the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Farm Gate Road	60'	N/A	20'

Additional right-of-way to be dedicated was done as part of S-18-12.

TRANSIT: No transit-oriented features of this site were incorporated into the proposed plan.

URBAN FORM: This site is located in an area designated a Office/Residential Mixed Use area. Plan as shown is consistent with the Comprehensive Plan. The following policies apply:

- LU 7.6 Pedestrian Friendly Development
- T 5.5 Sidewalk Requirements
- T5.9 Pedestrian Networks

**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 and shall be private pickup.

CIRCULATION: Proposed street improvements conform to normal City construction standards in accordance with S-18-12.

PEDESTRIAN: Proposed public sidewalk locations conform to City. Internal sidewalks are also being provided in keeping with 10-2091.

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. Lots 1 and 2 propose to share 2 stormwater BMP's and a buydown to NCEEP to address stormwater runoff and Water Quality (nitrogen loading) regulations, 2 Wetlands are proposed to be located on Lot 2.

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:**

Neuse River riparian buffers are required on this site.

STREET NAMES: 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: 4/9/2016

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: 4/9/2018

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.